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to Harry D. Jenson*

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REPORT TO THE

COLORADO GENERAL ASSEMBLY

COLORADO'S PROGRAMS IN THE FIELD OF CORRECTIONS

RESEARCH REPORT NO. 21

December 1956

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The Legislative Council, which is composed of five Senators, six Representatives, and the presiding officers of the two houses, serves as a continuing research agency for the legislature through the maintenance of a trained staff. Between sessions, research activities are concentrated on the study of relatively broad problems formally proposed by legislators and the publication and distribution of factual reports to aid in their solution. During the sessions, the emphasis is on supplying legislators on individual request with personal memoranda providing them with information needed to handle their own legislative problems. Reports and memoranda both give pertinent data in the form of facts, figures, arguments, and alternatives, with or without definite recommendations for action. Fixing upon definite policies, however, is facilitated by the facts provided and the form in which they are presented.

*Speaker Hamil resigned from the legislature effective July, 1956.

FOREWORD

This study was conducted according to the provisions of House Joint Resolution No. 12 (1956). This Resolution directed the Legislative Council to do the following:

1. Study the four state correctional institutions for the purposes of
 - (a) evaluating the existing laws relating to management and control;
 - (b) evaluating the existing laws and practices relating to the functions of each institution;
 - (c) evaluating the existing laws relating to the sentencing and rehabilitation of offenders.
2. Study population trends for effect and impact on institutional programs.
3. Make an evaluation of the organization of correctional institutions and the procedures used in other states.

At its quarterly meeting held on March 28, 1956, the Council discussed H.J.R. 12 with the director of institutions, the heads of the four correctional institutions, and the director of the parole department. At that meeting, the Council received assistance from these officials, heard their ideas in regard to "needs" at the correctional institutions and their opinions on the practicality of establishing some sort of central correctional agency.

Since July 1, 1956, Harry O. Lawson, Research Associate on the Legislative Council staff, has had primary responsibility for making this study of the four correctional institutions and of the laws pertaining to them, as directed by H.J.R. 12. All four of the institutions were visited, with one week spent at Canon City, four days spent at Buena Vista, and three days each at the industrial schools. The purpose of these institutional visits was to become acquainted with their facilities, programs, staffing and organizational patterns, and "needs".

The laws for all four institutions and for the Department of Institutions have been abstracted and analyzed, and questionnaires were sent to several states which have some form of central coordinating agency for correctional institutions. Data on the lack of sentencing uniformity has been collected and compiled by the classification and records officer at Canon City, and a preliminary analysis of this material has been made.

Acknowledgements

In carrying out this study, the Council has worked with and had the cooperation of the heads of the four institutions and their staffs: Wayne K. Patterson and members of his parole department staff; "Bill" Williams, director of the State Planning Commission; Herb Allen, director of the Department of Public Institutions; and Dr. Ellis Graham of the State Department of Education. Other state agencies and officials have also been of assistance, especially Harry S. Allen, executive secretary of the Legislative Subcommittee on Appropriations.

Approach to the Study

While H.J.R. 12 directed only that a study of the four institutions be made, it became readily apparent--once research was underway--that the functions of probation and parole also had to be considered, inasmuch as both play an important role in the over-all correctional program, which includes the following facets: probation, sentencing, institutional assignment and classification, institutional confinement and rehabilitation, and parole.

The importance of the role of parole in the total correctional picture can be seen from the following two facts: first, approximately 98 per cent of the persons who are confined in correctional institutions eventually return to society, so that, generally, the institutional programs cannot be considered terminal in nature. Second, 93.7 per cent of all adults released from our correctional institutions in 1955 were released on parole (1,083 out of 1,156), and virtually all juveniles were also released on parole.

In approaching this study, the following frame of reference was used as guideposts, to give some perspective to the study material (these were in part suggested by A Manual of Correctional Standards, of the American Correctional Association):

1. There are two institutional purposes: protection of society, and rehabilitation. Proper rehabilitation not only saves the state the cost of an inmate's confinement, but also assists him to become a productive member of society, able to support himself and his family and to live a normal life. A good probation system can keep an increased number of people out of our institutions in the first place, thus reducing the aggregate number which the institutions must confine.
2. A good parole system can accomplish a great deal toward keeping a man from returning to a correctional institution once he is released under the parole department's supervision. But no matter how effective a parole system may be, it cannot do the job expected of it if the rehabilitation programs at the institution are not doing a sufficient job in preparing a man for release.
3. In developing institutional rehabilitation programs, it is not desirable to strengthen one institution while ignoring the others, nor is it desirable to develop programs at each institution without over-all coordination and common goals.
4. It is difficult to coordinate institutional programs unless the functions of each institution are clearly defined--both as to each institution's purpose and in regard to the other institutions.
5. Rehabilitation programs, no matter how well planned and staffed, cannot be really successful without uniform sentencing procedures and proper institutional classification and assignment.

Order of Presentation

The material presented in this report is discussed in the following order:

- Section I Findings and Alternatives for Colorado
- Section II Administrative Relationships and Laws Pertaining to the Four Correctional Institutions
- Section III State Correctional Institutions and Their Programs
- Section IV Probation and Parole
- Section V Sentencing Practices
- Section VI Population Projections for the Four Correctional Institutions
- Section VII Correctional Programs in Other States

The report is lengthy, but to have reduced it in size would have meant "short changing" the reader. The entire fabric of the correctional function in Colorado is woven from the threads of many programs and an effort at over simplification would result in providing a report which was only a "mill end" rather than a complete "bolt" of cloth.

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FINDINGS AND ALTERNATIVES FOR COLORADO

In general, this report presents an inventory of Colorado's correctional institutions and their programs, and the laws pertaining to their organization and operations. A brief look has been taken at the operation of the state's parole and probation programs and how they fit into the total correctional picture. Population projections were used to hazard a prediction as to what future needs may be, and a summary of some other state correctional programs has also been included.

At its September 26, 1956, quarterly meeting, the Legislative Council decided that this report should represent the first phase of what should be a continuing study of the correctional institutions in Colorado, and the possible direction the correctional program might take. As such, it contains no recommendations to the Forty-first General Assembly other than that this study, as directed by the provisions of HJR 12 (1956) be continued.

In any future study, special emphasis should be placed on an analysis of sentencing laws and recommendations for changing them where needed. The Legislative Council has requested the assistance and cooperation of the Colorado Bar Association and the District Attorneys' Association in making an analysis of present sentencing laws and needed changes.

Findings

Findings of this initial study of the state's correctional institutions, programs, and laws appear below, as well as a presentation of what appear to be immediate and long-term problems with respect to Colorado's correctional institutions.

1. THERE IS NO OVER-ALL STATE CORRECTIONS PROGRAM AT THE PRESENT TIME. INSTEAD, THERE ARE FOUR SEPARATE CORRECTIONAL PROGRAMS, LACKING OVER-ALL COHERENCE AND COMMON GOALS. In general, the four institutions are doing a creditable job, considering the limitations of staff and facilities. The existence of four separate correctional programs instead of one is a handicap in the operation of these institutions and their programs for these reasons:

- * Prevents comprehensive, integrated planning and programming for the four institutions. There is no over-all plan, which would weight and balance the needs of each institution with respect to the goals of a common program and within the limitations of funds, staff, and facilities. Instead, each institution has had to develop its own building program and project its staff needs independently of the other three. The need for over-all planning will be even greater if the inmate population of the four institutions rises to expected levels during the next decade.
- * Prevents an over-all, planned farm and industries program, which could maximize the potential of the reformatory and penitentiary in manufacturing products for use by state agencies, institutions, and political subdivisions. Such a program would also allocate farm

production according to what each institution could produce best, the surplus of which could be used by other institutions and might result in the closing down of inefficient farm programs without rehabilitative value. An integrated industries program would not only save the state money, but would provide useful and beneficial work for inmates. The state can well be pleased with the industries program developed on a one-institution basis at the penitentiary, but this program is limited in expansion unless there is a central plan which would base industrial expansion and diversification upon the needs of the state institutions, agencies, and political subdivisions, and thus provide a ready market for the products.¹ As is done in other states, it might be desirable to locate some industries with definite vocational training value at the reformatory.

- * Prevents a standardized method of reporting data pertaining to the flow and composition of the inmate population, and of a central repository for this data which makes it impossible to make any significant analysis of trends in inmate population, rate of crime, and other factors which could assist all agencies in the law enforcement and correctional field.
- * Prevents the possibility of any one agency or central source having a total picture of the state's correctional operations, and leads to each institution developing its own independent program often unaware of what the other three institutions are doing.

Among other advantages of a single program, instead of four separate programs, would be the possible sharing of a limited supply of professional personnel, such as clinical psychologists, social workers, and in-service training officers. Such personnel might be shared between institutions, if feasible, or retained on some sort of rotation basis among the institutions, at least in a consultative capacity.

2. THERE IS A NEED FOR INCREASED EMPHASIS ON THE DEVELOPMENT OF EDUCATION, VOCATIONAL TRAINING, MENTAL HYGIENE, AND COUNSELING AT EACH INSTITUTION, WITH SPECIAL CONCENTRATION AT THE TRAINING SCHOOLS AND THE REFORMATORY.

- * It is generally agreed that these programs are of great assistance in returning inmates successfully to society. The institutions themselves recognize this and have made similar recommendations.
- * One-third of the inmates of the penitentiary served at least one term in the reformatory. Almost 20 per cent have served at least one sentence at the boys' school. Measures should be taken to decrease this "graduation". An expansion of the vocational training, education, and mental health services at the training schools and reformatory level may be one way to do it.

1. Any industrial expansion plan should contain adequate safeguards for private industry and free labor; a joint institutional industries advisory board composed of representatives of management and organized labor might be of assistance in this respect.

- * It costs the state from \$1,200 to \$1,500 per year to keep an inmate in a correctional institution. With the adoption of the forty-hour week and necessary staff expansion, the cost will be even higher. Program improvements at the training school and reformatory level, where the average stay is much shorter than at the penitentiary, may decrease the expected population growth at the penitentiary, thereby saving the state a great deal of money. In addition, there are the added savings to society from changing a youthful offender into a useful, productive citizen.
- * None of the four institutions has an academic program that extends through high school. The girls' school is the only institution with vocational training tied in with the academic program. Vocational training at the other three institutions, what there is of it, is tied in with maintenance, industrial, and farm operations, with no accredited vocational teachers and no class room instruction.

3. IT IS DIFFICULT FOR THE INSTITUTIONS TO DO A GOOD JOB IN PREPARING A MAN FOR RETURN TO SOCIETY WHEN SENTENCES DO NOT CORRESPOND TO THE LENGTH OF TIME AN OFFENDER MAY NEED TO BE CONFINED BEFORE THERE IS A CHANCE OF SUCCESSFULLY RETURNING HIM TO SOCIETY.

- * It makes it difficult for the parole board and the parole department if, first, the board is faced with having to parole a man who has served his time and has met institutional requirements, even though he is not ready for release, and, second, if the parole department has to supervise offenders who should have remained on the inside.
- * It does the offender an injustice if he might successfully be returned to society but cannot because of the length of his minimum sentence above the statutory minimum for the crime.
- * It does society an injustice if offenders are released, even under parole supervision, who are certain not to make a satisfactory adjustment on the outside.

4. SEVERAL LAWS REGARDING THE CORRECTIONAL INSTITUTIONS ARE CONFUSING AND/OR ARCHAIC. IN SOME INSTANCES, THE STATUTES NEED TO BE CHANGED, AND OTHER LAWS SHOULD EITHER BE ENFORCED OR REPEALED.

- * See Section II of this report for recommendations.

5. THERE IS A DEFINITE NEED FOR SOME KIND OF INSTITUTIONAL FACILITY FOR GIRLS OF REFORMATORY AGE.

- * There is no program for these girls at the Denver county jail which at present is designated as the reformatory for women.
- * There are no facilities for these girls at the girls' training school, although the laws at present allow commitment there of girls between the ages of 18 and 21.
- * There is some question as to the advisability of keeping many of these girls on probation merely because there is no place to send them. This, in and of itself, is hardly a criterion for granting probation.

6. PRELIMINARY ANALYSIS INDICATES THAT THERE IS A DEFINITE NEED FOR UNIFORM MINIMUM PROBATION STANDARDS, APPLIED ON A STATE-WIDE BASIS, COUPLED WITH AN EXTENSION OF PROBATION SERVICES.

- * Probation services for both adults and juveniles leave much to be desired outside of the metropolitan Denver area and the more populated centers, such as Pueblo, both in the granting of probation and the provision of qualified full-time probation officers for adequate supervision. The success of the probation system so far, considering the lack of full-time qualified personnel in some areas of the state, is an indication of its potential.
- * The cost of supervising an offender on probation is about one-tenth the cost of institutional confinement. With the already realized and anticipated increases in institutional population and the cost of confinement and the construction of new facilities, effort should be made to extend probation services and reduce the commitment rate of first-time offenders, if at all possible. The present rate of adult probation success is 85 per cent, and the successful probationers seldom commit another offense.
- * Expansion of juvenile probation services also should not be overlooked. More than 50 per cent of juvenile court cases result in probation being granted. Yet, only four counties have at least one full-time probation officer.

7. IT IS DIFFICULT IN THE EXTREME TO MEASURE ACCURATELY THE SUCCESS OR FAILURE OF A CORRECTIONAL PROGRAM, ESPECIALLY BY THE RATE OF PAROLE VIOLATION OR RECIDIVISM, BECAUSE OF THE MANY INTANGIBLES INVOLVED.

- * Other factors besides the success or failure of the institutional program may cause parole violation or another offense after parole is successfully completed.
- * An expanded successful probation program would mean that the institutions would get the more maladjusted, difficult offenders. The rate of parole violation and/or recidivism with this group of offenders would be expected to be higher. This rate of increase would not necessarily be the fault of the institutional program.
- * A lack of adequate parole supervision, because of increased case loads per parole officer, could also cause parole failure.
- * Good institutional adjustment does not necessarily mean a successful adjustment when an offender is returned to society.

8. EITHER THE DEPARTMENT OF INSTITUTIONS SHOULD BE GIVEN THE STAFF AND FUNDS TO PERFORM ITS FUNCTIONS AS OUTLINED BY STATUTE OR THE STATUTES SHOULD BE REPEALED AND THE DEPARTMENT ABOLISHED OR GIVEN NEW FUNCTIONS.

Some Immediate Problems and Alternatives

1. Establishment of a facility for female offenders of reformatory age.

There are several possible approaches to this problem. Continued use of the Denver county jail should not be recommended, because of the lack of staff and facilities for providing a program for state charges confined there. Warden James Dolliver of the Denver county jail told the group assembled at the annual meeting of the Colorado Parole and Probation Officers' Association in Glenwood Springs in September, 1956, that his institution could not provide an adequate program for reformatory-age girls confined there.

If the continued intention of the General Assembly is to have these girls confined at the girls' training school, funds should be provided to build facilities to house them and to set up a program for them at that institution.

It would be far too costly for the state to build its own separate institution for these girls, because there probably would not be enough of them confined during the next few years to make it economically feasible. A possible solution would be the building of an institution jointly with other western states through an interstate compact. This institution could be located in Colorado or in another state and might have separate facilities in the same institution for females of both reformatory and penitentiary age.

If such an institution were built, the women's department of the penitentiary--which Warden Tinsley feels is a security problem because of its location adjacent to the main prison--could be closed down and the inmates transferred.

2. Establishment of an integrated farm and industries program.

This program could be set up by making use of existing statutes which give the Department of Public Institutions the authority to coordinate prison industries.

If this were done, a well-qualified person should be added to the staff of the Director of Public Institutions, and two statutory changes would be desirable. The first change would be necessary to bring farms and agricultural production under the department's control, and the second would remove the stipulation that all goods be sold "at or near prevailing market prices".

Another alternative, if this program is considered desirable, would be to set it up in the Controller's office as part of a division of institutional services, and to repeal the statutes giving this authority to the Department of Public Institutions.

There are two further decisions to be made in regard to a farm and industries program. First, should this program take in all institutions on the production end, or just the correctional institutions? Second, should action be taken to integrate this program now, or should it be delayed until decisions have been made on what over-all changes are needed in the state's correctional program?

3. Uniform minimum state probation standards and extension of probation services.

Preliminary analysis indicates that the setting of minimum standards might increase the quality of probation services outside of the metropolitan area and the more populated districts and counties. At the present time, most judges are opposed to a centralized probation system, especially for adults. What might be done instead would be the combining of some districts for probation service only, thus insuring each district of the services of a qualified, full-time probation officer. This expanded probation service for adult offenders might be financed by state grants-in-aid to the judicial districts, if minimum standards are met. A grant-in-aid program might be justified on the grounds that for every offender on probation, the state presently is saving money at county expense.

State grants-in-aid for probation services for juveniles also based on meeting minimum standards might be of help in extending these services throughout the state. Other possibilities include the creation of regional juvenile courts each with at least one full-time qualified probation officer or setting up a centralized agency to handle both juvenile probation and parole services.

On the other hand, it might be desirable to include a more extensive analysis of probation as a next step in the corrections study before reaching any decision as to needed changes.

4. Qualified teaching, testing, and counseling personnel at the four institutions.

Under present circumstances, the hiring of professional personnel is dependent upon these four things: First, the institution's opinion as to need, as may be translated through its budget request; second, the appropriation to hire such personnel; third, a civil service pay classification which will enable the institution to hire qualified personnel, once they have the money; and fourth, the availability of qualified personnel willing to work at the established pay rate. (It is reported that present pay scales and classification procedures make it difficult to hire qualified personnel to fill these jobs at the institutions, even when appropriations to do so are available.)

It might be desirable to provide the Department of Institutions with a qualified staff officer in charge of classification and training, to assist the institutions in developing these programs. This is a job now being capably done by Dr. Ellis Graham of the staff of the State Department of Education. The addition of this position to the Department of Institutions staff would help to centralize services for correctional institutions within one agency, especially if a farm and industries program were to be coordinated by the same department. Again, this implies a basic decision as to whether or not the Department of Institutions, as now constituted, is the proper agency for these functions.

1. County funds now finance adult probation services.

5. Adequate parole supervision for juvenile parolees.

It has been pointed out that additional parole personnel is needed at the juvenile institutions because present case loads make it difficult, if not impossible, to give adequate supervision to all juvenile parolees. This supervision could be a deterrent in many cases in the continuance of criminal acts, especially if home conditions are less than satisfactory.

The basic question involved is whether or not the juvenile parole function should continue to be part of the institutional program, transferred to some other agency, or to a new agency set up expressly for this purpose.

The juvenile institutions feel that they should retain this function and should also continue to determine when to release a juvenile on parole. They point out further that they could do an adequate job of supervision if provided with additional personnel. They believe that the parole officers will become better acquainted with the school program and the youngsters they will supervise upon release, if they are attached to the institution.

By removing both parole determination and supervision from the juvenile institutions, more objective criteria might be used in determining release and there could be full-time resident supervision in districts throughout the state similar to the method used by the adult parole department. The institutions would still refer inmates to the juvenile parole board and their recommendations would carry weight in the board's decision. Each institution could have a parole officer in residence and the other juvenile parole officers could pay periodic visits to the institutions to become acquainted both with the program and the youngsters.

Long Range Problems

The need for a much better coordinated correctional program is the major long range problem. Consideration and decision concerning some of the problems and findings listed above may bring about sufficient improvement for the present, and thus delay the need for an effective central agency to coordinate the total program, including closer liaison between the institution and the probation and parole functions.

In the long run, however, the increase in the number of people going through the courts, either receiving probation or being committed to an institution, and eventually being paroled will increase the need for some kind of centralized coordination and control. The magnitude of the correctional program and all its aspects can be seen from these estimates for 1965, the end of the present 10-year building program. These estimates are based on expected state population increase and assume the present commitment rates without any expansion of probation services: penitentiary 1,887; reformatory 472; boys' school 283; girls' school 160; adults on probation 2,000; adults on parole, 2,400; juveniles on parole 550. If the average sentence at the reformatory and boys' school is increased from eight to 12 months, there will be corresponding increase of one-half in the inmate population of these two institutions making the prediction for the reformatory, 708 and for the boys' school, 422.

The question that must be answered sooner or later is: Should Colorado have a central agency to supervise corrections?

First, the objections to a central correctional agency.

Objections to a Central Correctional Agency

1. The expense involved.

It would be quite expensive to set up a well-staffed central correctional agency. Without a well-qualified staff, the agency would amount to little more than the Department of Institutions does at present. As it is difficult to measure the success of a corrections program, can this additional expense be justified? Is there any assurance that a central agency will result in any improvement over what exists at present?

2. A central authority does not solve the problem of limited facilities and staff at the institutional level.

A central agency cannot successfully impose a program upon the institutions if the facilities and staff requirements are not sufficient to carry it out. (Data from other states supports this contention.) If facilities and staff are provided, won't this solve the problems and make a central agency unnecessary?

3. More red tape for the correctional institutions.

The institutions have more than enough red tape now in their dealings with the various state agencies on matters involving purchasing, financial management, construction, and personnel, among others. A central agency would merely add to the administrative channels that exist and cause delay and additional paper work.

4. Colorado does not have sufficient penal population or the problems to make a central agency necessary.

A central authority may be needed in the larger states such as California or even Indiana, but Colorado is too small to need an additional central agency.

5. A central agency might standardize procedures too much and not allow enough flexibility on the part of the institutions in developing and administering their programs.

6. If juvenile institutions and adult institutions are combined in one agency, the juvenile institutions might lose their identity and have their program subordinated to the adult institutions.

7. Solution of the various small problems and correction of program trouble spots would make a central agency unnecessary.

Arguments for a Central Agency

1. Need for overall planning and control.

With the increased correctional needs and a limit on the resources available to meet them, it is important that there be overall planning and programming.

This planning would allow allocation of resources to the institutions on the basis of overall goals rather than on an individual institutional basis. If this is done, there is less chance that any part of the program would be slighted or any institution make gains at the expense of the others.

2. Elimination of duplication of effort and facilities.

The central agency would not have to be another administrative channel for the institutions to go through. Rather, if properly organized, it could funnel and expedite procedures involving personnel, purchasing, finance etc., and give the institutions one agency to deal with on the state level instead of several.

The central agency would be able to curtail the need for new facilities by avoiding duplication. For example, setting up one classification and admission center for the penitentiary, the new medium security institution and the reformatory, and--with the cooperation of the parole department--use of the same pre-parole unit for both the penitentiary and the reformatory.

3. Provide competent professional staff services.

It would be costly and perhaps not necessary to maintain in residence at all the institutions such personnel as professional dieticians, training officers, and complete psychiatric teams. These services could be provided the institutions on an advisory and consultive basis. In addition, the central agency could provide supervision and consultation on fiscal matters, the farm and industry program and education and vocational training, as well as devising a system of sharing professional personnel between institutions whenever feasible.

4. A central agency will not take responsibility away from the institutions, but will assist them in carrying out their functions.

It would not be the intention or purpose of the central agency to interfere with the control of the wardens and superintendents. The agency's function is to develop common goals and give assistance to the institutions in carrying out their programs.

5. Provide centralized statistics and records control.

A central agency could standardize reporting procedures involving various kinds of inmate and institutional data. A method of central collection could be set up, which would eventually have enough data for various research projects and analysis. Standardized records and central controls would eliminate the duplication of effort on the part of institutions in compiling complete case histories on inmates on whom this was already done by another state correctional institution.

6. Utilization of personnel and facilities.

While it is true that a central agency needs adequate facilities and staff on the institutional level, the arguments above and the experience in other states indicate that given the necessary facilities and staff, a central correctional agency can make better use of them through planning and avoiding duplication.

7. Closer liaison with parole and probation agencies.

A central agency can effect closer liaison with the probation and parole agencies than the individual agencies can themselves. This liaison could come about through top level agreements and understanding of goals and purposes and the cooperation in the solution of common problems.

8. Subordination of juvenile institutions.

This is a problem to consider once a central agency is decided upon, not a reason for not considering the establishment of such an agency. Even within one agency, there might be an assistant director for the juvenile program to avoid the possibility of subordination, with a sharing of services which have application to all institutions such as diet and nutrition, business management, farms and industries, and records and statistics.

Alternatives in Setting up a Central Correctional Agency

There are several basic questions to be answered and several approaches which might be taken in setting up a central correctional agency. These questions are posed and the approaches summarized briefly below:

1. Should the central agency be set up independently of all other agencies, or should it be incorporated within the framework of an existing department?

2. Should both juvenile and adult institutions be under the same central agency?

3. Should either parole or probation or both come under the central correctional agency?

4. Should the central agency have a board of control, an advisory board, or no board at all?

1. Should the central agency be set up independently of all other agencies or should it be incorporated within the framework of an existing department?

Even the anticipated population increases of the correctional institutions in the next decade do not clearly indicate the need for a separate agency. Such an agency might prove more costly than one set up within an existing department, because it would have to provide professional staff services which might duplicate services available within an established department. The alternative would be to utilize the services of other agencies, but such practice would partially negate the justification for a separate agency. It is possible that Colorado will eventually be large enough to consider an independent department of corrections, but it doesn't necessarily need one now.

Possibilities of setting the agency up within existing departments include the Department of Institutions, the Department of Education, the Department of Social Welfare or the Office of the Controller. Although it is done in some other states, there is little precedent or reason why in Colorado a central corrections agency should be placed within either the education or welfare departments. It is possible that the correctional agency might be buried under those circumstances.

Department of Institutions. The Department of Institutions remains a good possibility, because of the area of its main activity and because existing statutes provide a framework for setting up a correctional division. Specifically (3-11-3) which states that "the governor may appoint such other personnel subject to civil service law and within the departmental appropriation, as he feels necessary for operation of the department". Also to be considered are the statutes cited in Section II outlining the duties of the director of the department in respect to the institutions and prison industries.

One drawback to placing the correctional division within the Department of Institutions is the present method of appointment and the salary scale of the director. In the past the position of director has been primarily a political appointment and is subject to reflecting a change in administrations. The salary set for this position is \$8,500 which makes it impossible to attract a well-qualified man for the job. This salary limit also imposes a lesser limit on the man chosen to head the correctional division and upon his subordinates. It is obvious that competent well-qualified personnel cannot be recruited under these circumstances.

If some of these objections are worked out and the Department of Institutions is considered the proper agency for a correctional division, these are alternative methods of organization:

- a. Provision of all central staff services and supervision within the division. These staff services might include farm and industry program, classification and training, food and nutrition, records and statistics, and business management, among others.
- b. A director and a small staff to administer and supervise the corrections program with the services to be provided by the department as a whole under the director of corrections in-so-far as they apply to the correctional program.
- c. A division of the department of institutions into three functional units: corrections, mental health, and welfare institutions. Under this arrangement each division would be responsible for its program and some services with the remainder to be provided by the department as a whole or another division.

Office of Controller. The office of the controller might also be the place to set up a division of institutional management of which corrections would be one agency. The possible organization of this division and the correctional agency would be approximately similar to establishment under the department of institutions.

Provisions of the administrative code appear to make it possible to set up a division of institutional management within the office of the controller. Section 3-3-1 states in part that the powers and duties of the division of accounts and control shall be:

- (1) to keep in continuous touch with the operations, needs, plans of the several other state agencies.
- (2) appraise quality and quantity of services rendered by each department and agency and the needs for such services and for any new services.

- (3) to develop plans for improvements and economies in organization and operation of departments and install such plans as are approved by the respective heads of departments or as are directed to be installed by the governor or the General Assembly.
- (4) to develop in cooperation with the several departments comprehensive, long range plans for capital improvements and the means for financing them.
- (5) prescribe operation reports.
- (6) approve expenditures.

2. Should both juvenile and adult institutions be under the same central agency?

Some authorities on delinquency programs and juvenile institutions object strongly to having a combined correctional agency for both juveniles and adults. It is explained that juveniles constitute a completely different problem from adult offenders and that the juvenile program does become subordinated to the adult correctional program.

On the other hand, some states appear to have successfully combined the two (for example, Indiana, Wisconsin, and Rhode Island). At the present or even in the next decade or so, it doesn't seem likely that Colorado will be large enough to warrant two separate agencies for corrections. There is one exception, however. If it is considered desirable to set up a community services program to combat delinquency on the community level (these programs have been considered successful elsewhere), then this program could be incorporated as one division of a juvenile agency which would also include the juvenile institutions.

Among the alternatives to a separate agency for just the juvenile institutions alone are:

- a. A division of children's services which would also include the juvenile training schools as well as the other state supported children's institutions.
- b. As assistant director for juvenile programs and training schools within the central correctional agency.
- c. A central agency for adult institutions only, leaving the juvenile training schools to operate their own independent programs, at least for the time being.

3. Should either parole or probation or both come under the central correctional agency?

This is an area which must be explored more thoroughly before any decision can be made. As yet the state does not even have a centralized probation system, nor is there much enthusiasm toward setting one up. Therefore, the question in respect to integration of probation into a central correctional agency is quite academic at the present time. Other states have integrated either or both their adult and juvenile parole departments with their central correctional agency.

The next phase of this study should include an analysis of the success or failure of this integration to develop some criteria upon which a decision may be made.

4. Should the central agency have a board of control, an advisory board, or no board at all?

The effectiveness of boards of control, at least those with part-time members is questionable. The states that have boards of control for their correctional program either have full-time, qualified and well paid members, or confine their activities to limited policy making leaving the administrative responsibility to the director of the agency.

It is doubtful that it would be advisable to set up a board of control at all for a central correctional agency within another department. Such a board would represent another layer of authority between the director of the department and the director of the correctional agency. In that situation, to whom would the director of the correctional agency be responsible: to the board or to the director of the parent department? If the director of the correctional agency were responsible to the board, would the board be responsible to the director of the parent department or directly to the governor?

It might be better in this situation to have only an advisory corrections board, if any board is needed at all. Another alternative would be to have a board for the department of which the correctional agency is a part. This board could include among its membership one or two qualified persons interested in and acquainted with the field of corrections. If this were a board of control or a policy making board, the director of the department would be responsible to it and the director of the correctional agency responsible to him. The establishment of an advisory board at the department level might also be considered; a board similar to the present Board of Institutions.

Again, further study and analysis of the functioning of both boards of control and advisory boards in the field of corrections is needed before a satisfactory answer can be made.

Summary

In this section, the findings of the first phase of the correctional study have been listed. On the basis of the research to date, immediate and long range problems have been enumerated and discussed. Also presented in this section was a preliminary analysis of various forms a central correctional agency might take and some arguments pro and con on the usefulness of a central correctional agency in Colorado.

In toto this report presents the basic data which resulted from initial research in the field of corrections and provides a base for further study.

II

ADMINISTRATIVE RELATIONSHIPS AND LAWS

PERTAINING TO THE FOUR CORRECTIONAL INSTITUTIONS

The legal and actual relationships between the State Department of Public Institutions and the four correctional institutions are outlined in this section. In addition, the formal and informal relationships among the four institutions are discussed. The last part of this section is devoted to a presentation of the laws pertaining to the four institutions, showing some statutes which need repeal or revision and includes comments of the institutional heads concerning the laws under which they operate.

Administrative Structure and Relationships

Supervision of the Correctional Institutions by the Department of Public Institutions

Statutory Provisions.

Among the institutions controlled by the Department of Public Institutions are the reformatory, the state penitentiary, and the State Industrial School for Boys(3-11-4). The girls' training school at Morrison is under the direction of a Board of Control; the Board of Control is supervised by the Department of Institutions (3-11-5).

The governor as head of the Department of Institutions has the power to transfer inmates from Buena Vista to Canon City under certain conditions. He may also transfer inmates from Canon City to Buena Vista under certain conditions (3-11-6). (See discussion of inmate transfer below.)

The Director of Public Institutions is authorized to receive and make inquiry into complaints regarding the conduct and management of the institutions, their officers and employees and shall transmit his findings, conclusions, and recommendations to the governor (3-11-7). He also acts as liaison officer for the department and keeps in touch with the heads of the institutions and consults and works with them in order to develop simplified and economical procedures of operation, management, and accounting, and to report the same to the governor (3-11-7). He also may investigate the conduct and efficiency of the officers and employees of the several institutions and upon the request of the governor, he shall initiate and maintain proceedings before the Civil Service Commission for the discipline or removal of such officers and/or employees (3-11-7).

According to the statutes, the Department of Public Institutions has the following authority and responsibility at specific institutions:

Penitentiary

- * May approve additional time allowance for trusty prisoners (105-5-5).
- * Prescribes rules and regulations for the institution (105-4-12).

- * Endorses good behavior certificates of outgoing inmates (105-4-13).
- * Prescribes rules and regulations for convict labor (105-4-2).
- * Determines the necessary personnel requirements (105-4-2).
- * May order inmates to work on county roads upon written request of a majority of any board of county commissioners (105-4-16).

Reformatory

- * Determines the necessary personnel requirements and consents to warden's appointments to other staff positions (105-3-2).
- * Establishes a uniform plan by which inmates earn good time credit whether by a system of marks or otherwise and also sets up a uniform plan by which each inmate shall know his status once a month or more often if requested; may also make provisions for prisoners to meet with the department during every month and also determines the date of absolute release of each inmate (105-3-3).
- * Notifies courts of record as to which county jail or institution in another state has been designated as a reformatory for women (108-3-7).
- * Notifies courts of record when the state builds an institution to be designated as a reformatory for women (105-3-9).

Boys' School

- * Receives biennial report to be made on the 10th of November preceding the opening session of each General Assembly (105-1-3).
- * Prepares a system of government with such rules and regulations as may be deemed necessary for preserving order, discipline, health, and imparting instruction for proper physical, intellectual, and moral training (105-1-4).
- * Pursuant to Article XII, Section 13 of the Constitution, may appoint a superintendent and other officers and designate their duties (105-1-4).
- * May decide to parole boys under such terms as authorized by the governor and return boys upon violation of those terms (105-1-9).
- * Prescribes reasonable times and places for religious instruction to be given (105-1-13).
- * Authorizes the superintendent to place boys in the _____ of a resident family of good moral character and sets conditions for such committment (105-1-8).

The law also give the Department of Public Institutions some specific responsibilities and duties in regard to prison industries.

- * To have manufactured, mined, supplied, or produced; articles, materials, and supplies which are used by the state--its departments and institutions--and which can be manufactured by prisoners of said institutions (105-5-5).

- * The purchasing agent reports to the department estimates of the amounts and kinds of articles and supplies or products required by other state agencies. The department certifies to the state purchasing agent those goods which cannot be supplied (105-5-6).
- * Notifies the state purchasing agent from time to time--in writing-- the kinds of articles etc., the department is prepared to furnish and their prices. The department shall fix and determine the price at which all labor is performed and at which price all articles etc. shall be sold--price to be as near standard market price for goods of similar kind and quality as possible (105-5-7).
- * Authorizes the development of diversified industries at Canon City and Buena Vista after ascertaining the needs of the various state institutions and decides whether the products produced meet necessary quality standards (105-5-8).
- * Department makes rules and regulations relative to the payment of wages and disbursements and there shall always be kept copies of these rules and regulations and amendments thereto, so there may be no question at any time about this subject (105-5-9).
- * Empowered to allow the same good time allowance for conscientious endeavor and outstanding application to work and training as is allowable for trusty prisoners working outside the walls of the institution (105-5-10).
- * The department may require reports from the wardens at Canon City and Buena Vista regarding the operation of prison industries (105-5-11).
- * Authorized to obtain--within the appropriation for this purpose--all necessary materials, supplies and equipment needed for operation of prison industries. All of this material, supplies etc. to be bought by sealed bid unless the department considers it in the best interest of the state to buy same on the open market. The department requires bidders to comply with the terms that it sets up and awards contracts to lowest bidders except that the department has the right to reject any and all bids (105-5-12).
- * The department shall require that the industry operation be conducted on a business basis and that books be accurately kept along with reports of work hours (105-5-13).
- * The department has the power to establish rules and regulations governing the employment, conduct, and management of the prisoners at Canon City and Buena Vista when employed on work provided for them by the department and the department shall have full power and authority to carry into effect the provisions of the above statutes regarding convict labor and goods (105-5-14).
- * The Department of Institutions also may approve the use of inmate labor on state highways upon request of the chief engineer of the highway department with the consent of the Highway Commission and the approval of the governor (105-5-18).

House Bill 388 enacted by the first session of the 40th General Assembly allows the superintendent of any institution in Colorado to which children have been committed or sentenced to request the Director of Public Institutions to have an evaluation made at the Diagnostic Center of any child in his institution.

The Director of Public Institutions is prohibited from accepting more than 10 children at one time for such study and evaluation.

The clinic reports the evaluation to the director in writing and the child is either returned to the institution or assigned to another one.

Actual Relationships

In discussing the actual relationships between the Department of Public Institutions and the four correctional institutions, several factors should be remembered:

1. The Department of Public Institutions has a very small budget and a staff composed only of the director and his secretary.
2. The correctional institutions are only a portion of the agencies and institutions over which the department has either advisory powers or direct control.¹
3. The appointment of the director of the department has been based essentially on political considerations, and no matter how competent the man is holding this job, he can't do more than get acquainted with his duties in two years.
4. Some of the present statutory powers of the Department of Institutions in regard to the four institutions resulted from the work done by the revisor of statutes when he audited the statutes to cull the laws and eliminate conflicts. In regard to the correctional institutions, with the exception of the girls' school, he changed "Board of Control" or "Corrections Board" to Department of Institutions wherever one or the other was found. Consequently, this is now the law whether or not it was the original intent.

In actual fact the Department of Institutions has not had very much contact with either the penitentiary or the reformatory except for occasional conferences with the institution heads and institutional visits. None of the provisions regarding convict labor and goods have been carried out. In general, the nature of the appointment and the lack of staff and funds has handicapped the department in carrying out its statutory functions, especially in regard to prison industries and shops.

The boys' school superintendent reports that he confers weekly with the director of institutions and receives assistance from him on such matters as personnel, administrative problems, and institutional policies. The superintendent states that he has these conferences in order to abide by the letter

1. Five institutions direct control; seven agencies and institutions supervised.

of the law in regard to the Department of Public Institutions. The girls' school has had little contact with the Department of Public Institutions, as the department's role is strictly advisory by statute and the Board of Control sets policy for that institution. When a matter of policy comes up in regard to the girls' school, the Board of Control contacts the governor directly. Policy for the girls' school is established by the Board of Control and is written into the board's minutes. However, the girls' school does refer girls to the Diagnostic Center through the Director of Public Institutions; a practice also followed by the boys' school, and which is required by law.

The four institutions have little direct contact with one another. The penitentiary and the reformatory do work together in regard to a few procedures; the transfer of prisoners from one institution to the other and with an informal arrangement on farm products from time to time. All transfers of prisoners have to be cleared and approved by the governor, and such transfers are limited by law to the following circumstances: 1. from the reformatory to the penitentiary whenever an inmate fraudulently misrepresented his age or gave false evidence where age was the factor that kept such commitment from being made originally; 2. from the reformatory to the penitentiary when an inmate at the reformatory represents such a serious disciplinary problem that his remaining there is detrimental to the proper functioning of the reformatory program; 3. from the reformatory to the penitentiary when an inmate falsely represents that he had not been convicted of a felony; and 4. from the penitentiary to the reformatory with the approval of the penitentiary warden for good conduct and recognized behavior for the purpose of aiding in instructional work at the reformatory. (3-11-6). In case of insanity, an inmate of either institution may be transferred with the governor's approval to either the state hospital in Pueblo or to the state psychopathic hospital in Denver on a temporary basis.

Occasionally, the penitentiary and the reformatory informally may exchange farm produce on a barter basis, if one has a surplus of a commodity needed by the other and visa versa. The other three institutions may use the products of the penitentiary canning and soap factories, but if they do it is only because Canon City submitted the lowest bid and/or the best quality in relation to other bids received.

There is no machinery set up for the transfer of inmates between the penitentiary and the reformatory for any other reasons than those stated by law, and all such transfers have to be cleared and approved by the governor. It is also impossible under present legislation to transfer inmates from Golden to Buena Vista or from Buena Vista to Golden for any purpose.

Institutional Relationships with State Agencies

The four correctional institutions deal with several state agencies in the normal course of carrying out their functions.

Planning Commission-----building program
Civil Service Commission----personnel
Controller-----financial reports/annual audit
State Purchasing Agent-----procurement of supplies etc.
Department of Education-----educational program standards and consultation

The four institutions usually deal directly with these state agencies and not through the Department of Public Institutions.¹ The penitentiary and reformatory have contacts and relationships with the state hospital in Pueblo, and the juvenile institutions, through the Department of Institutions, work with the University of Colorado under whose sponsorship the Diagnostic Center is operated.

Statutory Analysis and Revision

Suggested Changes by Institutional Heads

The wardens and superintendents of the four correctional institutions have pointed out several changes in the statutes which would be of help to them in developing these institutional programs.

Warden Harry Tinsley of the penitentiary feels there is an urgent need for revision of the state's sentencing laws. Revision is needed to provide more uniformity of sentences as well as to provide sentences that are flexible enough to equate the period of incarceration with the length of time needed for rehabilitation to insure more possibility of a successful return to the outside world.² Standard probation procedures are also needed, according to Warden Tinsley, with each judicial district meeting state minimum standards. He suggests the passage of such legislation as is necessary to implement this program.³

A very vital part of the institutional program is the operation of farms and industries. Warden Tinsley feels that these operations at all the institutions should be centralized. The statutes at the present time would allow such centralization. Sections 105-5 through 105-5-14 (as shown above) give the State Department of Institutions the authority to control and coordinate prison industries and an amendment to these statutes could give the department the same authority in respect to institutional farms.

A centralized program would make planned expansion possible as well as allocation of various industries to those institutions best equipped to operate them. Farm production could also be allocated according to facilities and type of land at each institution. Industrial expansion could be geared to institutional needs and the central department could coordinate this expansion with institutional markets for the increased production. Each institution would benefit through the use of its own resources for the goods and farm products it could most efficiently produce and the acquisition of other goods and farm products at a lower cost.

1. One of the most voiced concerns of the heads of the four correctional institutions is that any kind of central correctional agency may be just one more agency between them and getting their job done, unless it can serve as a substitute for having to deal directly with the agencies above.
2. See Section V, Sentencing Procedures, for a further discussion of this topic.
3. See Section IV, Probation and Parole, and Section VI, expected increases in institutional populations and their impact on institutions, probation, and parole.

The statutes would also need a change to allow a centralized industry and farm revolving fund to operate the program and to retain reserves for expansion and replacement. The earnings from this fund could be transferred to the institutions either according to profit shown at each institution or according to per capita or some other formula of distribution.

The present law also authorizes payment of inmates for labor done, and Warden Tinsley believes this statute should be implemented. Many states make a practice of paying inmates a nominal sum for institutional labor. This payment provides an incentive, gives the inmate a little money for his personal needs, and enables him to contribute to the support of his family on the outside. In addition, wage payments encourage good work habits and are a stimulus to inmate reform.

Warden James Thomas of the reformatory sees the need to abolish the mark or credit system as a means of determining parole eligibility. Offenders are committed to the reformatory on indeterminate sentences and, according to Warden Thomas, the mark system is not a true indeterminate sentence, because the time period in which the necessary marks may be earned sets a minimum on the amount of time to be served. He would like to have offenders committed for an indefinite term up to the maximum sentence for the crime, if necessary. Eligibility for release would be determined by an institutional classification or merit board.¹ In order to institute this change, the law requiring that each inmate shall have his standing in respect to his progress toward release given him monthly (105-3-3) would have to be repealed.

Warden Thomas is in agreement with Warden Tinsley on the need for an examination and revision of the sentencing laws. He also feels that chronological age is not necessarily a good criterion for judging reformability and would like to have the statutes changed so that all offenders considered reformable be sentenced to the reformatory. The reformatory would then be designated as an "Institution for Reformable Males", regardless of age.

Gunnar R. Soelburg, superintendent of the boys' school, believes that the school's academic program should receive state aid on the same basis as the other state public schools. The superintendent of the girls' school, Betty Portner, also concurs in this statutory change. Mr. Soelburg would like also the repeal of the statute authorizing the use of inmates at the boys' school to work the farm lands at the State Home and Training School at Ridge (105-1-15). This has never been done, at least during the past 28 years, and should be repealed, as it does not fit in with the institutional program.

Miss Portner wants the law retained that the school has the prerogative to return a girl to the committing court if she is an improper subject for school care and management, is incorrigible, or is prejudicial to the management and discipline of the school (105-2-32). The boys' school has a similar statute (105-1-8). She wants to retain the school's Board of Control regardless of the creation of any state centralized agency for correctional institutions. The law now requires the school to take girls up to the age of 21.² The

1. See fuller discussion of mark system and proposed changes in Section III, Correctional Institutions and Their Programs, Parole and Parole Procedures.

2. Chapter 91, 1956 Session Laws of Colorado.

The superintendent will not accept these girls until the school has funds enough to build separate facilities for them. Miss Portner would also like a statutory change making it mandatory for all staff members handling funds to be bonded.

Additional Comments on a Centralized Farm and Industry Program

Warden Tinsley's proposal for a centralized division of industries and farms has much to commend it and has been very successful in other states.¹ If properly handled,² it could save the state, its institutions, and political subdivisions a considerable amount of money. However, the present law requires that these goods be sold at the prevailing market price for such goods and products as shall be practical (105-5-5). There is little advantage in an expanded prison industries program for state institutions and political subdivisions, unless the products may be bought at prices which will represent a saving to the taxpayers.

The law should be changed to allow prices to be set so that institutions and subdivisions may make savings, but such prices should take into consideration all overhead costs as well as the cost of production. The overhead costs should include inmate labor and whatever custodial costs are charged against the industrial program. It should still be possible for the industries to show a profit without charging market prices. There is no reason for institutions without industries to subsidize those that have them. This program should be operated for the mutual benefit of all, including the inmates who may receive vocational training and learn good work habits while working on the farms and in the various industries.

The present law provides the framework for the Department of Public Institutions to set up such a central program. To do so, however, would require a full-time professional staff member capable of evaluating needs, allocating production, and coordinating the various phases of the program. Such a person, if he could be found, could be hired under the provisions of (3-11-3) which states that the governor may appoint such other personnel subject to Civil Service Law and within the departmental appropriation as he feels necessary for the operation of the department (Department of Public Institutions).

On the other hand, consideration might be given to assigning this function to another state agency such as the office of the controller, or to establishing such a centralized program within a separate correctional agency.

Assignment, Transfer, and Refusal of Inmates

Necessary changes in legislation for inmate assignment and transfer, and whether the juvenile institutions should retain the right to return inmates to the courts cannot be determined unless the function of each institution is clearly defined and the relationship among the institutions clearly understood.

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1. See Section VII, Correctional Programs in Other States.
 2. With proper safeguards to protect free labor and private industry.

If the juvenile institutions are a last resort for delinquents after all other measures, including probation, have failed, then it is not logical to return an incorrigible juvenile to the court. (A partial answer to this problem might be the provision of facilities at these schools such as the new guidance center at the girls' school designed to house problem cases).

If the reformatory should be an institution for all reformable males, then facilities and staff should be provided for the necessary program, and transfer should be allowed more freely between the penitentiary and the reformatory.

Should it be possible in some cases to send a boy either to the reformatory or the boys' school? If so, should there be a method of transfer of inmates between the two? Under what circumstances, except age, should a boy be committed to the reformatory instead of the boys' school, and under what circumstances should transfer be made between them?

What is the relationship to be between the reformatory and the new medium security prison to be built at the penitentiary? This relationship should be spelled out, especially if the reformatory is designated as an institution for all reformable males.

This short list does not by any means exhaust the basic questions regarding inmate assignment and transfer in the state's correctional institutions. They are presented here to point up the need for a unified approach and one correctional system instead of four.

The Department of Public Institutions

State law gives this department a great deal of authority over the affairs of three of the four correctional institutions. This authority is largely a legal fiction; the department does not have the money or personnel to do what the statutes say it should. If the department is not to be given the personnel and the funds to do a proper job as now required by law, the statutes should be repealed. There are many factors involved in determining whether this is the proper agency for control of correctional institutions; these were discussed in the first section of this report.

The continuance of the Board of Control at the girls' school is contingent to a certain degree on whether there should be a central correctional agency, either as part of the Department of Institutions, or otherwise. With a central agency, the board becomes a buffer between it and the school superintendent and might better be abolished or retained only in an advisory capacity. Three of the four institutions do not have either a board of control or an advisory board. The need for the continuance of such a board in the successful operation of the girls' training school is questionable.

Other Statutory Differences

Only two of the four institutions are required by statute to file annual or biennial reports. The two juvenile institutions are so required, but the law differs on the period to be covered. The boys' school is required to have its report ready on the 10th of November preceding the opening session of each

General Assembly. This report is made to the Department of Institutions which transmits it to the General Assembly (105-1-3).

The girls' school is required to transmit an annual report to the governor covering the period through November 30 (105-2-16). The report of the boys' school covers a two-year fiscal period and the one for the girls' school a 12-month period from December 1 to November 30. There is no similar requirement for either the penitentiary or the reformatory, although the reformatory is required to file a semi-annual abstract with the governor on each prisoner (105-3-3).

There is considerable value in compiling accurate statistics concerning the population flow at each institution, crimes committed, inmate composition, program cost, etc.; this data should cover the same time period at each institution and be reported in a standardized way to be useful for analysis and comparison. Present requirements do not meet these needs, and the reports are a needless expenditure of funds and staff time. The girls' school has not filed an annual report since 1949, because of a lack of time and staff to get the job done, according to the superintendent.

The age limits for commitment differ between the two juvenile institutions. The girls' school may receive female offenders from 10 years of age to 21 years. Commitment to the boys' school involves only those offenders between 10 and 16 years of age. The age limit for the girls' school was increased to 21 by the second session of the 40th General Assembly¹ with the intention of incarcerating thereat female offenders of reformatory age. No facilities were provided for this purpose and there is some doubt as to whether it would be wise to confine girls in this wide an age bracket in the same institution. (The superintendent of the girls' school also takes a dim view of such mingling).

Even if the age limit for commitment at the girls' school were changed back to 18 years, a difference in commitment ages to the two juvenile institutions would still exist. In most states, commitment to juvenile institutions for both boys and girls is from 10 to 18 years. Why the difference in Colorado?

There are two statutes which authorize the assignment of penitentiary labor to work on county, city, and state roads under certain considerations and requirements (105-4-16, 105-5-18). Another statute authorizes the assignment of penitentiary and reformatory inmates to work on county fish ponds (105-5-19). These statutes should be reviewed in light of current practices. Perhaps these statutes might be changed to be more applicable to the honor work camp concept, an example of which is the mobile road camp at the reformatory.

1. Chapter 91, 1956 Session Laws of Colorado

III

STATE CORRECTIONAL INSTITUTIONS AND THEIR PROGRAMS

Institutional Purposes

Each of Colorado's four correctional institutions receives a different category of offenders. The penitentiary at Canon City receives convicted adult felons, both male and female, including murderers, kidnapers, and those convicted of other crimes of a similar nature. The penitentiary may also receive young male felons--age 16 through 25. As a general rule, the reformatory at Buena Vista receives most of the youthful felons--age 16 through 21. The reformatory may also receive those males 21 through 25 who have been convicted of a felony, and all males in the 16 through 25 age group who have been convicted of a misdemeanor with a sentence of more than 90 days.

The boys' industrial school at Golden houses male juvenile offenders--age 10 through 16 at the time of commitment. The girls' training school at Morrison receives female juvenile offenders between the ages of 10 and 21 at the time of commitment, but will not accept girls over 18, because of a present lack of facilities for these older girls.

In a sense the state also has a fifth correctional institution--the Denver county jail--to which girls are sentenced whose age and offense fits the reformatory commitment requirements.

Establishment of both the penitentiary and the reformatory is authorized by the state constitution, Article VIII, Section 1. No specific functions for the penitentiary are spelled out by law other than that the warden and his staff are "conservators of the peace" (105-4-3), and that every able bodied convict shall be put to and kept at the work most suitable and advantageous to the people of the state and which work will conflict least with the free labor of the state (105-4-7). The reformatory is required by law to securely confine all persons convicted and sentenced to that institution and also to employ them at labor and discipline them for the purpose of punishment and reformation (105-3-1).

The boys' industrial school is to see that each boy committed to that institution is clothed, bedded down, disciplined, instructed, employed and governed until discharge or upon reaching the age of 18 (105-1-8). Similar instructions apply to the training school for girls. Girls committed to Morrison must be clothed, fed, disciplined, instructed, employed and governed under the direction of the Board of Control until reformed or upon reaching the age of 22 (105-2-8).

The Denver county jail was designated as a reformatory in June, 1955, by an executive order of the governor under the provisions of C.R.S. 105-3-5, which states that all laws of the state referring to sentences to the state reformatory shall be applicable to females as well as to males except that separate institutions shall be maintained. Until a reformatory for women is established, the state department of institutions may designate a county jail for temporary confinement of women reformatory inmates.

Staffing Patterns

The penitentiary has approximately 260 employees, the reformatory and the boys' industrial school 70 each, and the girls' training school 37 employees. The ratios of inmates to employees at the penitentiary is 6 to 1, at the reformatory 5 to 1, at the boys' industrial school 3.4 to 1, and at the girls' training school 3 to 1.

At the penitentiary, the warden is entirely responsible for all personnel and functions of the institution with the exception of the resident parole officer, who is an employee of the State Department of Adult Parole. Following is a summary of other top level personnel and their responsibilities:

<u>Deputy Warden</u>	Responsible directly to the warden for custody and discipline, special prison services through the day captain, the training program through the training officer.
<u>Business Manager</u>	Responsible directly to the warden for all financial transactions and purchasing, for prison industries and maintenance through the superintendent of industries, and the production and financial aspects of the farm and dairy operations through the head captain.
<u>Head Captain</u>	Responsible for farm operations, custody and discipline to the deputy warden and to the business manager for production and financial aspects.
<u>Superintendent of Industries</u>	Responsible to the business manager for operation of the prison industries and maintenance shops.
<u>Training Officer</u>	Responsible to the deputy warden for in-service training programs.
<u>Day Captain</u>	Responsible to deputy warden for custody and special prison services.
<u>Night Captains</u>	Responsible to deputy warden for custody and services on their respective shifts.

The warden at the state reformatory has the same general responsibilities for his institution as does the warden at the penitentiary. The resident parole officer at this institution is also an employee of the state adult parole department. Following is a summary of top level personnel at the reformatory and their duties.

<u>Deputy Warden</u>	Responsible to the warden for education, maintenance and special services, also for custody through the head captain.
<u>Head Captain</u>	Responsible to both the warden and the deputy warden for custody and discipline.

Business Manager

Responsible to the warden for all financial operations, records, and office operation.

Farm Manager

Responsible to deputy warden for farm operation and to head captain for custody and discipline.

Captain in Charge
of Honor Camp

Responsible to warden through deputy warden for all honor camp operations and custody.

At the boys' industrial school, the superintendent has full responsibility for all phases of the institutional program including parole. Top level personnel at the school include:

Assistant
Superintendent

Responsible to the superintendent for all phases of education, counseling, and training.

Administrative
Assistant III

Responsible to the superintendent for the maintenance shops, the kitchen, and through the farm manager for the operation of the farm and dairy.

Administrative
Assistant II

Responsible to the superintendent for office operations, record keeping, and induction procedures.

School Principal

Responsible to assistant superintendent for operation of the school program.

Head Cottage
Counselor

Responsible to the superintendent for the operation of the cottage program and custody and discipline.

The superintendent of the girls' training school is responsible to the Board of Control for all phases of the institution program including parole. Top level personnel at the girls' school include:

Assistant
Superintendent

Responsible to the superintendent for all farm and maintenance operations and recreation programs. Also acts in an advisory capacity with cottage counselors.

Administrative
Assistant

Responsible to superintendent for purchasing and stores, also is in charge of institution in absence of superintendent and assistant superintendent.

Principal

Responsible to superintendent for school program.

Nurse

Responsible to superintendent for medical program and orientation and induction procedures.

There is considerable variance at three of the correctional institutions as to some of the job titles and also the job titles and the work actually performed by persons holding those job titles.

At the penitentiary, almost all employees are classified as custodial officers of various grades, regardless of job content. The exceptions include: office personnel, band director, cattle buyer, dentist, physicians, and chaplains. The head captain is a Custodial Officer V; the training officer, the day captain and the superintendent of industries are all Custodial Officer IV's; the classification and records officer is a Custodial Officer III; and the receiving officer and the school teacher are Custodial Officer II's--to mention a few examples.

The same practice is followed at the reformatory where employees are classified as correctional officers of various grades, despite job content, with the exception of the teachers.¹ At Golden, all maintenance and farm personnel are listed as vocational instructors, although it is very dubious whether very many of them do any instructing whatsoever. In general, job title and job content bear a close relationship at the girls' training school.

The chief reason that most jobs at the penitentiary and the reformatory carry titles of custodial officer or correctional officer is the emphasis placed on custodial or guard duties at both institutions. Such emphasis is considered necessary because of the institutions' obligations to the general public in keeping their inmate populations confined. Consequently at both these institutions, new men are hired at the beginning level for officers regardless of their skills.² Only after they complete their tour of duty at the beginning officer level and become acquainted with the custodial aspects of the institution is it possible for them to be assigned to a job which will allow them to make use of their vocational skills.

There are both advantages and disadvantages to the system of personnel classification and assignment at the penitentiary and reformatory.

- Advantages:
1. Teaches men how to handle custodial assignments and gives them this type of experience before assigning them according to vocational skill. This is considered necessary because maintenance jobs at an institution involve more than the skills necessary for the performance of the work and because every employee may be called upon at a time of stress, such as during a prison break or riot.
 2. Builds morale among employees as all promotions are made within the ranks, and no man is brought in from the outside and placed in a position of line authority because of any special skills he may have.

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1. The civil service classification for Correctional Officers is one grade less than that for Custodial Officers in the lower positions. In the higher positions, such as captain, the difference is two grades.
 2. Excluding administrative and professional personnel except for the school teacher at the penitentiary.

3. Provides for the opportunity for on the job training, even in the employee's vocational speciality, before being promoted to a position of responsibility.
4. Establishes a uniform job classification and pay grade system easy to understand and administer.

- Disadvantages:
1. Discourages men with vocational skills from accepting employment because of having to begin at the lowest officer rank and having to work for men who may be less skilled, but who have more custodial experience.
 2. May result in an unqualified man holding a position of importance, if no one with the proper combination of skills and custodial experience is available.
 3. Places an undue emphasis on custody, through giving the impression that all jobs are custodial in nature, when this is not the case.
 4. Makes understanding of an institution's needs and functions difficult if job titles do not correspond with job content.

At the present time both institutions are adequately staffed in those positions in maintenance and plant operation which require skilled or semi-skilled workers. This system of personnel classification and recruitment might cause the institutions some difficulty if they had to compete in a tight labor market to replace several of their present skilled workers.

The superintendent at Golden readily admits that most of the people classified as vocational instructors do not instruct. He pointed out that such job titles make it possible for him to hire competent maintenance workers in competition with other employers. He would have no objection to reclassifying these positions according to job content if no change were made downward as to pay grade.

The following table gives a comparison of civil service grades for selected jobs at the four institutions. Comparisons should be made with caution because of differences in job content--even for seemingly similar positions at different institutions.

TABLE I

COMPARISON OF CIVIL SERVICE GRADES
FOR SELECTED JOBS AT THE FOUR CORRECTIONAL INSTITUTIONS

<u>Position</u>	<u>Penitentiary</u>	<u>Reformatory</u>	<u>Boys' School</u>	<u>Girls' School</u>
Warden or Supt.	Grade 20	Grade 17	Grade 15	Grade 15
Deputy Warden or Ass't. Supt.	17	15	13	13
Captain	13	11	8 ^a	
Farm Supt.	15 ^b	11	8	10
School Supt.		8	9 ^c	9 ^c
Teacher	9 ^d	8	8	8
Lowest Rank Custodial Officer	8	7	6-7 ^e	6-7 ^e

- a. Head Cottage Counselor
- b. Head Captain
- c. Teacher II
- d. Custodial Officer II, only one teacher at penitentiary
- e. Cottage counselors

In-Service Training

Only one of the four institutions had an in-service training program at the time this report was prepared. The other institutional heads have expressed the need for such a program, and Dr. Ellis Graham, State Department of Education, has been working with the staffs at Morrison and Golden in setting up a program for them.

The penitentiary has a training program for new employees and is also establishing refresher courses for experienced personnel. The program for new employees includes class sessions for six days, tours of various institutional departments as well as discussion with several experienced staff members on different aspects of institutional work. During this period, the new employees take tests and observe on-the-job demonstrations. Following the completion of the first six-day session, each new employee is assigned for two more weeks of on-the-job training before being assigned to a regular position.

Description of Inmate Population

The institutional population as of July 1, 1956 at the penitentiary was 1539, including 30 women. On the same date, the reformatory had 355 inmates, the boys' school 230, and the girls' school 110. The increase in actual number of inmates over the past 20 years at the four institutions is shown in the table below.

TABLE II

INMATE POPULATION AT THE FOUR
CORRECTIONAL INSTITUTIONS 1935-1956

<u>Year</u>	<u>Penitentiary</u>	<u>Reformatory</u>	<u>Boys' School</u>	<u>Girls' School</u>
1935	1,194	125	179	a
1940	1,445	198	208	151
1945	1,035	170	191	150
1950	1,266	240	154	125
1956	1,539	355	230	110

a. Not available

Since 1935, the population of the penitentiary has increased 28.9 per cent and that of the boys' school 28.5 per cent. During the same period, the reformatory shows a population increase of a staggering 284 per cent, and the girls' school a decrease of 27 per cent since 1940. The population of the state of Colorado has increased about 40 per cent during this twenty-year period.

The overall increase in Colorado's population, quite naturally, is one of the causes for the large increase at the reformatory, but certainly it isn't the only reason. The chief cause is the change in the incidence of crime among males in the 16 to 25 year age group. Commitments in 1935 averaged about 2.4 per 1,000 males in this age group. The commitment rate at the present time is 4.3 per 1,000.

Penitentiary

The median age of all Canon City inmates is 32 years. Eighteen per cent of the inmate population falls in the 30-34 year age group and 22 per cent are between 25 and 29. Only five per cent are 20 years old or younger and about the same proportion are more than 50 years old. 28 per cent of the penitentiary inmates have not finished the eighth grade, 17 per cent have finished high school, and 5 per cent have finished college. Forty per cent of the inmates are serving their first terms in prison on a felony charge; approximately 25 per cent are serving their second sentences; 15 per cent, their third; and 10 per cent are serving their fourth sentences. The remaining 10 per cent are serving anywhere from their fifth to thirteenth sentences. Anglos make up 65 per cent of the inmate population; Spanish Americans, 26 per cent; Negroes seven per cent; and two per cent are either Indians or Orientals.¹

Reformatory

Sixty per cent of the inmates at the reformatory are first offenders and their average stay is about 8 months. Thirty-five per cent of the inmates are parole violators and the other five per cent are serving their second or subsequent sentences. Spanish American boys comprise about 52 per cent of the

1. This data is taken from the statistical information furnished the Council by the institutions' records and classification sections. Much more complete information may be found in the Council files.

institutional population and Anglos 41 per cent. Six per cent of the inmates are Negroes and the remaining one per cent, Indians.

The present inmates of the reformatory come from all of Colorado's 63 counties; Denver provides 53 per cent of the total. Pueblo, El Paso, Larimer, and Adams counties committed between 20 and 25 boys each to the reformatory approximately five per cent of the inmates come from each of these four counties.

Fifty-two per cent of the boys are in the 18 to 21 age group; 23 per cent are between 16 and 18; 20 per cent are between 20 and 25; and the remaining five per cent are more than 25. The average IQ for the inmates of the reformatory is around 90 with 45 per cent of the boys having IQ's between 80 and 100. The average inmate has a 7th grade education, although there are usually a few inmates (about two per cent) who can't read and write and even fewer who have finished high school or taken any college work.

The greatest number of boys were sentenced for larceny, robbery, and burglary with 62 per cent of the present population being committed for these crimes. Ten per cent were sentenced for auto theft, and 10 per cent were committed for delinquency. Eight per cent of the inmates were sentenced on forgery charges and the remaining 10 per cent were committed for an assortment of crimes including rape, arson, assault, indecent liberties, and possession of narcotics.

Boys' School¹

At Golden, 58 per cent of the inmates committed during the 1954-55 period were Spanish Americans. Thirty-four per cent of the 414 commitments were Anglos, with Negroes comprising six per cent and Indians two per cent of the total.

During this period, boys were committed to the industrial school from 41 of Colorado's 63 counties. The greatest number came from Denver, which contributed 53 per cent of the total. The average inmate at Golden is 13.5 years old, has an IQ of about 85 and a grade placement of 5.4. All of the boys, of course, were sentenced for delinquency, but a summary of specific acts which caused commitment shows that 38 per cent were apprehended for breaking and entering; 19 per cent for stealing; 13 per cent for car theft; eight per cent for assault; five per cent for property damage and the same proportion for running away. The remainder were sentenced for sex offenses, armed robbery, drunkenness, truancy, arson or for some other cause.

Facilities

Just as the purposes, inmate composition and staffing patterns at the four correctional institutions are different, so there is also a variance in the type of facilities at each institution.

Most of the facilities at Canon City within the walls of the prison proper are designed for prisoners in need of confinement in a maximum security institution. Outside the walls of the prison proper, those inmates working at the

1. Statistical data describing the inmate population at the girls' school were not available at the time this report was written.

institutional farms and gardens live in minimum security dormitories. (New facilities being constructed or to be built at the penitentiary are discussed below).

The reformatory has no walls as such, but it does have fences and two guard towers. There are some dormitory facilities, but in general the inmates are housed in cells quite similar to those in Canon City.

At Golden--at the present time--there is a mixture of facilities. A fence has been constructed around the institution, but it is locked only at night. The new administration building contains individual rooms which are equipped similarly to standard prison cells. These rooms are used only for new boys and disciplinary cases. The majority of the inmate population resides in cottage-type buildings all of which are old, and all of which have facilities divided among three floors.

The girls' training school has a fence and a back gate which is locked at night. The girls are housed in cottage-type buildings, for the most part in small individual rooms. The girls have more mobility within their cottages than do the inmates at the boys' school. (The reasons for this difference are discussed later in this section.)

Building Program

In 1955, the State Planning Commission approved ten-year building programs for the four correctional institutions. During the second session of the 40th General Assembly, the building mill levies for three of the four institutions were repealed and a lump sum building appropriation was authorized instead. The only institution to continue to have a building mill levy is the penitentiary whose levy was set at .1216 mills through 1960. The building appropriations made by the legislature included: reformatory, \$500,000; the boys' industrial school, \$750,000; and the girls' training school, \$682,000.¹

The following facilities have been approved specifically by the planning commission for the four institutions and are either under construction or in the planning stage.

Penitentiary: Pre-parole release center, a 60-bed facility for inmates to be parolled within 30 to 60 days; a separate medium security prison to be located away from the main institution and constructed on part of the institution's farm land; a new cannery located within the walls of the main prison; and an 84-bed addition to the hospital, which is also located within the walls of the main prison.

Reformatory: A 150-bed dormitory and utility building with individual rooms.

1. These appropriations cover only the first five-year period of the ten-year program.

Boys' School: Two 24-bed cottages and a new school building.

Girls' School: A guidance center building to house 24 girls plus offices for testing and diagnostic personnel.

Admission and Orientation

All of the institutions are in agreement that a period of orientation of from 30 to 60 days for all new inmates is desirable, although the induction procedures vary slightly from institution to institution. Three of the correctional institutions have set aside special quarters for the interment of new inmates. The fourth--the reformatory--now houses new inmates in a cell block with other prisoners. However, when the new dormitory is completed, the reformatory will also have a segregated area for new prisoners.

In general, induction procedures at all the institutions contain the following items, although not necessarily in the same order: removal of valuables and receipt for same, shower and institutional clothing provided, interview with the records and classification section, discussion of institutional rules and regulations, medical examination, interview by institutional officials, testing and assignment to work or school, to cell house or cottage.

Testing

Testing of new inmates also varies from institution to institution. The only test given presently at the penitentiary is the California Achievement Test. This test is given by the school teacher, and the results measure whether or not an inmate has at least an eighth grade education. The California Achievement Test is also used at the reformatory, which, in addition gives new inmates a version of the Stanford-Binet intelligence test. These tests are administered by the reformatory's head teacher.

At the boys' school, one of the teachers, who works half-time as an educational psychologist, administers and grades the tests. He used the California Achievement Test and also the Hemmon-Nelson, which is a group intelligence test. Only one test is given at the girls' school--an antiquated revision of the Stanford-Binet. This test is given to each new girl individually by the school principal.

Assignment

Initial assignment of inmates is made by the day captain at the penitentiary. This assignment holds until the inmate goes before the institutional classification board.¹ The board hearing is usually held approximately 60 days after the inmates first assignment. At this hearing each inmate appearing before the board receives a security classification, which has a direct bearing on his assignment.

1. Board includes the warden, deputy warden, head captain, day captain, classification officer, and receiving officer.

For example, no inmate considered a maximum security risk would be allowed to work outside the walls at the farm or dairy, regardless of his training or experience in agricultural work. Usually a man will be assigned to some job in line with his training and skills on the outside, if at all possible. Such assignment is governed, however, not only by an inmate's security rating, but also by the needs and the openings in the various institutional departments. An inmate at the penitentiary may be assigned to school full time, if he lacks an eighth grade education, and there is an opening in the school for him.

The deputy warden at the reformatory makes the assignment of new inmates after he receives the report from the education department. Each new boy is assigned to a shop or detail full-time unless he is unable to pass the fourth grade on his achievement test. Under such circumstances, he is assigned to school half a day and to a shop or detail, the other half day. Boys with more than a fourth grade achievement and less than an eighth grade achievement may also go to school half a day if the classes are not crowded and if the boy shows a genuine desire to finish grammar school.

Several officials participate in assigning new inmates at the industrial school for boys. The chief cottage counselor assigns boys to cottages. The administrative assistant in charge of maintenance assigns the boys to a shop or work detail, and the school principal makes the school grade assignment. Boys under 14 attend school all day, and those over this age, work half a day and attend school the other half day.

The nurse at Morrison, who is in charge of orientation for new girls, makes the assignment of the girls to the various cottages in conjunction with the superintendent. Each new girl is assigned to the school and spends a half a day at academic classes with the other half day devoted to sewing, cooking, and other domestic science training.

Shortcomings

In making some remarks about the shortcomings in the induction programs at the four institutions, it should be pointed out that many of these criticisms were also made by the institutional heads. Top personnel at all four institutions have indicated their desire to improve this phase of their programs.

The most important lack in the induction program at all the institutions is adequate testing. As institutional classification and assignment plays an important role in rehabilitation, such assignment should be very carefully made. Testing needs include: up-to-date intelligence tests designed as nearly as possible for correctional institution inmates, aptitude, and personality tests, all of which should be administered and graded by personnel with training and experience in testing and interpretation of results.

Closely related to testing is the need for interview and evaluation of new inmates by either a clinical psychologist or a psychiatric social worker. Only the boys' school had a social worker or psychologist of any kind on the staff at the time this report was written. The psychologist, however, spends only half-time in testing and is an educational psychologist without a clinical background. The social worker has had no special psychiatric training.

The accuracy of present test results may be questioned on three grounds: First, the lack of rapport between the tester and those being tested; second, the limitations of the tests themselves; and third, the validity of the results and their interpretation.

Both the penitentiary and the reformatory had made personnel requests for clinical psychologists at the time of this report. The penitentiary request was for a man with a Ph. D. in this field with some institutional work. The reformatory requested a man with an M.A. in clinical psychology and five years' experience. There is even a greater need at these two institutions for this kind of professional personnel than at the two juvenile institutions. The juvenile institutions have the benefit of the Diagnostic Center's evaluation when juveniles clear the center prior to institutional placement. Also, the juvenile institutions may refer children to the Diagnostic Center for testing and observation. No such service is available to the penitentiary and reformatory, although under certain circumstances they may request the governor to transfer an inmate to the state hospital in Pueblo for observation.

Records and Case Histories

There is a variance in the kinds of records kept and also the method by which this material is assembled at the four institutions. The penitentiary begins gathering data on a new inmate after his interview with the classification officer. The inmate is also photographed and fingerprinted at the same time, and he fills out several different forms for use by the classification and records department. This department then contacts the FBI, schools, other institutions where the inmate has been incarcerated, family and friends, courts, military installations, probation officers for pre-sentence reports, district attorneys, and arresting officers for actual charges, hospitals, former employers, and anyone else who can provide any history on the inmate. When this material is received, assembled, and cross-checked, a case summary is written on each inmate.

Besides the extensive case histories, the records and classification section has eleven different card files including fingerprint cards, name and alias cards, a numerical card file, an alphabetical file of inmates, an occupational card file, a work and cell house assignment file, and several others.

At Golden, the full-time social worker puts together the case history on each boy, writing to various sources after an initial interview. Sources contacted include: parents, schools, court, public welfare departments, private agencies, child guidance clinics, the Diagnostic Center, and any other places where information can be obtained.

The work of assembling records is divided among two departments at Buena Vista. The Classification officer assembles information on the inmate such as crime, origin of commitment, age, height, weight, plus a summary of habits and information taken from the boy regarding his parents, education, etc. Fingerprint records and photographs, educational achievement and the institutional record is also assembled by this department.

The parole officer writes all case histories--obtaining his information in the same manner as is done by the classification officer in Canon City and the social worker in Golden. The assembling of these histories takes up a considerable amount of the parole officer's time, but there is no one on the reformatory staff at this time who is qualified to do so.

At Morrison, the original intake interview is made and the case history assembled by the parole officer. Since she has to supervise all the girls on parole, she cannot devote an extensive amount of time to case history development without neglecting her other duties. The administrative assistant may also take the original case history from the incoming girls. Officials at the girls' school state that they never receive any adequate information on any girls committed with the exception of those received from the City and County of Denver. In some instances, they do not even know why the girl has been committed--the only crime listed on the admittance papers is delinquency. Handicapped by the lack of personnel such as a case worker, it is very difficult for the institution to follow up and make requests for data. The parole officer and the superintendent both state that very often such requests are ignored.

Three of the institutions attempt to keep their cumulative statistics up to date as to number of inmates, composition of inmate population and population movement, counties of origin, etc. Their record systems lend themselves to this type of analysis. No stress on this type of statistical presentation has been made at Morrison.

There is great need for coordination among the institutions in regard to the type and purposes of records needed and a better system of interchange of information. A central statistical clearing house providing for the interchange of records might provide information more readily for parole officers, law enforcement authorities, and institutional personnel and cut down on duplication of effort. Also, possibly the courts should be required to send as much information as they can on a person sentenced to one of the institutions. With the exception of the larger counties, however, the courts do not have either the time or the personnel to gather information and write adequate pre-sentence reports.

Education and Vocational Training

Each institution's education and vocational training program is designed for a particular kind of offender and can be measured only in regard to how well it serves its specific purposes and not by what the other institutions are doing.

Educational Program

At both the reformatory and the penitentiary, the educational program extends only through grammar school with some ninth grade work. At Morrison and Golden, the academic programs at the present time extend through the 10th grade with an occasional pupil doing eleventh grade work.

School is a full time assignment at Canon City for those inmates who attend. At Buena Vista, an inmate attends school only half a day. This is also true at Golden except for boys under 14 years of age, who take classes all day.

At Morrison the girls go to school half a day, but in reality may spend all day in the school building as the required vocational subjects are taught in the school building in conjunction with the academic program.

Penitentiary

At Canon City, the school program is under the direction of a Custodial Officer II who has had teaching experience and who has a Colorado teaching certificate. The program was started in January of 1955, and since that time 24 men have received their grammar school diplomas through the Canon City school system. At the time the institution was visited, 47 men were attending school. During the winter months, between 65 and 70 inmates go to school as a full time assignment.

The school is divided into several sections. During the summer months, classes are divided into three sections: Grades 1-3, 4-5-6, and 7-8-9. During the winter when more men are attending school, four sections are used: Grades 1-2, 3-4, 5-6, and 7-8-9. The teacher in charge is assisted by several inmate instructors, most of whom have college degrees.

Those inmates with a sixth grade education or better, upon being admitted to the school usually finish the eighth grade in about eight months, according to the teacher. Those with less than a fourth grade education spend, on the average, 18-24 months in completing the school program. The inmates are given a California Achievement Test every three months to measure their progress with tests covering the course material given from time to time.

There are also inmates taking correspondence courses, but their number is limited, because they have to pay for their own courses, and there is no one on the institutional staff to provide them with assistance.

Reformatory

There were 52 inmates taking part in the academic program at Buena Vista at the time of the institutional visit. At that time, two class rooms were in operation. Sixteen were in the class for 7, 8, and 9th grades and 10 in the class for the lower grades. Approximately the same number attended these two classes in both the morning and afternoon sections.

The head teacher teaches the 7th through 9th grades and gives all the intelligence and achievement examinations. He states that the boys may spend from seven to nine months attending school. Those who are closest to an eighth grade achievement level upon entering the institution may be able to complete the academic program in three or four months. He said that the average stay in school is five or six months and that occasionally boys are paroled before they complete the eighth grade.

The lower classes are being taught by a new addition to the staff. This teacher is using the block method of teaching his classes--three weeks on arithmetic, three weeks on English, etc. The block method enables him to cover each subject for a sufficient length of time so that the boys retain some of the subject matter without getting it confused with the other subjects. The new teacher is also conducting a class for illiterates. He has this group isolated and has an inmate assisting him with them.

Education Needs at the Penitentiary and Reformatory

The practice of using inmate teachers at Canon City is questionable as the regular staff teacher is at times placed in the position of having to support some inmates against others in case a dispute arises in the classroom between a pupil and an inmate instructor. Such practice also gives the inmate instructors the opportunity to be arrogant toward the other inmates in the classroom. With an increase in the number of full-time instructors, it may be possible to do away entirely with the use of inmate teachers.

The penitentiary is in need of additional teachers for other reasons as well. A larger teaching staff might make it possible to set up a high school program and to provide assistance to the inmates taking correspondence courses. The reformatory is also in need of more teachers so it can set up a high school program, which is especially needed when the age of the majority of inmates is considered. Of the two teachers on the staff at the time the reformatory was visited, one was a retired business man, who had not taught in a great number of years, and the other was teaching on a temporary certificate as his college program did not include the necessary prerequisites for a teaching certificate.

The greatest obstacle to hiring additional teaching personnel at the reformatory has been the salary schedule, according to the warden. Teachers are classified as Grade 8 by the Civil Service Commission and have a beginning salary of \$300. The warden finds it impossible to hire competent teachers at this salary as most teachers can earn more in nine months in a local school system than they can in 12 at the reformatory. The teacher at the penitentiary is classified as a Custodial Officer II in Grade 9 with a salary range of \$320 to \$403. However, this man did not join the penitentiary staff as a teacher but as a Custodial Officer I, and as such he went through a year of custodial work before assuming the position as a teacher. It is doubtful whether this process would appeal to very many capable teachers, and the question should be raised as to whether a teacher--even having to deal with maximum security prison inmates--needs to have that much custodial experience and training.

Boys' School

All boys under 14 at the industrial school--as mentioned above--attend school all day. The older boys attend school half a day and are assigned to a work detail for the rest of the day. Subjects taught in the academic program include music, mathematics, general science, English, social studies, and physical education.

The normal academic staff includes seven people: the school principal, who teaches half-time; the educational psychologist, who also teaches half-time; four full-time teachers; and a coach, who is also in charge of physical education. The average class size is approximately 22 pupils, but varies from time to time. In the summer, when teachers take their vacation period, classes are usually larger than during the winter months. As a usual practice approximately 90 per cent of the boys attend school at least half a day. The other 10 per cent represents new boys, those who are sick, or those in isolation as disciplinary cases. In the late summer during vegetable and crop harvest, a number of the older boys may be withdrawn from school to assist with the crops.

According to the school principal, the average grade advancement is .8 grade during each six-month period. From a survey of 322 boys who have been

released from the boys' school, only 43 showed no academic advancement at all. A check was made of those boys who had been in the institution at least six months at the time the boys' school was visited to compare their achievement with the results obtained by the principal. Of the eight boys under 14 years of age who had taken two achievement tests, the average advancement was 1.4 grades. For the 47 boys over 14 years of age, the average advancement was .6 grade for the six-month period. While this number is too small a sample to be very conclusive, it appears that the younger boys--those who attend school all day--make more academic advancement than the older boys.

Such findings seem logical, since most of the younger boys have not rebelled as much against school as the older boys and may have still been attending school at the time they were picked up for delinquency. The biggest school problem is with the older boys, especially those in need of remedial work. There is no specially trained remedial teacher on the staff, and there was no evidence of the use of remedial texts or techniques during the visit to the school.

Girls' School

The academic staff at the girls' school consists of four teachers and the principal. One teacher is in charge of the junior high classes, another the ninth and tenth grades and any students who are above this level. There is one teacher for the remedial class--all girls below the seventh grade level. This teacher has had some specialized training in remedial work and is the only instructor at any of the four institutions with this kind of training. Commercial subjects such as typing and shorthand are taught by the fourth member of the academic staff. All of these teachers as well as the members of the teaching staff at Golden have either temporary or permanent state teaching certificates.

Musical Education

In addition to the academic subjects, the girls also participate in several dramatic programs each year under the direction of the administrative assistant. The music teacher gives individual music lessons to the girls and also conducts the choir. Both the boys' school and the penitentiary have bands, with the penitentiary also having a couple of jazz combos, a hillbilly band, and a dance orchestra. Playing in the band at the penitentiary is a full time assignment, and the band occasionally plays outside the institution. At the boys' school, the band occasionally plays outside the institution. At the boys' school, the band and music instruction are integrated into the academic program. Years ago the reformatory also had a band and a music program, but has not had recently because of lack of trained personnel to handle such a program.

Vocational Training

Girls' School

At the girls' school, the vocational program is integrated with the academic program with stress placed on homemaking arts. Each girl takes courses in cooking and sewing and must complete a certain amount of training in these subjects before leaving the institution. In conjunction with their training in cooking, some of the girls work in the cottage kitchens preparing the meals under the direction of the cottage personnel.

The arts and crafts class meets twice a week and is a special privilege class. Girls are selected for this class on the basis of their attitudes and work and school achievement. Girls in this class do leather work, weaving, make jewelry, do some wood work, crocheting, etc. A few of the girls are assigned to work out of doors half a day, which may mean working on the institution farm, taking care of the grounds, or delivering produce to the cottages.

The average number of girls in the cooking class is 12; arts and crafts, 12; junior high, 17; remedial class, 10; ninth and tenth grade class, 10; and the commercial class, 10. The school has one room outfitted for cosmetology work and a beautician devotes one day a week free of charge during the fall, winter, and spring months to work with the girls interested in this type of work. It is the hope of the superintendent that cosmetology may be developed into a full time program.

Boys' School

The vocational training program at the girls' training school is the only one at any of the four institutions which is integrated directly into the academic program. At the boys' school, the boys receive what the institution calls pre-vocational training through assignment to the various maintenance shops, the farm and dairy, the laundry, printing shop, or kitchen. The primary purpose of such assignments for the older boys is to teach them good work habits, according to the superintendent. It is doubtful whether this program is successful in teaching the boys good work habits with the exception of the shoe shop, the print shop, the kitchen, and the farm and dairy. There are too many boys assigned to most shops for the work to be done, and the maintenance men must not only get their job done, but be responsible for the custody of the boys as well as instructing them. There is little that can be accomplished under such circumstances.

At the present time there is no industrial arts or crafts program tied in with the school, although such a program is part of the future plans of the superintendent for the institution. The boys assigned to the print shop and the shoe shop do get some vocational training in leather work and printing. The boys working in the laundry, kitchen, and on the farm do acquire work habits, but the skills involved in these jobs do not take long to assimilate. Since a majority of the boys come from and will return to the metropolitan Denver area, the value of farm work is questionable. The same question may be raised in respect to the outdoor program at the girls' school.

The table below shows a typical daily work assignment for boys over 14. These boys work half a day and the same number replace them during the other half day.

Boiler house	4	Paint shop	6
Carpenter shop	7	Plumbing	4
Electric repair	3	Printing	8
Farm and Dairy	15	Shoe repair	8
Kitchen	15	Tailor shop	6
Laundry	10	Office	4

Penitentiary

There are no vocational training classes as such at either the penitentiary or the reformatory. Any skills developed or knowledge gained is done so on the

job at these two institutions. Warden Tinsley has pointed out the limitations of vocational training which is tied into a maintenance or industrial program without any additional classroom work or instruction. First, the purpose of teaching is subordinated to that of getting the maintenance work done or making industrial production quotas. Second, a man who may be skilled in a particular trade is not necessarily a good teacher.

Warden Tinsley would like to establish a program in which classroom vocational work is tied into maintenance and industrial assignments with the instruction and experience gained credited to the inmate as apprentice training when he is released from the institution. To have such a program, the warden estimates he would need at least two or three qualified vocational instructors. to begin with, and classroom space for such training. In this respect, he is contemplating remodeling the area above the motor pool garage. Many of the Canon City inmates already have skills or are semi-skilled workers. Some of these men have enough background or aptitude when incarcerated so that the additional experience gained in the institution is of help to them in finding employment on the outside.

Inmates at the penitentiary may be assigned to the following industries or maintenance shops: cannery, soap plant, concrete block making, envelope making, tailor shop and knitting mill, mattress shop, construction work, prison farms and dairy, blacksmith shop, plumbing shop, boiler room, laundry, electric shop, storeroom and butcher shop, motor pool, print shop, paint shop and the kitchen. These assignments are in addition to the inmates employed in the hospital, the canteen, and in the various clerical positions throughout the institution. On some of these jobs it is possible for a man to learn more than on others, because of the institutional personnel involved and the type of work itself. Some of these skills have limited application, however, license plate making, for example, being a skill in demand for the most part at state penitentiaries.

The following table shows a typical assignment of inmates to the various industries and maintenance shops.

Cannery	30-125 (depending on season)
Soap Plant	12
Concrete Blocks	4
Envelope Making	50 (4 months a year)
Tailor Shop and Knitting Mill	45
License Plates & Road Signs	70 (35 each shift)
Construction (of New Cannery)	50
Construction (Pre-Parole Center)	50
Farm and Dairy	215
Blacksmith Shop	24
Boiler Room	16 (divided among three shifts)
Plumbing and Sheet Metal Shop	20
Laundry	50
Electric Shop	30
Storeroom & Butcher Shop	20
Motor Pool	12
Print Shop	7
Carpenter & Paint Shop	32
Kitchen & Bakery	50 (Mainline only)

Reformatory

At the reformatory, vocational training is also limited in what may be learned on the job. Warden Thomas is very interested in setting up a vocational training program with classroom instruction in addition to maintenance shop assignment. It is extremely important that boys confined in the reformatory receive some kind of vocational instruction as most of them are past "legal" school age and have had very little work experience, if any. If the institution had a well-rounded program designed to provide apprentice training, more of the inmates might be able to find decent jobs on the outside and be less likely to become recidivists.

Warden Thomas feels that, despite the lack of organized vocational courses, some of the inmates learn quite a bit from their institutional assignments. From observation this seems true to a certain extent, especially in respect to those inmates assigned to the automotive and welding shops and also those working in the barber shop. The barber shop is operated under the direction of a licensed barber, who was an inmate at the penitentiary and transferred to the reformatory for instructional purposes. The instruction by the inmates in the institutional barber shop is now credited on a half-time basis as apprentice training on the outside.

Other places an inmate may be assigned at the reformatory include: the carpenter shop, the kitchen, the power house, the tailorshop, the storeroom, the farm and dairy, and the laundry. Below is a typical inmate assignment schedule.

Carpenter Shop	14
Automobile Shop	12
Welding Shop	6
Storeroom	3
Laundry and Tailor Shop	12
Barber Shop	4
Farm and Dairy	40 (varies with season)
Kitchen	30
Power House	8
Plumbing Shop	4
Electrical Shop	4

Summary

Education and vocational training play an important role in the rehabilitation programs of the four correctional institutions. The four institutions are doing an acceptable job in this respect, considering present personnel and facilities; yet, all four of the institutions recognize the need for improvement in this phase of their program and are working toward that end. None of the four have academic programs which go through high school; both the reformatory and penitentiary feel the need for high school courses and hope to enlarge their academic program to this extent.

Classroom vocational training is also needed especially at the reformatory and to a lesser degree at the penitentiary. An industrial arts program integrated with the school would be very useful at the boys' school and the

superintendent has ideas along this line. The girls' school is the only one at the present time with vocational training tied in with academic work.

A good education and vocational training program not only aids the inmate by better equipping him for employment or a return to school upon release, but also cuts down on his idle time in a constructive way while he is still confined.

Industry and Farm Operation

Industry and farm operations at the four institutions have been touched upon briefly in the foregoing section on education and vocational training. It is dealt with in this section in terms of the scope of operations and production. All four of the institutions have farms, but only one--the penitentiary--operates any industries. These industries include the cannery, the license tag plant, the soap plant, and the tailor shop and knitting mill. Less important industries are the mattress factory and the making of concrete blocks.

License Plate Plant

The tag plant with two custodial officers and approximately 70 inmates divided between two shifts produced 1,962,617 license plates, 50,125 reflectors, 19,069 road signs, and 1,583 special license plates during the fiscal year ending June 30, 1956. The total value of tag plant production for this period was \$313,940.25 or \$140,809.09 more than the cost of production.¹

Soap Plant

The soap plant employs 12 inmates and one custodial officer who is in charge. Products of the soap plant include solid soap in several forms such as flakes, bars, chips, and powder, in addition to liquid soap. Other products cover a wide range of items such as germicide, insect sprays, lanolin, sweeping compound, bleach, hair tonic, shaving lotion, furniture polish, and many others. The value of all production at the soap plant for the year ending June 30, 1956, was \$19,391.59. The total cost of production was \$14,585.94, or \$4,805.65 less than the value of the products produced. The soap plant provided for 95 per cent of the penitentiary's needs for products of this kind. Seventy-five per cent of the total production of the soap plant was used by the penitentiary, and the remaining 25 per cent was sold to other institutions.

Tailor Shop and Knitting Mill

The tailor shop and knitting mill has one custodial officer in charge, and he has 45 inmates working for him. These inmate workers are assigned to the knitting mill, the tailor shop and sewing machines, shoe repair department, and the harness shop. Products from this operation include various kinds of trousers, shirts, suits, sheets, shorts, pillow cases, socks, coats, towels,

1. Cost of production figures and value of production figures cited on pages 28-35 were provided by the respective institutions and have not been audited.

coveralls, and many similar items. Ninety-five per cent of the production from the tailor shop and knitting mill is used by the penitentiary and the other five per cent is sold to other institutions. The 95 per cent of total production used by the penitentiary comprises 80 per cent of its needs for these products. The total cost of production for the tailor shop and knitting mill for the year ending June 30, 1956, was \$60,606.19. The value of goods produced by this operation--was \$72,392.87 or \$11,786.68 more than the cost of production.

Cannery

From 30 to 125 inmates are employed in the cannery depending upon the season of the year. Three custodial officers are assigned to the cannery with a Custodial Officer III in charge. During the calendar year 1955, 35,077 cases (six one-gallon cans to the case) of fruits and vegetables were processed and canned. Products included: apples, apple butter, apricots, green beans, beets, catsup, cherries, corn, peaches, sauerkraut, spinach, tomatoes and several others. Seventy-two per cent or 25,617 cases were sold to other institutions, and the remainder was used by the penitentiary. The value of cannery production for this period was \$129,985.02, which was \$23,180.43 more than total production cost of \$106,804.59.

Some of the produce used in the cannery was grown on the penitentiary ranches and farms. The rest was purchased in the open market or supplied by other institutions on a share basis. All the corn canned was grown by the institution and 40 per cent of the beets, seven per cent of the spinach and a little more than 20 per cent of the beans canned were also grown on the penitentiary farm. The other produce was purchased.

Institutions purchasing canned goods from the penitentiary during the calendar year 1955 included: State Hospital, Pueblo; Children's Home, Denver; the reformatory, Soldiers and Sailors' Home, Colorado School of Mines, boys' school, girls' school, State Home and Training Schools at Ridge and Grand Junction; Western State College; Florence City Schools; and the Pueblo County Farm.

The new cannery now under construction within the walls of the penitentiary will have a productive capacity 50 to 75 per cent greater than that of the present facility.

Mattress Shop

The mattress shop is operated about three days a month and is under the direction of the officer who is in charge of the print shop. Inmates are assigned to the mattress shop as needed. The products of this shop are mattresses and pillows, and during the fiscal year ending June 30, 1956, 288 mattresses and 265 pillows were made. Eighty per cent of the mattresses and pillows were used at the penitentiary and these supplied all of the institutional needs during the year. The other 20 per cent were sold to other institutions. The cost of production for the mattress shop was \$3,827 and the value of production was \$4,530.75 or \$703.75 more than the cost.

Concrete Blocks

At the present time there are only four inmates assigned to the manufacturing of concrete blocks and these blocks are used entirely by the penitentiary, primarily in the construction of the new cannery.

Expansion Possibilities

In surveying the present status of prison industries at the state penitentiary and the possibilities of industrial expansion, both Warden Tinsley and his business manager feel that additions to the prison industry program might be made without interfering with private business or labor.

For such expansion to be feasible, they both point out, the laws regarding prison industries (discussed in Section II) should be followed with necessary changes made by the legislature to facilitate the establishment of a centrally-coordinated prison industry program. It is their opinion that prison industry expansion is not justified unless there is a market among state institutions and political subdivisions for the products, and they feel that the coordination of production and markets on a large scale is beyond the scope of the penitentiary and should be handled by the department of institutions or some other central state agency.

As mentioned before, the new cannery will have an increase 50 to 75 per cent over the present facility. Expansion is also possible for the tailor shop and knitting mill and for the mattress factory.

New prison industries such as a paint plant and a furniture factory could conceivably be set up at the penitentiary were there a need for these products or a market at other state institutions.

Penitentiary Farm Operations

All four correctional institutions maintain farms, with the most extensive agricultural operations conducted at the penitentiary and the reformatory. Farm production at the penitentiary is divided among three different locations: the gardens located near the main walls of the penitentiary; Ranch V located east of Canon City, and Ranch I, which includes the dairy, located still further east of Canon City. Truck crops such as beets, lettuce, carrots, and other vegetables are grown at the gardens. The gardens are also the location of the piggery and the chicken farm. Ranch V, which will not be operated after the summer of 1957, is used primarily to grow corn, and beans. These 89 irrigated acres have been traded for an additional 1,000 acres on Ranch I, because the institution felt that Ranch V was becoming a security problem as commercial and residential buildings have been going up around it. Some truck crops are grown at Ranch I and this area is also used for the dairy, feed crop acreage, and grazing. The penitentiary turkey ranch is also located on Ranch I.

The following table shows the distribution of farm acreage at the penitentiary as of July 1956.

TABLE III

DISTRIBUTION OF FARM ACREAGE
AT THE PENITENTIARY JULY, 1956

Total number of farm acres	3,529
Total number of farm acres after Ranch V is traded for additional land on Ranch I	4,440
Number of acres in crop production	629
Number of acres in livestock feed	150
Number of acres in grazing land	50
Number of acres not in production	2,700

Crops produced during the fiscal year beginning July 1, 1955, and ending June 30, 1956 include: corn, corn fodder, alfalfa, straw, spinach, cabbage, beets, peas, lettuce, cucumbers, parsnips, carrots, squash, grass hay, silage, barley, oats, cane hay, turnips, radishes, cantaloupe, onions, green beans, onions, apples, and greenpeppers.

Livestock, poultry and dairy products produced during the same period include: pork, eggs, capons, turkeys, chicken friers, milk, cream, butter, and skim milk. The penitentiary also buys and fattens beef and does its own butchering.

The crops grown at the penitentiary are sufficient to supply approximately 40 per cent of the institution's needs. The remainder, including additional produce canned at the cannery, is purchased from outside sources. The production at the prison dairy is sufficient to cover all institutional needs in this respect, and no dairy products are purchased.

The total cost of farm production for the fiscal year was \$241,624. This figure, according to the penitentiary's business manager, includes all expenses except officer's salaries, and the cost of convict labor which the institution estimates at \$.25 per hour in computing costs for its industrial operations. When the salary of the eight officers working in the farm program are added in, the cost of the farm program for fiscal year 1955 totals \$278,834. The reported value of farm production for this period was \$227,148.

The following items which did not add to the productive value of the farm program for 1955 were included in the cost total of \$278,834.

1. Food and housing for the 70 inmates living on Ranch I who are doing construction labor.
2. All food consumed by inmates working on farm operations (\$46,000).
3. Costs of feeding non-permanent inmate work details which are fed at the ranches and farms rather than returning them to the main institution.
4. \$18,000 for the purchase of livestock. This increase in livestock will be shown as additional income for fiscal year 1956-57, but the purchase shows up as an expense in 1955-56.
5. Additional expense for feed and forage supplies for retention of 69 calves who were not sold due to poor market conditions. They will be fed until the market improves.

After consideration of these cost figures, the penitentiary business manager estimates net income for fiscal year 1955-56 at \$24,000 rather than the loss of \$51,686 that the actual cost and value figures show.

Reformatory

The reformatory farm has 1,568 acres used for grazing and production with about 700 acres used for crop production at the present time. Crops grown include: hay, potatoes, field corn, wheat, barley, oats, straw, carrots, cabbage, onions, lettuce, radishes, cauliflower, beets, peas, beans, spinach, turnips, cucumbers, garlic, and parsley.

In addition, the reformatory also has a dairy farm and raises some livestock and poultry. Livestock and poultry butchered for institutional use includes beef, pork, chickens, and turkeys. Whole milk, skim milk, butter and cream from the dairy provide all institutional needs for these products.

The reformatory farm also provides all the institutional needs for eggs, chickens, turkeys, pork, and one-third of the need for beef. Sufficient hay, grain, and potatoes for use by the institution are also grown. It is sometimes necessary to purchase vegetables because of difficulty in raising some truck crops at the reformatory's altitude and the shortness of the growing season.

Six correctional officers are assigned to the farm and dairy operation at the reformatory. Three officers are assigned to the dairy and two to the farm, all of them under the supervision of the farm manager. From 20 to 100 inmates work at the farm and dairy depending on the season. The usual number is 15 to 20 inmates at the dairy with an additional 30 to 35 at the farm and gardens.

The reformatory intends to cut its beef and dairy herds in the future because of the lack of good grazing land. There is a great need for water, if the reformatory is going to expand its farming operations, according to both the warden and the farm manager. If the Arkansas frying pan project is approved by Congress as it is presently set up, it will bypass the reformatory and take the water surplus depended upon for spring soaking. The flume carrying irrigation water over the river is in a bad state of repair and may need replacement in a few years. The reformatory is also engaged in a local controversy over legal water rights.

According to the farm manager, the reformatory cooperates with and receives assistance from the soil conservation district and also from Colorado A & M College. At the present time, the reformatory has some land in experimental crops in conjunction with the extension service of Colorado A.& M. During fiscal year 1955, the reported total cost of farm operations including salaries was \$35,128 and total expenses, \$35,341. However a \$1,500 credit from the soil conservation district enabled the farm to show a net of \$1,287 over expenses.

Boys' School

The farm and dairy at the boys' school consists of 688 acres. Dairy products constitute the major portion of the farms production. However, some vegetables are grown, and some pigs are butchered for pork. The excess milk

produced is sold commercially and also fed to the hogs. There are four staff members assigned to the farm operation and they have the assistance of 22 inmates who each work half days.

During fiscal year 1955, the reported value of farm production, including the sale of dairy products and livestock, was \$29,054. The reported cost of farm operations including salaries was \$25,609, or \$8,445 less than the value of farm production for the year.

Girls' School

The girls' school at Morrison has a 30 acre truck farm, a chicken farm, and an apple orchard. There are three full-time people assigned to farm work including the vocational instructor in charge of the outside program. For fiscal year 1955, the total cost of the farm program, salaries included, was \$14,588. The value of farm production--mostly vegetables, some fruit, and chickens and eggs, was \$5,360 or a loss for the year of \$9,228. The question has been raised as to the possibility of doing away entirely with the farm program at the girls' school because of the cost. It has been determined by the staff of the legislative sub-committee on appropriations, that the fruits and vegetables could be purchased cheaper on the open market than they can be grown at the institution.

The value of the farm program as a rehabilitation factor at the juvenile institutions is also open to question. Most of the inmates at both institutions come from the metropolitan Denver area and will return to this area upon release from both training schools. This is a factor that should be taken into consideration in determining the extent of agricultural operations at both training schools in the future.

Recreation Activities

All four of the institutions have organized recreational programs, with the reformatory and the penitentiary placing the most stress on athletic teams competing with outside teams.

The penitentiary has both football and baseball teams which represent the institution. These teams play games with outside teams, but the games are held within the confines of the institution. The penitentiary also has a boxing team which occasionally has matches with outside squads. The intramural program includes: baseball, softball, horseshoes, handball, and basketball.

The Custodial Officer II in charge of the athletic program coaches all the institution teams. Approximately 100 inmates turn out for baseball--18 play on the varsity squad and the rest in the intramural program. Forty-five inmates turn out for football, and the boxing program usually attracts about 30 inmates.

The reformatory has a baseball team, a boxing team, a football team, and two basketball teams which compete outside the reformatory. The baseball team (18 inmates) plays service and town teams. The football team (6-man football) plays teams on the high school level in the immediate vicinity of Buena Vista. One basketball team plays in the local high school league, and

the other team--made up of older inmates--plays town and independent teams. The boxing team competes annually in the Golden Gloves. The athletic staff includes a part time basketball, football, and baseball coach and also a boxing coach, who assumes custodial duties when not training the boxing team. In addition to the inmates playing on these teams, about 50 more take part in the intramural program which includes basketball and baseball. The reformatory also has a miniature golf course and horse shoe pits, which are used by the inmates during their free time.

The boys' industrial school has one full time coach who also teaches physical education. At the time of this report, there was no organized intramural program, but the boys had informal softball and touch football games.

The boys also box and use the swimming pool under the direction of the coach. In the past, boys' school teams have played basketball games with Denver Parochial schools, Federal Correctional Institution, and the children's home. Because of the need for another coach and a lack of athletic equipment, the outside athletic program has been curtailed. It is the superintendent's belief that outside athletic events should not interfere with the operation of the intramural program.

At the girls' school, the athletic program is under the direction of the assistant superintendent. This year the school entered a team in the Jefferson County Girls' Softball League. Approximately 18 girls participate on the institution's softball team. The fall and winter programs include square dancing, volleyball, and basketball.

In general, the athletic programs at the four correctional institutions seem adequate. The boys' school, however, has not kept up with the other two male institutions in this respect. The boys' school needs another coach, and much of the available athletic equipment is either damaged or obsolete. According to the coach, \$150 has been spent on athletic equipment during the 18 months previous to this report.

Canteen, Library, and Institutional Publications

Canteen Operation

Each of the four correctional institutions has canteen facilities for inmate use. At the penitentiary, the canteen is open from 6:30 a.m. until 2:30 p.m. and carries food stuffs, soft drinks, tobacco, candy, cigarettes, etc. The canteen is operated by a custodial officer with eight inmate assistants. All profits from the canteen are deposited in the canteen and library fund; also deposited in this fund are proceeds from ticket sales from tours conducted through the institution. Expenses against this fund include athletic supplies, library books, and all goods bought for resale in the canteen.

The canteen at the reformatory is open only one night a week and is operated as a private concession. The canteen at the boys' school is also operated only one night a week, but by the institution. At the boys' school, the boys are allowed to spend 35 cents a week on candy and pop. They are marched from their cottages to the canteen, which is set up in the butcher shop. The boys make their purchases and are allowed a certain period of time for drinking their pop, usually they sit on the butcher shop floor to do so. The boys are then marched back to their cottage.

The girls' school canteen is maintained in the administration building and is open during the day at all times. The amount each girl may spend is flexible depending on the amount in her account and is supervised by her cottage matron. In addition, a mail order catalogue is available in each cottage, and the girls are allowed to order from it within certain broad restrictions set by the institution. One of the members of the office staff does shopping for the girls in Denver from time to time.

Library Program

Each of the four correctional institutions maintains a library. The penitentiary library has approximately 5,000 volumes representing about 3,000 titles. The reformatory library has approximately 1,500 volumes, the girls' school 2,000, and the boys' school 500.

The penitentiary library is 60 per cent fiction, and the library staff consists of seven inmate librarians. The institution also subscribes to 26 different magazines. According to the head librarian, approximately one-fourth of the books are in circulation all the time. The penitentiary now buys all of its books through the canteen and library fund. The state librarian has been of assistance in culling the library selections and in making recommendations for additions.

The library volumes at the reformatory were all provided by donation and most of them are not necessarily suited to the needs of the institution. The head teacher is in charge of the library, and with the press of his academic duties, it is difficult for him to keep the books catalogued and placed neatly on the shelves. Library night is held once a week.

While the 2,000 volumes in the library at the girls' school were mostly obtained through donation, there seems to be a better selection than might be expected. The library is integrated with the school program and is under the supervision of the principal. Each girl has one library period each week and is allowed to check out books and take them to her cottage. At the time the institution was visited, there were 94 books checked out for 110 inmates.

At the boys' school, the inmates were not allowed to check out books at the time the institution was visited. The practice of checking out books was resumed in September, however. The superintendent says that \$1,200 has been spent on books in the past few years and that most of the donated books which were unsuitable were removed. He stated that the inmates were restricted from taking out books during the summer months because staff vacations made it difficult to find personnel to supervise the library period.

Institutional Publications

Three of the institutions have publications--all except the reformatory. At the penitentiary, two magazines are published by inmate staffs under the supervision of a custodial officer. Both magazines are issued bi-monthly, and one is the organ of the prison's Alcoholics Anonymous group.

Golden has a school newspaper published in conjunction with the printing shop operation and the boys gather the news and edit the paper under the direction

of the printing shop supervisor. The paper at the girls' school is mimeographed and is printed as part of the school program.

Medical Facilities

Three of the four correctional institutions have hospitals; the fourth--the reformatory--makes use of the Salida hospital when necessary. The penitentiary is the only one of the four with a full-time doctor, appointed July 1, 1956. The penitentiary also has a part-time dentist and calls upon other medical specialists as needed.

The reformatory and the two training schools have the services of part-time physicians, and each one also has a part-time dentist on the staff.

A member of the custodial staff is in charge of the hospital at the penitentiary. Except for an additional custodial officer, all of the other hospital positions including nurses are filled by inmates who are screened as to background, intelligence, work experience, etc. The hospital has 45 beds at the present time with five permanent patients. The new hospital is being built as an addition to the present structure and will have a capacity of 84 beds. The average number of inmates hospitalized during a typical month is about 55 with approximately 3,000 inmates going on sick call during the same period.

In addition to providing dental work and glasses as necessary, the penitentiary is also making a practice of corrective surgery with the inmate's permission. Such surgery is especially attempted when the defect to be corrected is considered to be at least partially to blame for the inmate's lack of social adjustment. In general, dental work and glasses are provided at the other three institutions and both the training schools indicate that they will have corrective surgery done if agreed to by the juvenile's parents or legal guardian.

The hospital at the boys' school is temporarily located in the new administration building along with the first aid and examination rooms. The old hospital, which had 26 beds, has temporarily been closed. Only three or four boys at a time are hospitalized and they are presently confined in the single units in the administration building, but are separated from the disciplinary cases and the new boys. The superintendent is planning either to renovate the old hospital or to convert the basement of the old school building into a hospital. Approximately 12 boys a day go on sick call, and in the past few years there haven't been too many cases of a serious nature. Polio vaccine has been given to all the boys.

Sick call at the girls' school is held three days a week with from 20 to 35 girls on sick call at any one time. Very few of the girls are hospitalized and when they are, they stay in rooms, similar to those in the cottages. The hospital is combined with some cottage facilities and rooms for new girls and disciplinary cases. The hospital capacity is 15 beds and the nurse feels that it is well equipped.

For serious illnesses or surgery at both juvenile schools, the patients are brought to Denver. Pregnancy cases at the girls' school are placed in the Florence Crittendon home for pre-natal care, birth, and post-natal care.

Counseling and Diagnostic Services

Only one of the four correctional institutions has the services of a visiting psychiatrist and none of them has one in residence. A psychiatrist from the state hospital in Pueblo spends two afternoons a month at the penitentiary.

The boys' school is the only one of the four to have the services of a case worker. There are two social workers at the boys' school, one of whom works half-time as a parole officer. The boys' school also has a psychologist who teaches half-time. He is an educational psychologist and does not have a clinical background. None of the institutions, at the time this report was written, had the resident services of either a clinical psychologist or a psychiatric social worker, although both the penitentiary and the reformatory now have personnel requests for resident clinical psychologists.

The juvenile institutions may send inmates to the Diagnostic Center for analysis by referral through the Director of Public Institutions. They also receive the results of any analysis made of a boy or girl prior to commitment. However, the services of the Diagnostic Center at the present time are limited in the number of children which can be accommodated, and the lack of trained personnel makes it difficult for the juvenile institutions to follow through upon a recommended treatment program.

The visiting psychiatrist at the penitentiary can do little more than screen the men he interviews to determine whether or not to commit them to the state hospital for observation. Inmates are referred to the psychiatrist by the warden, the doctor, or top staff personnel after consultation with the warden and the doctor. The psychiatrist says that he sees from 12 to 15 inmates in one afternoon and is dissatisfied with the length of time he can give to each man, but that is all he has available.

At the time of this report, there were 150 inmates at the penitentiary taking tranquilizer drugs upon order of the psychiatrist. He admits that this procedure is a stop gap measure, but points out that the state hospital doesn't have room for them, that most of them don't belong there anyway, and that the use of tranquilizer drugs allow these men to take part in the institutional routine without becoming disruptive forces.

Still, a few inmates may be committed to the state hospital for observation for 30 days upon order of the governor. From the reformatory about 20 inmates a year are sent to Pueblo for observation. During the past several years, according to Warden Thomas, only one has remained. While the penitentiary received summaries on all their inmates returned from the state hospital, the reformatory receives no information whatsoever, even though the warden has requested this information on several occasions.

In general, counselling at the four institutions is a function of all staff members with no one staff member or group of staff members assigned to this task. All four of the institutions recognize the need for professional help in this respect and (as mentioned above) both the penitentiary and the reformatory are in the process of recruiting clinical psychologists. The

girls' school has a guidance center in the planning stage and hopes to staff this center with a clinical psychologist and a psychiatric social worker.

One other item should be mentioned in connection with this subject. The penitentiary has an Alcoholics Anonymous group of approximately 135 inmates. The Colorado Springs AA group was of assistance in getting the penitentiary group started, and other outside groups have also helped and have given assistance to some of the penitentiary group members released on parole. The inmates plan their own programs, have their own steering committee, and participate on their own time. At the weekly meetings, the talks and discussions are originated by the inmates with an occasional outside speaker.

In general, the institutions are in need of professional help for counselling and therapy. These needs might well be satisfied through the employment of clinical psychologists and/or psychiatric social workers with part-time psychiatric services made available to the institutions. At least for the present, there is no need for resident psychiatrists at any of the institutions. The cost of employing psychiatrists would be prohibitive, and there aren't any available who would be likely to be interested in a residency at any of the four institutions as a full-time job.

Special Work Program

In this category are the honor road camp at the reformatory and the work out programs at both juvenile training schools.

Reformatory Mobile Road Camp

The reformatory's road camp consists of several pieces of mobile equipment and has facilities to house three officers and 30 inmates. In 1955, the legislature appropriated \$38,000 to equip this camp. Road camp equipment includes four 38-foot trailers, one 24-foot trailer, an old Denver Tramway bus, two supply tents, plus some other rolling stock such as trucks and a station wagon.

Two of the 38-foot trailers are outfitted to sleep 14 inmates in each. The other two 38-foot trailers serve as a kitchen and dining room with the kitchen trailer having bunk space for the inmate cook and his assistant. The 24-foot trailer is used for officers' living quarters and has its own bathroom and shower unit. The bus has been rebuilt as a toilet and shower unit for the inmates.

The road camp finished its 1956 outdoor program by doing some work on Cameron Pass for Colorado A & M College. This project included brush clearing and road work. Other road camp projects were located near Rifle, near Littleton, near Pueblo, and on Cottonwood pass. At Rifle, the camp worked on improving the city of Rifle's mountain park area. Roadside parks were set up near Littleton and Pueblo. The road camp crew also helped build a road across Cottonwood Pass. During the winter months, the road camp crew works in the carpenter shop on maintenance of camp equipment and builds tables, benches, and other items for future mountain and roadside park sites.

Inmates assigned to the road camp are very carefully picked from the

institution population. Most of the inmates assigned to the unit are first offenders who show rehabilitative tendencies. So far it has been necessary to return only two boys to the institution for disciplinary reasons.

Three officers are assigned to the road camp with two officers working full-time while the other is off duty. The schedule is staggered so that each officer works two weeks and then has a week off. Supplies for the camp are brought in from the main institution each week with some food products--especially perishables--purchased locally.

While the camp has been in operation only a short time, it appears to be achieving its purpose, that of providing a wholesome, non-institutionalized atmosphere for some of the inmates who will benefit most from this kind of program. The work accomplished by the road camp has also been of significant quantity and quality. In light of the initial success of this project, consideration might be given to equipping other similar units. However, the question should be raised as to whether the same amount of money would be put to better use in financing an expanded educational and vocational training program at the reformatory from which a greater number of inmates could benefit.

Boys' School Work Out Program

At the boys' school, a few of the inmates (those with good records and nearing their release from the institution) are allowed to work in the city of Golden. Usually the boys work at the Holland House as bus boys or as pin boys at the bowling alley. The boys continue to live within the confines of the institution and leave the grounds only during working hours. The boys are paid the going rate for these jobs, according to the superintendent, with half of each boy's pay deposited to his account for his specific use and the other half deposited in the boys' trust fund. Expenditures from this fund, according to the superintendent and his administrative assistant, include recreation equipment, company parties, equipment for the school's Boy Scout troop, and will be used to outfit the new chapel.

Girls' School Work Out Program

The work out program at the girls' school is somewhat similar except that the girls are allowed to keep all money earned on the outside jobs. Usually girls are allowed to work outside only after they have been in the institution from six to eight months. These girls are selected on the basis of their deportment, institutional adjustment, and financial need. They work in private homes in the immediate area of the girls' school and return to the institution at night. The girls in the work out program do housework, washing, etc. and receive from \$2.50 to \$3.00 per day for this work.

The superintendents of the juvenile institutions feel that these programs help the inmates to make a gradual adjustment to the outside again and to earn some money while doing so. They provide an incentive to the inmates in the same way that the honor camp does at the reformatory, because of the method of selection.

Women's Correctional Program

Penitentiary Women's Department

The facilities for women at the penitentiary are located outside of, but immediately adjacent to, the wall of the main penitentiary. The women's department at the penitentiary had 30 inmates at the time the institutions was visited and has a maximum capacity of 40. The head matron in charge of the women's department is assisted by five other matrons; one of these takes charge during the swing shift and another one during the graveyard shift.

Eight of the 30 inmates at the time of the visit were from other states; four from Utah and four from South Dakota. Maintenance for these inmates is paid for by the respective states at the rate of \$2.75 per day.¹ Wyoming formerly sent their women prisoners to Canon City, but were asked to make other arrangements a few years ago because of the crowded conditions in the women's department at that time.

The inmates work at various institutional housekeeping and gardening chores, which usually do not take more than five hours a day. There is no school or vocational training program for the women at the penitentiary at the present time, but Warden Harry Tinsley is hopeful of getting a part-time program started in the evening by using teachers from the Canon City school system. The women's department has a library of approximately 275 books and subscribes to several magazines. Radio is available to the women in their rooms through the central radio and headphone setup operated from the main prison, and a television set is kept in the recreation room. Many of the girls do sewing and handicraft work in their spare time for sale in the curio shop.

There is an athletic field to the rear of the women's building where the inmates may play basketball, softball, shuffleboard, or tennis. This field is in bad condition, but the head matron states that the girls are not much interested in using it at the present time and that should they show renewed interest in any of the sports, the equipment and playing field would be put in better shape and maintained.

Maintenance on the women's department building and facilities is carried out by the various maintenance shops inside the main prison. Food is ordered from the storeroom in the main prison, although the menus are planned and the food prepared in the women's department kitchen.

Denver County Jail

At the present time there are 8 girls of reformatory age in the Denver county jail. The Denver county jail was named as the state reformatory for women by an executive order of Governor Johnson in July 1955. The maximum number of girls confined at the Denver county jail has been 13 and the average length of time spent there by each girl is seven months. The state pays \$2.25 per day for each girl sentenced to the Denver county jail as state charges.

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1. Utah and South Dakota pay \$1,003.75 per year to maintain their female prisoners at Canon City. It costs the state between \$1300 and \$1400 to keep an inmate at the penitentiary at the present time, so the Colorado taxpayers are subsidizing Utah and South Dakota approximately \$300 to \$400 per female penitentiary inmate annually.

Prior to the designation of the Denver county jail as the state reformatory facility for women, several other institutions were used. In 1952, the Nebraska state reformatory was used for four young women at a cost to the state of Colorado of \$100 per girl per month. The arrangement with Nebraska was terminated after an examination of their reformatory by Representative Rena Mary Taylor, who is also a member of the state institution advisory board. From 1952 until June 1955, the Denver, El Paso and Arapahoe county jails were designated to be used as state reformatory facilities for girls. The cost varied from \$45 per month in 1952 to \$60 per month in 1955 for each girl.

There are no educational or vocational training opportunities available at the present time for the girls confined in the Denver county jail. According to James Dolliver, warden of the county jail, there is little possibility of setting up any such program for the girls sent to his institution as state charges. The girls confined there are separated at night from the other inmates, but mix with them during the day. The only employment available for them is in the jail laundry.

Mrs. Margaret Curry, women's parole officer of the State Department of Parole, states that the girls confined in the county jail as state charges need a work and/or educational program, shoes and clothing, and medical attention. These needs have been confirmed by Representative Taylor and others who have looked over the present setup.

In 1955, the State Planning Commission at the request of Governor Johnson made a survey to determine the need for a separate facility for state female offenders of reformatory age. A summary of their report shows that there were 330 females, age 16 to 25 (reformatory age by Colorado Statute), charged with crimes in Colorado courts in the five years, 1950 through 1954. Of these 330, 119 were either given probation or acquitted, 107 were confined in various county jails, 67 were confined in state institutions, and 37 in other institutions. From reports gathered by the commission from district court clerks and county sheriffs, 40 were convicted of crimes in 1954, and 53 per cent of these were placed on probation, 24 per cent were confined in county jails, and 23 per cent were committed to either the girls' training school or the state penitentiary.

It is extremely difficult to determine how many girls of reformatory age have been granted probation, because of the lack of adequate facilities and rehabilitation programs for girls of this age. The above figures are cited to show roughly the magnitude of the need for a reformatory for female offenders.

The 40th General Assembly amended the statutes for the girls' training school so that the school could receive girls up to the age of 21 instead of 18 as the law read previously. The new statute also authorized the training school to keep the girls until the age of 22. However, the girls' training school superintendent has refused to take girls over 18, because of the lack of facilities to take care of them and the dubious benefits to be derived from mixing older with younger girls. One possible solution offered by Warden Tinsley, Mrs. Curry, and others is the establishment of an interstate compact to build a new institution to house female offenders from several mountain states to be financed jointly by these states. This problem has been examined more fully in the first section of this report.

Food Service

Penitentiary

The penitentiary operates eight dining rooms. Almost 1300 inmates are fed at the main institution dining room; 100 inmates at Ranch I; 48 at the dairy; 39 at Ranch V; and 25 at the gardens. In addition, the women's department has its own kitchen, which feeds approximately 30 female inmates, the hospital has a diet kitchen for patients on special diets, and there is a dining room for officers, which is located adjacent to the main institution kitchen.

The food for all these dining rooms is procured from the central institution storeroom, although different menus are used in the various kitchens. Menus for the main institution dining room and for the officers' dining room are prepared on a day to day basis to utilize leftovers. All of the menus, in general, are fairly well balanced and nutritionally adequate. The penitentiary also does all its own baking.

The business manager at the penitentiary computed the following as the cost per meal per inmate in five of the institutions' dining rooms: main institution, \$.20; Ranch I, \$.22; Dairy, \$.28; Gardens, \$26; and Ranch V, \$.27

There are 160 inmates working in the main kitchen, mainline dining room, officers' dining room, and bakery. This whole operation is under the supervision of a Custodial Officer III who is assisted by a Custodial Officer II. In addition, two to four inmates work in each of the other kitchens with the exception of the special diet kitchen in the hospital, which has only one inmate assigned to it.

Reformatory

Two dining rooms are operated at the reformatory, one for the inmates and one for the officers. The menus are planned for a week to three weeks in advance and are based on menus developed by a dietician for the Federal Correctional Institution at Englewood. Warden Thomas says that he has obtained copies of the FCI menus and has had them adapted for use at the reformatory. The quality and quantity of the food served at the reformatory is about on a par with the penitentiary. The cost per meal per inmate at the reformatory is \$.23. The reformatory also does all its own baking. There are two officers assigned to the kitchen and one relief officer who leaves his custodial duties to fill in on the days off of the other kitchen officers. Thirty inmates work in the two kitchens and the bakery including two cooks who have been transferred from the penitentiary for instructional purposes.

As mentioned in a previous section, the reformatory also maintains a kitchen with the road camp unit to feed the inmates and officers assigned to it. Because some of the food is purchased locally wherever the camp is located, the cost per meal per inmate is substantially higher. It was estimated at \$.45 by the captain in charge of the road camp.

Boys' School

The boys' school has only one dining room with separate facilities for school employees, although both are served the same menu. The menus at the boys' schools are made up a week in advance. According to the superintendent, the school had assistance in menu planning from the dietician at the state hospital in Pueblo at the time the dining room and kitchen were remodeled in 1951. The boys' school does all its own baking, and there are five employees working in the dining room, kitchen, and bakery. In addition, from 10 to 15 inmates work each half day in the dining room and kitchen.

The menus are planned to take advantage of surplus food commodities which the school receives from the government. The cost per meal per boy at Golden is \$.33. In general, the menu is fairly well-balanced, although there is not the same variety of food as is served at the girls' school.

Girls' School

There is a greater variety in the menu at the girls' school, because meals are prepared in each cottage kitchen for about 20 to 25 girls instead of central meal preparation for the whole institutional population. This method of food preparation and serving naturally is more expensive than using one kitchen and dining room to feed all inmates. The superintendent and her staff feel that this more individualized food preparation better equips a girl for her return to the outside and is an important and integral part of the school's vocational training program. The girls are also able, under this system, to eat their meals in a more relaxed, "homelike" atmosphere.

Girls are assigned to work in each cottage kitchen under the supervision of a dietician.¹ Although the menus are planned separately by each cottage and usually on a day-to-day basis, food supplies are ordered from the main storeroom. However, there is no central record kept as to the food inventory in each cottage, which might lead to an over supply of an item in one cottage while others have shortages.

The cost per meal at the girls' school is \$.45 per girl with the total salaries of the dieticians included in the cost. The dieticians spend approximately two-thirds of their time in food preparation and the other one-third in assisting the cottage counselors in taking care of the cottage and the girls. Computing on the basis of only two-thirds of the dieticians' salaries as part of food preparation, the cost per meal per girl is \$.37.

Custody and Discipline

The two chief functions of a correctional institution are the rehabilitation of the offender and the protection of society. The rehabilitation phase of the institutions' programs and its several facets have been discussed earlier in this section. The other function, which is really one of custody, will be

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1. Though this is the job title, it does not necessarily mean that the persons filling these jobs have this kind of professional experience. In fact, usually they don't.

discussed below.

Penitentiary Classification

Usually inmates in an adult institution are assigned work or living space partially on the basis of what kind of security risk the inmate is adjudged to be. At the penitentiary, the classification board¹ determines the security status of each inmate approximately 60 days after he enters the institution. The case histories are compiled by the record and classification officer and referred to extensively by the board in determining security status.

If an inmate is considered to be a maximum security risk, he will be assigned a job within the main walls of the penitentiary. Medium security risks may work outside under supervision, inside without supervision, and might be assigned to the dormitory quarters in the hospital if assigned to work there because of skills and educational background. Those inmates considered to be minimum security risks might be assigned to jobs and quartered at the farm or dairy.

However, many medium and minimum security risks stay within the confines of the main institution because of work skills or lack of available outside assignments.

Primarily the penitentiary is a maximum security institution with the major portion of the institution's facilities designed for inmates of this type. When the new medium security institution is completed, the classification board will have more flexibility in the assignment of inmates.

Each inmate's case history, as developed by the records and classification section, plays an important part in judging security status, because it is from this history that the classification board can obtain information in respect to emotional difficulties, past associations, type of crimes committed and criminal pattern and, most important of all, whether there is a detainer on the prisoner. All inmates wanted for a crime or a parole or probation violation by other jurisdictions have detainers placed on them by these jurisdictions. This means that the penitentiary will turn the inmate over to the other authorities upon completion of his sentence at the penitentiary. A prisoner, who might otherwise be a medium or minimum security risk, is usually classified as a maximum security risk if there is a detainer on him from some other jurisdiction.

Reformatory Classification

At the reformatory, a certain amount of inmate segregation also takes place, but not necessarily immediately following the orientation and admission period. At that time an inmate may be assigned to any of the available living quarters, although shop and detail assignments are made to some extent in accordance with the deputy warden's opinion as to degree of security risk. For example, no inmate considered a maximum security risk would be assigned to the farm and dairy or allowed out of the institution with any of the athletic teams. Usually, the inmates considered to be maximum security

1. Board includes the warden, deputy warden, head captain, day captain, classification officer and receiving officer.

risks are assigned to the kitchen or some other inside detail.

Only those inmates who are considered to be minimum security risks and have a good institutional record are assigned to the mobile road camp unit. Within the institution proper, inmates with good institutional records may be assigned to the dormitory. Cell Block C, the oldest cell block with the worst living quarters, is used as much as possible for those inmates who present the biggest disciplinary problems and who are considered the worst security risks.

Boys' School Classification

Assignment to cottages at the boys' school is made by the head cottage counselor after the initial admission and orientation period. This assignment is made partially on the basis of age and partially on the information gathered from the case history developed by the school's social worker. One cottage is used to house the boys under 14, in so far as possible. The school tries to segregate members of the same gang or juvenile group if they are aware that there are several in the institution at the same time.

Girls' School Classification

Cottage assignment at the girls' school is also based to a certain extent on the information available concerning each girl and the observation of her by the nurse while she is in the admission and orientation period. The girls' school does not have as extensive case histories of their charges as does the boys' school, because of a lack of personnel to develop the histories and a failure on the part of most county courts, with the exception of the metropolitan Denver area to provide much information on the girls they send to Morrison.

Custodial Positions

While every staff position at the four correctional institutions is considered custodial to some extent, because of the confinement aspect of the institutional programs, some jobs are exclusively of this nature. This is especially true at the penitentiary and reformatory where a more prison-like atmosphere prevails.

Penitentiary

At the penitentiary many positions involve only custodial functions such as tower officer, gate officer, cell house officer, and desk sergeant. An examination of the August 1956 officer assignment roster¹ shows the following breakdown:

1. A typical example of officer assignment according to the deputy warden.

<u>Custody Assignment</u>	<u>6:40 a.m. shift</u>	<u>3:00 p.m. shift</u>	<u>11:00 p.m. shift</u>
Supervisory and administrative	4 ^a	3	3
Cell houses	13 ^b	11 ^c	10 ^c
Tower & gates	21	17	11
Farm patrol	1	1	1

- a. Exclusive of warden and deputy warden
- b. Excludes the officer in cell house 4 who is also the receiving and orientation officer and as such has other duties besides those which are custodial in nature.
- c. Includes the officer assigned to the hospital; this assignment is almost entirely custodial on the 3:00 p.m. and 11:00 p.m. shifts.

Reformatory

Approximately 20 to 25 correctional officers at the reformatory are assigned to jobs which are primarily custodial in nature. These positions include cell house, towers, dormitory, outside patrol, and administrative custodial positions. It is difficult to determine the exact number of officers assigned to these positions on a full time basis. The reformatory has converted its schedule to the 40 hour week and consequently several officers fill in on relief of a variety of positions.

Boys' School

The cottage counselor positions at the boys' school are generally custodial in nature although ideally this job should include counseling of the individual boys as needed and active participation in providing adequate guidance during the cottage recreational period. The cottage counselors are responsible for custody of the boys on their respective shifts, beginning at 4:00 p.m.¹ During this period the boys are marched to supper, counted, marched back to their cottages, have a recreation period in the cottage, or may attend movies, go to the gymnasium, to the canteen, or to scout meetings on those nights that these entertainments are available.

The cottage counselor on the first shift is responsible for having his boys undressed and upstairs in the dormitory in bed at lights out. The second shift counselors are responsible for getting the boys up in the morning, taking them to breakfast, and makes sure that they are available for their morning school or work detail assignment.

The present cottages at Golden, in addition to being very old, are not designed for the use to which they have been put. With only one cottage counselor per shift, a system of mass movement from one floor to another has been used to prevent strays. The basement floor of each cottage contains the shower and bathroom unit and also the boys' clothing lockers. The recreation room

1. The second shift comes on at midnight and works to 8:00 a.m.

is on the first floor and the dormitory on the second. The boys have no freedom of movement from floor to floor. They are all confined in the same area at the same time and locked in. For example, they move en masse to the locker room from the recreation room and then, without outer clothing, move en masse up to the dormitory where they are again locked in.

The boys leave their outer clothing in the basement on the theory that any boy running away will not get very far without his clothing. While this procedure may seem necessary from the custodial point of view, it leaves much to be desired in the provision of an adequate, wholesome "cottage" atmosphere. The two new cottages presently under construction have all facilities on one floor with the counselor's office centrally and strategically located. These new facilities and others which are planned will do much to alleviate the inadequacies of the present cottage program.

There were nine cottage counselors on the staff of the boys' school as of July 1, 1956, in addition to a head cottage counselor. Some of these counselors are students at Colorado School of Mines and take these positions because they are able to work evenings and attend school during the day.

At the present time the cottages at the boys' school are closed and locked at 8:00 a.m. and the boys are not allowed to return to them until after their evening meal. The superintendent states that the school does not have sufficient personnel to keep the cottages open during the day and that keeping them closed has not worked any hardship on the boys. When the new cottages are built, however, he hopes to have sufficient personnel to keep them open.

The head cottage counselor has direct supervision of the cottage program and the other cottage counselors. In addition to assigning boys to their cottages, he plans cottage activities, inspects the cottages nightly, does counseling, and is available in case of any emergencies which may arise.

Girls' School

In contrast to the cottage program at the boys' school, the program at the girls' school has a much more permissive and homelike atmosphere. This difference is due to several factors. First, there are more employees per cottage at the girls' school, second, the girls have more freedom of movement inside the cottages. Third, the cottages' recreation rooms are better equipped. Fourth, the cottages are open throughout the day with counselors on duty. Fifth, the girls eat their meals in their respective cottages, and many of them have work assignments in the cottages during the day such as cooking or washing and ironing. Sixth, the cottages at the girls' school are not nearly as crowded as the ones at Golden; approximately 25 girls per cottage at Morrison as compared with 50, at the boys' school.

Including the dieticians, each one of the cottages at the girls' school has at least three women on duty who also live in the cottage. In addition, several of the teachers and the principal live in the various cottages and

are available for relief work, counseling, and general emergencies. At the time the girls' school was visited, four cottages were in use and the fifth was being remodeled. The cottage which also houses the hospital and the new girls' quarters in separate wings is the newest of the five. Of the other three in use, two have been remodeled.

As of July 1, 1956, there were seven cottage counselors on the staff at the girls' school in addition to the five dieticians, the nurse, the principal, and three teachers who also live in the cottages. As was pointed out by the superintendent of the girls' school, the cottage counselor and dietician jobs are virtually 24 hour jobs, since these women live in the cottages and are responsible for all phases of the cottage program around the clock. Some of the teachers and other members of the staff, including the superintendent, are called upon from time to time as relief counselors in case of days off, illness, or other emergencies.

With the exception of one cottage, all of the girls sleep in individual rooms. About six girls share dormitory facilities in one cottage, which has not yet been remodeled.

The girls have television sets in their recreation rooms, which is also true of the cottages at the boys' school. As was mentioned above, better furniture in the recreation room and fewer people using the facilities make the recreation period more comfortable and "homelike" at the girls' school than at the boys' school.

Disciplinary Action

Disciplinary action usually arises at the four institutions from rule infractions and from escapes and walkoffs both attempted and carried out. At the penitentiary and the girls' school copies of the institution's rules and regulations are given out to inmates during their orientation and admission period. These rules are explained to the new inmates by the staff members in charge of orientation. No rules are handed out at the reformatory and the boys' school, but explanation is also made at these institutions of rules and regulations during the orientation period.

Escapes and Walkoffs

The Colorado statutes provide specifically for penalties for escape for only two of the four institutions, the penitentiary and the boys' school. According to the statutes, any prisoner who has escaped from the penitentiary and is apprehended gets credit for only the time he actually spent in the penitentiary and he forfeits any good time earned during that period. The time actually served is then deducted from the inmate's maximum sentence and the remainder is the time he must serve before he can be released (105-4-6).

This same statute also provides that the apprehension of an escaped prisoner be the starting point for the earning of all good time, which shall thereafter be computed in the same manner as if the prisoner were then commencing the first year of a new sentence.

However, another statute (34-18-4) states that no prisoner can claim good time after apprehension from escape until he serves another two-year period in the penitentiary. To summarize, these two statutes provide the following in respect to any prisoner who escapes and is apprehended: 1. He receives credit only for actual time served before his escape. 2. This time is subtracted from the maximum sentence with the remainder being the amount that must be served before release. 3. He may again receive good time credit to be deducted from this remainder, but this good time is to be computed as if the returned prisoner was beginning a new sentence. 4. No good time may be credited, until he has served an additional two years in the penitentiary upon his return from escape.

It is the opinion of the attorney general's office that any prisoner apprehended after escape must serve the two years in the penitentiary even if that extends his term beyond his maximum sentence.

The statutes provide that for any boy who escapes from the boys' training school and is apprehended, the length of time on escape shall not be computed as part of his stay in the institution (105-1-11). In complying with this statute, the boys' school increases the number of marks or credits needed by a returned boy before he can be released from the institution.

While there is no statutory provisions in respect to girls running away from the training school at Morrison, there is one which applies to girls who are placed on parole in a "work" or "school" home. This statute (105-2-26) provides that any girl who absents herself without leave from the person to whose care and service she has been properly committed is to be returned to the school and shall forfeit all credits gained by her on account of previous good conduct.

Besides the statutory restrictions, a returned prisoner at the penitentiary will also be placed in solitary confinement and on a restricted diet for 30 days.

If the escape or attempted escape did not involve an assaultive or violent action, the returned prisoner will be placed again among the regular inmate population after the 30-day isolation period. However, if the escape or attempted escape did involve force and violence, the prisoner may be kept in the cell block reserved for disciplinary cases. This keeps him from mingling with the rest of the prison population, although he may have certain privileges returned such as reading and listening to the radio. The length of time to be served in this manner is determined by the warden and the classification board.

Returned escapees at the reformatory are also subject to an increase in the number of marks or credits needed for release on parole and they too are placed in isolation

Girls who attempt to run away from the girls' school and are apprehended in the attempt or return to their own accord are placed in isolation for one to two weeks. Those who succeed in escaping and are returned are kept in their room in isolation for one month and are given work to do in their rooms.

Such escapes or attempted escapes are taken into consideration in determining when a girl may leave the institution on parole.

Misconduct and Rule Infractions

Statutes in respect to penalties for misconduct apply to only one correctional institution, the penitentiary. The law provides that if any inmate shall assault any officer or other member, convict, or other person or threaten to endanger the person or life of anyone or disregard any prison regulation or refuse to do work for which assigned or be guilty of any misconduct, he shall forfeit all the good time credit earned by him prior to the commission of such offense (108-4-8). In cases of assault or violence at the penitentiary, this statute is followed to the letter. Where the offense is a rule infraction or a refusal to work, the inmate may or may not lose all his good time, usually the latter.

Such offenses are reviewed by the disciplinary board and the inmate may lose some of his good time, be confined in solitary, or lose some privileges or any combination of these. The misconduct report then becomes a permanent part of his institutional record. The disciplinary board usually consists of any three of the following: the warden, the deputy warden, the head captain, the day captain, and the assistant captain. All infractions, whether major or minor, are written up by the complaining officer and turned over to the board for hearing and judgment.

The disciplinary committee at the reformatory usually consists of the deputy warden, the head captain, and one other high ranking officer. This committee meets as the occasion arises and reviews approximately 40 to 50 cases a month. As an example of the type of disciplinary cases reviewed by the board, the table below shows the cases pending board action for the first two weeks of July, 1956.

Insubordination	2
Escape or attempt to effect same	4
Possession of contraband	3
Jumping line	1
Loafing and visiting	4
Applying tattoo	2
Talking after lights out	1
Driving reformatory vehicle too fast	1
Defacing property	1
Miscellaneous misconduct	2
Total	21

Penalties assessed by the disciplinary committee after a review of each case might include: loss of good time credits or marks, isolation, loss of privileges, or any combination of these. In some cases the inmate may be let off with only a warning or placed on institutional probation.

The boys' school also has a disciplinary committee composed of the school principal, the head cottage counselor, and the administrative assistant in

charge of maintenance operations. They usually handle disciplinary cases individually in their own areas of authority, although occasionally the committee may meet or discuss a case with the superintendent. The type of offenses at the boys' school are somewhat similar in nature to those at the reformatory, as are the punishments imposed.

For example, loss of privileges, loss of good time credits or marks, or an increase in the number of credits needed for release might be imposed as punishment in some cases. Boys who constantly ask for transfers on work assignments are penalized inversely because those who remain on an assignment for six months receive extra credits toward release. There is some question however as to whether the stress placed on isolation as punishment at the boys' school is necessary when dealing with juveniles, and whether such isolation does more harm than good. It must be recognized, however, that sometimes isolation is unavoidable if a boy is unable to adjust to company or school life and is increasing the number of disciplinary problems and also impairing the successful operation of the institutional program. The question also might be raised as to whether some of the rules, infractions, and misconduct result from normal adolescent actions which would be unquestioned on the outside. The practice indulged in by some of the teachers and other members of the staff of having the boys kneel for an hour to two hours at a time for minor infractions seemed to indicate to this observer, at least, an inability on the part of some staff members to establish rapport with the boys and also a stress on retribution for petty incidents.

At the girls' school disciplinary action is usually taken by those in charge at the place of the offense. Such action might include a reprimand or a loss of privileges and, in more flagrant cases, referral to the superintendent for disposal. The superintendent after reviewing the case and the girl's record might move her to the hospital cottage for isolation or restrict privileges.

Both the girls' school and the boys' school have the statutory authority to return juveniles to the committing court if they are deemed incorrigible or detrimental to the successful operation of the institutional programs (105-1-8 boys' school and 105-2-31 girls' school). The reformatory may also request the governor to transfer any inmate to the penitentiary who is a disciplinary problem and who interferes with the operation of the institutional program (3-11-6).

In conclusion, disciplinary action at the four institutions is often taken, not only to punish the specific infraction, but to serve as a warning to other inmates. Such action, although not always fair in respect to the offense committed, enables the institutions to keep a situation in hand which otherwise might get out of control.

Parole and Parole Procedures

The State Board of Parole holds hearings and grants or denies parole for the inmates of the penitentiary and the reformatory and for the girls incarcerated as state charges at the Denver county jail. Inmates from these institutions when on parole are under the supervision of the State

Department of Adult Parole.

The two training schools have complete charge of the parole function at their respective institutions. At the boys' school parole is granted or denied by a committee made up of the superintendent and some of his key personnel. When on parole, the boys are supervised by the institution's parole officers. The board of control at the girls' school determines the granting of parole, usually upon the recommendations of the superintendent. The girls' school parole officer supervises those that are on parole.

Parole Eligibility

The method of determining eligibility for parole is different at each of the four institutions. At the penitentiary eligibility is determined by the length of sentence and the amount of statutory good time and trusty good time earned. Both the reformatory and boys' school have a system of marks or good time credits to determine parole eligibility. The girls' school does not use a system of marks, but evaluates the girls' performance during the course of their stay at the institution and considers them for parole after they have been confined from twelve to fifteen months.

Penitentiary

Inmates committed to the penitentiary may receive certain statutory good time allowances deducted from their minimum sentence (105-4-7). These allowances are as follows:

TABLE IV

STATUTORY GOOD TIME
AT THE PENITENTIARY

<u>Minimum Sentence</u>	<u>Good Time That May be Earned Each Year</u>	<u>Total Good Time That May be Earned</u>	<u>Time to be Served if Full Credits Earned Allowed</u>
1 year	2 months	2 months	10 months
2	2	4	1 year, 8 mo.
3	4	8	2 years, 4 mo.
4	4	1 year	3 years ^a
5	5	1 year, 5 mo.	3 years, 7 mo.
6	5	1 year, 10 mo.	4 years, 2 mo.
7	5	2 years, 3 mo.	4 years, 9 mo.
8	5	2 years, 8 mo.	5 years, 4 mo.
9	5	3 years, 1 mo.	5 years, 11 mo.
10	5	3 years, 6 mo.	6 years, 6 mo.
11 & up	5	- - - ^a	- - - ^a

- a. Depends on length of minimum sentence. Good time may be accumulated at the rate of five months a year.

In addition to the above good time allowances, the same statute also provides for trusty good time allowance not to exceed ten days a month. A first offender is eligible for trusty time after he has been in the penitentiary for 30 days. An inmate who had served time previously is not

eligible for trusty time until he has been in the penitentiary for one year. At the time an inmate has served his minimum sentence minus his good time allowances he is eligible for parole and his case is reviewed by the adult parole board.

There is some question as to whether there is very much relationship between an inmate's readiness to return to society and the amount of statutory good time to which he is entitled. Warden Tinsley agrees that the granting of good time allowances by statute does not necessarily result in a release date which corresponds with an inmate's readiness to leave the institution. However, he is emphatic in his support of statutory good time as long as Colorado continues to have its present sentencing statutes. (Sentencing practices and problems will be discussed in a subsequent section). He feels that a lack of sentencing uniformity exists in Colorado and until this procedure is changed, statutory good time should be preserved.

Reformatory

All commitments to the reformatory are for indeterminate sentences. The statutes provide that the Department of Public Institutions shall set up a uniform plan by use of marks or credits or otherwise for determining an inmates progress at the reformatory and for determining the date of parole eligibility (105-3-3). The law also provides for the revision of such plan from time to time, and that each inmate be informed of his status monthly.

The most recent revision of the mark system at the reformatory took place in 1952 when more emphasis was placed on punishing repeated offenders through longer confinement. A first offender needs 2,500 marks for release and may be eligible for parole in six months and sixteen days, which is the shortest amount of time in which 2,500 marks may be credited. An inmate serving his second term needs 4,000 marks to be eligible for release and it would take him a minimum of 14 months to acquire this number of marks. An inmate returned to the reformatory for the third time needs 7,500 marks for release, or a minimum of two years in the institution. A fourth-timer needs 10,000 marks or a minimum of three years in the reformatory, and a fifth-timer must have 15,000 marks or a minimum of five years in the institution unless the possible statutory maximum sentence for his crime is less. Any return is counted as another time of admission whether it is as a result of an escape, a parole violation, or for a new crime after the parole period has expired.

The computation of marks is made in the following manner: An inmate may receive up to eight marks each day--four in the morning and four in the afternoon. Labor details, shop assignments and school assignments are all treated equally in the amount of marks which may be received therefrom. If an inmate is idle through no fault of his own such as illness or a shortage of officers to handle details, he is not penalized but is awarded the full number of daily points.

An inmate also may earn up to 100 marks each month which are awarded by the warden. Maximums on these are 25 marks for good conduct and endeavor;

25 to all inmates if the month passes without an escape or other trouble; 25 for extra-curricular activity such as athletics outside the institution; and 25 for blood donations. Near the end of a term in the reformatory, an inmate may be awarded an additional 500 marks or whatever portion he may need to reach 2,500 if the merit board feels he is ready for release from the institution.

The mark system has been strongly criticized as an unsatisfactory method for determining eligibility for parole from a correctional institution. Under this system credits are not equated with reformability. Such items as blood donations and participation on institutional athletic teams may or may not be an indication of an inmate's possible successful return to society. On the other hand, such awards as these, make it easier for the "institution wise" inmate to boost his total marks and achieve release that much sooner. The mark system is fairly automatic in turning inmates out of the institution. A first offender, regardless of his outlook and attitude, can, by obeying all rules and regulations and carrying out instructions, earn enough marks to assure his release in eight to ten months.

The institution can place a brake on this release by not granting any bonus marks after an inmate has acquired 2,000. However, this would cause a delay of only two months in acquiring sufficient credits for release and may cause enough resentment to nullify any beneficial effect the institution may have had. The parole board rarely turns down any reformatory inmate who has the necessary number of marks to be eligible for parole.

If the board were to deny a significant number of paroles, the reformatory might well be faced with a serious custodial situation, because the inmates know that both by rule and general practice once the necessary marks are earned, release is granted.

Warden James Thomas of the reformatory points out that the mark system is not a true indeterminate sentence, which is the kind of sentence under which offenders are committed to the reformatory. It is not indeterminate, because the time period in which the necessary number of marks may be earned, in a sense, sets a limit on the amount of time to be served.

Warden Thomas would like the statutes changed so that offenders would be committed to the reformatory for an indefinite length of time up to the maximum sentence for the crime if need be. Instead of the mark system, Warden Thomas would set up a merit board to review each inmate and evaluate his progress. This board might interview each boy after five or six months in the institution. In a very few cases, the board might recommend parole at that time. In the majority of cases, the board would set a date for further review perhaps in three to six months depending on their evaluation of the inmate. In this way it would be possible to defer inmates from release until the merit board feels such release has a chance of being successful. This system would give the institution a longer period to achieve results when necessary and would make it easier for the parole board by referring to them only those inmates considered to have a reasonable chance of success on the outside.

For this system to operate efficiently and successfully, the merit board would have to be judiciously selected. It should be composed not only of the top institutional personnel, but should also include a psychologist and an experienced case worker as well. Improvements would also have to be made in the testing and classification process at the institution. Given a well-rounded merit board and some needed changes in the reformatory program, this method of determining parole eligibility should be a great improvement over the mark system. One statute change would be necessary to enable the institution to change from the mark system. The law requiring that each inmate have his standing in respect to progress toward release given him monthly (105-3-3) would have to be repealed.

Boys' School

The boys' school also uses a system of mark accumulation to determine eligibility for release. Under the system used at Golden, boys over 14 are eligible for release upon the accumulation of 100 marks and boys under 14 need only 80 because they do not have the opportunity to receive credit for work assignments, as they attend school all day.

Each boy is rated monthly by his teachers, cottage counselor, and work supervisor on such items as self control, living together, attitude, effort, trustworthiness, personal care, and activities. A maximum of 10 marks may be earned in a month from these ratings. In addition, a boy may earn extra credits for working overtime in one of the departments and for a clean record for three and six month periods. Boys lose credits for misconduct, for attempting or actually effecting an escape, and violation of institution rules.

The same criticism of the mark system of determining release also applies to the boys's school, although their system encompasses a wider variety of items than does the one at the reformatory. The superintendent defends the use of this system, which he says enables his staff to measure quantitatively their observations of the boy and his adjustment while in the institution. He feels, too, that it lets each boy know where he stands. He admits that a boy who is "institution wise" can get the necessary number of credits for release without benefitting from the institutional program, but it is his contention that some of these boys could also fool a trained classification board composed of professional people.

The mark system isn't rigidly followed in all cases at the boys' school. Infrequently a boy may be released before he gets his 80 to 100 marks, and some may be held up even though they have the necessary marks. It may have a bad effect on the boys' morale and their attitude toward the institution if a few are released before they acquire the necessary marks. It might make the boys who have been retained in the institution beyond their expected release date hostile and unreceptive to the institutional program.

Girls' School

The Board of Control at the girls' school reviews each girl referred to it by the superintendent, usually after a 12 to 15 month stay in the institution. The board considers each girl's deportment, adjustment, and progress

in determining whether or not she should be released. Recommendations by the superintendent are also considered in each case.

Pre-Parole Programs

The adult parole department has an officer stationed at both the reformatory and the penitentiary. These officers handle all details pertaining to parole prior to a man's release from the institution. After release, the parolee is supervised by the officer in whose district he is going to reside. There are four adult parole districts, corresponding in area to the state's four congressional districts.

The parole officer at the penitentiary usually interviews 60 to 100 inmates each month prior to their appearance before the parole board. He develops case histories on each man for the parole boards use and tries to work out a parole plan for each one in conjunction with the district office under whose supervision the man will be placed if paroled.

Parolees are usually released the second month after they appear before the parole board. The resident parole officer discusses with them their adjustment to the outside and their parole agreements and regulations. Each parolee is also interviewed by the parole officer who will supervise him upon his release from the institution.

Pre-Parole Release Unit

Ground was broken at the penitentiary on October 13, 1956, for a pre-parole release unit. This unit will be located on part of the penitentiary's ranch property and will be separated from the rest of the institution. This pre-parole release unit will be staffed by the adult parole department and each parolee will spend 30 to 60 days in this unit after appearing before the parole board and prior to his release on parole.

It is expected that the unit will be ready for use in October of 1957; at that time accommodations will be available for 60 men and there are plans to build two additional wings which would eventually bring the capacity of the unit to 120. The program at the release unit will be designed to provide the parolees with an adjustment period before being released. This adjustment period will help to bridge the gap between the restrictive environment of prison life and the outside world. There will be no guards and no walls, fences, or other security measures and facilities at the pre-release center. The parolees will be allowed to wear civilian clothes and have visits with their families. In addition, they will receive orientation lectures from the pre-parole unit staff covering such topics as citizenship, family living, parole responsibilities, and parole rules and regulations. Each parolee will receive employment counseling and will spend some time with the parole officer who will supervise him.

Units of this type have been tried successfully in other states and are highly recommended by the American Correctional Association as an important link between the institutional program and release under parole supervision.

Reformatory

The resident parole officer at the reformatory makes his first contact with an inmate two or three days after he is received at the institution. After this initial interview, the parole officer writes to various sources to assemble the necessary information for the case history. When an inmate has 1,500 marks he is called in for a pre-parole interview and following this interview the cumulative case history is developed for use by the parole board and the parole department. This pre-parole interview is usually made three or four months prior to the inmate's appearance before the parole board. At this time, the parole officer sets up the parole plan and attempts to verify home, job, and environmental situations. The inmate is encouraged to take the initiative in working out the details of his parole. If at all possible, these details are worked out before the inmate goes before the parole board. At the present time, an inmate may be paroled the day following his appearance before the board.

There is a need for pre-parole release orientation at the reformatory and this need is recognized by the adult parole department. Either a program could be developed at the reformatory or perhaps parolees might be transferred to the pre-release unit at the penitentiary, once its program is in operation.

The following statistics from the adult parole department show the number of paroles granted at the reformatory and penitentiary since May 1, 1951 when the present parole department began operation.

TABLE V
PAROLES GRANTED AT THE
PENITENTIARY AND REFORMATORY 1951-1955

	<u>Penitentiary</u>	<u>Reformatory</u>	<u>Total</u>
May 1, 1951 -			
Dec. 31, 1951	349	322	671
1952	528	311	839
1953	526	338	864
1954	623	371	994
1955	<u>692</u>	<u>392</u>	<u>1,084</u>
Total	2,718	1,734	4,452

Inmates in both the penitentiary and the reformatory are given civilian clothing, transportation, and a small amount of money upon release. The statutes provide that inmates released from the penitentiary be given clothing, \$25, all articles of personal property including any money credited to their institutional account and a railroad ticket to his point of destination (105-4-19). Inmates released from the reformatory receive about the same under provisions of 105-3-4.

Denver County Jail

The adult parole department also is responsible for supervising the state charges released on parole from the Denver county jail. The parole board meets monthly at that institution as well as at the reformatory and penitentiary.

The women's parole officer of the parole department develops what data she can on these girls and presents this information for the parole board's consideration. The average stay of girls confined in the Denver county jail is seven months. Because of the lack of a rehabilitation or work program at the Denver county jail, the girls have no opportunity to prepare in any way for a return to the outside. The women's parole officer spends as much time as she can counseling these girls and helping them while they are still confined, but this is the extent of assistance of this nature.

Boys' School

After a boy has the necessary number of marks to become eligible for release on parole from the boys' school, his case is reviewed by the institution parole board. This board consists of the superintendent, the social worker, both parole officers, both administrative assistants, the school principal, and the head cottage counselor. In most cases parole is granted and the boy is released under the supervision of the institution's parole officers.

Prior to the boy's release, the parole officers make inquiry into the home situation to which the boy will return. If the environment is thought to be too unsatisfactory, other arrangements are made if at all possible. It is extremely difficult to find acceptable foster homes, so not much use of them is made by the boys' school in placing their parolees. A boy may be allowed to stay with relatives if this seems satisfactory. Depending on the season of the year, it is sometimes possible to place boys on truck farms or ranches. One of the parole officers has been successful in placing homeless boys in Boys Town, Nebraska, from time to time.

There is no pre-parole counseling at the present time, other than a conference at the institution with the boy's parents at the time of his release. At this conference members of the institutional staff discuss a boy's problems with his parents and outline the kind of behavior expected of him on parole. Both the superintendent and one of the parole officers feel that a pre-parole cottage would be desirable and they would like to incorporate such a cottage into the institutional program when staff and facilities permit. The program at this cottage would be somewhat similar to the one being planned for the pre-parole center at the penitentiary, but would be expressly designed for juveniles.

Girls' School

As was pointed out above, the board of control at the girls' school considers parole for girls referred to it by the superintendent, usually after a 12 to 15 month stay in the institution. The school's parole officer first comes in contact with the girls very soon after they are received at the

institution, as she is responsible for working up the case history on each one. From the case history the parole officer prepares the summary to be used by the board in considering each girl's case.

The home environment of many girls eligible for parole is found to be lacking as is also true at the boys' school. Foster home placement is also extremely difficult for girls who are about to be paroled. To a certain extent, the girls' school makes use of work and school homes for girls who are released on parole. The girl is sent to a home, where she would do domestic work and receive compensation or to a home where she would live while attending school. Families who desire to take parolees are interviewed and have their references checked quite extensively before being placed on the accredited list.

Parole Supervision

As of July 1956, there were 340 boys on parole from the boys' school and 90 from the girls' school. To supervise this number of parolees the boys' school has $1\frac{1}{2}$ parole officers and the girls' school, one.¹ The boys' school has one full time parole officer and one man who works half time as a parole officer and half time as a case worker within the institution. Approximately 65 per cent of the parolees reside in the Denver Metropolitan area with the remainder scattered around the state.

The half-time parole officer handles most of the Denver cases and makes more than 100 calls a month in addition to visiting all the public and parochial schools in the Denver area. Usually home visits are made only on problem cases and boys who are in the first few months of their parole period. In the outlying areas, the boys' school full-time parole officer has had to depend on assistance from probation officers, sheriffs, judges, and ministers to assist in supervision. This is a makeshift arrangement at best, for two reasons. First, these people may not be qualified to work with juveniles on parole. Second, even if qualified or experienced, such supervision is incidental to their regular vocations, and the time which is devoted to parole supervision is dependent upon the amount of time left over from their normal jobs.

Accepted standards for an adequate parole supervision program indicate that a case load of 60 to 75 should be the maximum for a parole officer and even this number is too high in rural areas where there is a considerable amount of travel involved. The boys' school would need about five full-time parole officers according to these standards. The girls' school needs an additional parole officer, even though their case load is only 90 at present, because of the amount of travel involved in supervising parolees in the outlying districts. The present parole officer is able to get over to the Grand Junction area only twice a year. Outside of the Denver Metropolitan

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1. Supervision of adult parolees is the responsibility of the Adult Parole Department. Field supervision and other department operations will be discussed in the following section which will cover probation and the adult parole program, which is divorced from institution control.

area, she has to depend to a great extent on letters and reports from the girls, their parents, or whoever has assumed responsibility for them.

In addition to unrealistic case loads, many problems confront both the parole officers and the juveniles they supervise. The need for adequate home replacements in some cases has already been mentioned. It is difficult to find jobs for juveniles who are above the legal age for required school attendance. The resources of the parole officers are severely taxed to gain sufficient employment contracts. The Lakewood Rotary Club and Denver Boys Incorporated have been extremely helpful in finding jobs for the boys on parole from Golden.

The parole officers at the boys' school find it necessary to devote a great deal of attention to boys just under the legal age limit for school attendance to make sure they do not spend their days on the streets instead of in the classroom. Girls past the legal school age limit pose a large problem for the juvenile parole officer at the girls' school. It is the girls in this age group which are most likely to get into trouble.

Parole is revoked only for such offenses as a new crime of continued delinquent behavior, continued absenteeism from school, continued association with questionable companions, or repeated curfew violation. Parole officers at both institutions try to work out problems such as unruly classroom behavior, inability to get along in a work or school home, and poor job performance. In a number of instances, however, it is necessary to return a juvenile to the institution.

According to statistics received from the boys' school, 25 per cent are returned there either as parole violators or for new offenses, and 24 per cent end up in other correctional institutions. There is no comparable data for the girls' school, but a sampling of 75 parolees during the 1955-56 fiscal year shows a parole violation rate of 35 per cent.¹ More adequate parole supervision might reduce the rate of recidivism because a well trained parole officer who can devote sufficient time to his parolees can often predict an anti-social or criminal act before it happens and provide the necessary guidance to avoid it. It is also possible, at least initially, that close supervision might result in an increased rate of violation, because of the detection of actions before unnoticed.

Responsibility for Juvenile Parole Supervision

Some thought should be given as to whether parole supervision should remain as part of the institutional program as it is at present, or whether an agency outside the training schools should have this responsibility.

The institutions maintain they should control parole supervision, because they are more cognizant of the juveniles' problems from their close association with them during the period of incarceration. By having the parole officers become acquainted with the boys and girls while institutionalized, they establish rapport and have added knowledge which is helpful during later supervision.

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1. This data was given to a member of the council research staff at the time the institution was visited. It is not intended as an accurate measure of recidivism at the girls' school, but merely as an indication of parole success.

The institutions are also afraid that the juvenile parole program might become a part of the adult parole agency. This arrangement, they feel, would be unsatisfactory because of the differences in handling juvenile and adult parolees, and the possibility of having the juvenile parole program subordinated to the adult program.

Proponents of a separate juvenile parole program agree that it should be set up apart from the adult parole department. Having the juvenile parole program under the supervision of the institution is felt to be unsatisfactory for these reasons:

1. The institution might be inclined to grant paroles to keep their population down or to get rid of difficult problem juveniles.
2. As part of the institution staff, paid by the institution and responsible to it, parole officers are less inclined to objectively criticize and evaluate the institutional program in respect to how well it prepares juveniles for discharge.
3. An independent agency would be able to call more attention to the importance and needs of a juvenile program, and budget requests could be measured against the needs of this agency instead of against the needs of the institution as a whole.

There is no reason why an independent parole agency couldn't maintain resident officers at the two training schools and have its area officers spend a certain amount of time each month at the juvenile institutions to become acquainted with the program, the inmates, and their problems. If it is advisable to set up the juvenile parole program apart from the institution, consideration should be given to the size, components, and selection of a juvenile parole board and to the functions expected of it. Thought might be given also to whether this program should be appended to any existing state agency (e.g. Welfare, Public Health) or be established as a new and independent department.

PROBATION AND PAROLE

Probation and parole services are an important part of the total corrections picture, even though these programs are not operated directly in conjunction with the institutional programs.¹ Probation services for adult felons are the responsibility of each judicial district, and are financed by the counties which comprise each district. Juvenile probation is the responsibility of the juvenile and/or county courts.

The State Adult Parole Department is responsible for adult parole supervision, and the services of the department extend to all parolees of the penitentiary, reformatory, and to the females of reformatory age who are committed to the Denver County Jail as state charges.

Adult Probation ServicesProbation Eligibility and Pre-Sentence Investigations

The statutes provide that any person either convicted of a felony or a misdemeanor, or who pleads guilty to either, may make application to the court to be released on probation unless convicted of murder in the first or second degree (39-16-3).

However, any person with two felony convictions prior to the case on which his application for probation is based, shall not be eligible for probation (39-16-3).

Although pre-sentence investigations are required by law (39-16-2 & 3), there is no uniform use of these investigations by the district judges. In fact, outside of the Denver district, judges in six of these 15 districts are opposed to mandatory pre-sentence investigations.² Even in the districts where pre-sentence investigations are made in most cases, the judges may not necessarily make use of them in setting the sentence or in granting or denying probation.

One of the main reasons for the limited use of pre-sentence investigations is the lack of competent personnel to do the job. Only five of the 16 judicial districts have at least one full-time probation officer and usually these officers make the pre-sentence investigations besides being responsible for the supervision of probationers. Only District #2 (Denver) has probation officers assigned full time to pre-sentence investigations, although District 1 (Adams, Arapahoe, Jefferson, Gilpin, and Clear Creek counties) is planning to have an

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1. With the exception of juvenile parole services which are the responsibility of the training schools and were discussed in the previous section.
 2. Report of Probation Survey Committee, Colorado District Judges Association, November 1956, p. 8.

an officer assigned exclusively to this task during the coming year. However, in the less populated districts, a well qualified full-time probation officer should be able to handle pre-sentence investigations as well as supervise the probationers under his charge.

The pre-sentence investigation, if properly done, gives the judge necessary background data to help him determine whether to grant probation and also to set the length of sentence if the offender is committed to an institution. The pre-sentence investigation is useful to the institutions, when an offender is committed to their charge; it forms the basis for the case histories developed by them. At the present time, it is not mandatory for the courts to send pre-sentence investigations to the institutions. The institutions depend on the informal cooperation of the probation officers to obtain this information. As might be expected, this arrangement works out very well with the more populated districts with full-time probation officers and very poorly in the rest of the state.

Probation Rules and Regulations

Probation is usually set for a period of two to five years. In some districts, the probation term may be shortened if the offender is getting along successfully and does not appear to require supervision for the full period originally set by the court.

All but four districts (2, 5, 14, 15)¹ require that the probationer pay a portion of his supervisory expense. This payment is usually in the form of a flat, overall charge, varying from \$25 to \$100, and may be paid in monthly installments during the probationary period.²

Frank Dillon, chief probation officer for District 2, is opposed to such charges because he feels that the chief function of a probation program is to reform an offender before he needs to be institutionalized and not to operate a collection agency. It is his opinion that the requirement of restitution to the injured party is a sufficient enough expense for probationers without saddling them with court and supervision costs in an attempt to make the probation service more self-sufficient.

Other conditions almost universally imposed on probationers by the district judges include: court costs and restitution to the injured party; the making of periodical written reports to the probation department (augmented sometimes by personal visits); either absolute or limited prohibition against use of liquor; entering taverns and other places where liquor is served; keeping at regular employment; necessity of permission to leave the jurisdiction; prohibition against association with other law violators; adequate support of family. Some courts require church attendance, others do not.³

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1. District 2 (Denver); 5 (Eagle, Lake, Summit counties); 14 (Grand, Moffat, Routt counties); and 15 (Baca, Cheyenne, Kiowa, Prowers counties).
 2. Probation Survey of Colorado District Judges Association, p. 7.
 3. Probation Survey of Judges' Association, p. 7.

Number on Probation and Case Loads

Because of a lack of a centralized system of records and statistics concerning criminal activity, probation, institutional commitment, and similar data, it is difficult to gather information regarding the number of adult probationers in the state.

The following table was compiled by the District Judges Association as a result of their survey and is the most accurate compilation available, even though some counties did not report, and District 16 is excluded from the tabulation.

TABLE VI
Adult Probation Statistics for 1955

<u>District</u>	<u>Convictions</u>	<u>Probation Granted</u>	<u>Probation Denied</u>	<u>Per Cent Granted</u>	<u>No. of Revocations</u>	<u>Total Now on Probation</u>
1 ^a	189	109	178	37.6	21	172
2	509	247	199	55.1	50	789
3	32	11	18	37.9	3	28
4 ^b	45	31	19	62.0	4	80
5	14	1	12	7.6	1	8
6	44	19	23	45.2	4	29
7	165	69	80	46.3	4	85
8 ^c	135	60	47	56.0	3	40
9	23	11	12	47.8	1	32
10	125	54	9	85.8	3	108
11	27	21	7	75.0	2	88
12	67	29	26	52.7	8	56
13	55	22	14	61.1	4	26
14	28	12	13	48.0	2	21
<u>15</u>	<u>44</u>	<u>24</u>	<u>11</u>	<u>68.5</u>	<u>0</u>	<u>32</u>
TOTALS	1,502	720	668	52.4	110	1,594

^a No report from Gilpin County.

^b No report from Elbert County.

^c Report from Jackson County filed late.

^d District 16 excluded.

While slightly more than 50 per cent of the probation applications have been granted in the past year, there is a variance among reporting districts between 7.6 per cent (District 5) and 85.8 per cent (District 10).

The five districts with full-time probation officers, 1, 2, 3 (Huerfano, Las Animas counties), 4 (Douglas, El Paso, Elber, Kit Carson, Lincoln, Teller counties), and 10 (Pueblo), have 80 per cent of the 1955 adult probationers under their supervision, with almost 50 per cent of the total in the Denver district alone.

In the districts with full-time probation departments, the average case load per officer varies between 65 in District 3 and 100-120 in District 2. The case load per officer in District 1 is 75; in District 4, 90; and in District 10, 85. The cost of supervision varies from \$75 per case in District 4 to \$200 per case in District 1. The average cost of supervision per case in District 2 is \$150 and each pre-sentence investigation costs \$20. Roughly, the cost of supervising an adult probationer is one-tenth of that of committing him to an institution. Other benefits include restitution, support of his family, and payment of taxes.

The District Judges' Association's table shows that the rate of successful probation is around 85 per cent. Usually the offenders who successfully complete probation continue to be law-abiding citizens and seldom have another conviction on their record. Frank Dillon, District 2, estimates that over a three-year period, his department will lose 30 per cent of the group who are on probation for that length of time. This 30 per cent includes, not only the number of probations revoked, but also the offenders who successfully complete probation and then commit another offense.

District Probation Staffs and Salaries

The following summary taken from the District Judges' Association survey shows the variation in personnel and salaries for district court probation officers. Not included are District 2 and District 3. District 2 has 17 employees, four of whom are pre-sentence investigators and six probation supervisors. The Denver District operates on a \$90,000 budget, and the monthly salary for probation officers and pre-sentence investigators ranges from \$350 to \$450. District 3 has one full-time probation officer and no other employees.

Usually the part-time probation officers are either sheriffs or clerks of the court, who take on probation services as a sideline to their other duties, and who do not have adequate training for probation supervision.

Salaries of probation officers and method of payment (outside Denver).

There is lack of uniformity in pay scales and methods of apportionment through the state. Following is a summary by districts:

- No. 1. Population 263,750. One full-time officer, salary \$462.50; three full-time assistants, salaries \$300-\$375. Salaries pro-rated among counties proportionate to population.
- No. 4. Population 125,700. One full-time officer, salary \$400; three part-time assistants, salary \$25. El Paso County pays \$400, each of other counties \$5.

- No. 5. Population 11,773. One part-time officer, salary \$150; apportioned by population and amount of business.
- No. 6. Population 31,338. One part-time officer, salary \$185; apportioned by population.
- No. 7. Population 85,060. Two part-time officers, salary \$75; apportioned by population.
- No. 8. Population 173,210. Four part-time officers; salary by Boulder County, \$200; Larimer County, \$120, Weld County, \$200.
- No. 9. Population 23,000. Five part-time officers; salary by Rio Blanco County, \$50; by Garfield and Pitkin Counties, \$25 for each probationer.
- No. 10. Population 110,000. One full-time officer, salary \$398.30; one part-time officer. (Pueblo only county in District.)
- No. 11. Population 28,977. Two part-time officers, \$165 for Fremont, \$75 for Chaffee.
- No. 12. Population 48,770. One part-time officer, salary \$250. Apportioned at fixed amounts by Court.
- No. 13. Population 70,000. One part-time officer for each of six counties; salary \$50 each paid by county where employed.
- No. 14. Population 19,500. Sheriff in each county acts part-time probation officer with additional compensation of \$50.
- No. 15. Population 31,850. Part-time officer, Prowers County, salary \$25; in Baca, Cheyenne, Kiowa, sheriff acts at \$100 per month applied on fees toward his sheriff's salary.
- No. 16. Population 40,500. Part-time officer, Otero County, salary \$100; in Bent and Crowley, sheriff acts with no additional salary.

Relationships with Other Courts

The statutes provide that any county, juvenile or justice court in counties with more than 20,000 population may grant probation in the same manner as is done by district courts. District court probation officers are required to serve these courts in the same capacity as they do the district court (39-16-11).

In 10 districts (nos. 4, 5, 6, 7, 9, 10, 12, 13, 14, 16) the services of the district court probation officers are limited solely to that court. District 16 is contemplating joint service with juvenile courts. District 1 has joint services for Adams and Arapahoe counties including juvenile courts. District 2 serves the justice of the peace courts. District 8 has joint service for district and county courts, but not including juvenile cases. District 15 has joint services with the county court only in Prowers County.

Relationships with Law Enforcement Officers

In general, law enforcement officers, especially those in the more populated districts, have been quite sympathetic with the purposes of probation services. The probation officers usually try to keep the sheriff's offices and police departments informed regarding who is on probation. The law enforcement officers will pick up probationers at the request of the probation officers and, in general, inform them immediately when a probationer is picked up on a new charge.

Most of the opposition to the probation program comes from the law enforcement officers in rural districts who do not understand the purposes of probation and who feel convicted offenders should be committed to an institution. In addition, some sheriffs depend on the fees collected for transporting prisoners to institutions as part of their salaries.

Relationships between Probation Districts

When a probationer moves from the district in which he is granted probation to another district in the state, the original district retains supervision of the probationer. As there are no formalized methods for informing a district that a probationer from another district has taken residence there, the probation officers must depend on informal arrangements. Among the districts with full-time probation officers, there is usually good cooperation.

The probation officer in the district where the probationer has taken up residence will undertake supervision for the original district and report to it on the probationer's progress, if notified that he is now residing in the new district.

The greatest difficulty arises when probationers from the less-populated districts come to the metropolitan areas. The less-populated districts usually do not inform the probation officers in the metropolitan areas that these probationers have moved into their district. For all intents and purposes these probationers are no longer under supervision, because the new district does not know that they are there, and the old district is too far removed to exercise effective supervision.

There is also difficulty in exercising adequate supervision when a probationer moves from a district in one of the metropolitan areas to one of the sparsely-populated areas of the state with only a part-time probation officer. Usually the part-time probation officers (with exception of District 8) ignore requests for supervision in these cases, and the original district is required to keep in contact with the probationer by mail.

Probationers In and From Other States

Probationers coming into Colorado from other states are supervised by the adult parole department under the provisions of the interstate compact on parole and probation. Many probationers turn up in Colorado from other states without any notification to the parole department that they are here. Naturally these probationers do not receive any local supervision while they are in the state.

Districts 1, 2, and 4 are the only ones making much use of the interstate compact at the present time for probationers who leave the state. In the other

districts, as a general rule, when a probationer leaves the state, supervision, for all practical purposes, is terminated. Other states are making increased use of the interstate compact to supervise probationers who move out of their state, and Colorado's probation officers are beginning to realize its value.

Need for Increased Adult Probation Services

Probation services, if properly set up and supervised, accomplish these results:

1. Help to hold down institutional populations.
2. Produce a high rate of reformability without institutional commitment.
3. Save the taxpayers money by keeping an offender at work supporting his family, rather than institutionalizing him.
4. Provide victims with restitution in some cases.

Colorado's correctional institutions can expect a considerable increase in population within the next 10 to 20 years.¹ Consequently, the cost of maintaining the institutions is also going to increase, besides the additional expense of providing new facilities. All possible measures need to be taken to keep offenders out of the institutions if at all possible.

The state's adult probation services will not be really effective until there are full-time qualified probation officers in all parts of the state, not only to provide supervision, but also to prepare complete pre-sentence investigations. It is quite possible that such an extension of probation services would result in a large increase in probations granted if the judges in the less-populated districts would accept the program.

The two keys to the success of probation services are adequate supervision and complete pre-sentence investigations. The former is necessary, because the objective of granting probation is to effect reform without institutionalization and reform cannot be expected without adequate supervision. Pre-sentence investigations are necessary because without this data, there is little basis for an informed decision on whether or not to grant probation.

Possible Solutions

1. A Centralized State System. Many states have centralized probation either in conjunction with parole supervision or separated from it. In some states, probation services are the responsibility of the central correctional agency.

A centralized probation program in Colorado does not seem feasible at this time because of the opposition from the judges and from some probation officers. A state system would be of little value, if the judges did not have confidence in it and refused to grant probation for this reason.

1. See Section VI, Population Projections

2. State Uniform Minimum Standards and State Aid to Districts with Less Than a Certain Population. An alternative to the presently unpopular centralized program might be legislation setting uniform minimum standards for all the districts, although still leaving the judges responsible for appointing officers and carrying out the program. Such legislation could require one full-time probation officer per so much population and authorize the combining of districts for probation purposes to insure full-time qualified personnel. Included in the legislation could be minimum qualifications for probation officers and minimum salaries.

The chief problem, of course, is how this program would be financed. At present the county commissioners appropriate the funds to pay for the probation program. Often they do not understand or are not sympathetic with the purposes of probation.

In districts covering several counties, the program is dependent upon the support from several sets of county commissioners. It is little wonder under this arrangement that many judicial districts have part-time, insufficient programs.

State aid to probation services might be the solution to financing a more satisfactory probation program. The state saves money on institutional care and confinement for each offender who receives probation at county expense. This saving is justification for some type of state aid program.

State aid could be provided to each district or a combination of districts with less than a certain population, contingent upon the districts meeting the minimum standards. The counties could be required by law to provide a certain minimum amount for the program with the state providing the rest. Legislative requirements for county minimum support would eliminate the dependency of the probation program upon the whims of several sets of county commissioners. If the state does not pay for the whole program, there would be no necessity to place probation officers under state civil service, which the district judges find objectionable because it restricts their control of the program and selection of officers.

Other Improvements

Other improvements that might be considered in respect to adult probation services include:

1. Implementation of the requirement for mandatory pre-sentence investigations.
2. Standardization of forms and procedures throughout the 16 districts, in so far as possible.
3. Establishment of a method of centralized collection of probation statistics and data.
4. Legislation requiring that the correctional institutions receive copies of all pre-sentence investigations made on offenders committed to their charge.

Juvenile Probation Services

Juvenile probation services are a function of the juvenile or county courts with most of them staffed by part-time probation officers. It is difficult to determine the total number of juveniles on probation in the state because of the lack of centralized records and statistics. Data presented here is based both on questionnaires sent to all county judges by the Legislative Council's Committee on Laws Relating to Children and personal interviews with several county judges by a member of the council's research staff who was working with the committee. Forty of the state's 63 county judges either answered the questionnaire or were interviewed.

Differences in Probation Services

Among the 40 counties from which data is available, only four had at least one full-time probation officer: Denver, El Paso, Pueblo, and Las Animas. Several others were planning to add full-time officers as a result of a change in the statutes made by the 40th General Assembly during the 1956 session. Prior to that time, the county courts were limited to one probation officer at a salary not to exceed \$200. The 1956 statute revision (22-8-9) included the following:

1. In all counties with a population between 70,000 and 100,000 (by last federal census) the county judge may hire up to three probation officers and two assistants with salaries to be set with approval of the county commissioners.
2. In all counties with populations between 25,000 and 70,000, the judge may hire two probation officers with salaries to be set with approval of the county commissioners.

Counties with less than 25,000 population are still required to pay probation officers a salary not to exceed \$1,200 a year.

In general, the pattern is similar between adult and juvenile probation services: full-time probation officers in metropolitan areas, and part-time supervision throughout the rest of the state.

Number of Juveniles on Probation and Cost of Supervision

By far the greatest number of juveniles coming before Colorado courts are placed on probation, and this form of handling such cases has increased significantly over the past five years. In 1950, slightly less than 30 per cent of the cases resulted in probation. By 1954, approximately 53 per cent of the cases resulted in probation. Data from the 40 counties indicate that in these counties, alone, between 1,200 and 1,500 juveniles were on probation in 1954.

Under interpretations of the delinquency statute by the Colorado Supreme Court, it is virtually mandatory that a juvenile offender be placed on probation for his first offense. Almost every juvenile offender is placed on

probation at least once prior to commitment to an institution, and many of the county judges contacted use commitment only as a last resort. The following data was taken on a sample of 100 boys committed to the boys' school as of September 1, 1956. It gives an indication of the use of probation prior to commitment.

TABLE VII
 NUMBER OF TIMES IN COURT AND GRANTED
 PROBATION BEFORE INSTITUTIONAL COMMITMENT
 100 CASES: BOYS' SCHOOL, 1956

<u>Times in Court</u>		<u>Times on Probation</u>	
1	12 boys	0	22 boys
2	42	1	59
3	26	2	11
4	16	3	8
5	<u>4</u>		
Total	100	Total	100

This small sample shows that 78 per cent of these 100 boys ultimately committed to the boys' school had been on probation at least once. While this sample is not statistically valid, the administrative assistant at the school considers it representative of the population as a whole the past few years.

While there are no accurate cost data available on juvenile parole supervision, it is estimated that the cost of supervising each case is approximately from \$100 to \$150 dollars, assuming a full-time probation officer with a case load of around 75 juveniles or again about one-tenth of the cost of institutionalizing the offender.

Juvenile Probation Problems

The obvious and paramount problem is the lack of adequate state-wide probation services with supervision exercised by qualified full-time probation officers. There is also a lack of uniformity in the use of probation for juveniles especially in the less-populated counties. As was true with adult probation services, an extension of the program with proper supervision might deter many juveniles from repeated criminal acts without ever committing them to an institution. This expanded program could serve to reduce the expected population increase at the juvenile training schools.

The lack of inter-county cooperation in the supervision of juvenile probationers who have moved from one jurisdiction to another is another problem. The institutions have difficulty in obtaining pre-sentence reports and case histories on juveniles who have been before the courts several times before being committed to a training school. In many cases, it is because no adequate pre-sentence investigation or case history was developed due to the lack of qualified personnel.

Alternative Solutions

There are several possible methods by which juvenile probation services might be extended and made uniform throughout the state. Of these, three appear the most important.

1. A program of state aid based on meeting uniform minimum standards. Such a program might be similar to the one suggested for adult probation services and for the same reasons. Aid could be based on the number of probationers or the county population, and the counties could be required to finance a certain portion of the total program costs.
2. Establishment of regional juvenile courts throughout the state. These courts would handle all juvenile cases and would be authorized to hire necessary qualified, full-time probation personnel. The program might be financed by the counties comprising each juvenile court district, or through a combination of county funds and a state-aid program.
3. A centralized state system of juvenile probation. This department could be created either as a separate agency or as a division of the Department of Institutions or the State Welfare Department. Possibly it could be organized as a division of the Adult Parole Department.

Where this agency should be placed organizationally depends on these basic decisions:

1. Should there be a centralized agency for both adult and juvenile probation service?
2. Should probation services be combined with parole services?
3. Should juvenile probation and parole programs be combined in one agency, if juvenile probation services are centralized, while adult probation services are not?
4. Should Colorado have a central correctional agency either as an independent entity or as part of an existing department and what responsibility, if any, should this department have for probation supervision?

The main obstacle to centralized state probation services for juveniles would be the acceptance of such a program by the 63 county judges. If the county judges react to centralization in the same way as the district judges have, consideration of a state-wide program at the present time is mostly academic.

A state system would better facilitate cooperation among the counties in the supervision of probationers who change jurisdictions. Under a state-aid program or a system of regional juvenile courts, legislation might be

passed setting up machinery for this supervision. Another statute that might be considered is one requiring pre-sentence investigations and the transmittal of these reports to the institutions upon commitment. Standardized forms, procedures, and central collection of data is also needed regardless of the approach decided upon to improve and extend juvenile probation services.

Department of Adult Parole

Introduction

Parole is the release from an institution of an offender under continuing custody and supervision and under conditions that permit his reincarceration in the event that he fails to satisfactorily readjust to society. Parole is not an act of leniency or clemency and is not a release from punishment. It is an extension of discipline and a condition imposed on the prisoner for the protection of the public as well as a phase in the correctional process in which the offender is given assistance and direction during a difficult and critical period with the objective that he attain a socially acceptable status within the community.¹

The present state adult parole program was established by the legislature in 1951. For many years prior to this new program, paroles were granted by the governor, usually on the recommendation of the wardens of the prison and the reformatory. Sheriffs and other local officials exercised a limited amount of supervision over parolees under the direction of the Attorney General's office.

The parole law of 1951 as amended in 1953 established a state board of parole composed of the governor, lieutenant governor, attorney general, and three public members.

The 1951 law also set up the Department of Parole with an executive director as administrative head. In addition to the central office located in Denver, there are four district offices; one in each of the state's four congressional districts. These district offices each have an assistant director who is responsible for the supervision of adult parolees in his district.

Powers of the State Parole Board

The parole board has the authority to grant or refuse parole to inmates of the state penitentiary, reformatory, and to girls of reformatory age committed to the Denver county jail as state charges. (The methods of determining inmate eligibility for parole at the penitentiary, reformatory, and the Denver county jail have already been discussed in Section III.)

The board meets at the reformatory and penitentiary at least once a month and at the Denver county jail as necessary. The board in granting parole

1. First Activity Report, Colorado Department of Parole 1953, p. 19.

prescribes the rules, terms, and conditions by which each parolee must abide while on parole. As a matter of general practice, the board will usually grant parole to inmates who have served the necessary time at the penitentiary, or who have accumulated sufficient marks or credits at the reformatory. Present sentencing practices and the use of the mark system make it difficult for the board to refuse to grant parole, even though it has the authority to do so.

The board has no power to release an inmate on parole, either before he has served his minimum sentence less statutory and trusty good time at the penitentiary, or has acquired the necessary number of marks at the reformatory. Consequently, the board is reluctant to hold back an inmate from parole if these requirements are satisfied, unless the granting of such parole is clearly against the public interest. The board recognizes that the institutions would have a real custody, discipline, and morale problem on their hands which could erupt and be potentially dangerous to public safety if a high proportion of inmates were refused parole. By statute and precedent, inmates expect parole after serving the required length of time, and in general, the parole board follows this policy.¹

In reviewing each case, the board interviews each inmate and considers the case history and proposed parole program assembled by the resident parole officer at either the reformatory or the penitentiary. All offenders released on parole from the penitentiary remain under parole supervision until the end of their maximum sentence. For example, an inmate given a one to five year sentence and released on parole after serving his minimum, less statutory and trusty good time, would remain under parole supervision until the five-year period was completed, unless his parole was revoked or he committed a new offense.

Under present practices, an inmate released on parole and wanted by a prison or reformatory in another state, would be turned over to these authorities and the time spent in an institution in another state would be considered part of his parole period. For example, if the inmate with the one to five year sentence was given parole after 7 months and 22 days² and was turned over to another state to serve a three-year sentence, the time left to be under parole supervision would be the difference between three years, seven months and 22 days and five years, or, one year, four months and eight days.

For parolees from the reformatory, a one-year period of parole supervision is usually standard. In 1953, the legislature provided that persons convicted of certain sex crimes could, after a psychiatric examination, be committed to any state institution or county jail for terms having a minimum of one day and a maximum of life. The parole board was charged with the responsibility of paroling or reparing these offenders and also of recommitting them if they

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1. See Section III, Parole and Parole Procedures, for a discussion of problems created for the parole board and for parole supervision by the use of the mark system to determine parole eligibility at the reformatory, and Section V, Sentencing Practices, for a discussion of the effect present laws have on the adult parole program.
 2. The earliest possible release date with a one year minimum sentence with statutory and trusty time deducted.

violate their parole. These cases are handled in addition to the inmates of the penitentiary, reformatory, and Denver county jail.

Organization of the Adult Parole Department

Wayne K. Patterson, director of the parole department, is the chief administrative officer for adult parole services. Also on the central office staff is the director of the interstate compact, the women's parole officer, one enforcement officer, the director of the new pre-parole release unit being constructed at the penitentiary, and five clerical employees.

Each district office is headed by an assistant director and has one stenographic-clerical employee. In addition, District 1 has five parole officers; District 2, two officers; District 3, three officers; and District 4, one officer. The women's parole officer in the central office supervises all women on parole in the state.

Interstate Compact

The interstate compact is an agreement among the states to handle probationers and parolees from one state who are residing in another. All 48 states have signed the compact and have adopted the same basic law. Approximately 12 per cent of the parole department's case load is represented by parolees and probationers from other states. While this proportion has remained constant during the past few years, it may become larger as more states are making use of the compact for supervision of out-of-state probationers. For some time, out-of-state parolees have constituted the bulk of cases handled under the compact, but there has been a decided recent increase in the number of probationers handled in this manner.

All incoming parolees and probationers and all Colorado parolees and probationers leaving the state under the compact are handled by the director of the interstate compact in the central office. It is his responsibility to keep tabs on the parolees and probationers who go to other states and to assign the incoming ones to supervision in whichever of the four districts they will reside.

Number of Parolees and Case Load

The average number of parolees under the supervision of the adult parole department during 1956 was 1,840. This total increased from 1,660 in 1955 and 1,450 in 1954. During the past two years there has been almost a direct one to one ratio between the number of parolees under the supervision of the department and the total number of inmates confined in the penitentiary and reformatory.

Since the program was established in 1951, 2,718 inmates have been released on parole from the penitentiary and 1,734 from the reformatory, according to the department's records. The number of paroles granted at the penitentiary increased from 528 in 1952 (the first full year of department operation) to 692 in 1955. Comparable figures for the reformatory show 311 released in 1952 and 392 in 1955. This is an increase over the four-year period of 31 per cent at the penitentiary and 26 per cent at the reformatory.

Over the same period, the number released on parole from the penitentiary each year represented about 42 per cent of that institutions inmate population and those granted parole at the reformatory each year constituted 110 per cent of that institution's inmate population.¹

The present rate of parole violation is approximately 28 per cent, according to the director of the adult parole department, and this proportion has held fairly constant during the past two years.

Only three other states (Washington, Ohio, and New Hampshire) released a higher proportion of inmates on parole in 1955 than did Colorado. In 1955, 1,156 inmates were released from the adult correctional institutions in Colorado and 1,083 or 93.7 per cent of these inmates were released on parole. Many states keep offenders confined until they have served their sentences and then release them to return to society unsupervised. Colorado has joined the group of about 8 to 10 states which believe in the extensive use of parole as a means of supervision and guidance during the period of societal readjustment. This supervision and guidance not only assists the inmates to readjust to the outside world, but by keeping him under supervision, protects society from offenses, which might be committed by offenders released without any obligations or control.

As Colorado ranks high among the states in the use of parole, so does it rank high in the number of cases per parole officer. Colorado's average case load of 150 places the state among the top 10 in this respect. Sixty to 75 parolees is considered a satisfactory case load for adequate supervision. The fact that Colorado's adult parole case load is twice what it should be is especially significant, because of the extensive use of parole in this state. The parole program can hardly meet with continued success, if both the quality and quantity of supervision is reduced because of unmanageable case loads.

Costs of the Parole Program

It costs approximately \$120 per year to supervise an offender on parole. This cost, like the expenses involved in probation supervision, is a little less than one-tenth of the amount it takes to keep an inmate in an institution for the same period of time. This cost estimate is based on the department's overall appropriation and the present number of parole officers with a case load of 150. Should the number of parole officers be increased to cut down the case load to more manageable proportions, the cost per case would increase to about \$150.²

Parole Program Needs and Problems

The most immediate and important need, as indicated above, is for additional parole officers to reduce present case loads. With construction

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1. This high percentage results from the great amount of inmate turnover because of average eight month sentences.
 2. Estimated on the basis of the department request for five additional officers for fiscal year 1957-58.

already begun on the new pre-parole center at Canon City, the problem of pre-parole orientation is on the way to being solved, at least at the penitentiary. Some kind of similar program would perhaps prove useful at the reformatory as well, and in time the Canon City center might be used for both the penitentiary and the reformatory.

If the present one to one ratio between the number of parolees and the total population of the reformatory and the penitentiary continues a steady increase in the number of parolees can be anticipated. It will be necessary for the parole department to continue to plan for this increase so that additional personnel may be secured to keep case loads down to an amount that will permit adequate and continuous supervision.

The number of parole officers needed for adequate supervision will depend on the kinds of parolees to be supervised. First offenders who are institutionalized and then paroled usually do not need as intensive supervision as offenders who have had several commitments and perhaps one or more unsuccessful paroles.

Actually, the number of inmates going on parole exceeds those who successfully complete parole, and is one reason why the total number continues to rise. Each penitentiary inmate on parole remains in that status until the end of his maximum sentence, which may range from several years to life, whether such continued supervision is necessary or not.

Consideration might be given to passing legislation which would authorize the parole board upon referral from the department to determine whether parole supervision should be terminated or the length of supervision reduced.

If there is a continued increase in institutional commitments without an expansion of probation services, the parole department will have the responsibility for returning many inmates successfully to society who possibly should have been granted probation to begin with. Such practice would place undue emphasis on the wrong end of the correctional program. On the other hand, if probation services are expanded, only the worst and most difficult offenders, for the most part, will be incarcerated and eventually released on parole. If that happens, the parole department will be dealing with the most difficult offenders, and the rate of parole violations can be expected to increase; such increase under these circumstances would not reflect upon the success of the department's program.

The next section of this report will show the relationship between sentencing practices and parole and some of the resultant problems.

SENTENCING PRACTICES

Both Warden Harry Tinsley of the penitentiary and Wayne Patterson, director of the adult parole department, have indicated to the Legislative Council that there is a lack of sentencing uniformity by Colorado courts and that this lack of uniformity, not only serves to establish inequity for some convicted offenders, but also creates problems for the successful operation of the institutions and parole programs. Data compiled and presented to the council research staff by Robert Manley, classification and records officer at the penitentiary indicate the scope of the problem.

Under Colorado statutes, maximum and minimum sentences are set for the various categories of felonies such as assault, grand larceny, armed robbery, burglary, and forgery, among others. The statutes provide that a judge may set sentence at his own discretion as long as the minimum sentence is not less than the statutory minimum or the maximum sentence more than the statutory maximum.

"39-12-1. When a convict is sentenced to the state penitentiary, otherwise than for life, the court imposing the sentence shall not fix a definite term of imprisonment, but shall establish a maximum and a minimum term for which said convict may be held in said prison. The maximum term shall not be longer than the longest term fixed by law for punishment of the offense of which he was convicted, and the minimum term shall not be less than the shortest term fixed by law for the punishment of the offense of which he was convicted."

It is this statute which makes it possible for a judge to give one man a sentence of one to three years and another five to 10 years for a crime such as grand larceny, for example, which carries a penalty of "not less than one year or more than 10" in the state penitentiary.

The fact that the court has this power to set sentence within legal minimum and maximum sentences is not in itself good or bad. What is potentially bad is the possibility that a sentence may be set which does not take into account an offender's previous record or the amount of time which he may need to be institutionalized before there is a possibility of returning him successfully to society.

If the sentencing court does not have an adequate pre-sentencing investigation developed by a trained probation officer or other competent personnel, or does not rely upon such pre-sentence investigation, it may not have the necessary information to decide what sentence a man should receive or the difference between the minimum and maximum. The attitude of present district judges outside of the Denver district toward the mandatory use of pre-sentence investigations is indicated by the report on district court probation compiled by Judge James M. Noland of Durango for the District Judges Association and referred to in a previous section of this study. Of the twenty district judges answering the question, "Should Pre-sentence Investigations be Mandatory?" Twelve answered in the affirmative and eight said they should not.

The nine judges from the Denver district were not included in this report, so 20 judges out of the 26 outside of the Denver district answered the questionnaire.

In favor of mandatory pre-sentence investigations were judges in Districts 1, 7, 9, 10, 12, and 16. Opposed were judges in Districts 4, 5, 6, 13, 14, and 15. Two judges in District 8 were in favor of mandatory pre-sentence investigations and one was opposed. Clearly there is a lack of agreement by district judges as to the need for a pre-sentence investigation in each criminal case. This lack of universal use of pre-sentence investigation in all or part of seven of the state's 16 judicial districts may help explain, at least partly, the variations in sentencing throughout the state.

Not only may present sentencing procedures not be related to the offender's readiness for return to society, but such procedures may have a demoralizing effect upon institutional inmates who feel they are serving longer sentences for crimes similar to those committed by other inmates. It is entirely possible under these circumstances for inmates to take out their grudge on the institution, which is not to blame, and therefore create unrest and custodial problems for the institution, besides resisting the beneficial and rehabilitative aspects of the institution's program.

In addition the institutional and parole programs are made more difficult for these reasons:

1. An inmate's confinement is determined by his minimum sentence minus statutory good time and trusty time and is not necessarily related to the length of time he needs to be incarcerated before being returned to society. Regardless of an inmate's institutional adjustment and his prospect for success on the outside, he must remain in the institution until he has served his minimum minus statutory good time. Conversely, a man's institutional record and background may indicate his remaining an extended period in the institution, but he becomes eligible for parole as soon as he has satisfied the legal requirements of his sentence.
2. The parole board is confronted with the problem of authorizing parole for some inmates who should not have been referred to it and places full responsibility on them, when conversely they do not have any responsibility for determining an earlier release date.
3. The law requires an inmate to be under parole supervision for the duration of his maximum sentence. Depending on the length of this maximum, the parole department may have to keep a man under supervision for a longer period of time than necessary, placing unnecessary work on an already overworked staff, or an inmate may be released from supervision before the department feels it is safe for him to be at large in society.

The material supplied the council by the penitentiary classification and records officer included a listing of inmates as of August 10, 1956, showing sentence, crime, age, national origins, county from which received,