
Pardon

Our Return

Say $\frac{1}{3}$ of Georgia's Prisoners



LEAGUE OF WOMEN VOTERS OF GEORGIA

Published by the League of Women Voters of Georgia

STATE OFFICE : 220 COLLIER BUILDING

ATLANTA, GEORGIA

NOVEMBER 1949

To Cover Cost of Printing and Mailing

25 CENTS PER COPY

\$2.00 PER 10 COPIES

Quotation on Quantity Orders Upon Request

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is a non-partisan organization established in 1920 to
encourage citizen participation in government.*

IS OUR PENAL SYSTEM CORRECTIVE?

I. A PROBLEM BEFORE GEORGIA

In appraising any penal system, primary importance must be given to a discussion and consideration of the question "For what do we build prisons?" In the past, we gave chief attention in Georgia to getting rid of stripes, chains, sweat boxes and brutality in general.

To a considerable degree we have succeeded in doing this, although there still remain small islands of brutality and neglect. But, our dilemma dramatically is illustrated by the fact that once we appeared to have got rid of stripes and chains and neglect, we still were confronted with the fact that our prison system did not work. There yet was something radically wrong with it.

It seems that our prison system falls short in understanding of its proper obligations and functions. Most of our prisoners come in without education. They leave the same way. Most of our prisoners are repeaters, yet we have not established a comprehensive parole system. Most of our prisoners come from broken homes or from homes where unhealthy influences exist, yet we have never invoked the aid of psychiatric education. Most of our prisoners are unskilled, yet we have not provided the teaching of skills.

Not until we determine what we build prisons for will we possess one in the true meaning of imprisonment and rehabilitation. There is no more important problem before Georgia. Behind our prison walls are joined all of our other problems.

II. PROTECTION OF SOCIETY THROUGH A REHABILITATION OF CRIMINALS

The penal system of Georgia is big business. It costs millions of dollars—it earns millions. In it are involved hundreds of paid employees, roadwork, farming, industry, feeding, housing, medical care and thousands of individual prisoners of all ages, colors, creeds and degrees of servitude. What does this accomplish? It is designed for our protection. Does it work? Are we protected?

Certainly a large number of citizens who have offended us in one way or another are removed from our midst. While these known offenders are locked up we are protected from them. But 95 percent of these thousands complete their sentences and come home and live in the community. What then? Does the penal system protect us by

returning good citizens for the bad ones we sent off? This is a complex problem. No penal system can be designed where this ingredient plus another equals a good citizen. There is no magic formula, but certain factors are known. People inside or outside of prisons are made up of a number of things. Few are all bad, or, for that matter, all good.

The penal system that functions for the protection of society is the one that is built on the philosophy of rehabilitation and is organized and operated toward strengthening the social habits and attitudes of the prisoners. Omitting all discussion of humanities and justice which are inherent in any consideration of prisons and prisoners, the sheer necessity of rehabilitation for our own protection stares us in the face. If indeed the prison system operates so that bad matters are made worse, if in return for the citizen who stole an automobile we get one back who is schooled in methods of crime, is ready to sell dope, rob banks, commit murder, prey on his fellows to an even greater degree—that penal system is so dangerous that it cannot be tolerated.

In addition to protection, there is another factor—economy. Fortunately, the best penal system is the cheapest. A good probation system adequately staffed by competent, well trained personnel, costs less than caring for men in prisons. And a probational man can support his family. A good prison system which releases rehabilitated men, minimizes the number of repeaters: men who are destructive when they are at large and an expense when they are incarcerated.

What is our Georgia Prison System? How does it operate? What are the facilities it lacks? What should any system have to operate for the protection of the community through the rehabilitation of criminals? Does Georgia have them; if not, why not? What are good standards on which we can judge the Georgia system?

III. ACCEPTED STANDARDS FOR A PENAL SYSTEM

(Note: This section is summarized from *Manual of Suggested Standards for a State Correctional System* prepared by The American Prison Association Committee on Model State Plan published October 1946. Any group using this pamphlet for discussion should have a copy of the Manual for reference.)

A. *Administration.* A correctional system must be coordinated from the moment of arrest through the alternate plans of probation or serving a term in prison, then parole and finally unconditional release. The entire process should be geared together to operate toward the rehabilitation of the criminal.

The economic advantages of such coordination are obvious—the stumbling blocks placed in the way of rehabilitation by treatment which involves independent agencies, which pays little attention to

what others may have done or may later do, also increase the bewilderment of offenders, especially the younger and less sophisticated ones, and create distrust and contempt for the agencies involved.

The difficulties of obtaining such coordinated administration in our present welter of governmental agencies, each jealous of its own prerogatives, are manifold. However, confusion and duplication exist where different local and state agencies or departments handle probation, sentencing of prisoners, prisons, jails, detention homes, police lock ups, etc.

A state correctional system, whether it is fully coordinated as the administrative unit with entire control over all correctional processes or operates only in some situations, should at the minimum have supervision over all jails and other institutions, work camps, stockades for short-term prisoners which are now usually under city or county jurisdiction—Detention quarters for persons awaiting trial or other disposition of their cases should be provided in these institutions.

Providing the machinery for a central administration system does not by any means insure an adequate or standard penal system—the way this complicated machinery works depends in great measure on its staff. The all-inclusive cost of any penal system, the expensive prison plants with their industries, agriculture, dairies, and the cost of the related institutions runs into money—millions. Certainly the protection of this outlay of tax dollars is our concern and should be placed in the hands of a professionally qualified administrator, who is capable of carrying the responsibilities entailed in his title of Commissioner, or Director. The job qualifications and salary scale of the entire staff should be drawn up with extreme care and subject to the provisions of a civil service or merit system. The personnel policies are the life-blood of the penal system—the insertion of any political consideration is a lethal virus to its well being.

B. *Probation.* The rehabilitation process begins at the moment of conviction—a probation service, with pre-sentence investigation and recommendation to the judge as to the best disposition of the case, supervision, control over payments and fines, the use of community agencies to help the criminal, are a must for any properly equipped court and part of any adequate state correctional system. On the basis of this information the judge decides whether the convicted man be put on probation or sentenced to prison.

The long-range cost of crime can be reduced only by a substantial percentage of cures. A practical economical procedure which accomplishes this and avoids the cost of supporting the prisoner in an institution which in Georgia is estimated at \$1.62 per day (Tattnall at Reidsville, Ga.); and helps the offender become a law-abiding citizen without separating him from his family and normal life is Probation—Good Probation.

This means careful study of the granting or recall of probation, and adequate supervision. Probation is not an impulsive act by a kindly judge. An offender is not put on probation until a great deal of information from relatives, employers, etc., is gathered by trained workers, as the basis for a recommendation for probation and what action needs to be taken with respect to the other problems (change of residence, employment, etc.). After the decision is made and the offender is placed on probation, rather than in prison, similar care is required in supervising the probationer. Such supervision should be strict, but helpful. He is usually required to report regularly to the probation officer. Visits are made to his home and more often than not assistance and guidance for his family are involved. Probation officers should be trained and experienced in social work and know how to use the resources of the community; i e., health, education, and welfare for the benefit of the prisoner. The job of the good probation officer is not easy. He should never have more than 50 cases under continuous supervision and no more than 15 new cases each month. Note carefully the description "good."

An incompetent probation service is far more dangerous to a community than leprosy. The probation officer deals with the potential of crime and this dangerous stuff should not be entrusted to unskilled hands. Adequate tools should be placed in the probation officers' hands. The service should include a division of research and statistics, medical and psychiatric services, adequate clerical force for complete and up-to-date records, etc. The probation staff should be appointed under a merit system—without any political consideration whatever.

C. *The Prison.* A good prison system should include a number of diversified institutions or units providing different degrees of custody, varied employment and training opportunities, and the specialized medical and other treatment required by some groups of prisoners.

I. *Custody.* Three types of custody are necessary:

1. Maximum security generally means a walled institution with the majority of the prisoners housed in cells, employed within the walls, and so guarded and restricted as to reduce the danger of escape to the minimum.
2. Medium security means an institution with no wall, but perhaps a wire fence, the majority of the prisoners in outside cells or dormitories, or cottage type villages, employment outside as well as inside the enclosure, and reduced emphasis on preventing escapes.
3. Minimum security means an open institution, usually of the farm or camp type, with the prisoners living in unlocked and unfenced buildings, working outdoors or in ordinary buildings under supervision of overseers rather

than the surveillance of guards, and with minimum emphasis on preventing escapes.

II. *Employment and Training.* A state correctional system should provide a variety of employment and training. For example, there may be industrial prisons with emphasis on technical training and non-competitive sale of finished goods, reformatories emphasizing vocational training, farms operated principally for production but also providing agricultural training, camps carrying on roadwork, forestry, and soil erosion projects, etc. These units may be in different prisons or parts of one prison. One separate camp of the farm, forestry or soil reclamation type should be operated for younger male offenders. Juveniles, of course, should not be in the regular prison system at all.

III. *Special Groups.* There should be special separate facilities for prisoners requiring intensive or prolonged medical care such as the tubercular; the insane; defective delinquents; sex perverts; chronic alcoholics and drug addicts.

It is essential to have separate institutions for men and women. It is sound policy to have separate reformatories or camps for prisoners in their teens and early twenties. Some of these, however, are less amenable to correctional treatment than older offenders. In general, amenability, training, and treatment and response are more significant criteria for classification than age.

D. *Receiving and Classification.* The first problem arising after a person is sentenced to prison is where and how his term shall be served. In a good prison system great care and skill are used in studying each prisoner and deciding for what he is best fitted. This examination is called receiving and classification.

It means more than separation into groups according to age, nature of offense or custodial risk. It means the whole process of studying the individual prisoner, determining and prescribing the custodial care, work, education, vocational training, medical treatment, etc., that are best suited to his particular needs and abilities and following this process by periodical check-ups; modifying his program from time to time, if necessary; and making recommendations with respect to his readiness for parole at the proper time. This classification is based on everything that can be learned from the prisoner's past history, medical (including psychiatric) examinations, psychological and educational tests, personal interviews and progress reports.

There should be a Classification Committee of not less than five regular institutional staff members, chaired by the warden or deputy warden. This committee should include representatives of the medical,

psychiatric, educational and industrial departments and a chaplain. Decisions made by this committee should be binding on the institution. Success or failure of the classification program depends largely on the support and understanding of the prison staff.

There should be a receiving institution or unit for all prisoners and a quarantine period of two to four weeks. During this period there should be both interviewing, testing and examining of the new prisoners and assembling of case histories; and orientation by staff members in what the institution has to offer the prisoner, and what is expected of him.

The Classification Committee holds its first meeting on each prisoner's case as soon as sufficient data is available. After it has reviewed this information and decided on a tentative program, the prisoner should appear personally before the committee and be given an opportunity to discuss the program proposed for him. He will be more likely to cooperate if he feels he has a voice in its making.

Records should be kept on these original findings and decisions and a progress history on his prison record. Classification should not be confined to separate units but be a part of the whole prison system. Proper classification involves transfer of prisoners between institutions. There should be in every state correctional department a high-ranking staff member charged with the responsibility for supervising classification in the whole system. Policies should be coordinated and standards set in accordance with an over-all, statewide classification program with full provision for variations in details in the different institutions.

E. *Parole*. The essential elements of a good parole system include the following:

1. Freedom from improper control or influence, political or otherwise.
2. Sufficient flexibility in the laws governing sentence and parole to permit the parole of an offender at the time when his release under supervision is in the best interests of society.
3. A parole board or paroling authority composed of members qualified by native intelligence, training, and experience to weigh the complex problems of human behavior involved in parole decisions, and having the freedom from interference, patience, and integrity required to render wise and just decisions.
4. A staff of supervisory and administrative personnel, parole officers, clerks, placement officers, and other personnel adequate in numbers to care for the case-load of the parole system, composed of

persons selected in accordance with high standards of ability, character, training, and experience, and appointed on a career-service basis.

5. An administrative structure within the framework of the state government as a whole that makes it possible for the parole system, without sacrifice of proper independence, to function in complete coordination with other departments and services, notably probation services, correctional institutions, and departments of health, mental hygiene, and welfare.

6. A proper public attitude toward the parolee, so that he is accorded fair and helpful treatment in his efforts to make good, especially in the all-important matter of employment.

Good Institutions Essential. While good institutions are not, strictly speaking, essential elements of a good parole system but rather a necessary corollary to it, it is obvious that the institutions from which the parolees come are weighty factors in the successes and failures of a parole system. How high its percentage of successes will be depends in part on whether or not the institutions which it serves have the philosophy, policies, plants, programs, and personnel required to prepare prisoners for successful return to free life.

In the main, good parole follows the same procedures as probation. The essential difference is that a man is put on probation instead of given a prison sentence while paroled men are those who have served a part of their sentence and are released because of good behavior and attitude.

The parolee must be selected with the same care and study given the probationer. Strict but helpful supervision by a trained officer is essential. Gradual relaxation of supervision as it proves practicable should lead to final discharge either at the expiration of the sentence or by legally authorized action of the parole board prior to the expiration. The parole board or governor should issue a certificate of rehabilitation when the parolee has maintained a satisfactory record for a sufficient number of years after release from prison. This certificate should carry the restoration of all rights to citizenship and impounding of a man's criminal record so that it is available to law enforcement agencies only.

IV. WHAT IS HAPPENING IN GEORGIA

State Department of Corrections. All offenders who are convicted of breaking a law of the State of Georgia are committed to the State Department of Corrections, the name given the penal or prison department of the state. The following is a brief outline or chart of the branches of this department.

STATE BOARD OF CORRECTIONS
5 Members, Serving Staggered Terms
Appointed by the Governor

DIRECTOR OF CORRECTIONS
with office at State Capitol.

He has an assistant and staff to handle records, bookkeeping, supervision and all administrative affairs of the department.

<p>TATTNALL PRISON AT REIDSVILLE TWO INSTITUTIONS</p>	<p>GEORGIA JUVENILE TRAINING INSTITUTE AND TRAINING SCHOOL FOR NEGRO WOMEN AT ROME</p>	<p>BRANCH PRISON CAMPS</p> <ol style="list-style-type: none"> 1. Charlton at Folks-ton 2. Coffee at Douglas 3. Old Capitol at Mil-ledgeville 4. Wayne 5. Telfair 6. Proposed camp for incorrigibles — Gwinnett County
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SUPERVISION ONLY OF COUNTY WORK CAMPS

These are financed and operated by the counties themselves. The Board has authority only to remove state prisoners when the camps or counties violate Board rules or do not maintain Board standards. There are 86 such camps at present writing. This type of detention best environment for rehabilitating prisoners. The set-up in most camps (some flagrant exceptions) provides good physical conditions and excellent basic standards but needs certain additional program to achieve better results.

Batley Hospital—State Board of Health responsible for treatment of tubercular prisoners—State Board of Corrections maintains custodial care.

In 1943 a special session of the legislature was called to reorganize the Georgia prison system. A committee had previously been appointed by the governor to investigate the state and county prisons and when this committee reported the deplorable conditions, the special session was called with a mandate by the governor that it pass measures to remedy these conditions immediately.

At this time the prison department of the state was operated by a board of three, elected by the state at large. These three men had full authority to hire and fire all personnel in all prisons and departments of the system and set the policy for administering its affairs. It nat-

urally followed that a patronage system developed under which the faithful vote getters were rewarded with the best paying jobs, regardless of their qualifications to fill posts to which they were appointed. These men and women in turn hired their friends and relatives and thus there was a complete turnover of personnel at each election. Further, all those in office were forced to keep their political fences repaired from one election to the other and at all times were, by necessity, keeping their eyes on potential votes rather than on the welfare of the prisons and the inmates.

The special session sought to remedy this situation somewhat by changing the elective board to an appointive one with staggered terms, so that no one governor could control the board. The board was to be composed of five members, the first appointments by the governor to one, two, three, four and five year terms. Thereafter, at the expiration of these terms, the succeeding appointments would carry a five-year term. The members were to receive no salary but draw \$10 per diem for time at meetings or on state business.

This board's first responsibility was to appoint a Director of Corrections who would have full authority to administer the affairs of the department subject to the approval of the board. He was to be appointed for an indefinite term of office—or as long as he performed his duties to the satisfaction of the board. Later, in 1945 this board was made a constitutional one, which meant that it could not be abolished or its members dismissed except by constitutional amendment.

The special session sought to improve treatment of prisoners by abolishing corporal punishment, chains, stripes, shackles, leg picks and by setting up certain requirements for sanitation, decent food and adequate housing. It also made a gesture toward rehabilitation by outlining certain educational facilities, recreation plans, religious privileges, segregation of prisoners according to age and offense, training for jobs and classification centers. It even went so far as to require the removal of youthful offenders from the other prisons and the removal of the women's prison from its present proximity to the men's prison at Tattnall. It did not, however, set up funds necessary to carry out these fine recommendations and therefore many of the major changes outlined have never been carried out, due to lack of money to build needed prisons, to set up industrial training, proper school facilities and adequate classification centers with requisite psychiatric staff, etc.

This special session also placed the county camps under the supervision of the Department of Corrections. This was a slight improvement because now the Board could set standards for them and if the counties failed to come up to the standards or disobeyed the rules set up by the Board or broke the law enacted by the special session, the Board had the right to remove prisoners from the county. However,

so long as the camps are operated by the county commissioners, with the sole purpose of making money for the county by the use of prison labor, only the minimum is spent for the operation of the camps and no thought is given to the rehabilitation of the prisoners. Eighty-six camps, scattered all over the state can at best be inspected one or two times a month and only the most flagrant abuse of prisoners or infraction of rules would be evident at such inspection. It is true that even this slight supervision has greatly improved the conditions in all county camps. At the time of the reorganization following the special session many camps were abolished because the counties would not or could not meet the standards set up by the board for housing, sanitation, food, etc. All old cage camps were abolished and many counties spent considerable money rebuilding their camps, erasing fire hazards, improving sanitary conditions, clothing, etc.

The special session also required that all state highway camps (there were several camps at the time operated entirely by the state highway department) be abolished as soon as practicable. Several of these were closed immediately and the remainder have now all been abolished or taken over by the Department of Corrections. The Branch Prison Camps indicated on the chart are operated by the Department of Corrections as road work camps to maintain state highways, and the State Highway Department pays the Department of Corrections for the labor of the prisoners.

The Georgia Juvenile Training Institute at Rome is the result of the effort of the Board of Corrections to segregate the youthful prisoners sentenced to serve terms in the Department of Corrections. These must not be confused with the youngsters at the Georgia Training School at Milledgeville. This school is operated by the State Department of Public Welfare and these youths do not have prison sentences. Many young people of the same age group, however, are directly sentenced to prison terms. This happens because the superior court judges have the authority to direct that young people of 16 years and under be committed to the training schools or a penal institution. The superior court has concurrent jurisdiction with juvenile courts in the six communities in the state where juvenile courts exist and may sentence the juvenile with first clearing through the juvenile court. The board felt the urgent need to segregate these youngsters under their jurisdiction completely from older, hardened criminals.

Through an arrangement with the State Health Department, facilities were secured at Battey State Hospital at Rome to set up an Honor Prison where around one hundred and fifty young people, first offenders, both white and colored, could be given a partial, at least, rehabilitation program. School classes, recreation programs (they have football and baseball teams which play local high school teams), and a limited training program has been worked out whereby various

squads (without benefit of guards) work with the electricians, carpenters, painters, dairy and ground crews of this hospital.

Also at Rome arrangements were made with the Battey staff to use the services of Negro women from Tattnall in the kitchens and the wards. This has proved a satisfactory project, for these women are kept busy and are learning useful occupations. At Tattnall there are no facilities to employ all of the women in useful training programs. For their services at the hospital the health department furnishes these Negro women with food and shelter. There is a separate unit for them with their own matrons.

In our Georgia system, jails which hold offenders before trial are completely outside the Department of Corrections. They are administered by local governments and have no required standards. This lack is evident in the extremely bad conditions prevailing in the jails.

There is no question but what some progress has been made in the handling of Georgia's prisoners. However, so much more needs to be done that the people of Georgia while taking satisfaction in the physical improvements should remember that the most important goal, that of rehabilitation, has not even been remotely approached. It is difficult to find a single standard by which to measure a prison system but one indication of its effectiveness is the number of repeaters. In Georgia 75% of prisoners at Tattnall are repeaters.

Fundamentally there can be no really sound program of any kind as long as the prison system can be shackled by politics. The creation of the constitutional Board of Corrections seems an answer but if a majority of the members can be coerced by political pressure then this legal safeguard is a failure. A merit system under which all personnel is selected on the basis of experience and ability and which gives the employee a feeling of job security as long as he does his work well is the first "must" of a good prison system. Politics and prison will not mix.

State Board of Pardon and Parole. The 1943 session of the legislature created the State Board of Pardon and Parole. Several months later it was made a constitutional board composed of three members appointed originally in staggered terms of 3, 5 and 7 years, appointed by the Governor and confirmed by the Senate. All terms after that were for a 7-year period. The work of the State Board of Pardon and Parole is vested entirely in the three appointed members of the Board, who are all on salary. Under the setup of the present penal system, all felony prisoners' cases are investigated and considered for the parole privilege after completing one-third of the minimum sentence imposed. Misdemeanor cases are considered only upon application. The State Board of Pardon and Parole, as now constituted, is

vested with all clemency powers such as pardons, commutations, paroles, reprieves, etc., that were formerly vested in the Governor.

The State Board of Pardon and Parole is authorized, under the law, to set up its own rules and regulations and has full charge over personnel. At present the Board has a chief supervisor and 16 field officers located in strategic points throughout Georgia. This field staff is charged with making pre-parole investigations and supervising those prisoners released under parole by the Board.

It is the policy of the State Board of Pardon and Parole to review all felony cases after completing one-third of the minimum sentences imposed. If parole is not granted then, the prisoner's case is reviewed again at the end of his minimum sentence. If the prisoner's conduct has been satisfactory while serving the sentence, the State Board of Pardon and Parole is required to issue what is known as a conditional release.

The Board passes on approximately 400 cases per month for parole. In addition to the parole work, the Board passes on approximately 100 cases for conditional release of those prisoners who have completed their minimum term. In addition, the Board holds public hearings on applications to commute death sentences to life imprisonment, pardons, commutations, etc., as well as conducting hearings on all parolees who have violated the terms of their release. During the past year, approximately 17% of the eligible prisoners were granted parole.

STATE DEPARTMENT OF PUBLIC WELFARE

1. Milledgeville State Hospital
Criminally insane prisoners..... 250 beds
2. Georgia Training School for white girls—
Adamsville..... 106 students
3. Georgia Training School for colored girls—Macon 41 students
4. Georgia Training School for white boys—
Milledgeville..... 300 students
5. Georgia Training School for colored boys—
Augusta..... 250 students

Under Child Welfare Department Total..... 697 students

Supervision of delinquents in foster homes (lack of funds limits extent of this service).

The treatment of the criminally insane and the training and care of juvenile delinquents is a major service of the State Board of Public Welfare.

The Georgia laws have been amended so that prisoners who are committed to the Georgia Prison System and who are subsequently found to be in need of mental treatment may be transferred from the State Prison at Reidsville to the Milledgeville State Hospital for treatment. Under this law and through the cooperation of the Welfare Department approximately one hundred (100) of Georgia's criminally insane are presently being treated by the Welfare Department at the Milledgeville State Hospital.

The building for the criminally insane at the State Hospital has been completed and made available for occupancy with approximately 250 beds. The intent of the training school program for juvenile delinquents is progressive and educational with emphasis on training and treatment and not on retribution and punishment. Commitment to the training school is provided by statute. Pertinent passages of the Annotated Code of Georgia of 1933 provide generally as follows:

"77-620. *Commitment by superior and juvenile courts.* Judges of superior courts, as well as judges of juvenile courts, are authorized to commit incorrigible boys to this institution. Any commitment by superior or juvenile courts shall be final, any boy committed thereto being subject solely to the control of the authorities in charge of said institution with regard to rules for parole, discharge, etc. If there shall be room, parents may enter incorrigible boys on payment of the fees required by the management."

"77-615. *Record of commitment.* Whenever a court shall commit any boy to the Training School for Boys, the clerk of the court shall furnish to the Board of Control a certified record showing the order of commitment, age of the person, and the offense for which he was convicted. Upon receipt of such record the Board shall send a properly delegated person to the place where said boy is detained, and the officer having custody of the boy shall deliver him to said delegated person, and such boy shall thereupon be conveyed to the Training School for Boys at the expense of the county from which he shall have been committed."

Sections 77-605-606 provide that the superintendent and others connected with the institution are servants of the State and are to carry out the State's plan for juvenile delinquents, without discretion as to what delinquents shall compose the School's population.

Children over 16 years of age may, in the discretion of the presiding judges, be committed to institutions other than the Training School.

The Committee recognizes that the pamphlet does not include an adequate presentation of the juvenile court system of Georgia. Any revision should create district juvenile courts with adequate staff and

facilities thereby making it possible for every juvenile offender to be tried in a juvenile court. The present law provides as follows:

Georgia Code, Section 24-2401. "Creation; counties having population of 60,000 or more; . . . —In counties having a population of 60,000 or more, juvenile courts are created and established with original and exclusive jurisdiction of all cases coming within the terms and provisions of this Chapter. This Chapter shall be construed liberally and as remedial in character; and the powers hereby conferred are intended to be general to effect the beneficial purpose herein set forth. (Acts 1915, pp. 35, 36.)"

Section 24-2402. "To What Children Chapter Applicable.—This Chapter shall apply to every child under 16 years of age.

"(a) Who violates any penal law or any municipal ordinance, or who commits any act or offense for which he could be prosecuted in a method partaking of the nature of a criminal action or proceeding, or

"(b) Who engages in any occupation, calling, or exhibition, or is found in any place for permitting which an adult may be punished by law, or who so deports himself, or is in such condition or surroundings or under such improper or insufficient guardianship or control as to endanger the morals, health, or general welfare of such child, or

"(c) Who comes within the provision of any law for the education, care and protection of children, or

"(d) Whose custody is the subject of controversy of any suit: Provided, however, that jurisdiction in such cases shall be vested in courts of record where the law now gives courts of record exclusive jurisdiction, and that said courts of record shall have concurrent jurisdiction in all other cases arising under this division of this section. The judge of any court, except as above provided, in which there is pending any suit in which there is involved the question of the custody of any child, shall refer and transfer by proper order said question of custody to the juvenile court to be heard and determined by it.

"(e) Whenever any such juvenile court shall have acquired jurisdiction of any child under 16 years of age, such jurisdiction shall continue so long as, in the judgment of the court, it may be necessary to retain jurisdiction for the correction, or education of such child, but such jurisdiction shall terminate when such child shall attain the age of 21 years. (Acts 1915, pp. 35, 36; 1935, p. 399)."

For the remainder of the Juvenile Court Law see Georgia Code Section 24-2403-24-2442.

V. WHAT GEORGIA SHOULD WORK FOR

A comparison of accepted standards and what is happening in Georgia indicates that there are a number of ways we should improve our system.

We are not attacking a "forgotten problem." Georgia has done many things in recent years to correct the more glaring evils of her prison system. But the very fact that housing is better, that certain glaring abuses have been lessened, make it possible for us to see more clearly other abuses that were less obvious but perhaps just as vicious as shacks and shackles.

If you ask a person who knows Georgia's penal system what is the most needed reform, the answer varies—a woman's prison; juvenile courts and adequate care of juvenile offenders; probation; an adequate trained personnel. The very fact that there are many answers indicates not lack of understanding but the variety of needs. Since there are a number of outstanding "musts," perhaps the best approach is to attempt the most possible.

The 1950 adjourned session of the Georgia Legislature presents at least two excellent opportunities: probation and juvenile courts.

At present Georgia has no adequate probation system. At the 1949 session of the legislature two bills were introduced in the House (H. B. 401 and H. B. 402) which would create a state-wide system.

Because the 1950 session is not a new session but a continuation of the 1949 session, these bills will still be on the House calendar. This means that we can study them now and be prepared to support them. H. B. 401 provides for a state-wide probation system to be administered by the State Pardon and Parole Board. The Board is directed to appoint probation officers to conduct pre-sentence investigations and to supervise persons on probation for the superior courts of this state.

H. B. 402 extends the existing law regulating probation to all sentences less than life imprisonment. It further amends the law covering indeterminate sentences by repealing the section which automatically releases a prisoner at the end of his minimum sentence provided he has a good record.

Such a probation system, with its appropriation of \$75,000 annually to cover the costs of personnel and administration, would actually constitute a saving to the state because convicted persons serving probation are a much smaller expense to the state than those in prison. In addition they are in a position to support their families.

But the greatest gain (although one difficult to estimate in money) is the proven fact that men on probation have a much greater chance of becoming good citizens.

Another bill which we hope will be introduced will provide for a state-wide juvenile court system. If this bill is well drawn and adequate as we have every reason to believe, this will be a second constructive reform which we can support.

In view of the extension of the merit system to departments of state government during the 1949 session of the legislature, it seems reasonable to hope that it will also be extended to the employees in the prison system. This would strengthen the whole system and be a further step forward.

Even the enactment of these laws is just the first step in the right direction. Good laws make possible a good system. But the establishment of a probation system and a state-wide juvenile court system so set up and functioning that it will achieve the best results requires time, wisdom, and efficient administration. Work for the passage of the necessary bills must be followed by intelligent public understanding and continued support.

VI. GOALS

We recognize that realistic approach to improving the Georgia Prison System involves the repair and patching up of the flagrant defects in the present structure. But while we are engaged in this immediate repair, we should have the establishment of a model prison system as our permanent objective and every step we take should be in that direction. Admittedly this is a long view but it should be on our horizon. Some of the paths leading toward this include:

1. Centralized state control and supervision of all correctional institutions with provision for detention in designated institutions (jails) for persons awaiting trial and other action.
2. Personnel standards
 - Merit system for all staff.
 - Pre-service and in-service training for personnel.
3. Thorough examination and classification for all convicted persons.
4. Segregation of special groups.
5. Adequate juvenile rehabilitation program.
6. Prison for women.
7. Vocational program providing: Training and placing after sentence.
8. Care of prisoners' families.

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If your League would answer this questionnaire and return it to the State Office it would help the Penal Committee

EXHIBIT A

QUESTIONS

1. In 101 of Georgia's 159 counties there are no services for dealing with delinquent and neglected children. Is your county one of these?
2. Only 19 cities and/or county courts in the state have probation officers; in 9 of these courts the same officers handle both juvenile and adult probationers as well. Is your county one of these?
3. Number of persons under 16 years of age tried in your county during 1948?
List ages
Superior Court.....Criminal Court.....
City or Recorder's Court.....Juvenile Court.....
4. Offenses: (List as many as possible)
.....
.....
5. Were they detained before and during the trial?.....
Average number of days spent in detention in county jail.....
Average number of days spent in detention homes.....
Out on bond.....
6. Disposition made of cases tried.....
7. Total number of juvenile offenders returned to your county in 1948
From training schools.....
From jails
From state prison system.....
8. What follow-up supervision given?.....
.....
9. In the absence of any organized supervision, is any information available about what happened to them?.....
.....

