

CORRECTIONS IN THAILAND,
A COMPARATIVE STUDY OF CORRECTIONS
IN THAILAND WITH SELECTED
CORRECTIONAL PROGRAMS IN
THE UNITED STATES

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Somboon Limsong

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By

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AN ABSTRACT

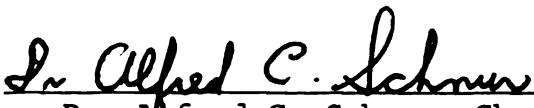
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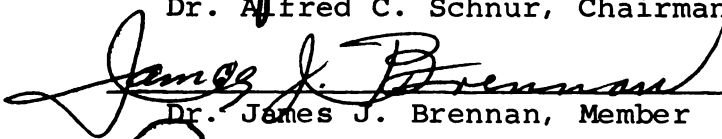
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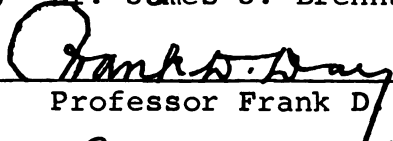
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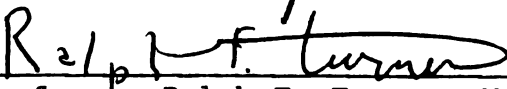
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ABSTRACT

CORRECTIONS IN THAILAND: A COMPARATIVE STUDY OF CORRECTIONS IN THAILAND WITH SELECTED CORRECTIONAL PROGRAMS IN THE UNITED STATES

by Somboon Limsong

Statement of Purpose. The purpose of this thesis is to describe corrections in Thailand and to present some of the experience of Thai correctional administrators. Thai corrections are compared with selected American correctional programs, with standards recommended by some American professional correctional associations, and with the publications of correctional writers.

Procedures and Findings. Corrections in Thailand are introduced in Chapter I along with the reasons for choosing the U. S. Bureau of Prisons and the Michigan Department of Corrections for comparative study. A brief history of corrections in Thailand up to the present time follows in Chapter II. At the present time corrections in Thailand are centralized under the administration of the director-general of the department of corrections, which is under the Ministry of Interior. There are five divisions in the central office; there are fifteen penal and correctional institutions and eighty-five jails.

The functions of personnel in the central office and in prisons and the curriculum for the correctional officers' school are stated in Chapter III. Chapter IV discusses types of punishment, offenses, and the characteristics of prisoners in Thailand. The punishments in Thailand are death sentence, imprisonment, confinement, fine, and forfeiture of property. Habitual criminals receive additional sentences as a measure of safety. Out of 28,694 prisoners in 1959, there were 6,749 youths and 444 women.

The treatment of prisoners in Thailand is described in Chapters V and VI. Prisoners are treated in accordance with the standard minimum rules for the treatment of offenders approved by the United Nations. In Thailand prisoners are classified according to age, sex, and length of sentence. They are provided with food, clothing, bedding, medical and dental care, educational, vocational and moral training. Attempts are made to make prison life in Thailand as similar as possible to normal life outside. Receiving and releasing prisoners and parole and pardon are discussed in Chapter VI.

In connection with the treatment of prisoners, resolutions from the seminar on the prevention of crime and the treatment of offenders for Asia and the Far East are mentioned. These resolutions refer to juvenile delinquency, prostitution, prison labor, and the implementation of standard minimum rules.

Chapters II to VI end with conclusions drawn from the comparison made with the recommended standards stated in the publications of professional correctional associations.

The U. S. Bureau of Prisons and Michigan corrections are discussed in Chapter VII. Corrections in Thailand are compared with them. By an analysis of the previous chapters, the final chapter concludes that what Thailand already has and should preserve is a single administrative head for a centralized correctional system and periodical in-service training at various levels. It is recommended that more institutions for youths and a medical center should be established. Probation and the classification process should be installed. More constructive work should be provided. More emphasis should be placed on social education and the constructive relationship between inmates and guards. Probation and parole officers, psychiatrists, and psychologists should be recruited. There should be one single parole board. The proportion of paroles granted should be increased. One question is posed: should all habitual criminals be housed in one institution? If classification is adequate, some of them may need treatment in other institutions. Two suggestions are made for the United States: confinement in the Thai sense in lieu of fine instead of imprisonment and the requirement of the prisoner to memorize the basic moral principles

of his own religious faith. In the Appendices, principles, criteria, methods, and formats necessary for correctional work are presented.

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At the writer's own request, the Honourable James V. Bennett, director of the U. S. Bureau of Prisons, and the Michigan Department of Corrections, Research Bureau, kindly selected publications on the federal prison system and Michigan corrections for the writing of this thesis. To them, the writer's indebtedness is respectfully expressed here.

The writer is thankful to a few others who are friends of the writer and helped in one way or another for this thesis.

Somboon Limsong

PREFACE

"Prison custody, or the separation of a man from society as the price he must pay for his crimes, can be achieved in two different ways:

1. By negative means which emphasize walls, chains, idleness and surroundings and methods which degrade and humiliate and hurt the individual and eventually either destroy his initiative and make him more useless or arouse resentment and hostility thus increasing his danger to society; or

2. By positive methods which, though they must deprive him of his liberty as the price he must pay for his abuse of freedom, do so with a minimum show of force while requiring him to work, acquire skills, remain productive, and develop morally and intellectually during the period of his incarceration.

The first approach is a negative and uncivilized method and because of its aggressive intent to degrade, hurt and punish, rather than leaving each man's punishment to come about by a higher, more natural, and more certain process, sows the seeds of its own failure and destruction. Such methods produce prisoners which are either greater burdens or greater dangers to the prison and the society in which they live.

The second or positive approach requires more effort to operate because it not only attempts to cover its cost of operation, but also attempts to build up each prisoner to his greatest stature through constructive and productive work, and encouragement toward moral and personal growth. This requires a more normal setting and more staff but though there is no other right way regardless of cost, the revenue in economic and personal values more than justifies the investment.

Both Buddhism and the Thai way of life seem to favor the latter approach more than one designed to degrade or hurt."¹

¹Christie G. Hugh, "Custody, Security and Control," in Department of Corrections of Thailand, In-service Training Report (Bangkok: Department of Corrections, 1959), p. 60.

TABLE OF CONTENTS

CHAPTER	PAGE
PREFACE	iii
I. INTRODUCTION	1
II. ORGANIZATION OF THE DEPARTMENT OF CORRECTIONS AND THE PRISON SYSTEM IN THAILAND	5
Historical Development	5
Difference Between Jail and Prison Sentence	5
Prison Administration from De- Centralization to Centralization	7
Organization and Administration of the Department of Corrections of Thailand	8
The Prison System in Thailand	15
Maximum, Medium and Minimum Security Prison	18
Conclusion and Comparison With the Manual of Correctional Standards	21
III. PERSONNEL	33
Number and Ratio of Employees to Prisoners	33

CHAPTER

PAGE

Functions of Personnel in the	
Central Office and Prisons	33
Qualifications	36
In-Service Training School for	
Correctional Officers	37
Curriculum	39
In-Service Training at the	
Administrative Level ✓	41
In-Service Training at the Regional	
Level ✓	43
Library and Correctional Periodicals	43
Conclusion and Comparison with the	
Manual of Correctional Standards ✓	44
 IV. TYPES OF PUNISHMENT AND OFFENSES IN	
THAILAND	53
Types of Punishment that the Courts	
May Impose	53
Cases in Which Confinement is Used .	54
Relegation for Habitual Criminals . .	56
Probation	61
Offenses Committed by the Offenders .	64
Conclusion and Comparison with the	
Manual of Correctional Standards	
and with Selected Statistics on the	

CHAPTER	PAGE
U.S. Federal Prisoners	80
V. THE TREATMENT OFFERED	87
Standard Minimum Rules of the United Nations Applied in Thailand	87
Effects on Thailand of the Two Seminars for Asia and the Far East on the Prevention of Crime and the Treatment of Offenders	89
Juvenile Delinquency	90
Prostitution	94
Prison Labor as an Integration with National Economy	97
Implementation of Standard Minimum Rules for the Treatment of Prisoners	99
Establishment of a Regional Institute for Research and Training in Asia and the Far East	103
Conclusion	104
VI. THE TREATMENT OFFERED (CONTINUED)	106

CHAPTER

PAGE

The Penitentiary Act of Thailand and Standard Minimum Rules as the Principal Source for Treatment of Offenders	106
Instruments of Restraint	107
Rehabilitation as Treatment Objective and Means to Fulfill	108
Classification of Prisoners	111
Specialized Institution for Youthful Offenders	111
Open Institution	112
Vocational Training	114
Educational and Moral Training	119
Standard of Living in Prisons According to Locality	122
Commissary	124
Recreational Activities	125
Receiving Prisoners	126
Pre-release Program	218
Help Given to Detainees at the Time of Release	130
Parole and Pardon	131

CHAPTER	PAGE
Conclusion and Comparison with the	
Manual of Correctional Standards .	135
VII. SELECTED CORRECTIONAL PRACTICES USED BY THE	
U.S. BUREAU OF PRISONS AND MICHIGAN	
CORRECTIONS	157
Organization of the Central Office . .	158
The Prison System	161
The Treatment	164
Probation	164
Institutions	166
Admission-Orientation and	
Classification	166
The Meaning of Classification	
and Its Functions	178
The Advantages of Classification	
and Re-classification . . .	180
Social Education	183
Pre-release Program	187
Parole	190
Michigan General Parole	
Conditions	196
Number of Paroles Granted and	
Denied	199
Conclusion	200

CHAPTER	PAGE
VIII. CONCLUSIONS AND RECOMMENDATIONS	202
Special Recommendations	202
Things Thai Should Have	202
The Prison System	202
Probation	203
Institutions	204
Parole	205
Things Thai Should Not Have	207
Things Thai Has and U. S. Should Have	207
General Conclusions and Recommendations	208
BIBLIOGRAPHY	217
APPENDIX A	
Custody, Security and Control	225
APPENDIX B	
Format of the Pre-Sentence Investigation Report and Three General Principles for Probation and Parole Supervision	252
APPENDIX C	
Probation Case Record Content	254
APPENDIX D	
Principles of the Casework Relationship	256

CHAPTER	PAGE
APPENDIX E	
What the Correctional Worker Needs to Know . . .	258
APPENDIX F	
Principles of Interviewing	260
APPENDIX G	
Group Therapy and Group Counseling in the Re-socialization Process	266
APPENDIX H	
Criteria for Parole Selection	277
APPENDIX I	
Michigan Good Time Allowance	281

LIST OF TABLES

TABLE	PAGE	
I.	Curriculum for the Officers' In-Service Training School	39
II.	Number of Prisoners by Offense and Sex, Year 1959	65
III.	Prisoners Classified by Length of Sentence and Sex	68
IV.	Characteristics of Prisoners by Age and Sex, Year Ended 1959	69
V.	Orientation Program Schedule, Women's Division, Detroit House of Correction	168
VI.	Michigan Reception-Diagnostic Center: Orientation Program for Adults Orientation Program for Young Adults	170 171

LIST OF FIGURES

FIGURE		PAGE
1.	Organization of the Ministries of Thailand . .	9
2.	Organization of the Departments Under the Ministry of Interior	10
3.	Organization of the Department of Corrections in Thailand	11
4.	The Prison System in Thailand	12

CHAPTER I

INTRODUCTION

This thesis is focused on contemporary correctional practices in Thailand. A brief history of the development of corrections in Thailand is presented to facilitate the general understanding of Thai corrections. Charts are drawn that show the place of the department of corrections in Thailand and its relationship to other departments. These are followed by the organizational charts of the central office of the department of corrections and of the prison system in Thailand. Along with the description of the prison system in Thailand, the various degrees of custodial facilities: maximum, medium, minimum, penitentiaries and correctional institutions are described and defined. These definitions of the prison system are prerequisite to an understanding of the detailed treatment of the offenders.

After a description of the institutional facilities of Thailand, the functions of personnel who operate them are discussed. This discussion is followed by a description of the characteristics of the prisoners who are being rehabilitated and the types of punishment and offenses in Thailand. The characteristics of the prisoners determine the proportion of various degrees of institutional facilities as well as

program planning for the treatment of prisoners.

The discussion of the treatment of offenders in Thailand is divided into two chapters. One chapter describes the treatment of offenders in Thailand as it is related to Standard Minimum Rules For The Treatment of Offenders as approved by the Economic and Social Council of the United Nations. Reference is made to the International Penal and Penitentiary Commission established by the League of Nations. Resolutions from the seminar on the prevention of crime and the treatment of offenders for Asia and the Far East held in Japan in 1957 are presented. Although the seminar topics of juvenile delinquency and prostitution are not the direct responsibility of the department of corrections in Thailand, they are included to reflect the problems confronted by the member countries of the seminar at that time. The latter chapter dealing with the treatment of offenders is directly concerned with the treatment of offenders in Thailand.

At the completion of the description of corrections in Thailand, some selected practices of the U. S. Bureau of Prisons and the Michigan Department of Corrections are discussed. The thesis is concerned with comparing corrections in Thailand with the standards set forth by the Manual of Correctional Standards of the American Correctional Association, ~~the~~ Standard Probation and Parole Act of the National

Probation and Parole Associations, as well as with the practice of the U. S. Bureau of Prisons and the Michigan Department of Corrections. Thus, corrections in Thailand are compared with both theory (standards of the American professional correctional Association and other correctional publications) and practice (the U. S. Bureau of Prisons and Michigan corrections). Each chapter, from the second through the sixth, ends with comparisons of Thai correctional practice with these standards. Conclusions are drawn regarding the similarities and differences between Thai correctional practice and the standards.

In Chapter VII, the comparison is divided into two parts. The first part is concerned with the organization of the central office and the composition of the prison system. This part is compared principally with the U. S. Bureau of Prisons because the number of prisoners in Thailand is closer to the number of prisoners under the jurisdiction of the U. S. Bureau of Prisons than it is to the number of prisoners under the jurisdiction of Michigan. The second part of the comparison in Chapter VII is concerned with treatment. This part is taken mainly from Michigan because the writer is familiar with Michigan corrections as a result of course work

and experience in field training.¹

After Thai corrections are compared as indicated above, the final chapter of the thesis is concerned with recommendations of correctional practices that Thailand should have, that Thailand should not have, and that Thailand has and the U. S. should have.

¹The writer spent one week at the Women's Probation Division, Recorder's Court, Detroit, Michigan; one week at the Wayne County Parole Office, Detroit, Michigan; and four weeks at the Detroit House of Corrections, Women's Division, Plymouth, Michigan, in January, 1961.

CHAPTER II

ORGANIZATION OF THE DEPARTMENT OF CORRECTIONS
AND THE PRISON SYSTEM IN THAILAND

Historical Development. The development of corrections in Thailand is divided into three periods. The first period was before the reign of King Rama V, or the period before the year 1890. The second period started from the reign of King Rama V, or the period beginning with the year 1890. The third period was the period during the reign of King Rama VI, or the period of the establishment of the department of corrections in Thailand which was created in the year 1915.² From these three periods, the development in the treatment of offenders can be seen.

Difference Between Jail and Prison Sentence. Before the reign of King Rama V, prisons and jails were the only two kinds of penal institutions. Felonious offenders whose sentences were from six months upward were housed in prisons. Jails housed misdemeanants whose sentences were less than six months.³ In the first period, prisoners had to pay various

²Chaicharoen Santisiri, Criminology, Vol. II (Bangkok: Thaipitya Publishing Co., 1959), pp. 85-87.

³Ibid.

fees including release fees.⁴ These fees collected from the prisoners were abolished in the reign of King Rama V,⁵ which was the second period of the history of corrections in Thailand. In the third period, or the period during the reign of King Rama VI, the department of corrections was created for the first time in the year 1915, and it has existed to the present time.⁶

In the first and second period, prisons and jails were decentralized under the jurisdiction of various Ministries in accordance with the administration of the country in that time. Prisons were also transferred from the jurisdiction of one Ministry to another Ministry, from the jurisdiction of another Ministry to still another Ministry, and sometimes were transferred back to the old Ministry again. The last development before the creation of the department of corrections in 1915 was that all provincial prisons were under the jurisdiction of the Ministry of Interior, and prisons in the city of Bangkok, the capital of Thailand, were under the jurisdiction of the Ministry of Metropolis.⁷

⁴Ibid.

⁵Ibid., p. 86.

⁶Ibid.

⁷Ibid.

Although in the second period the prisons were decentralized, the decentralization in the administration of the prisons was not so widespread as in the first period. In this second period, many developments in the treatment of offenders were noted. Rules and regulations for the treatment of offenders were established, judges were empowered to inspect prisons at least twice a month; police officers were used in place of military officers for the tower guards. The most significant change in this second period was the abolishment of fees collected from the prisoners, and prison personnel received salaries for the first time.⁸

Prison Administration from Decentralization to Centralization. The decentralization of prisons in the second period was ended in the third period when the department of corrections in Thailand was created for the first time in the year 1915. In this third period, rules and regulations applied to prisoners all over the country were uniform.⁹ At the present time, the department of corrections is under the jurisdiction of the Ministry of Interior. This centralization in the administration of prisons enables the construction of an integrated and classified prison system to meet the need of each individual prisoner. Charts of the organization

⁸Ibid.

⁹Ibid., p. 87.

of the department of corrections and the prison system in Thailand are shown on pages 9-13.

Organization and Administration of the Department of Corrections in Thailand. The department of corrections in Thailand is responsible for the administration and supervision of prisons, jails, and other specialized penal and correctional institutions all over the country. It carries out the order of the court and has as its main objective the protection of society through the rehabilitation of the offenders.¹⁰ The department of corrections is composed of five divisions: office of the secretary; division of education, moral training, and social service; criminology division; division of prison industries and vocational training; and the medical division.

The office of the secretary is divided into four sections. All correspondence to and from the department of corrections must pass through the correspondence section. The disciplinary section deals with discipline of the officers. The other two sections are finance section and accounting and supply section.¹¹

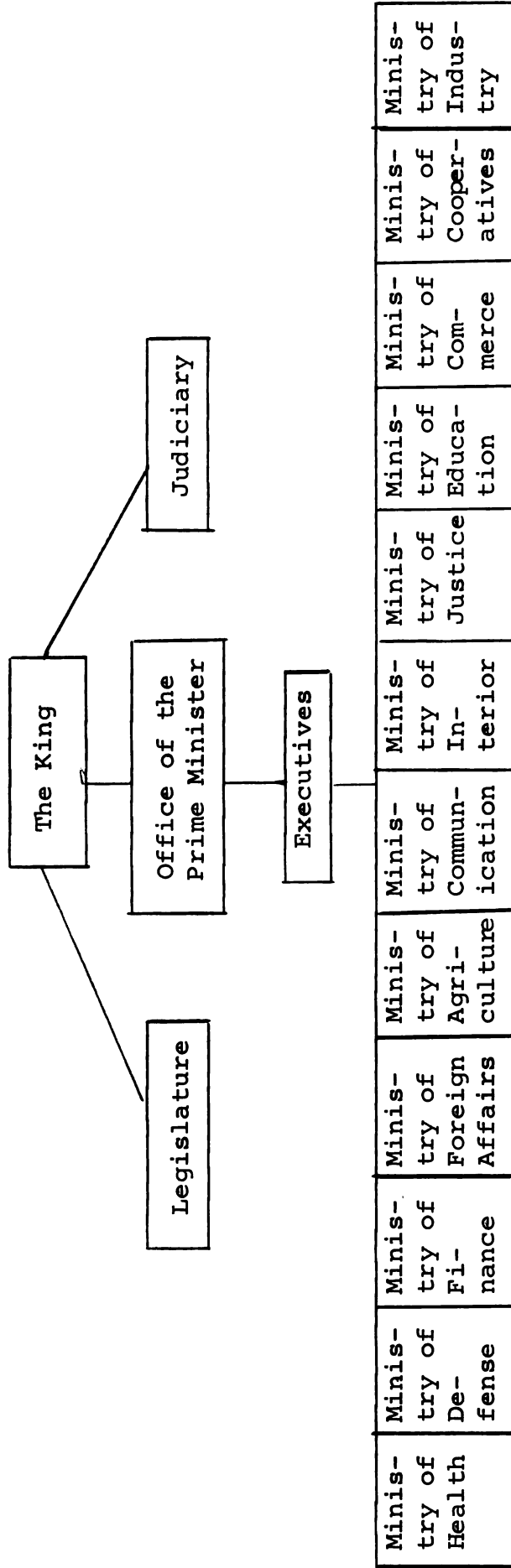
The division of education, moral training, and social

¹⁰ Suwan Ruenyos, The Treatment of Offenders (Bangkok: Department of Corrections of Thailand, 1960), p. 18.

¹¹ Department of Corrections of Thailand, Annual Report 1957 (Bangkok: Department of Corrections, 1957), pp. 20-24.

CHART I

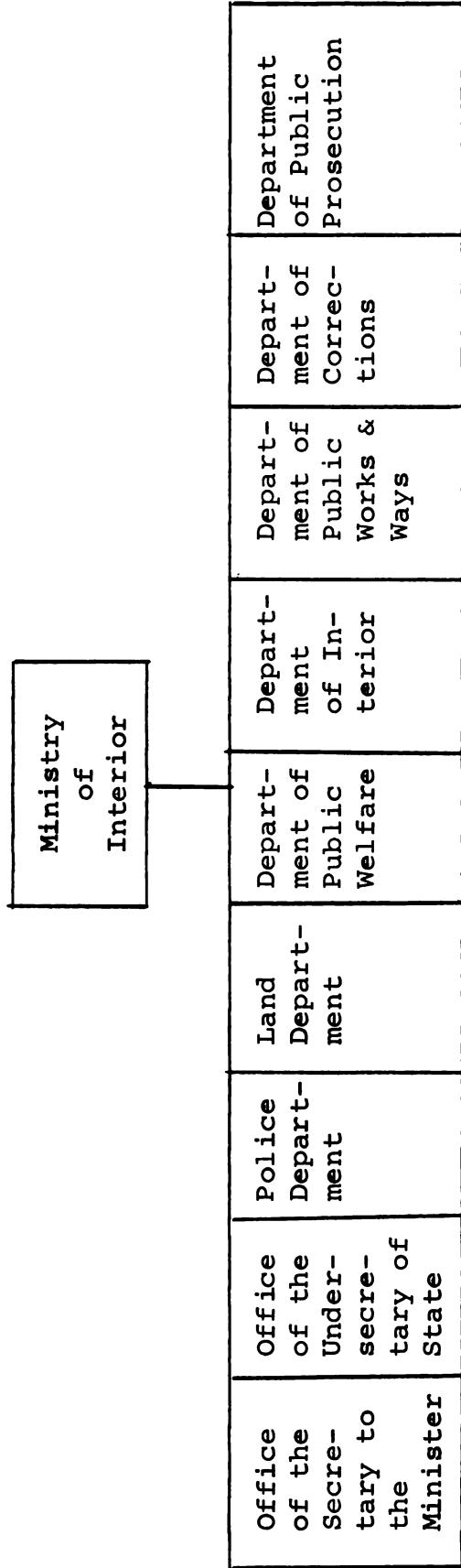
ORGANIZATION OF THE MINISTRIES OF THAILAND¹²



¹² Satien Vichailuck, Act on the Organization of the Ministries and Departments of Thailand (Bangkok: Nitivet Publishing Co., 1960), p. 2.

CHART II

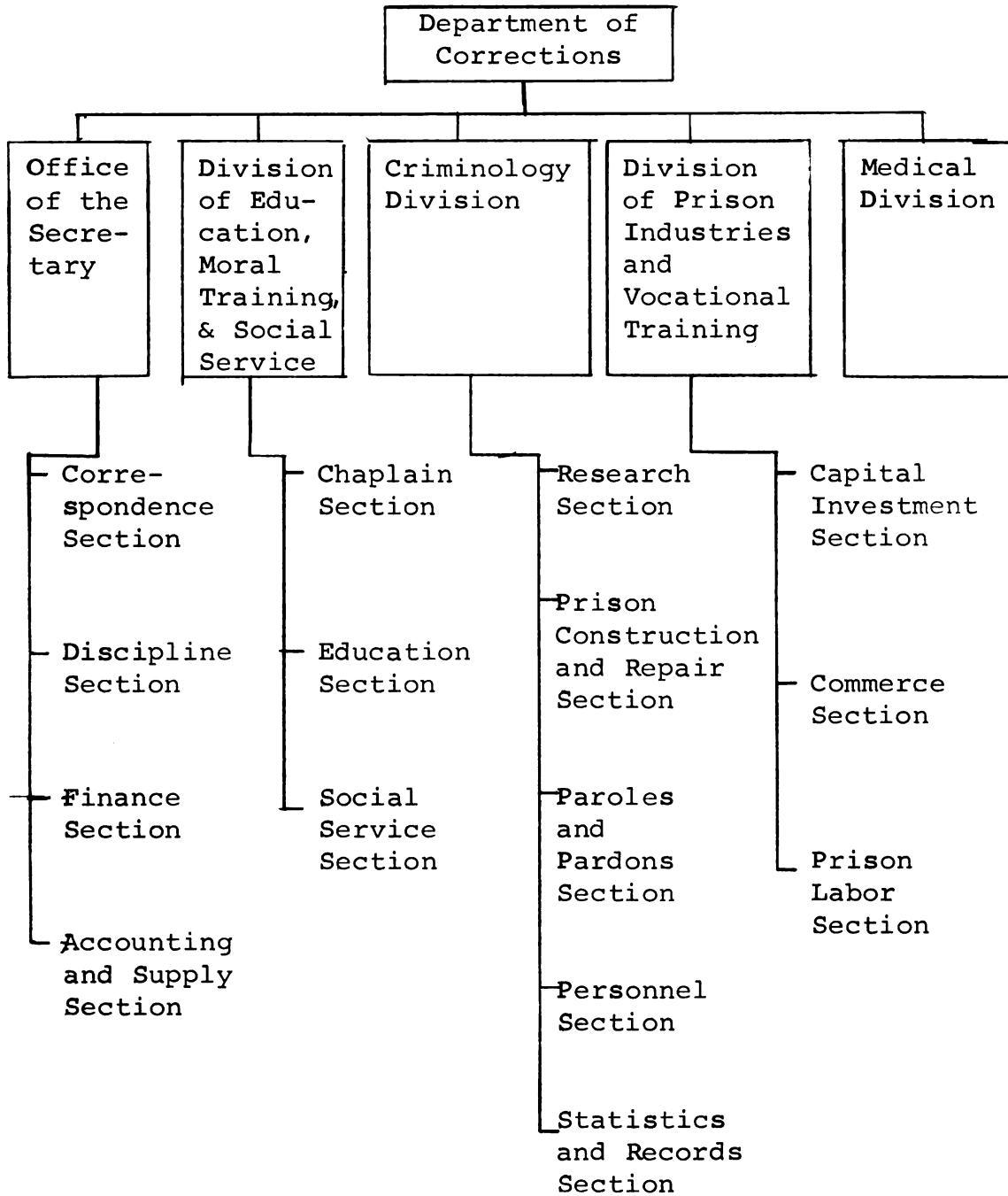
ORGANIZATION OF THE DEPARTMENTS UNDER THE MINISTRY OF INTERIOR¹³



¹³ Ibid., p. 10.

CHART III

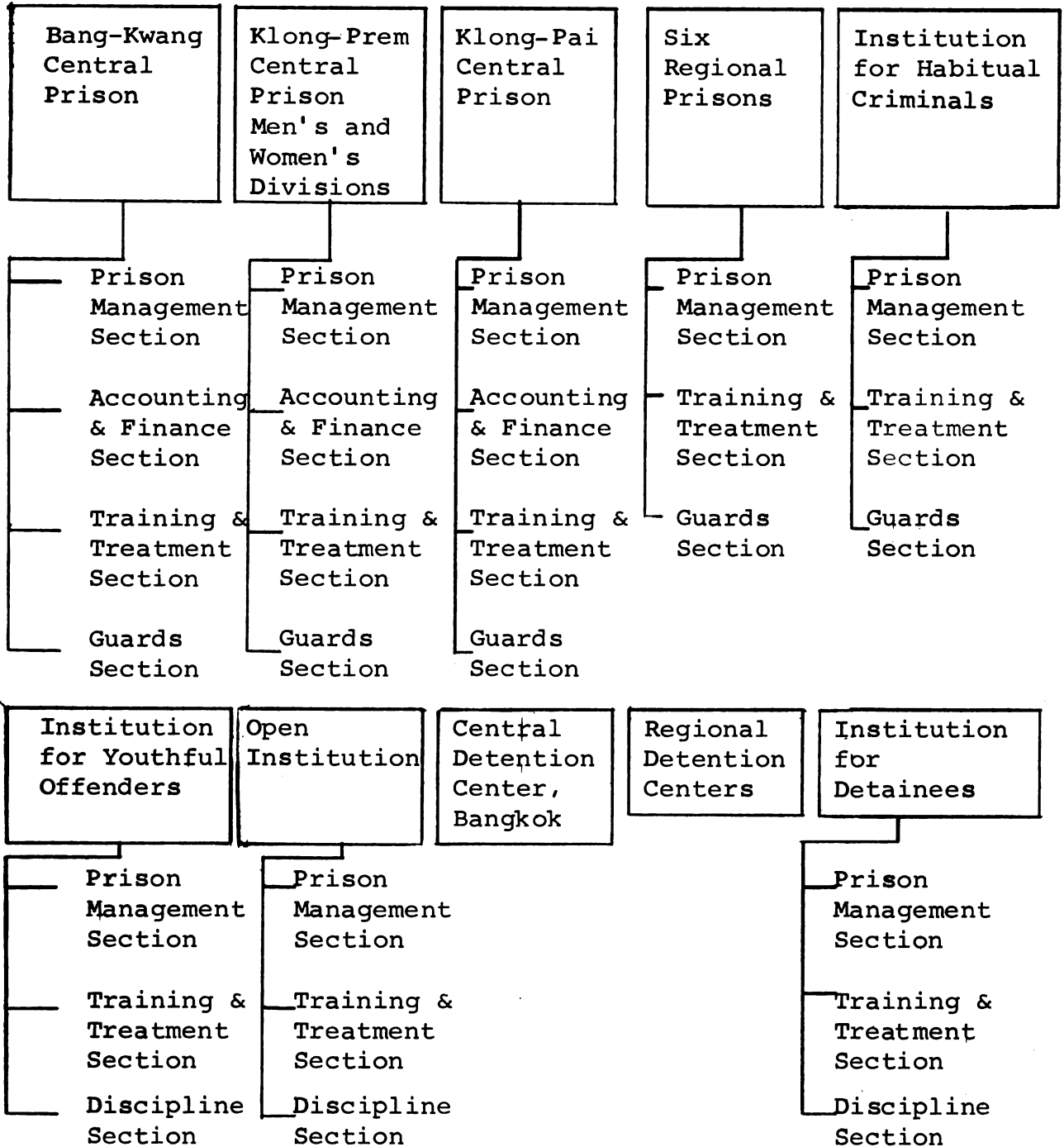
ORGANIZATION OF THE DEPARTMENT OF CORRECTIONS IN THAILAND¹⁴



¹⁴Royal Decree on the Organization of the Department of Corrections under the Ministry of Interior in Thailand, 1959.

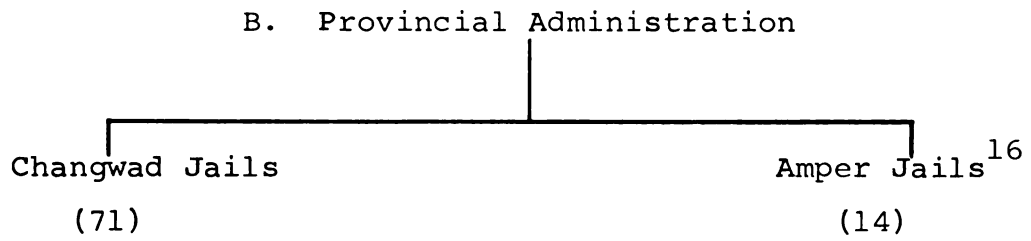
CHART IV
THE PRISON SYSTEM IN THAILAND¹⁵

A. Central Administration



¹⁵ Ibid.

CHART IV



¹⁶Changwad Jails may be compared to County Jails and Amper Jails to City Jails.

service is divided into three sections: chaplain section, education section, and social service section. All three sections are concerned with the prisoners.¹⁷

The division of criminology is responsible for conducting research, drafting laws, rules, and regulations, recruiting personnel and training officers, supervising the construction and repair of all penal and correctional institutions, recommending the granting or denial of paroles and pardons to the director-general of the department of corrections. These five sections, research section, prison construction and repair section, paroles and pardons section, personnel section, and statistics and records section, constitute the division of criminology.¹⁸

The division of prison industries and vocational training administers and supervises the industrial, agricultural, and trade training of the prisoners; it supervises the investment and sales of prison products.¹⁹ The division is divided into three sections: capital investment section, commerce section, and prison labor section.²⁰

¹⁷ Department of Corrections in Thailand, Annual Report, 1957 (Bangkok: Department of Corrections, 1957), pp. 55-69.

¹⁸ Ibid., pp. 91-94.

¹⁹ Ibid., p. 161.

²⁰ Ibid., pp. 161-66.

The medical division provides medical and dental care to all the penal and correctional institutions. It considers and grants permission for seriously ill prisoners to be transferred to specialized hospitals for medical treatment.

The Prison System in Thailand. The prison system of Thailand is an integrated and classified system which consists of three central prisons, six regional prisons, one institution for habitual criminals, one institution for youthful offenders, one open institution, one central detention center, 129 regional detention centers, one institution for detainees, seventy-one Changwad jails and fourteen Amper jails.²¹

The central prison is of the penitentiary or maximum security custody type. It houses prisoners whose sentences are from ten years upward. It is called central prison because it receives prisoners from all over the country whose sentences are from ten years upward. Death sentences are executed only at Bang-Kwang central prison.²²

The regional prison is of the correctional institution or medium security custody type. It receives prisoners within its own region whose sentences are from one year up to ten years.²³

The institution for habitual criminals receives

²¹Ibid., pp. 177-393. ²²Ibid., p. 178. ²³Ibid., p. 233.

prisoners who are adjudged by the courts as being habitual criminals.²⁴

The reformatory for youthful offenders receives first offenders whose ages are between eighteen and twenty-five years and whose sentences must be less than five years. The philosophy for separating youths from other offenders is that "youths are more malleable and subject to change, whether that change be positive or negative."²⁵

The open institution is of the minimum security type. There are no walls, no bars, no tower guards; prisoners are on their own self-discipline. In Thailand, prisoners at the open institution are selected from various penal and correctional institutions. Prisoners who are selected for the open institution must have good conduct and belong to superior grade or excellent grade; the remainder of their sentences must not be more than five years and not less than one year. Visits at the open institution are more convenient than in other prisons.²⁶

²⁴ See Chapter IV, p.56 for definition of habitual criminal and "relegation for habitual criminal."

²⁵ American Correctional Association, Manual of Correctional Standards (New York: American Correctional Association, 1959), p. 490.

²⁶ Suwan Ruenyos, The Treatment of Offenders (Bangkok: Mahathai Publishing Co., 1960), p. 22.

Another type of minimum security custody is the prison camp which is usually a temporary prison, and in Thailand it is attached to either the central prison or regional prison for vocational training outside of the prison.²⁷ Camps provide work that cannot be brought to the prison; jobs inside the prison are saved for inmates who cannot be trusted outside. In the Manual of Correctional Standards it was suggested that prisoners should be permitted to refuse camp assignment, if prisoners are afraid of the temptation of escape.²⁸ At the present time there are a few prison camps in Thailand.²⁹ In one prison camp, the prisoners work at crushing and grinding stone.³⁰

Detention centers in Thailand are for persons sentenced to the detention centers by the court. A person will be sentenced to the detention center if he commits a petty offense and the imprisonment to be imposed by the court is less than three months. The court, instead of sentencing that person to a prison, may sentence him to a detention center which,

²⁷This chapter discusses only the prison system. The detailed treatment for youthful offenders and offenders in the open institution and camp is discussed in Chapter VI.

²⁸American Correctional Association, op. cit., p. 444.

²⁹Department of Corrections of Thailand, Annual Report 1959, op. cit., p. 171.

³⁰Ibid., p. 449.

according to the penal code, is not a prison.³¹ Detention centers are also used to house those in default of payment of fines, the computation of which is five Bahts per day. Regardless of the amount of fine, a person cannot be detained in a detention center more than two years.³²

The institution for detainees is different from the detention center. This institution is created according to the order of the head of government to control and train those whose conduct disturbs the social order of the country.³³

Jails house prisoners whose sentences are less than one year. Changwad jails may be compared to county jails, and Amper jails to city jails.

Maximum, Medium, and Minimum Security Prison. As already described the prison system of Thailand consists of the maximum security prison at one end and the minimum security prison at the other end. In between are medium security prisons and specialized institutions. It seems appropriate here to clarify these three different degrees of custody.

Maximum security prisons have high walls to offer the least opportunity for escape. Usually they are used to house

³¹The Penal Code of Thailand, 1956, Section 24.

³²Ibid., Section 30. Bahts are Thai currency.

³³Department of Corrections of Thailand, Annual Report 1959 (Bangkok: Department of Corrections, 1959), p. 45.

the dangerous prisoners. Prisoners who are housed in the penitentiary or maximum security prison are more or less confirmed prisoners. The more improvable prisoners are housed in medium and minimum security prisons. Medium security institutions normally have a double-fenced enclosure topped with barbed wire. Minimum security institutions may or may not have a fenced enclosure to form a line of demarcation. "In small installations in remote areas, the fenced enclosure may not be necessary. In larger establishments, and in those located in rather heavily populated areas, the fence will be found desirable."³⁴ In minimum security prisons there is no armed guard post; in medium security prisons, there are guard towers at strategic locations.³⁵

It was suggested in the Manual of Correctional Standards of the American Correctional Association that approximately one-third of the prisoners can be housed in a minimum security prison type; about half of the prison population can be housed in a medium security type; about 15 per cent of the prison population can be housed in a maximum security type, and not more than two per cent of the prison population

³⁴American Correctional Association, op. cit., p. 191.

³⁵U. S. Bureau of Prisons, Federal Correctional Institutions, Milan, Michigan (Washington, D. C.: U. S. Bureau of Prisons), p. 1.

should be housed in the super-security type. These percentages apply only to a prison system which has an adequate program of classification.³⁶ A penitentiary may be classified either as a super-security custody or a maximum security type. The number of inmates in a penitentiary may range from 240 at Alcatraz (super-maximum security) to 2,300 at Leavenworth or Atlanta (maximum security custody). A correctional institution may be classified either as a medium security custody such as the medium security custody at Milan, Michigan, or the minimum security custody at Seagoville, Texas. The number of inmates in a correctional institution varies over a smaller range with between six hundred and seven hundred at Milan, Michigan.³⁷ However, the number of inmates in a minimum security institution should not exceed four hundred.³⁸ These minimum security institutions are open institutions, pre-release units, farm camps, forestry camps, and youth camps. The number of inmates in a camp should not exceed two hundred.³⁹

³⁶American Correctional Association, op. cit., pp. 191-92.

³⁷U. S. Bureau of Prisons, Federal Correctional Institution, Milan, Michigan, op. cit., p. 1.

³⁸Dr. Edward Galway's letter, printed in Varasarn Rajatan, 1956. Varasarn Rajatan is a correctional journal issued by the department of corrections of Thailand.

³⁹American Correctional Association, Manual of Correctional Standards, op. cit., p. 495.

Conclusion And Comparison With the Manual of Correctional Standards. From both the charts and the descriptions in the chapter, it can be seen that the five divisions of the department of corrections in Thailand having the director-general as the chief administrator are the center through which the various penal and correctional institutions are administered. This centralized administration makes it possible for Thailand to have an integrated and classified prison system to meet the need of each individual prisoner. The writer of this thesis classifies the prisons in Thailand into maximum, medium, and minimum security institutions according to the definitions taken from the Manual of Correctional Standards and from the U. S. Bureau of Prisons' pamphlet. From such criteria central prisons in Thailand are classified as maximum security institutions, regional prisons as medium security prisons. Open institutions and camps are minimum security institutions. Institution for Youthful Offenders, Institution for Habitual Criminals, Detention Centers for persons under the punishment of confinement instead of imprisonment, and Institution for Detainees according to the order of the Head of Government, are specialized institutions for special kinds of offenders. The degree of custody of these specialized institutions may be maximum, medium, or minimum, according to the needs of special types of offenders. Jails in Thailand house prisoners

sentenced for less than one year or house prisoners awaiting trial.

It would be worthwhile to analyze the number of prisoners in Thailand housed in maximum, medium, and minimum and to compare it to the appropriate percentage suggested by the Manual of Correctional Standards stated in the body of Chapter I of the thesis. Specialized institutions must be classified into appropriate degrees of custody before analyzing. By analyzing the prison population in Thailand, a better prison system may result. This prison system should be diversified according to sex, age, degrees of custody, and medical or mental conditions with various grades of maximum, medium, and minimum security buildings.⁴⁰

The Manual of Correctional Standards stated that there should be only a single administrator in a centralized correctional administration.⁴¹ Although reasons for this were not given, it may be assumed that a single administrator is preferable because the responsibility can be held in one person and decision-making will not be delayed. Delay is unavoidable if a board is used instead of a single administrator. Having a centralized administration of corrections in Thailand

⁴⁰ American Correctional Association, op. cit., pp. 188-91.

⁴¹ Ibid., p. 39.

with one administrative head is therefore in agreement with the Manual.

In regard to the internal organization of the department of corrections, the Manual of Correctional Standards stated that there should be at least one deputy in the central office to assist the head of the department of corrections and to serve in the head's capacity in the event of his absence. There may also be a number of other deputy heads or division chiefs. One division chief may be in charge of classification, education, religion, recreation, pre-parole preparation, and inmate welfare. Another division chief may be in charge of the fiscal control program which includes budgets, accounting, stores, and procurement. A third deputy or division chief may be in charge of prison industries and agricultural production. A fourth division chief may be in charge of the medical program. There may also be prison inspectors to perform such functions as institutional security, special investigations, food services, safety, fire protection, and jail inspection. There should be adequate personnel and specialists to perform these functions.⁴²

The five administrative divisions of the department of corrections in Thailand: Office of the Secretary; Division

⁴²Ibid., p. 54.

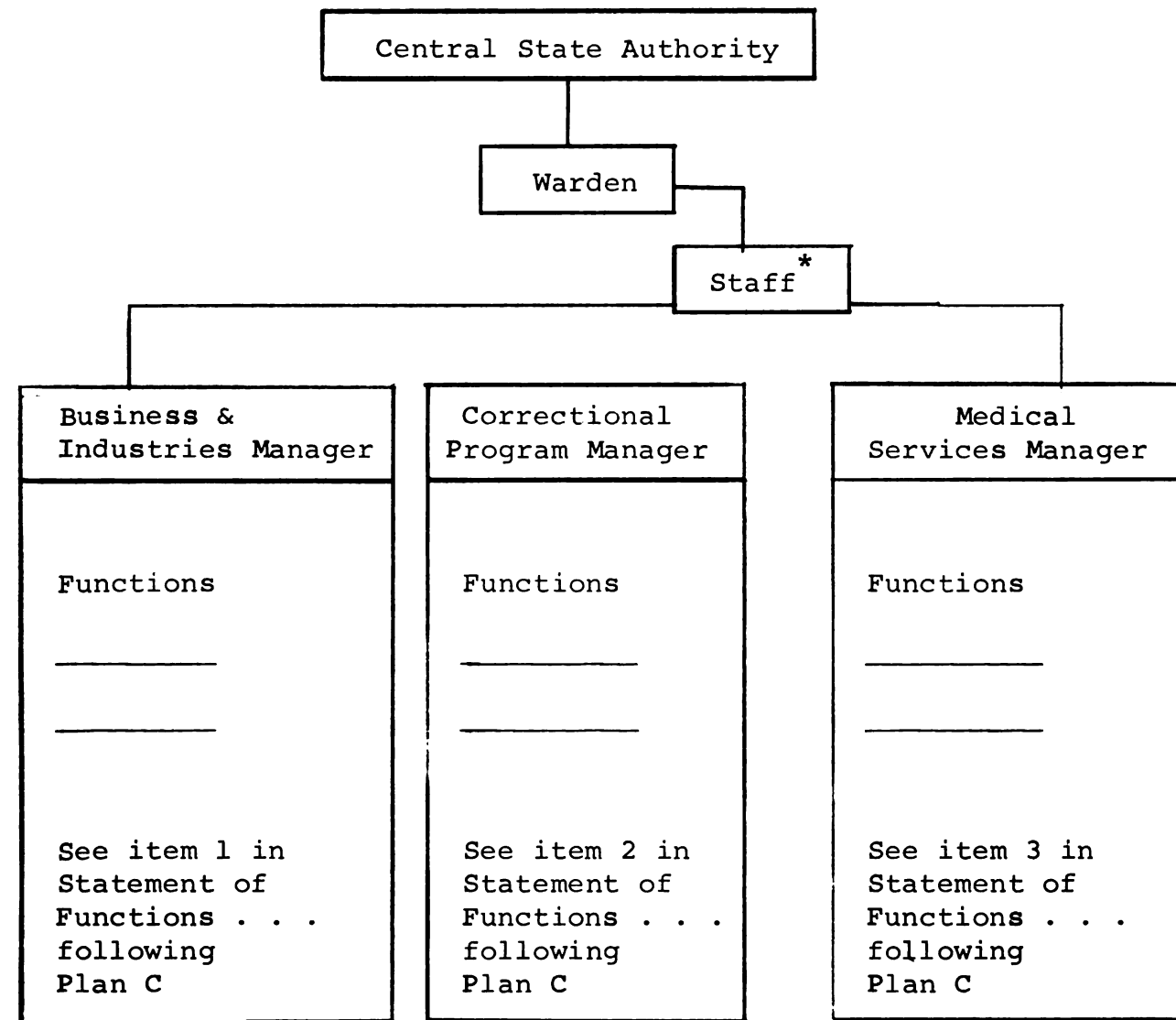
of Educational, Vocational, Moral Training and Social Service; Division of Prison Industries; Medical Division; and Division of Criminology; are in agreement with the suggestion of the Manual referred to in the above paragraph. Only one division, the division of criminology, was not mentioned in the Manual. However, the Manual suggested only some divisions; it was not specific as to the number of divisions. One more division than the Manual mentioned does not do any harm. On the contrary, this division of criminology is necessary as is evident from the various sections under this division.⁴³

Internal organizations of institutions for adult prisoners were given in the Manual of Correctional Standards. Three plans for the organization of an institution for adult prisoners were given. Plan A is for an institution for up to six hundred adult males; Plan B is for an institution for over six hundred males; Plan C is for an institution for over eight hundred adult males. Charts will be drawn showing the difference between Plans A, B, and C.

The internal organization of an adult male institution in Thailand is shown in Chart IV on page 12. In a big

⁴³ Sections under the Division of Criminology are: Research Section, Prison Construction and Repair Section, Paroles and Pardons Section, Personnel Section, and Statistics and Records Section.

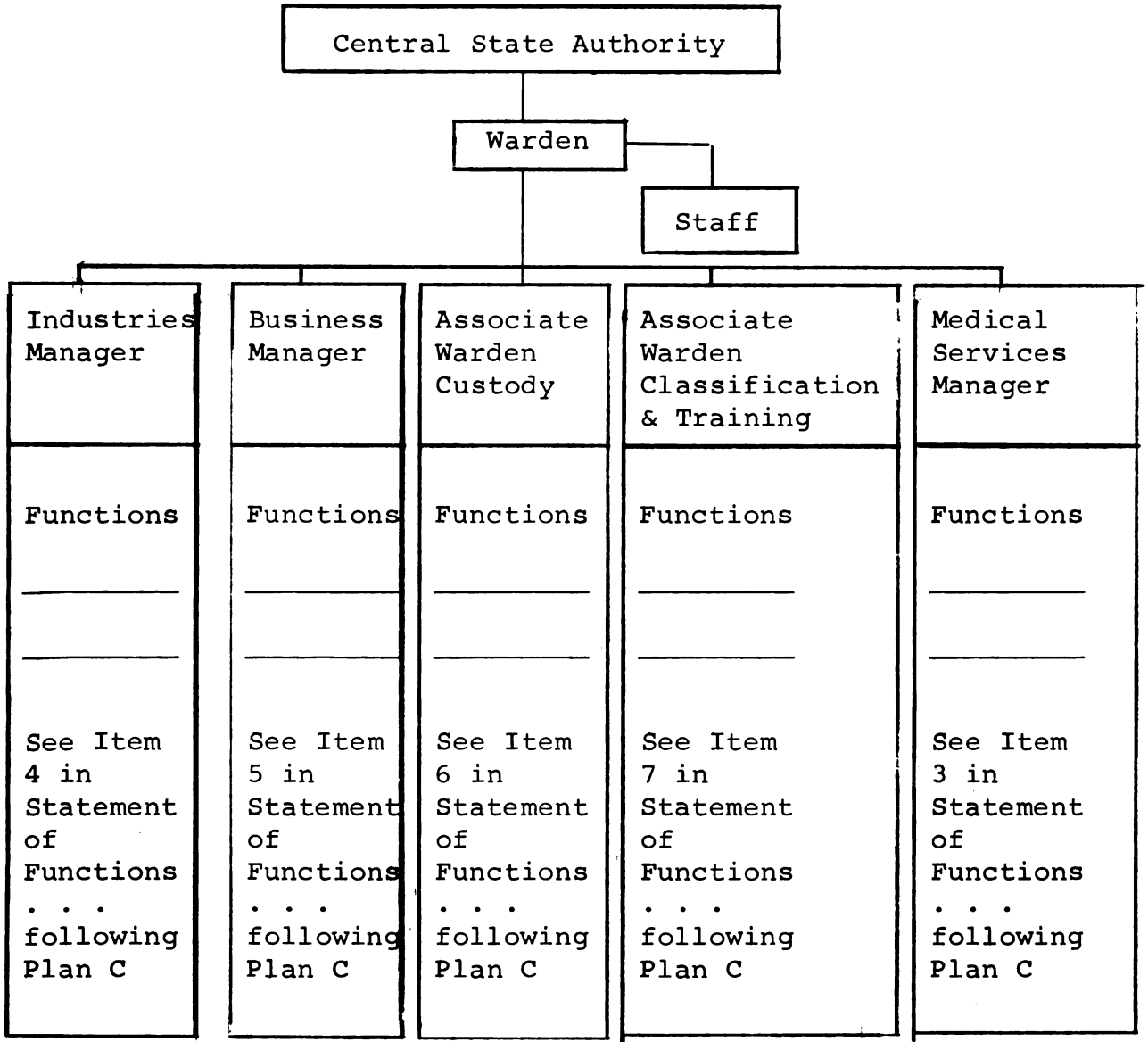
Plan A Institution for up to 600 Adult Males.⁴⁴



* Staff includes Training Officer, Administrative Assistant, and secretary. The Administrative Assistant can handle such functions as special studies and investigations, civil defense, and public relations.

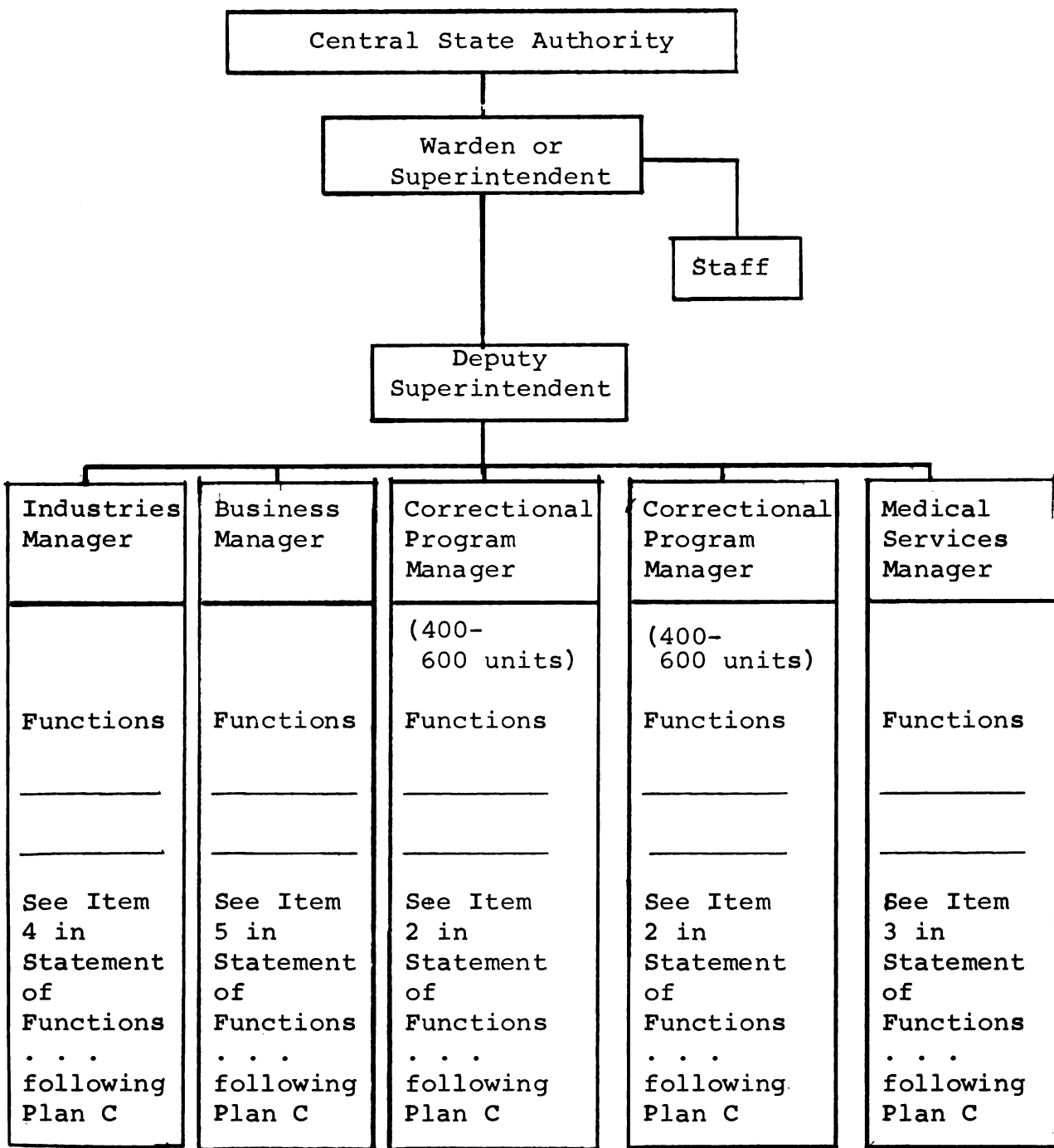
⁴⁴ Ibid., p. 151.

Plan B Institution for over 600 Adult Males⁴⁵



⁴⁵Ibid., p. 153.

Plan C Institution for over 800 Adult Males⁴⁶



⁴⁶ Ibid., p. 155.

Statement of Functions of the Prison Administrative Personnel⁴⁷

1. Business and Industries Manager

Business:

Budget
 Accounting
 Procurement
 Stores
 Canteen
 Feeding
 Clothing
 Plant Maintenance
 Personnel payrolls and records
 Fire Protection

Industries:

Manufacturing and farm enterprises

2. Correctional Program Manager

Security guarding
 General Work Crew Supervision
 Control of Routine Movement of Inmates
 Discipline
 Classification
 Release procedures
 Inmate Education and Training
 Religion
 Recreation
 Inmate records
 Mail
 Visits
 Case work and counseling

3. Medical Services Manager

General health
 Clinics
 Hospital Administration
 Dental Services
 Psychiatric Services
 Institution Sanitation

⁴⁷Ibid., pp. 151-55.

4. Industries Manager

Industries
Farms
Accounts, stores, records, etc., for production enterprises

5. Business Manager

Budgets
Accounting
Procurement
Stores
Canteen
Feeding
Clothing
Plant maintenance
Personnel payrolls and records
Fire protection

6. Associate Warden Custody

Security guarding
General workcrew supervision
Control of routine movement of inmates
Discipline

7. Associate Warden Classification and Training

Classification
Release procedures
Inmate education and training
Religion
Recreation
Inmate records
Mail
Visits
Case work and counseling

institution such as the central prison where the prison population is large (the current average ranges from one thousand to four thousand prisoners),⁴⁸ the administration is divided into four sections which are:

1. Prison Management Section
2. Accounting and Finance Section
3. Training and Treatment Section
4. Guards Section

In smaller prisons such as the regional prison and specialized institutions where the prison population ranges from one hundred to not more than one thousand,⁴⁹ the administration of the prison is divided into three sections which are:

1. Prison Management Section
2. Training and Treatment Section
3. Guards or Discipline Section

If these three sections and four sections of the prisons in Thailand are compared with the Manual of Correctional Standards as shown in Plan A, Plan B, and Plan C on pages 25, 26, and 27 respectively, it may be noticed that as the

⁴⁸ Department of Corrections of Thailand, "Prisons in Thailand," Document No. 1 (Bangkok: Department of Corrections, 1960), pp. 38-56.

⁴⁹ Ibid.

number of the prison population increases from Plan A to Plan B or Plan C, the administrative sections increase correspondingly. Administrative sections are increased by separating one section under Plan A into two sections under Plan B or C. Only the Medical Services Section remains the same; it is one section under Plans A, B, or C. The requirement for an increased number of the medical staff is not proportionally as great as that of the staff of the other sections.

According to the Manual, Plan B and Plan C are alternates for a large prison population. It may be explained further that under Plan B the prison population is not large enough to warrant two separate correctional program managers in order to have adequate services under each of them, and it is not small enough as under Plan A to have only one correctional program manager to manage it. Therefore, in terms of adequate services and supervision, the best arrangement under Plan B is to have one section for custody and one section for classification and training.

The three sections in a small prison and the four sections in a large prison in Thailand are the same as the sections under Plan A, Plan B, or Plan C, except for one thing: there is no separate medical service section in either the small or large prisons in Thailand. The institutional medical

service in Thailand is organized under the Prison Management Section. A separate medical service section is necessary if the prisoner is to have physical and emotional rehabilitation along with other rehabilitation programs of education, vocation, religion, and recreation.

CHAPTER III

PERSONNEL

Number and Ratio of Employees to Prisoners. All personnel in the department of corrections in Thailand are recruited under civil service. According to the annual report 1959, there were 2,347 employees. The ratio of employees to prisoners was 1:14.⁵⁰ The ratio in the U. S. Bureau of Prisons is 1:5.⁵¹

Functions of Personnel in Central Office and Prisons. The director-general is the head of the department of corrections in Thailand. He is responsible for the administration of all penal and correctional institutions. The assistant director-general assists the director-general in the administration of all penal and correctional institutions. The heads of the various divisions in the central office have the power to inspect prisons and make suggestions to the institutional personnel, but the officers directly responsible for the inspection of penal and correctional institutions are prison-inspectors. These prison-inspectors are appointed by

⁵⁰ Department of Corrections of Thailand, Annual Report 1959, op. cit., p. 1.

⁵¹ U. S. Bureau of Prisons, Federal Prisons, Annual Report (Washington, D. C.: U. S. Bureau of Prisons, 1959), pp. i and iv.

the director-general to inspect prisons, jails and camps. All penal and correctional institutions are divided into zones. One prison-inspector is assigned the northern zone of the country. Another prison-inspector is assigned the southern zone of the country. The third prison-inspector is assigned the northeastern zone of the country. These assignments are to facilitate traveling and to save time. These prison-inspectors are sometimes rotated. At present there are three prison-inspectors. They are empowered to make suggestions to the wardens or directors of the institutions.⁵²

The head of the prison is the warden. He is responsible for the administration of the prison and has the authority over all personnel and prisoners in his prison. There are two kinds of wardens: the warden by rank and the warden appointed by the central office.⁵³ The warden by rank is the governor of Changwad jail or the sheriff of Amper jail which houses the prisoners serving terms less than one year. This is in accordance with the administration of the country which has the governor as the head of Changwad and the sheriff as the head of Amper. These governors and sheriffs are appointed by the Ministry of Interior and they are under civil service.

⁵²Department of Corrections of Thailand, Annual Report 1954, op. cit., p. 21.

⁵³Ibid.

Except for the governor and the sheriff, other personnel in Changwad jail and Amper jail are under the department of corrections. Aside from Changwad jails and Amper jails, the wardens of all penal and correctional institutions are appointed by the director-general of the department of corrections.⁵⁴

Next to the warden is the associate warden who is responsible for the care, custody, and discipline of the prisoners. He has the authority over other prison personnel and assigns the work to them. The associate warden supervises the work and education of prisoners and the sanitation of the prisons.⁵⁵

Next to the associate warden are guards.⁵⁶ Guards' ranks are divided into fourth grade A and fourth grade B.⁵⁷

In addition to the warden, the associate warden, and guards, there are specialists in various fields, such as the accountant, the prison chaplain, the academic teacher, and the trade instructor. Such persons, if the warden deems fit, may be assigned the duty of associate warden or guard.⁵⁸

⁵⁴Ibid.

⁵⁵Ibid., p. 22.

⁵⁶Ibid.

⁵⁷The highest grade of civil service officials in Thailand is special grade. The second highest is first grade. Next come third grade and fourth grade.

⁵⁸Loc. cit.

This kind of assignment seems to be the combination of custody and treatment.

Qualifications. As in any other kind of work, the qualifications of the personnel reflect the quality of the work. It was suggested in the Manual of Correctional Standards that the minimum qualifications of a correctional officer should be equivalent to a high school education⁵⁹ or pre-service education sufficient for carrying on any in-service training program.⁶⁰ At the time of writing this thesis, the level of education of the officers of the department of corrections in Thailand is classified into 913 officers, elementary school; 1,337 officers, secondary school; 58 officers pre-university school; and 39 officers, college graduates. The total number of personnel is 2,347.⁶¹ There are four grades in elementary school, six grades in secondary school, two years for pre-university, and at least four years for a college degree depending on the curriculum.

⁵⁹American Correctional Association, Manual of Correctional Standards, op. cit., p. 62.

⁶⁰United Nations, Standard Minimum Rules for the Treatment of Prisoners and Selection of Personnel (New York: American Correctional Association, 1957), p. 27.

⁶¹Department of Corrections of Thailand, "Level of Education of the Officers," Document No. 1 (Bangkok: Department of Corrections, 1960), p. 16.

In-service Training School for Correctional Officers.

The in-service training school has been opened since 1953. The purpose of the school is to promote the efficiency of the correctional officers. The curriculum of the school covers two years. Every year the wardens of the penal and correctional institutions select the correctional officers to train in this school. Since the year 1953 up to the time of writing this thesis, fifty correctional officers have been selected for the school each year. Officers from the central office of the department of corrections are not selected for training at this in-service training school, neither are all institutional officers. To be eligible for the selection to the school, institutional officers must have these qualifications: (1) have completed secondary school or its equivalent, (2) are officers under the department of corrections and have been in the duty of guards or chaplains before the entrance to the in-service training school.⁶²

As has already been stated, the curriculum of the correctional officers' in-service training school covers two years. The first year is for course work; the second year is for supervised field training. A student must pass the first year before he is eligible for field training. The passing

⁶²Department of Corrections of Thailand, Annual Report 1956, op. cit., p. 30.

grade for the first year is 60 per cent and for the second year is 60 per cent. The total hours of course work in the first year are 1,296. The subjects taught are identified in the following Table I.

Second Year
Field Training

After passing the examination for all course work in the first year at 60 per cent level plus good behavior, officers receive supervised training in a prison for twelve months. The training is divided into four phases, each consisting of three months. These four phases are custody, three months; educational and vocational training, three months; bookkeeping, three months; correspondence and records, three months.⁶³

At the end of twelve months there are written exams regarding these four phases of training. The weight for written exams is 50 per cent and for oral exams, 50 per cent. A student must have at least 60 per cent of the written and oral exams combined and another 60 per cent for good behavior in order to graduate from the in-service training school. A graduate from the in-service training school receives a higher salary.⁶⁴

⁶³ Ibid., p. 41.

⁶⁴ Department of Corrections of Thailand, Annual Report 1955, op. cit., p. 14.

TABLE I
 CURRICULUM FOR THE OFFICERS' IN-SERVICE
 TRAINING SCHOOL⁶⁵

First Year

No.	Course	Hours per week	Total hours for each course
1.	The Constitution of Thailand	1	24 (half year)
2.	The Civil Service Act and the Disciplinary Act for officers of the Department of Corrections	2	96
3.	The Penitentiary Act of Thailand	2	96
4.	Thai geography and Thai history	1	24 (half year)
5.	Criminology and penology	2	96
6.	Criminal law and criminal procedure	1	48
7.	Psychology	1	48
8.	Sanitation and mental hygiene	1	24 (half year)
9.	Records and statistics	1	48
10.	Fingerprint and photography	1	24 (half year)
11.	Accounting and supply	2	96

TABLE I (Continued)

No.	Course	Hours per week	Total hours for each course
12.	Acts, rules and regulations relating to the organization, administration of the Thai government, and the method and procedure for official correspondence and filing	1	48
13.	Culture and morality	2	96
14.	General knowledge relating to agriculture	1 1/2	72
15.	General knowledge relating to industries	1 1/2	72
16.	General knowledge relating to physical plant and its maintenance	1 1/2	72
17.	General knowledge relating to commerce	1 1/2	72
18.	Prison administration	2	96
19.	English	1	48
20.	Physical education, recreation, self-defense, and the use of fire-arms	2	96
	Total	27	1,296

⁶⁵Ibid., p. 33.

The in-service training school is attached to the Bang-Kwang central prison at Changwad Nontaburi. It takes about one-half hour to drive from the central office to the school. The reason for mentioning this is to show the convenience for the instructors in driving from the central office to the school. The location of the school is very suitable for study; it is quiet and has a little prison atmosphere since the school building is attached to the administration building of the Bang-Kwang central prison. The students receive a monthly allowance.⁶⁶ Thus, the incentive for learning is very great.

The instructors at the in-service training school are invited from the central office of the department of corrections in Bangkok, some from the Bang-Kwang central prison to which the in-service training school is attached, and one instructor is invited from the Ministry of Industries to teach the course on general knowledge relating to industries.⁶⁷

In-service Training at the Administrative Level. In the year 1959, the department of corrections in Thailand held an in-service training session at the University of Thammasat,

⁶⁶Department of Corrections of Thailand, "Report on the Sixth Meeting of the Department of Corrections," October, 1960.

⁶⁷Department of Corrections of Thailand, "Appointment for the Instructors of the In-service Training School," Order No. 339/1957.

Bangkok, for five days. This in-service training was for the administrative level. The wardens and directors of prisons and reformatories, some chiefs of the sections of the central prisons, and chiefs of the divisions and sections in the central office attended this in-service training.⁶⁸ This in-service training was a lecture-discussion series. The topics presented at the meeting were: the purpose of in-service training; the ideal prison; the classification of inmates; the psychology of the offenders; the treatment of the offenders; open institutions and prison camps; custody, security, and discipline; prisoner-aid society; prison sanitation; prison labor; the functions of various divisions in the central office of the department of corrections; and organization and administration. The meeting was closed by an evaluation of in-service training.⁶⁹

The lecturers for this in-service training meeting were invited from both inside and outside the department of corrections. The group was composed of some professors from the School of Social Work and the Institute of Public Administration, University of Thammasat; the psychiatrist from the

⁶⁸ Department of Corrections of Thailand, Report on the In-Service Training Meeting of the Officers of the Department of Corrections of Thailand (Bangkok: Department of Corrections, 1959), pp. 9-12.

⁶⁹ Ibid.

Ministry of Public Health; Mr. Hugh G. Christie, United Nations Technical Assistance Expert Advisor on Social Defense to the department of corrections of Thailand; Mr. Robert H. Lawson, Advisor on Personnel Administration and In-service Training, Institute of Public Administration, University of Thammasat; and Mr. Alexander A. Robertson, Advisor for the United States Operations Mission to Thailand (ICA) who lectured on sanitation of penal institutions.⁷⁰

In-Service Training at the Regional Level. In addition to this in-service training at the administrative level held in the central office in Bangkok, the department of corrections plans to hold the in-service training at the regional level⁷¹ so that more prison personnel can receive the training. These in-service training groups at various levels, including the correctional officers' training school, are a great move toward the increasing of the officers' efficiency in the protection of society and the rehabilitation of the offenders.

Library and Correctional Periodicals. The in-service training school and periodical meetings of the officers at various levels are only one aspect of the improvement of the personnel's efficiency in Thailand. Other provisions by the

⁷⁰Ibid., pp. 107-14.

⁷¹Ibid., p. 5.

department of corrections are the library and the correctional periodical.⁷² The library is established in the central office of the department of corrections and contains law books, textbooks, novels, and periodicals. The officers in the central office are encouraged to use the library.⁷³ The correctional periodical is issued bimonthly. Current laws, rules, and regulations including correctional knowledge are published in the correctional periodical by the central office of the department of corrections of Thailand. Membership is voluntary, but correctional personnel are encouraged to subscribe to it since it is an important means for the officers to keep up with correctional knowledge.⁷⁴

Conclusion and Comparison With the Manual of Correctional Standards. The Manual of Correctional Standards did not mention the appropriate ratio of employees to prisoners. This is why the ratio of employees of the federal prison system is given in this chapter. Since the federal prison system is one of the progressive prison systems in the United States,⁷⁵ its

⁷²The official name of the Thai correctional periodical is Varasarn Rajatan.

⁷³The writer's own experience.

⁷⁴Pybul Disyatat, "The Editorial," Varasarn Rajatan, 8:3, June, 1960, p. 85.

⁷⁵American Correctional Association, Manual of Correctional Standards, op. cit., p. 13.

ratio of employees to prisoners should be regarded as a desirable standard at the present. The best method for the department of corrections in Thailand would be to analyze the number and qualifications of personnel by consultation with the wardens. Through the consultation with the wardens, the adequacy of the personnel in Thailand could be evaluated by comparing it with the ratio of the federal prison system.

The Manual of Correctional Standards stated that the selection of personnel entering the correctional service should be on the merit system. Selection on the merit system is best done through competitive written and oral examinations; position tenure should depend on the successful performance of the job.⁷⁶ All personnel of the department of corrections in Thailand are recruited through the competitive written and oral examinations administered by the personnel section in the central office of the department of corrections. The civil service status guarantees the secure tenure of the jobs as long as the officials are capable and conform to official rules and regulations.⁷⁷ This kind of personnel selection is in agreement with the standard set forth by the Manual of

⁷⁶ Ibid., p. 61.

⁷⁷ Satien Vichailuck, Compilation of Rules and Regulations of the Department of Corrections in Thailand (Bangkok: Vitivet Publishing Co., 1949), pp. 278-83.

Correctional Standards.

One element of personnel qualification that is not up to the standard suggested by the Manual of Correctional Standards is the pre-service education of some correctional officers. The Manual suggested that the minimum educational standard for the correctional officer should be equivalent to a high school education.⁷⁸ At the time of writing this thesis, out of 2,347 employees, there are 913 officers who have completed elementary school. The education of these officers should be increased to the minimum secondary school standard by encouraging the officers to take evening or correspondence courses.

The Manual of Correctional Standards divided the in-service training into two types. The first type is the orientation training for new employees. The second type is continuous training for experienced employees.⁷⁹ According to the Manual, the orientation training should provide such information as employment conditions, philosophy and goals of the department of corrections, the use and care of firearms, physical training, on-the-job training, observation of institutional programs, reading assignments, lectures, group

⁷⁸American Correctional Association, Manual of Correctional Standards, op. cit., p. 62.

⁷⁹Ibid., pp. 67-68.

discussions, examinations, and supervised work assignments of increasing difficulty and responsibility. This orientation training should be the time to shape desirable attitudes of the employees and should be extended to all employees regardless of their branch of service.⁸⁰ The in-service training school for the correctional officers in Thailand has the characteristics that fit into this orientation training from the point of view of the subjects taught. For example, the in-service training school teaches use and care of fire-arms; it has physical training, lectures, field trips to other prisons,⁸¹ supervised assignments in prisons, and examinations. The difference between the orientation training suggested in the Manual and the in-service training school for the correctional officers is that in Thailand it is not extended to all employees. Only institutional officers in the position of guards or chaplains are selected to this in-service training school. This limitation should be abolished.

The time proposed by the Manual for orientation training is six months. The time required for the correctional officers in the in-service training school in Thailand is two years: one year for course work and one year for field training.

⁸⁰ Ibid.

⁸¹ Department of Corrections of Thailand, "Correctional News," Varasarn Rajatan, 8:4, August, 1960, p. 96.

This longer period for the training of correctional officers in Thailand is due to the fact that more course work is needed by the correctional officers in Thailand. It is advisable that in the oral and written examinations, some critical evaluations of the subjects taught and the appropriate period for supervised field training should be elicited from the correctional officers who received such training. This information would be helpful in analyzing and improving the time schedule and the subjects taught at the in-service training school for the correctional officers in Thailand.

In the writer's opinion regarding the curriculum for the officers' in-service training school, a very important course should be added to it: probation and parole and the method of writing a case history, which is basic to the understanding of each prisoner's behavior and is the basis for an individualized treatment program. This probation and parole course includes the use of community resources. In the psychology course, the dynamics of human behavior of growth and the impact of the constructive relationship between inmates and guards should be emphasized. An excellent description of the relationship between inmates and guards exists in the New York Central Guard School Department of Corrections' "Suggestions for Improving Human Relations in the

the Institution."⁸² In the Prison Administration course, Public Relations and the Prison Community should be included,⁸³ in addition to Custody, Security, and Control; and classification, training, and treatment. Furthermore, these few courses suggested here, including some courses in the curriculum such as criminology and criminal law, should belong to pre-service education rather than in-service education.

In Thailand other courses in the curriculum and supervised field training in various duties are very thorough and cover all the basic phases of corrections. It should be noted here that this evaluation of the curriculum is at the correctional officers' level. In the future, if pre-service education is adequate, this two-year curriculum for the correctional officers' school should be shortened to pure indoctrination for a six month period and extended to all employees. Better understanding of the nature of the work makes better team work and better success toward the correctional goal. If pre-service education is adequate, many courses in the curriculum can be left out through careful examination at the recruitment period for such courses

⁸² Paul W. Tappan, Contemporary Correction (New York: McGraw-Hill Book Company, Inc., 1951), pp. 48-50.

⁸³ Price Chenault, "Structuring an In-Service Training Program," Alabama Correctional Journal, 7:1, June, 1960, p. 54.

as the constitution of Thailand, Thai geography and Thai history, culture and morality.

Aside from the indoctrination training, another kind of in-service training is the continuous training which may be in both formal and informal form. The informal form is the working of subordinates under supervisors. The formal form includes seminars and workshops.⁸⁴ The in-service training at administrative and regional levels in Thailand falls into this category of continuous training. It is conducted for the purpose of management development: administrators are helped to gain a better understanding of correctional problems and to increase their efficiency in correctional work.⁸⁵

The administrative in-service training program for both central and institutional personnel of the department of corrections in Thailand which occurred during 1960 is not a regular event since the training program is not held every year to cover all prisons at one time. The lecturers invited from outside of the department of corrections were professional and were experienced in their own fields. The writer of this thesis recorded the topics discussed in the 1960 in-service training program for future reference to show which topics

⁸⁴ American Correctional Association, Manual of Correctional Standards, op. cit., pp. 68-69.

⁸⁵ Ibid.

were considered significant at that time. The preface of this thesis is an excerpt from a paper presented in that in-service training.

Unlike the indoctrination training, the topics for training at the administrative level were not mentioned in the Manual. A look at the table of contents of the American Correctional Association's proceedings in 1960 indicates a more comprehensive treatment of subjects than in the 1960 in-service training meeting in Thailand. Besides the General Session Addresses, there were Seminar and Sectional Meeting Papers in twelve areas: the area of correctional administration, the area of correctional camps and farms, the area of the chaplain, the area of citizen participation, the area of classification and education, the area of correctional industries, the area of psychiatric, medical and psychological treatment, the area of correctional research, the area of jails, the area of the military offender, the area of post-institutional treatment, and the area of youthful offenders.⁸⁶ Within each of these areas, various topics were presented. These areas may change from year to year. There was no area of probation in 1960. The year 1960 is cited as an illustration. Absent in the table of contents of the in-

⁸⁶American Correctional Association, Proceedings (Denver, Colorado: American Correctional Association, 1960), p. v.

service training of the department of corrections in Thailand are the areas of correctional research, of jails, of military offenders, and of youthful offenders. It would be worthwhile if the wardens, the associate wardens, and others from both inside and outside the prisons in Thailand would present these topics in the next in-service training meeting since training is a process of sharing experience.⁸⁷

⁸⁷ A. A. Evans, "Correctional Institution Personnel - Amateurs or Professionals," The Annals of the American Academy of Political and Social Science, 293, May, 1954, , p. 76.

CHAPTER IV

TYPES OF PUNISHMENTS AND OFFENSES

IN THAILAND

Types of Punishments That the Courts May Impose.

Chapter Three, Part One of the Penal Code of Thailand specifies the types of punishment that the courts may impose: death, imprisonment, confinement, fine, and forfeiture of property.⁸⁸ The death sentence is carried out by shooting.⁸⁹ Imprisonment is the custody of a person in a prison or jail. Confinement in Thailand is in a place which is not a prison; a person inflicted with the punishment of confinement may be confined in his own dwelling place, or in the dwelling place of another person who consents to accept him, or in another place as the court sees fit. The detention centers on Chart IV, p. 12, are constructed for the persons inflicted with the punishment of confinement. The confined person receives maintenance from the place of confinement, but subject to the regulations of the place, he may obtain food from outside at his own expense,

⁸⁸ Probation and Relegation are not classified as punishment in the Thai Penal Code 1956. Probation is classified as suspension of punishment; relegation is classified as a measure of safety. These will be subsequently discussed.

⁸⁹ Luang Dulya Sathya Patived, translator, The Penal Code of Thailand (Dhanburi: Sootisan Publishing Co., 1957), Section 19, p. 13.

use his own clothing, receive visitors for at least an hour a day, and receive and send letters. He must work according to the rules, regulations, and discipline of the place. If he desires to do other work, he may be permitted to do so provided that it is not contrary to the rules, regulations, discipline, or safety of the place.⁹⁰

From the above paragraph it is evident that the punishment of confinement is lighter than the punishment of imprisonment.

Cases in Which Confinement Is Used. When a person has committed an offense punishable with imprisonment not to exceed three months, if it appears that this is the first offense, or, if it is not the first offense but the previous offense was a petty offense or was committed by negligence, the court may impose the punishment of confinement for not more than three months in place of imprisonment.⁹¹ Confinement is also used for a person who fails to pay a fine. The rate is computed at 5 Bahts⁹² per day, but such confinement in lieu of fine must not exceed two years.⁹³

Confinement is a relatively new method provided in the

⁹⁰Ibid., pp. 13-16.

⁹¹Ibid., p. 15.

⁹²Baht is Thai currency.

⁹³Luang Dulya Sathya Patived, op. cit., pp. 29-30.

1956 Penal Code of Thailand. The rules and regulations of the confinement place are issued by the department of corrections in Thailand. These rules may be divided into three major areas: custody and discipline; education and work; food, medical care, recreation, and release.⁹⁴

In the custody and discipline area, no instruments of restraint may be used on persons under the punishment of confinement instead of imprisonment. Males and females are confined separately. They are required to go to bed and get up at a certain time fixed by the confinement place. If they do not have their own clothing, official clothing will be provided for them. Contraband includes weapons, alcoholic beverages, narcotic drugs, explosive material and inflammable fuels; gambling is prohibited. The persons under the punishment of confinement must not damage public property or the property of others. They must obey legitimate orders. They must not quarrel or interfere with the work of other people. They must not neglect work under their responsibility. Violation of such rules may result in being disciplined in an isolation unit.⁹⁵

⁹⁴ Department of Corrections of Thailand, Rules and Regulations for the Persons Under the Punishment of Confinement, Order No. 121/2500 (Bangkok: Department of Corrections, 1956), pp. 1-3.

⁹⁵ Ibid.

Persons under the punishment of confinement are required to maintain their own personal cleanliness and sanitation in the place of confinement as well as in any other official place. They are provided with educational, vocational, and moral training. They are provided with food, medical care, and recreation. They receive a certificate upon release.⁹⁶

There are no further details available as to the specific programs of work, education, moral training, and recreation.⁹⁷ From this description, it can be seen that the objectives and forms of punishment of confinement are good. It would be excellent if there were a constructive program to implement the objective. New programs and new approaches may be made after an analysis of the characteristics of the persons under the punishment of confinement.

Relegation for Habitual Criminals. Relegation is not a punishment; it is a measure of safety. According to the 1956 Penal Code of Thailand, measures of safety imposed by the court include relegation, prohibiting a person to enter a specified area, executing a bond with security for keeping the peace, ordering a person to be kept under restraint in a hospital, and prohibiting him to carry on certain occupations.⁹⁸

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ Luang Dulya Sathya Patived, trans., The Penal Code of Thailand, op. cit., Section 39, pp. 20-21.

Relegation applies to a habitual criminal. The court may regard a person as a habitual criminal if (1) he has been previously sentenced to relegation or has been sentenced to imprisonment for a term of not less than six months and has been sentenced not less than twice for the following offenses: offenses against public peace, offenses causing public dangers, offenses against currency, sexuality, offenses causing death, offenses against body, liberty, or properties; and (2) if within ten years from the day of having passed the relegation or the punishment, he commits any of the specified offenses again. The term for a habitual criminal sentenced to relegation is not less than three years and not more than ten years.⁹⁹ These habitual criminals are housed in a special institution for them. This can be seen from the chart of the prison system on page 12 of this thesis.

The public prosecutor has the exclusive power to prosecute for relegation. Relegation may be requested at the time of the prosecution of the case or at a later time.¹⁰⁰ A relegation period ranging from three to ten years may be added to the term for the offense committed. A person sentenced to imprisonment six months for the offense he committed may

⁹⁹ Ibid., Section 41, p. 22.

¹⁰⁰ Ibid., Section 43, p. 23.

receive additional relegation sentence for ten years, whereas a person sentenced twenty years according to the offense he committed may receive additional relegation sentence for three years.¹⁰¹ Thus, it will be seen that the period of relegation does not correspond to the length of time to be served for the offense committed. The court uses its own discretion as to how much time the habitual criminal needs to be relegated in order to be rehabilitated. The period three to ten years provided by the Penal Code of Thailand is to guarantee that the time is not so short that no rehabilitation can occur, and ten years should be long enough for a person to be rehabilitated. The ten year maximum relegation sentence specified in the Penal Code also prevents the court from using undue authority.¹⁰²

It should be noted here that not all recidivists are considered habitual criminals in the Thai Penal Code. Usually in the U. S. a recidivist will be called a habitual criminal if he has committed crimes three to four times. Examples of this may be seen from the Penal Code of California 1927 and the Penal Code of New York 1932.¹⁰³ In Thailand a recidivist may be

¹⁰¹ Satien Vichailuck, *Compilation of Rules and Regulations of the Department of Corrections in Thailand* (Bangkok: Nitivet Publishing Co., 1949), pp. 214-15.

¹⁰² Ibid.

¹⁰³ Santisiri, *Criminology, Vol. 2., op. cit.*, p. 174.

called a habitual criminal if he has committed certain offenses previously mentioned not less than twice which are punishable for a period not less than six months. This kind of relegation is a preventive measure rather than punishment. At the present time, the American Congress of Correction advocates the use of the indeterminate sentence administered by qualified personnel.¹⁰⁴ When the indeterminate sentence is used, there is no need for a habitual criminal statute. However, the indeterminate sentence should be used only when there are qualified personnel.

In order to understand more about the nature of the habitual criminal,¹⁰⁵ two points of view will be presented here, each supplementing the other:

Mabel Elliot stated that the studies of the Gluecks and others indicate that only a few of the recidivists seem to be markedly dangerous. A majority of the recidivists who comprise a great proportion of convicted criminals either had unfortunate home circumstances or were maladjusted in school or in vocation.¹⁰⁶

¹⁰⁴American Correctional Association, Proceedings (Denver, Colorado: American Correctional Association, 1960). p. 487.

¹⁰⁵The writer of this thesis uses the term habitual offenders and habitual criminals interchangeably here. Cavan said that habitual criminals are created by statutes for those who have committed crimes repeatedly for a certain number of times while habitual offenders are a general term applied to all recidivists. Ruth Shonle Cavan, Criminology (New York: Thomas Y. Crowell Co., 1956), p. 204.

¹⁰⁶Mabel A. Elliot, Crime in Modern Society (New York: Harper and Brothers, 1952), p. 116.

Santisiri, a Thai writer, wrote about the results of a survey of relegation that was made in England in 1928. Approximately 80-90 per cent of the habitual criminals who were released from relegation were convicted of new crimes again. Only about 10 per cent of them were not convicted for any new crimes. This shows that some of them could still be rehabilitated.¹⁰⁷ These two different points of view show that not all habitual criminals are dangerous. Furthermore, these studies suggest there is some hope of rehabilitating them.

In the year 1959, there were approximately 606 males and 5 females in Thailand sentenced as habitual criminals.¹⁰⁸ It would be beneficial if the case histories of these habitual criminals were examined and a follow-up study were made to see the results of such treatment. If there were an adequate classification system, some of the habitual criminals might be found to need treatment in other institutions. In the federal prison system in the United States, a recalcitrant inmate at Alcatraz, the super-maximum security prison, who shows signs of improvement may be transferred to some other penitentiary upon recommendations of the classification committee.¹⁰⁹

¹⁰⁷ Santisiri, Criminology, Vol. 2, op. cit., p. 181.

¹⁰⁸ Department of Corrections of Thailand, "Prisons in Thailand," Document No. 1 (Bangkok: Department of Corrections, 1960), p. 10.

¹⁰⁹ U. S. Bureau of Prisons, Alcatraz (Washington, D.C.: Bureau of Prisons), p. 9.

Probation. Probation is defined by the National Probation and Parole Association in the U.S. as the release of a convicted offender without imprisonment subject to conditions imposed by the court and supervision by the probation officer.¹¹⁰ In other words, probation is the suspension of punishment plus supervision.

As has been previously stated, the five types of punishment in Thailand specified in the 1956 Thai Penal Code are death sentence, imprisonment, confinement, fine, and forfeiture of property; relegation for habitual criminals is not a punishment but, rather, a measure of safety. Probation is classified in the 1956 Thai Penal Code not as a type of punishment but as the suspension of punishment plus supervision. The writer of this thesis would like to have probation in Thailand considered next to confinement (in the Thai sense) in severity.

In Thailand when a person commits an offense punishable by imprisonment not exceeding two years and if it is the first offense or an offense committed by negligence or if it is a petty offense, the court may place the person on probation. In doing this the court considers the age, past record, behavior

¹¹⁰ National Probation and Parole Association, Standard Probation and Parole Act (New York: National Probation and Parole Association, 1955), p. 2.

intelligence, education and training, health, condition of the mind, habit, occupation, and environment of the offender or the nature of the offense, or other extenuating circumstances. The person is placed on probation for a period not exceeding five years. If within this probation period such a person has completed his probation satisfactorily, he will be released from probation.¹¹¹

At the time of writing this thesis, probation as defined by the Standard Probation and Parole Act above is not practiced in Thailand. This can be seen from the chart on page 11 of this thesis, "Organization of the department of corrections of Thailand." There is parole and pardon section but no probation section for the adult offenders.

The reason for not having probation in Thailand at the time of writing this thesis is that probation officers have not yet been recruited. The writer feels that probation should be used in Thailand. The use of probation with good pre-sentence investigations would increase professionalization and individualization in the treatment of offenders. Probation has many advantages which would help the correctional system in Thailand. The pre-sentence investigation guides the court in the disposition of sentence. The information in the pre-

¹¹¹Luang Dulya Sathya Patived, trans., The Penal Code of Thailand, 1956, op. cit., pp. 27-29.

sentence investigation is a basis for the probation officer to supervise the probationer in case the court places him on probation. If the person is sentenced to imprisonment, the pre-sentence investigation is a basis for further classification. If the person is released on parole, the pre-sentence investigation, along with the progress report from the prison, provides information to the paroling authority in considering the granting of parole and to the parole officer in supervising the parolee.¹¹² Thus probation, prison, and parole are a continuous treatment process.

In addition to pre-sentence investigation, the advantages of probation may be deduced from the conditions of probation as follows:

1. The probationer will avoid injurious or vicious habits.
2. The probationer will avoid persons or places of disreputable or harmful character.
3. The probationer will report to the probation officer as directed.
4. The probationer will permit the probation officer to visit him at his home or elsewhere.
5. The probationer will work faithfully at suitable employment.
6. The probationer will remain within a specified area.
7. The probationer will pay a fine or court costs.
8. The probationer will make reparation or restitution to the aggrieved party as determined by the court.
9. The probationer will support his dependents.¹¹³

¹¹² Charles L. Chute and Marjorie Bell, Crime, Courts, and Probation (New York: Macmillan Company, 1956), p. 139.

¹¹³ National Probation and Parole Association, Standard Probation and Parole Act, op. cit., p. 27.

From these general conditions of probation, it can be seen that the probationer is released without imprisonment. He also works and may be required to pay a fine, court costs, reparation, and restitution to the injured party; he may support his dependents. The most important consideration of all in granting probation to the offender is that the offender, from the pre-sentence investigation report, is likely to be more successful on probation than in the institution.¹¹⁴

So much has been mentioned about the advantages of probation that the adverse effect of probation should be stated here. When probation is administered carelessly, it becomes a liability rather than an asset to the community.¹¹⁵

Offenses Committed by the Offenders. During the year 1959, there were 28,694 convicted prisoners and prisoners pending appeal in Thailand. The offenses committed are shown in Table II. Table III shows the length of sentences of the prisoners received from the courts during the year 1959. Age and sex characteristics are displayed in Table IV.

¹¹⁴ Ibid., p. 21.

¹¹⁵ Jay Rumney and Joseph P. Murphey, Probation and Social Adjustment, quoted by Alfons T. Wahl, "Probation and Parole in Germany," Journal of Criminal Law and Criminology, 18:3, September, 1954, p. 38.

TABLE II
 NUMBER OF PRISONERS BY OFFENSE AND SEX,
 YEAR 1959¹¹⁶

No.	Offense	Male	Female	Total	Per cent
1.	Against the King, the Queen, the Crown Prince and the Regent	9	1	10	.03
2.	Against internal security of state	9	-	9	.03
3.	Against external security of state	1	-	1	-
4.	Against the relations with foreign states	-	-	-	-
5.	Against officials	362	8	370	1.29
6.	Misfeasances in office	86	2	88	.30
7.	Against officers of justice	336	11	347	1.20
8.	Against administration of justice	43	-	43	.14
9.	Against religion	5	-	5	.01
10.	Against public peace	47	-	47	.16
11.	Against public security	152	9	161	.55
12.	False money	31	-	31	.11
13.	False seals, stamps and bills	16	-	16	.05
14.	False documents	162	5	167	.58
15.	Against trade	39	6	45	.16

TABLE II (Continued)

No.	Course	Male	Female	Total	Per cent
16.	Sexual offenses	1,103	69	1,172	4.08
17.	Mortal injury	2,250	38	2,288	7.97
18.	Bodily injury	3,500	47	3,547	12.36
19.	Abortion	8	2	10	.03
20.	Neglect of the child, the sick or the aged	-	-	-	-
21.	Against liberty	31	6	37	.13
22.	Disclosure of private secret	2	-	2	-
23.	Defamation	25	1	26	.09
24.	Theft	6,958	219	7,177	25.01
25.	Snatching	325	6	331	1.15
26.	Extortion	64	-	64	.22
27.	Blackmail	11	-	11	.04
28.	Robbery	688	4	692	2.41
29.	Gang-robbery	1,427	2	1,429	4.98
30.	Fraud	320	29	349	1.22
31.	Cheating the creditors	27	2	29	.10
32.	Misappropriation	365	22	387	1.35
33.	Receiving stolen property	3,918	56	3,974	13.85
34.	Mischief (damaging or destroying property)	135	3	138	.48
35.	Trespass	108	2	110	.38

TABLE II (Continued)

No.	Offense	Male	Female	Total	Per cent
36.	Petty offenses	68	1	69	.24
37.	Opium Act offenses	2,841	83	2,924	10.19
38.	Alcoholic Act offenses	26	5	31	.11
39.	Gambling Act offenses	573	71	644	2.24
40.	Revenue Act offenses	37	-	37	.13
41.	Customs Act offenses	10	2	12	.04
42.	Military Conscription Act offenses	273	-	273	.95
43.	Firearms Act offenses	332	1	333	1.16
44.	Communist Act offenses	-	-	-	-
45.	Newspaper and Press Act offenses	1	-	1	-
46.	False checks offenses	96	9	105	.37
47.	Other Acts	1,134	18	1,152	4.00
	Total	27,954	740	28,694	100.

116
 Department of Corrections of Thailand, Annual Report
1959, op.cit., pp. 97-101.

TABLE III

PRISONERS CLASSIFIED BY LENGTH OF SENTENCE AND SEX¹¹⁷

No.	Length of sentence	Male	Female	Total	Per cent
1.	Confinement in lieu of fine	18	-	18	.06
2.	Confinement not more than three months	11	-	11	.04
3.	Imprisonment less than six months	13,887	495	14,382	50.12
4.	Imprisonment from six months to one year	7,388	140	7,528	26.24
5.	Imprisonment from one to two years	2,427	52	2,479	8.64
6.	Imprisonment from two to five years	1,600	30	1,630	5.68
7.	Imprisonment from five to ten years	1,444	16	1,460	5.09
8.	Imprisonment from 10 to 15 years	658	6	664	2.31
9.	Imprisonment from 15 to 20 years	344	-	344	1.20
10.	Imprisonment from 20 years upward	14	-	14	.05
11.	Life imprisonment	133	-	133	.46
12.	Death sentence	30	1	31	.10
	Total	27,954	740	28,694	100.

¹¹⁷Source: Department of Corrections of Thailand, Annual Report 1959, p. 103.

TABLE IV
 CHARACTERISTICS OF PRISONERS BY AGE AND SEX¹¹⁸
 AT THE END OF THE YEAR 1959

Age	Male	Female
Under 20 years	2,050	27
20 - 25 years	4,593	76
26 - 30 years	4,609	50
31 - 35 years	3,588	54
36 - 40 years	2,596	35
41 - 45 years	1,950	25
46 - 50 years	1,299	15
51 - 55 years	762	7
56 - 60 years	309	8
Over 60 years	147	4
Total	21,903	301

¹¹⁸Source: Department of Corrections of Thailand, Annual Report 1959, p. 107.

The three tables presented on pages 65-69 will be discussed here. From Table II, the preponderance of crimes against property (receiving stolen property 3,974 persons or 13.85 per cent, theft 7,177 persons or 25.01 per cent), crimes against the person (mortal injury 2,288 persons or 7.97 per cent and bodily injury 3,547 persons or 12.36 per cent), and crime against the Opium Act (2,924 persons or 10.19 per cent), indicates the need for the development of prevention and treatment programs directed toward these crimes problems. From the case histories of the persons who create these crime problems, the causes that tend to produce such crimes could be examined and analyzed for the direction that the preventive measures should take.

Offenses against the Opium Act were fourth in frequency in Thailand. Opium addicts are treated in the prison hospitals.¹¹⁹ Hospital treatment is in accordance with the belief that drug addicts are sick people who must be cured emotionally and physically.¹²⁰ Opium addiction is not the main problem of drug addiction in the United States. Instead, most of the

¹¹⁹ Department of Corrections of Thailand, Annual Report 1959, op. cit., p. 30.

¹²⁰ National Probation and Parole Association, Guides for Sentencing (New York: National Probation and Parole Association, 1957), p. 59.

problems of drug addiction in the U. S. involve heroin and marihuana, and the former drug is at the heart of the problem.¹²¹ The trend of treatment for drug addicts in the U. S. is hospital and clinical care plus careful parole supervision.¹²² If drug addicts still need hospitalized treatment after release, it is the duty of the parole officers to see that this is done.

With regard to the length of sentence, as seen in Table III, the data available do not permit the computation of the average length of sentence of prisoners in Thailand. In 1959 approximately 50 per cent of the prisoners in Thailand received sentences of less than six months; 26.24 per cent received from six months to one year, 8.64 per cent from one to two years, 5.68 per cent from two to five years, and 5.09 per cent from five to ten years. The percentage decreased as the years of imprisonment increased.

In comparison, 35.1 per cent of the federal prisoners in the U. S. in 1959 were sentenced to one year or less,¹²³ and 64.9 per cent were sentenced to more than one year. The majority of federal prisoners had sentences that ran from

¹²¹ Richard H. Kuh, "A Prosecutor's Thoughts Concerning Addiction," Journal of Criminal Law and Criminology, 52:3, September-October, 1961, pp. 321-27.

¹²² Ibid.

¹²³ U. S. Bureau of Prisons, Federal Prisons (Washington, D.C.: U. S. Bureau of Prisons, 1959), p. 56.

under six months to under ten years.¹²⁴ The per cent distribution of the length of sentence federal prisoners received from the courts in 1959 is as follows: .02 per cent received a fine; 15.2 per cent received sentences of less than six months, 19.7 per cent six months to under one year and one day, 6.9 per cent one year and one day, 10.9 per cent more than one year and one day to under two years, 13.3 per cent from two years to two and a half years, 12.0 per cent more than two and a half years to under five years, 8.6 per cent from five years to under ten years, 3.3 per cent ten years and over. Considering these percentages, it can be seen that the percentages do not differ much from under six months to under ten years. The range of percentages in the categories from under six months to under ten years is from 6.9 per cent to 19.7 per cent. Approximately 1,000 to 3,500 federal prisoners were in each length-of-sentence category from under six months to under ten years.¹²⁵

This comparison shows that the majority of prisoners in Thailand received shorter sentences than the majority of federal prisoners in the U. S. In 1959 approximately 90 per cent of the prisoners in Thailand received sentences of less than five years, contrasted with 78 per cent of the federal

¹²⁴ Ibid.

¹²⁵ Ibid.

prisoners who received such sentences in the U. S. About 50 per cent of the prisoners in Thailand received sentences of less than six months as contrasted to 15 per cent of the federal prisoners under such sentences. The Thai data available to the writer do not permit the computation of the average sentence. The average sentence of all offenses of the U. S. federal prisoners in 1959 was 66 months.¹²⁶ The average sentence of federal prisoners released for the first time on their sentences was twenty-six months, and the average time served for first offenders was 16.7 months.¹²⁷ This knowledge of the average sentence can be helpful in planning training and treatment programs.

Shorter sentences of the majority of prisoners in Thailand may mean that many prisoners in Thailand are not serious offenders and could be considered for probation. A warden in the U. S. once said that nearly half of the offenders in his prison could have done well on probation.¹²⁸ Short term imprisonment is not feasible in practice because there is not sufficient time for treatment. Short term imprisonment

¹²⁶ U. S. Bureau of Prisons, Federal Prisons, 1959, op. cit., p. 46.

¹²⁷ Ibid., p. 64.

¹²⁸ Charles L. Chute and Marjorie Bell, Crime, Courts, and Probation, op. cit., p. vii.

may also mean that the offenders do not really need a prison sentence except as a shock period. Substitutes for imprisonment, such as suspended sentence, probation, fine and extra-mural labor that do not deprive liberty, should be used instead.¹²⁹

The length of sentence is another problem in the treatment of offenders. The optimum time that an individual prisoner should serve for his training and treatment has been suggested by the N.P.P.A. (National Probation and Parole Association) through the use of indeterminate sentences. There are many kinds of indeterminate sentences ranging from the type in which the judge fixes no maximum or minimum, or the type in which the judge fixes only maximum within the limit of the law but no minimum, to the maximum and minimum fixed by the judge.¹³⁰ The indeterminate sentence should be used only when there are sufficiently qualified personnel in correctional work. These personnel include psychiatrists, psychologists, physicians, social workers and other institutional personnel,

¹²⁹ Edna Mahan, "Second United Nations Congress on the Prevention of Crime and Treatment of Offenders," Proceedings of the American Correctional Association, 1960, p. 46.

¹³⁰ G. I. Giardini, The Parole Process (Springfield, Illinois: Charles Thomas, 1959), p. 293, and National Conference on Parole, Parole in Principle and Practice, A Manual and Report (New York: National Probation and Parole Association, 1957), pp. 72-73.

and probation and parole officers. At present there is no absolute indeterminate sentence (no maximum or minimum) in the United States.¹³¹ Usually the indeterminate sentence is not used in misdemeanors or most serious felonies such as arson, train-robbery, kidnapping, and sexual perversion.¹³² In Michigan only first degree murder is barred from the indeterminate sentence.¹³³

Principle XV, adopted by the 1960 American Correctional Congress, stated that the indeterminate sentence administered by qualified personnel is the best solution in corrections oriented toward crime prevention.¹³⁴ There is no argument regarding the use of the limited indeterminate sentence in the U. S.¹³⁵ Rather, the argument concerns the absolute indeterminate sentence with no minimum or maximum limits.

Robert G. Caldwell summarized the principal argument including

¹³¹ Alfred C. Schnur, "Current Practices in Correction: A Critique," in Hans Toch, Legal and Criminal Psychology (New York: Rinehart and Winston, 1961), p. 301.

¹³² Robert G. Caldwell, Criminology (New York: Ronald Press Co., 1956), p. 642.

¹³³ Michigan Department of Corrections, Your Michigan Corrections Department (Lansing: Michigan Department of Corrections, 1958), p. 16.

¹³⁴ American Correctional Association, "Declaration of Principles of the American Correctional Association," Proceedings, 1960, p. 487.

¹³⁵ Robert G. Caldwell, op. cit., p. 146.

his own opinion; the controversy and Caldwell's opinion are:

1. The minimum limit of the indeterminate sentence prevents a sentimental or corrupt parole board from releasing a prisoner too soon before he is ready for release. The argument that a few states have abolished the minimum limit and have not abused the authority does not mean that the authority will never be abused. The interests and welfare of the inmate must be considered together with those of the public.¹³⁶ It is unwise to permit the administrative machinery to operate without legal checks on its authority, especially when the existing institutional and parole systems are inadequate. The hardship that a few individuals who may be imprisoned too long will suffer is more than offset by the minimum limit giving protection to the public.¹³⁷

2. The argument in favor of the maximum limit of the limited indeterminate sentence is to prevent the parole board from abusing its authority by unnecessary imprisonment of the inmates for terms too lengthy or for life.¹³⁸ Although the members of the board are honest and competent, the tendency to abuse power by those who have it is great. Maximum time limit gives some check on authority even at the cost of

¹³⁶ Ibid., pp. 642-43.

¹³⁷ Ibid., p. 643.

¹³⁸ Ibid.

releasing some prisoners who will again commit crimes.¹³⁹

Robert G. Caldwell concluded the above arguments with his own opinion that if the public wants to retain the maximum and minimum limits for their own protection, their opinion must be respected.¹⁴⁰ He suggested further that a compromise between the advocates and opponents of time limits might be reached by having the court fix the minimum and maximum terms within the limits of the law and having the parole board petition the courts to modify the sentence in any particular cases when it is advisable.¹⁴¹ In this way the sentence might be adjusted to the individual need without exposing society to the possible inefficiency or arbitrary action of the parole board. Sutherland said that at present it would not be desirable to remove these minimum and maximum limits. The administrative board must be more efficient than at present before it should be trusted with such authority.¹⁴² At present the sentence in Thailand is definite. If Thailand has sufficiently qualified personnel, the use of a limited indeterminate sentence should be the first step toward improvement and the compromising way as suggested by Caldwell of the

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Ibid., p. 644.

¹⁴² Edwin H. Sutherland and Donald R. Cressey, Principles of Criminology (Chicago: J. B. Lippincott Company), 1955, p. 555.

Parole Board petitioning the court to modify sentences in certain cases seems desirable.

Sentencing structure, said the National Conference on Parole, "should provide a wide spread between minimum and maximum length of sentence within which the board of parole may operate." The National Conference on Parole also said that the minimum term should be short enough to permit sound release decisions.¹⁴³

Concerning the age group of the offenders in Thailand as seen in Table IV, on page 67, about 40 per cent of the prisoners in Thailand in 1959 were in the age group of twenty to thirty years, and 16.40 per cent were in the age group of thirty-one to thirty-five years. The percentage of the prisoners decreased as the age group increased.

Comparing U. S. federal prisoners in 1959, out of 17,281 sentenced federal prisoners received from the courts, 2,923 federal prisoners were in the age group of twenty years and under; 3,442 federal prisoners were in the age group of twenty-one to twenty-five years; 2,534, twenty-six to twenty-nine years; 2,733, thirty to thirty-four years; 2,034, thirty-five to thirty-nine years; 1,361, forty to forty-four years; 982, forty-five to forty-nine years, and so on. The number

¹⁴³ National Conference on Parole, Parole in Principle and Practice, A Manual and Report, op. cit., pp. 72-73.

of federal prisoners decreased as the age group increased.¹⁴⁴ The median age of the federal prisoner for all offenses was 29.6 years.¹⁴⁵ The median age of the prisoner in Thailand in 1959 was twenty-eight years.¹⁴⁶ From this comparison, it can be seen that the majority of prisoners in Thailand and federal prisoners in the United States in 1959 were in the age group of twenty to forty-four years (73.38 per cent in Thailand and 70.04 per cent in the U. S. federal prisons). It should be noted that young offenders under twenty years of age in Thailand and under twenty-one years of age in the U. S. federal prisons constituted 9.36 per cent in Thailand and 20.61 per cent in the U. S. federal prisons. In terms of percentage, federal prisoners under twenty-one years of age were double those in Thailand; while prisoners in the age group of twenty-one years to forty-four years had approximately the same percentage in both federal prisons and in Thailand: 70.04 per cent in the U. S. federal prisons as contrasted to 78.38 per cent in the prisons in Thailand.

¹⁴⁴ U. S. Bureau of Prisons, Federal Prisons, 1959, op. cit., p. 52.

¹⁴⁵ Ibid.

¹⁴⁶ From Table IV, p. 69 approximately 50 per cent of the prisoners in Thailand were in the age group twenty-six to thirty. Therefore the median age was twenty-eight years.

Conclusion and Comparison with the Manual of Correctional Standards and with Selected Statistics on the U. S. Federal Prisoners. This chapter discussed the types of punishment in Thailand and the characteristics of offenders. In the three tables regarding the characteristics of prisoners in Thailand, it is shown that the most frequent offenses committed in Thailand in 1959 in their rank of order were: theft 25.01 per cent, receiving stolen property 13.85 per cent, causing bodily injury 12.36 per cent, violating the Opium Act 10.19 per cent, causing mortal injury 7.97 per cent, gang-robbery 4.98 per cent, and sexual offenses 4.08 per cent. Most of the prisoners in Thailand in 1959 (56.40 per cent) were in the age group twenty to thirty-five years; 78.38 per cent were in the age group twenty to forty-five years. The median age was twenty-eight. The length of sentence of most prisoners in Thailand was short. About half of them had sentences of less than six months, while half of the prisoners in the U. S. are not in prisons for more than twenty-two months.¹⁴⁷ Approximately 90 per cent of the prisoners in Thailand had sentences of less than five years. Ninety-five per cent of them had sentences of less than ten years, and about 5 per cent of them had

¹⁴⁷ Alfred C. Schnur, "Prisoner Education, Prisoner Industry, and the Correctional Process," Proceedings of the American Prison Association, 1951, p. 26.

sentences ranging from ten years to life imprisonment or death sentences.

Of the 90 per cent of prisoners in Thailand who had sentences of less than five years, many could be selected for probation. These five years are taken as a criterion from the Manual of Correctional Standards, which stated that the probation period should be not more than five years, subject to extension.¹⁴⁸

Comparing these statistics with federal prisoners in the U. S., the median age of prisoners in Thailand was slightly less than federal prisoners; the age was 28:29.6 years. Most of the offenses committed by federal prisoners in 1959 were larceny-theft, 7,460; violation of drug law, 4,092; forgery, 1,978; violation of liquor law, 1,801; and robbery, 1,147. The total federal offenses were 24,230.¹⁴⁹

Offenses in Thailand and in U. S. federal criminal cases that showed similarities in their frequency of occurrence were theft, drug law violation, and robbery. Offenses against persons (mortal and bodily injury) occurred more frequently in Thailand, whereas liquor law violations and forgery occurred

¹⁴⁸American Correctional Association, Manual of Correctional Standards, op. cit., p. 511.

¹⁴⁹U. S. Bureau of Prisons, Federal Prisons, 1959, op. cit., p. 42.

more frequently in the U. S.¹⁵⁰ The study of the most frequently committed crimes in Thailand and in the U. S. indicates that a majority of the crimes committed in the U. S. federal cases and in Thailand have an economic aspect. More occupations need to be provided in society and prisoners should be trained vocationally, educationally, and morally so that they will be equipped to live peacefully and constructively in society. The differences between the most frequent crimes in Thailand and in the U. S. federal cases may be affected by the different ways of living and different conditions of the countries. For example, the cause of more crimes against the person in Thailand may be the fact that people live more closely together than in the United States and as a result more personal conflicts occur in Thailand. Forgery may be a predominant offense in the U. S. because people use more checks and documents in business transactions than in Thailand. At present the forged signature is the most prevalent form of documentary fraud in the U. S. Not infrequently the more intriguing form of forgery is to sign one's name above a genuine signature. Forgery may be in handwritten, typewritten, or printed form. Forgery may be a combination of all of these. In the U. S. forgery is often found in many documents including promissory notes,

¹⁵⁰This comparison is taken from the first five offenses that occurred most frequently in their rank of order.

acknowledgements of debt, securities and real estate documents, receipts for money, deeds, contracts and other forms of agreement, and even wills.¹⁵¹ These hypotheses, of course, require substantiated research. Similarities and differences of these characteristics can help in planning the crime prevention and treatment program in Thailand.

Discussion of the types of corrections used in Thailand including probation, confinement instead of imprisonment, and relegation for the habitual criminals will be concluded here. Imprisonment as a type of punishment is partially discussed before and after this chapter; more correctly, imprisonment is treated throughout the thesis.

The advantage of probation and the use of pre-sentence investigation have been discussed in this chapter. In conclusion it may be stated that in order to implement the 1956 Penal Code of Thailand, which provided for the suspended sentence including probation, probation officers must be recruited. The success of probation depends largely on the qualifications of the probation officers. The qualifications for probation officers suggested by the Manual of Correctional Standards could be used for probation in Thailand. Qualifications

¹⁵¹David A. Black, "Forgery Above A Genuine Signature," Journal of Criminal Law and Criminology, 50:6, March-April, 1960, pp. 585-90.

suggested by the Manual include education and experience as well as personal characteristics:

A. Education and Experience

- 1) Desirable: Completion of two years graduate study in an accredited school of social work, or comparable study in corrections, criminology, psychology, sociology and other related fields of social science, preferably with supervised field work and courses in corrections.
- 2) Minimum: Graduation from an accredited college or university with a major in the social or behavioral sciences and, in addition, one of the following:
 - a. One year of graduate study in an accredited school of social work, or comparable study in corrections, criminology, psychology, sociology, and other related fields of social science; or
 - b. One year of full time, paid casework experience under professional direction in a recognized social agency.

B. Personal Qualities

- 1) Emotional maturity, personal and professional integrity; the ability to establish effective interpersonal relationships; an honest conviction of the dignity and value of the individual; a belief in the capacity of people to change; a genuine interest in helping people.
- 2) Intellectual depth, maturity of judgment; warmth; a continuing interest in professional improvement.¹⁵²

The qualifications for probation officers apply also to parole officers,¹⁵³ because the nature of their work is the same: investigation, supervision, and treatment. The difference is that probation officers deal with the convicted offenders who are released without imprisonment, whereas the parole

¹⁵² American Correctional Association, Manual of Correctional Standards, op. cit., p. 515.

¹⁵³ Ibid., p. 540.

officers deal with the convicted offenders who are released after imprisonment.

Confinement instead of imprisonment for short term sentences and confinement in lieu of fine are relatively new in Thailand.¹⁵⁴ The objective of such punishment to prevent the offender from unnecessary imprisonment has merit. The discipline in the confinement place is less strict than in the prison. For example, according to the 1956 Thai Penal Code, the persons under the punishment of confinement wear their own clothing, do their own work, receive visitors at least an hour a day, and receive and send letters every day. According to the administrative rules for the confinement centers, there are no instruments of restraint. At this initial stage in the establishment of confinement centers, a work program is needed to implement the objective, in addition to personal cleanliness and sanitation of the place, along with other programs of education and recreation for the rehabilitation and maintenance of prisoners.

With regard to the habitual criminals housed in one institution, the question arises that if the classification process in Thailand is adequate, some habitual criminals may

¹⁵⁴ Confinement in the Thai sense had its inception in the 1956 Thai Penal Code.

need treatment in other institutions. This is a field where research should be conducted.

The detailed treatment of prisoners in Thailand is in Chapters V and VI.

CHAPTER V

THE TREATMENT OFFERED

Standard Minimum Rules of the United Nations Applied in Thailand. It can be said fully that the treatment of prisoners in Thailand is in accordance with the Standard Minimum Rules approved by the Economic and Social Council of the United Nations.¹⁵⁵ Historically, the treatment of the offenders had become of interest internationally before World War II. This interest was evidenced by the creation of a committee called "The International Penal and Penitentiary Committee" or IPPC. This committee was created by the League of Nations in the year 1935.¹⁵⁶ The function of the committee was to draft rules for the treatment of the prisoners. The objective of the rules was the humanitarian treatment of prisoners. The use of instruments of restraint was strongly disapproved by the committee except for the dangerous prisoners. The provision of after-care to assist released prisoners in their eventual rehabilitation was recommended by the committee.¹⁵⁷ This humanitarian principle for the treatment of prisoners came

¹⁵⁵ Suwan Ruenyos, The Treatment of Offenders (Bangkok: Department of Corrections of Thailand, 1960), p. 18.

¹⁵⁶ Department of Corrections of Thailand, Annual Report 1955, op. cit., p. ii.

¹⁵⁷ Ibid.

from the realization that the vindictive and retaliatory method of "an eye for an eye and a tooth for a tooth" without providing any educational, vocational, moral, and spiritual improvement did not reform the prisoners.¹⁵⁸ Instead it made the prisoners become more hardened, which was not good for either the prisoner or society, since sooner or later the prisoner would be released.

After World War II the Economic and Social Council of the United Nations approved Standard Minimum Rules for the Treatment of Prisoners and Selection of Personnel and distributed these Standard Minimum Rules to its member nations.¹⁵⁹

It was recommended by its members that the United Nations arrange for a world congress on the prevention of crime and the treatment of offenders every five years and a seminar on the prevention of crime and the treatment of offenders in the various regions of the world every two years.¹⁶⁰ There have been such seminars held in various regions of the world. Latin-American countries held a seminar at Rio de Janeiro in the year 1953; the Arab countries held a seminar at Cairo in

¹⁵⁸ Suwan Ruenyos, The Treatment of Offenders (Bangkok: Department of Corrections of Thailand, 1960), pp. 13-14.

¹⁵⁹ United Nations, Standard Minimum Rules for the Treatment of Prisoners and Selection of Personnel (New York: American Correctional Association, 1957), pp. 3-4.

¹⁶⁰ Suwan Ruenyos, The Treatment of Offenders, op. cit., p. 15.

the same year; the Asian and Far Eastern countries held a seminar at Rangoon in the year 1954.¹⁶¹

Effects on Thailand of Seminars for Asia and the Far East on the Prevention of Crime and the Treatment of Offenders.

There have been two such seminars for Asia and the Far East countries. The first seminar was held in Burma in 1954; the second in Japan in 1957. From the first seminar, the United Nations Standard Minimum Rules for the Treatment of Prisoners and Selection of Personnel have been adopted for practice in Thailand.¹⁶² In the Standard Minimum Rules three major principles for the treatment of offenders are expressed. One, the purpose of imprisonment is to protect society by taking away the liberty of the prisoners and separating them from society. During the time of imprisonment, the prisoners must be provided vocational, educational, and moral training so that they will be able and willing to live a useful and responsible life after release and not resort to committing crime again. Two, the treatment must be individualized according to individual need. Three, in the administration of a prison it is desirable that prison life should be made as much as possible like normal life outside,

¹⁶¹ Department of Corrections of Thailand, Annual Report 1957, op. cit., p. 139.

¹⁶² Ibid.

which will establish in the prisoner a sense of responsibility and human dignity.¹⁶³ In this Seminar, a medical center for the prisoners was suggested.¹⁶⁴

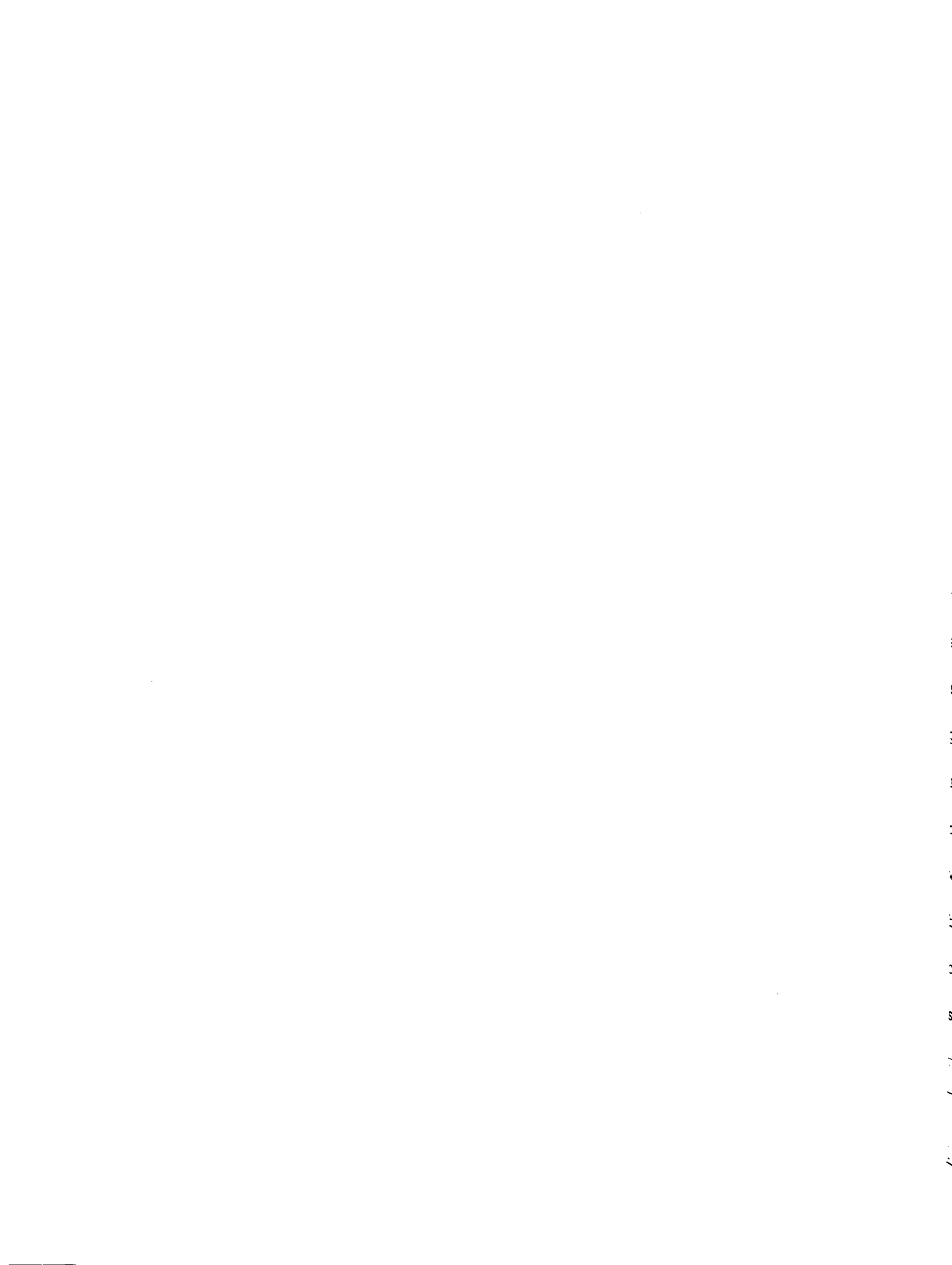
The second seminar on the prevention of crime and the treatment of offenders was held in Japan in 1957. In this second seminar four problems were discussed: juvenile delinquency, prostitution, prison labor, and the implementation of Standard Minimum Rules.¹⁶⁵

Juvenile Delinquency. Causes for increasing juvenile delinquency in Asian and Far Eastern countries were discussed in this seminar. Emphasis was given to: (1) The evacuation of the population from rural areas to urban areas. This evacuated population into urban areas includes juveniles and youths who have fled from their parents. These youths who come into urban areas are cheated by employers, and sometimes they are introduced to anti-social conduct such as prostitution and the sale of narcotic drugs. (2) The inadequacy of educational service to meet the need of juveniles and youths. This inadequacy

¹⁶³United Nations, Asia and the Far East Seminar on the Prevention of Crime and the Treatment of Offenders, Rangoon 25 Oct.-6 Nov. 1954 (New York: U.N. Bureau of Social Affairs, 1955), p. 34.

¹⁶⁴Ibid.

¹⁶⁵Department of Corrections of Thailand, Annual Report 1957, op. cit., pp. 139-42. Also, United Nations, International Review of Criminal Policy No. 11 (New York: U.N. Bureau of Social Affairs, 1957), p. 94.



includes social and cultural organizations. (3) The weakening of influence of religion on youths; youths have less interest and respect for religion as a consequence of the influence of the new environment. (4) The rapid change of society which affects economics, industry, society, and culture. Customs, morals, and homogeneity of society have degenerated. (5) The changing society lessens the influence of parents on children. The respect of children toward adults has deteriorated.¹⁶⁶

After discussing the causes of delinquency at the seminar, the plan for prevention was considered. It was suggested that the plan should be national in scope to coordinate the work of all related agencies. The plan should not be limited to any specific problem but should cover both the economic and social problems as a preparation for the changing society. The plan includes city and town planning, location of factories, control of the evacuation of population, control of mass media which will endanger youth's morals or lead him to undesirable behavior, and governmental provision for adequate educational, cultural, and religious services. The national plan for education should place emphasis on the development of social, moral, and vocational guidance.¹⁶⁷

¹⁶⁶ Department of Corrections of Thailand, Annual Report 1957, ibid., p. 144.

¹⁶⁷ Ibid.

The members of the seminar also discussed the necessity of improving the family so that it will be secure and adequate for the physical and mental development of the child. Although it was admitted that during this period of life society is changing rapidly and that it is the period in which the juveniles and youths will have more associations with friends outside the home, the causes that will induce them to find more pleasures outside homes are significantly dependent upon the condition of the family. It is therefore necessary to promote and support the family. The police also have a significant role in the prevention of delinquency, and their success depends upon good relationships with the public. The police must win the public's good will by participating in the public local affairs.¹⁶⁸

Members of the seminar reached the conclusion that research is essential in national planning. It would help to insure that the plan for the prevention of delinquency is concomitant with local and national conditions and needs. Research is the means by which the coordination of all related agencies can be secured.¹⁶⁹

The members of the seminar agreed that there is no single plan which will wholly prevent delinquency. It is

¹⁶⁸ Ibid., p. 145.

¹⁶⁹ Ibid.

necessary that the juvenile himself be controlled concomitant with the above plan. Such control is done by physical and mental examination of the juvenile.¹⁷⁰

These suggestions by the members of the seminar on the prevention of crime and the treatment of offenders for Asia and the Far East have already been realized in Thailand.¹⁷¹ As for the national plan for the prevention of delinquency, there is no such direct procedure and establishment.¹⁷² However, there are some plans similar to the national plan.¹⁷³ For example, the work of the national social work committee includes the problem of juvenile and youth offenders in its welfare section for youths, and the work of the crime research committee includes the problem of delinquency in its research by coordinating with other related agencies.¹⁷⁴ The work of these two committees should be continued and further developed. In addition to the work of these committees, the department of public welfare now gives welfare service to juveniles who are poor and have no one to turn to or have no shelter. The department of public welfare also provides educational and vocational training to these juveniles. The objective of these measures is to prevent the juveniles from anti-social conduct.¹⁷⁵

170 Ibid.

171 Ibid.

172 Ibid.

173 Ibid.

174 Ibid.

175 Ibid.

The movement of the population from rural to urban areas is an acute problem in Thailand. The movement of the population from the northeastern part of the country to Bangkok, the capital of Thailand, is an urgent problem which the department of public welfare has controlled by contributing to the welfare of these people.¹⁷⁶

From the above, it can be seen that the problem of delinquency is a great problem which must enlist the cooperation of many agencies including the police, the department of corrections, social welfare agencies, the juvenile court, the Ministry of Education, and others. The provision of educational, cultural, and social work service should be promoted. The first step is to have research findings in order to know the causes of delinquency.¹⁷⁷

Prostitution. Prostitution is a great problem in the countries in Asia and the Far East region, but, up until the time of the second seminar held in Japan, it had not been seriously considered.¹⁷⁸ The members of this second seminar on the prevention of crime and the treatment of offenders for Asia and the Far East held in Japan agreed that a most important method for the prevention and remedy of prostitution is the promotion of better standards in the social, economic, and

¹⁷⁶ Ibid., p. 146.

¹⁷⁷ Ibid.

¹⁷⁸ Ibid., p. 147.

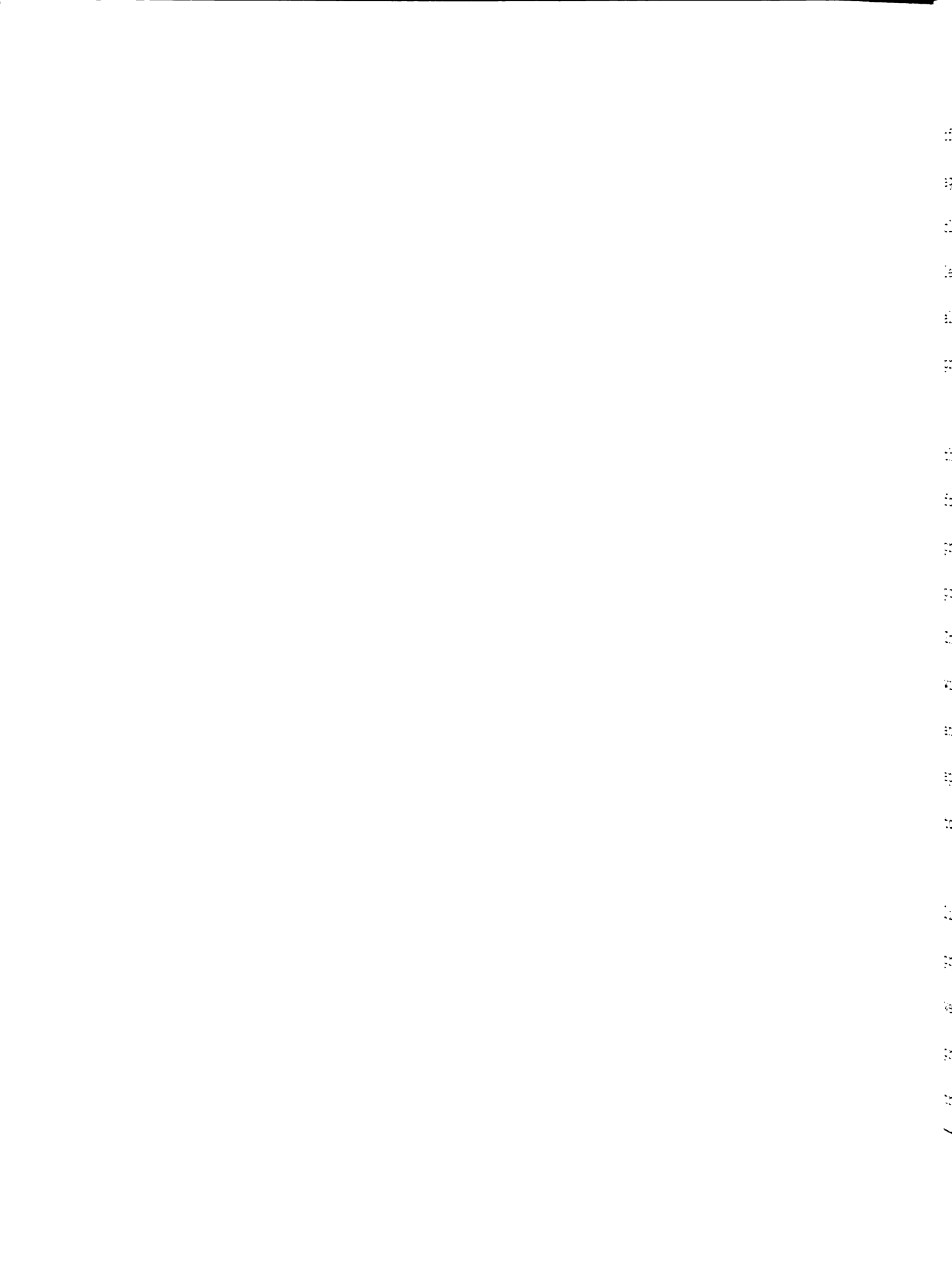
working conditions, in the uplifting of status of women, and in the promotion of educational, recreational, and hygienic services.¹⁷⁹

The members of the seminar believed that it is the function of government to improve the living condition of the family by rendering assistance to those having meager income, by providing food and shelter, by community development in both rural and urban areas, by providing employment with an increasing rate of wages, and by improving working conditions in the rural areas so that the people will not immigrate to the city. There should be social security for those having less than average income, for the disabled, and for the sick so that they will have subsistence income to maintain their lives. Population growth should be controlled by each family to limit the number of its members to the earning capacity of the bread winner.¹⁸⁰

Other methods for the prevention and remedy of prostitution are the abolishment of unhealthy customs, the provision of sexual guidance, public information regarding the evil effect of prostitution, and family guidance to prevent family separation. All these services mentioned above must be coordinated by creating a committee composed of representatives

¹⁷⁹ Ibid.

¹⁸⁰ Ibid.



of all related agencies such as representatives of the health agency, police, education, women's associations, and youth clubs. These services would promote public morals and knowledge concerning health and hygiene. These services would also preserve the good culture of the locality and would prevent and control anti-social acts.¹⁸¹

The above are the opinions expressed by the members of the seminar. In Thailand, the authorities directly responsible for the prevention of prostitution and rehabilitation of prostitutes are the department of public welfare and the police department, both of which are under the Ministry of Interior. The social workers of the public welfare department, with the cooperation of the police, observe at various harbors and railway stations and interrogate the girls. If it appears that the girls are falsely induced, they are sent back to their homes.¹⁸²

For girls who have practiced prostitution but want to live a new life, the department of public welfare makes provision for educational and vocational training in a social welfare institution. For girls who habitually practice prostitution and do not wish to give it up, control and training for a vocation is provided in another institution

¹⁸¹ Ibid.

¹⁸² Ibid., p. 148.

operated by the department of public welfare.¹⁸³

Like any other crime and delinquency problem, prostitution is a complicated social problem which requires thoughtful planning and treatment. One most important prevention and remedy of prostitution is the provision of adequate employment and the promotion of a higher standard of living.¹⁸⁴

Prison Labor as an Integration with National Economy.

The third problem discussed by the members of the second seminar was the problem of prison labor. Resolutions adopted by the members of the seminar included the resolution that the employment of prison labor should be integrated with the national economy.¹⁸⁵ In formulating the projects of work for the purpose of giving vocational training to the prisoners, officers of the department of corrections should study governmental policy regarding the national economy, especially in the aspects of production, methods of production, and training of prisoners so that they will acquire working skills to enable them to have a suitable job after release. To achieve this purpose officers of the department of corrections should maintain close contact with the other governmental organizations which are responsible for the plan of national economy.¹⁸⁶

¹⁸³ Ibid., p. 149.

¹⁸⁵ Ibid., p. 152.

¹⁸⁴ Ibid., p. 150.

¹⁸⁶ Ibid.

In conducting research and in testing the work projects for the progress of national economy, prison labor should be employed to assist in such tests.¹⁸⁷ Under such circumstances officers of the department of corrections should take the initiative in considering the way prison labor should be used and how to improve the use of prison labor. This employment of prison labor must not be injurious to the health of prisoners.¹⁸⁸

In Thailand, up to the time of writing this thesis, there has been no conflict between prison labor and free labor.¹⁸⁹ If such conflict should occur in the future, the department of corrections must seek an agreement with the conflicting agencies.

The members of the seminar further stated that in training the offenders the objective of rehabilitation and the cultivation of good work habits should be regarded as more important than the needs of the national economy.¹⁹⁰ Prisoners in every category should be entitled to work in this national project according to their capabilities. This, of course, must be done after careful observation and study of the prisoners.¹⁹¹

¹⁸⁷ Ibid.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid.

¹⁹⁰ Ibid., p. 151.

¹⁹¹ Ibid.

The final suggestion regarding prison labor made by the members of the seminar was that the open institution or the minimum security custody type is the most suitable institution for the use of prison labor to be integrated with the national economy, since construction costs are less and life in the open or minimum security institution is close to normal life outside. Such an environment provides opportunity for the eventual adjustment of prisoners after release. Open institutions and minimum security institutions are most suitable for prisoners with short sentences. The use of prison labor as an integration with national economy can also be expanded to prisons of the medium and maximum security type.¹⁹²

This integration of national economy has two meanings. According to the above explanation, it means that prison labor must be in accordance with the local, regional, and national need for production. In the U. S. it means solving the prison labor problem in a way that is not unfair to free labor.¹⁹³

Implementation of Standard Minimum Rules for the Treatment of Prisoners. As previously stated, in the first seminar on the prevention of crime and the treatment of

¹⁹² Ibid.

¹⁹³ Sanford Bates, "Reflections and Impressions During London Congress," Proceedings of the American Correctional Association, 1960, p. 55.

offenders for Asia and the Far East held in Burma in 1954, Thailand as well as other countries participating in the seminar adopted the Standard Minimum Rules for the Treatment of Prisoners and Selection of Personnel for practice in their own countries. In the second seminar held in Japan in 1957, representatives of various countries reported the implementation of Standard Minimum Rules with illustrations and facts occurring in their own countries.¹⁹⁴ Resolutions adopted by the members of the seminar regarding the implementation of Standard Minimum Rules were: (1) in the implementation of Standard Minimum Rules it is not necessary to amend the law tremendously; many of the necessary amendments may be made through administrative actions. In the event of the necessity to amend the law which hinders the implementation of Standard Minimum Rules, the officer who drafts the law should consult with the department of corrections. (2) The implementation of Standard Minimum Rules may be done by using the material that can be secured in the country for the construction of prisons. The increasing use of probation and parole and open institutions will greatly alleviate the problem of construction of prisons. (3) The

¹⁹⁴ Department of Corrections of Thailand, Annual Report 1957, op. cit., p. 152.

classification and individualized treatment of prisoners according to Standard Minimum Rules involve a great deal of expense. For the country which has a limited budget, the use of resources secured within their own countries as referred to in (2) above would greatly assist in the remedying of the obstacles for classification and individualized treatment of prisoners. Although the implementation of Standard Minimum Rules involves a substantial increase in the budget, the implementation should not be neglected when the budget is increased. (4) The implementation of Standard Minimum Rules depends largely upon the qualifications of prison personnel. Consequently, in the recruitment and appointment of prison personnel, it is necessary to select persons who have suitable education. Prison personnel should have adequate pre-service training in every aspect of prison work and should have periodical in-service training to maintain and improve their standards. The status and living conditions of prison personnel should also be improved. (5) In the implementation of Standard Minimum Rules, the prisons should have the cooperation of the public. This may be done through mass media such as newspapers, radio, and television. Representatives of newspapers should be permitted to visit the prisons frequently. Distinguished guests, social workers, representatives from the legislature, and other persons should also be invited to

visit the prisons. In every prison there should be a public relations officer providing information and movement in the prison to the public and the newspaper reporter. In the close relation with the public there may occur some difficulties, but when compared with the advantages to be gained, these problems seem negligible. (6) For the countries where the compensation of prison personnel is low, the law should be amended to improve the level of salaries, since the training and rehabilitation of prisoners is a difficult task.¹⁹⁵ In short, the implementation of Standard Minimum Rules depends on the law, the prison facilities, the budget, personnel, and the public.

At the end of this second seminar, two significant organizations were recommended for establishment. One is the establishment of a social defense association for Asia and the Far East. This is a non-official association with voluntary membership, and it is not contrary to the principles of the United Nations.¹⁹⁶ Such an association would provide a means by which the experts of various countries could exchange their knowledge and experience. Each member of the director-committee of this social defense regional association would establish an association branch in his own country.

¹⁹⁵ Ibid., pp. 153-56.

¹⁹⁶ Ibid., p. 158.

This branch association would publish periodicals regarding the movement and progress of the work of social defense in its own country.¹⁹⁷

Establishment of a Regional Institute for Research and Training in Asia and the Far East. The second organization is an institute for research and training in the prevention of crime and treatment of offenders for Asia and the Far East. This institute was said to be established in Pakistan by the United Nations in 1958.¹⁹⁸ The scope of the work of the proposed regional institute in Pakistan would consist of the improvement and establishment of a standard for the collection of statistics, the serious considerations of the problems of prostitution, and the conducting of research to increase knowledge in social defense. There would be the exchange of laws, movies, and research findings. The results of the treatment of the offenders according to Standard Minimum Rules would be published, including recommendations from each individual country. The techniques of investigation in these Asian countries should be improved since they are not yet as progressive as they should be.¹⁹⁹

These two seminars on the prevention of crime and the treatment of offenders for Asia and the Far East sponsored by

¹⁹⁷ Ibid.

¹⁹⁸ Ibid., pp. 159-60.

¹⁹⁹ Ibid.

the United Nations have been described in detail because they are directly concerned with the treatment of offenders in Thailand. They reflect the problems encountered in Thailand as well as other countries in Asia and the Far East, and the preventive measures and remedies suggested by the authorities of different countries responsible for the prevention of crime and the treatment of offenders are very valuable indeed. The creation of a regional research and training institute sponsored by the United Nations and a non-governmental association with a branch in every country in that region indicates a bright prospect in the prevention of crime and the treatment of offenders in Asia and the Far East, including Thailand.

Conclusion. The treatment offered to prisoners in Thailand is divided into two chapters. This chapter deals with the broad principles adopted by the two seminars considering prevention of crime and the treatment of offenders in Asia and the Far East. The next chapter deals specifically with the treatment of offenders in Thailand. The broad principles outlined in this chapter are extended in the next chapter.

The broad principles discussed in this chapter are the Standard Minimum Rules for the treatment of offenders and the use of prison labor. Since vocational training for prisoners in Thailand will be discussed in detail in the next

chapter, it is more appropriate to compare prison labor in Thailand with the Manual of Correctional Standards at the end of the next chapter rather than in this chapter. Other topics such as juvenile delinquency, prostitution, and the implementation of Standard Minimum Rules are self-explanatory and cannot be compared with the Manual of Correctional Standards because they are not included in the Manual. Although juvenile delinquency and prostitution are not under the department of corrections jurisdiction in Thailand, they are included in this chapter to reflect the problems encountered by the member countries participating in the seminar. Many suggestions for the remedy of juvenile delinquency and prostitution may be applied as well to adult offenders. For example, in the prevention of juvenile delinquency, the juvenile himself should be examined psychologically and physically, along with the consideration of constructive programs for juveniles in the society. This is the same as classification in the adult offenders which will be discussed in detail in Chapter VII.

CHAPTER VI

THE TREATMENT OFFERED (CONTINUED)

The Penitentiary Act of Thailand and Standard Minimum Rules as the Principal Source for the Treatment of the Prisoners. The principal law for the treatment of offenders in Thailand is the Penitentiary Act of 1936. This Penitentiary Act, coupled with Standard Minimum Rules for the Treatment of Prisoners and Selection of Personnel, is the basis for the treatment of offenders in Thailand²⁰⁰ at the time of writing this thesis. Some of the essential elements in the Penitentiary Act of 1936 will be referred to later in this chapter. There are 118 standard minimum rules.²⁰¹ For example, rule number 31 stated that: "Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishment shall be completely prohibited as punishments for disciplinary offenses," and rule number 33 stated that:

Instruments of restraint, such as handcuffs, chains, irons and straight jackets, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances:

(a) As a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a judicial or administrative authority;

²⁰⁰ Suwan Ruenyos, The Treatment of Offenders, op. cit., p. 16.

²⁰¹ Ibid.

(b) On medical grounds by direction of the medical officer;

(c) By order of the director, if other methods of control fail, in order to prevent a prisoner from injuring himself or others or from damaging property.²⁰²

Some Instruments of Restraint. In general the department of corrections in Thailand has abolished the use of irons and chains as instruments of restraint except for necessary cases.²⁰³ There is a case in point which deserves some mention here. The present director-general of the department of corrections in Thailand was previously a Changwad governor who was the warden of Changwad jail. This practice is in conformity with local administration which has the governor as chief administrator of Changwad. The present director-general of the department of corrections frequently inspected the jail while at Changwad and gave the prisoners the opportunity to make complaints. The rebellious prisoners who were chained by the prison authority requested the governor to have the chain removed. The governor then asked the associate warden for the facts regarding these men. After careful consideration he decided that it would not be dangerous in some cases

²⁰²Ibid., p. 17, and United Nations, Standard Minimum Rules for the Treatment of Prisoners and Selection of Personnel, op. cit., p. 11.

²⁰³Suwan Ruenyos, The Treatment of Offenders, op. cit., p. 17.

to have chains removed. With assurance from the prisoners that they would not attempt to escape, the governor ordered the removal of the chains. After such an order the governor followed up the cases, and it appeared that as a result of kindness and mercy, nine out of ten became good prisoners. Only one out of ten had to be ordered back into chains.²⁰⁴

The policy for the treatment of offenders in Thailand is in accordance with Standard Minimum Rules for the Treatment of Prisoners approved by the Economic and Social Council of the United Nations. Prisoners are provided food, clothing, bedding, educational, vocational, and moral training, and medical care for the ultimate rehabilitation after release.²⁰⁵

Rehabilitation as Treatment Objective and Means to Fulfill. To fulfill this objective of rehabilitation, the department of corrections in Thailand uses many incentives to assist in the rehabilitation of the offenders, to encourage them to behave well in prisons and not violate disciplinary rules. Incentives are also used to encourage patience and industriousness in work.²⁰⁶ One incentive is a system of grading the prisoners according to their conduct. These six

²⁰⁴ Ibid., p. 18.

²⁰⁵ Ibid., pp. 25-33 and United Nations, Standard Minimum Rules for the Treatment of Prisoners and Selection of Personnel, op. cit., pp. 8-9, 20-21.

²⁰⁶ Ibid., p. 19.

classifications are excellent, superior, good, fair, inferior, and poor.²⁰⁷

Newly admitted prisoners are classified into the fair grade. Prisoners whose conduct is good are promoted to a higher grade and given more privileges. For example, they are given the privilege of visits from relatives and friends more frequently, and they have correspondence privileges more often. They are given the privilege of using the prison library. In addition prisoners who have good conduct may be granted furlough for a period of three to four days to take care of their personal affairs at home and may receive their own personal food from outside.²⁰⁸

At this point it can be mentioned that the privilege of receiving personal food supplies from private sources outside is not considered good prison practice. Many problems arise when prisoners are permitted to receive such food.²⁰⁹ Food received from the outside denies equal treatment to prisoners who do not have enough money to buy food. It lowers other inmates' morale and undermines the quality of food served

²⁰⁷ Department of Corrections of Thailand, Regulation No. 44 Issued by Virtue of the Penitentiary Act, 1936.

²⁰⁸ Loc. cit.

²⁰⁹ Myrl E. Alexander, Jail Administration (Springfield, Illinois: Charles C. Thomas, 1957), p. 111.

in the prison. Food received from the outside is an avenue for contraband which is a threat to the security of the prison. The practice of granting furlough privileges to prisoners for good conduct is defensible only when applied in the case of death or serious illness of a near relative.²¹⁰

Prisoners in Thailand whose conduct is bad while in prison are demoted to a lower grade and the privileges are decreased. Moreover, they may be put into solitary confinement where they are not allowed to associate with other prisoners. The period of solitary confinement varies from three to seven days.²¹¹ Solitary confinement is the method which prisoners dread most.²¹² At present the department of corrections in Thailand does not use corporal punishment or any inhumane punishment.²¹³ Only rebellious or dangerous prisoners who require special custody are chained, or placed in solitary confinement for the purpose of preventing escape or any serious disturbance.²¹⁴

In the administration of prisons and in the rehabilitation of prisoners, the department of corrections in Thailand has accomplished the following things:

²¹⁰National Conference on Parole, Parole in Principle and Practice, op. cit., p. 98.

²¹¹Suwan Ruenyos, The Treatment of Offenders, op. cit., p. 19.

²¹²Ibid. ²¹³Ibid., p. 20. ²¹⁴Ibid.

1) Classification of Prisoners. The classification of prisoners into different categories is done by studying the case history of each prisoner and then classifying him into groups for educational, vocational, and moral training.²¹⁵

2) Specialized Institution. A specialized institution, such as the Institution for Youthful Offenders (ages from eighteen to twenty-five years), was established to separate youths from adults. The reason for the separation of youthful and first offenders in Thailand is to prevent bad influences from adult offenders.²¹⁶ The institution for youthful offenders in Thailand is operated like a boarding school or like the Borstal Institution of England. There are no tower officers, no walls, no chains; and there is work for the youths to do. Only youths who have committed first offenses and whose sentence is less than five years are sent to this youth institution in Thailand.²¹⁷

With regard to this Institution for Youthful Offenders, it may be mentioned that requests are made by parents to have their sons transferred there. Parents of youths who have committed serious offenses such as murder and whose sentence is more than five years, or youths whose sentence is less than five years but whose age is over twenty-five years, request the transfer of their sons from other prisons to this

²¹⁵ Ibid.

²¹⁶ Ibid., p. 21.

²¹⁷ Ibid.

Institution for Youthful Offenders. However, the department of corrections in Thailand refuses these requests because they are contrary to the principles and regulations of the institution.²¹⁸ These requests of the parents indicate that they are still interested in the welfare of youths. The treatment of youthful offenders suggested by the Manual of Correctional Standards will be stated in detail in the conclusion of this chapter.

3) Open Institution. The establishment of an open institution was made to provide vocational training with an atmosphere which is similar to normal life outside. There are no walls, no barriers, no instruments of restraint, and no tower officers at the open institution. Only prisoners of good grade who have demonstrated their reliability are selected for this open institution, since the open institution is operated on the principle of self-discipline.²¹⁹ Generally, prisoners in the open institution are trained in agriculture and industry. At the time of writing this thesis, there is only one open institution in Thailand. The results have been very fruitful.²²⁰

Prisoners who are selected from other prisons for the open institution must be prisoners in the superior or excellent grade and have a good prison conduct record. The

²¹⁸Ibid., pp. 21-22.

²¹⁹Ibid., p. 22.

²²⁰Ibid.

remainder of their sentence must not be more than five years or less than one year. Visiting privileges at the open institution are more convenient than in other prisons²²¹ because there is no instrument of restraint and the prisoners are on their own self discipline. The selection of prisoners to the open institution in Thailand at the time of writing this thesis is by transfer from other prisons. Generally, prisoners may be sent to the open institution at the beginning of their sentence through the medico-psychological examination and a social investigation, as well as by transfer from other prisons.²²² The public should be informed of the aims and methods of the open institution. This can be done through the local press.²²³

The advantages of the open institution are (1) an open institution helps short-term imprisonment. (2) It is more conducive to physical and mental health. It relieves the tensions of prison life and leads to an improvement in discipline. An open institution creates the atmosphere for a genuine desire for social readjustment. The disadvantages of the open institution are the greater opportunities for absconding and for making undesirable contacts with the outside world²²⁴

²²¹ Ibid.

²²² United Nations, Asia and the Far East Seminar on the Prevention of Crime and the Treatment of Offenders, op. cit., p. 54.

²²³ Ibid.

²²⁴ Ibid., p. 55.

regarding the problems of contraband.

The emphasis of vocational training at the open institution in Thailand is on agriculture. Prisoners grow potatoes and pineapples and raise hogs and cattle. Not more than thirty-five per cent of the net profit from the sale of the products are shared with the prisoners. The present director-general of the department of corrections in Thailand visited prisoners at the open institution and observed that they all looked happy. They understand the trust that the official gives them and they preserve that trust.²²⁵

4) Vocational Training. To inculcate good work habits, prisoners are required to work regularly. They are trained in working skills and knowledge to enable them to earn an honest living after release. Vocational training gives prisoners pride in their work and the feeling that they are still useful to society. Work gives prisoners a feeling of self-respect and a desire not to commit crime again.²²⁶

At the time of writing this thesis, there are approximately twenty kinds of work for training prisoners:

Weaving rugs
Weaving mats
Weaving sacks
Masonry
Tile manufacture

²²⁵ Suwan Ruenyos, The Treatment of Offenders, op. cit.,
p. 23.

²²⁶ Ibid.

Brick making
 Carpentry
 Carving
 Basketry
 Weaving cloth
 Tailoring and sewing
 Printing
 Farming and gardening
 Crushing and grinding stone
 Making charcoal
 Fishing
 Hog, cattle, poultry, and rabbit raising
 Wood sawing
 Harvesting raw rubber from rubber trees
 Miscellaneous work²²⁷

The principle of vocational training is that the machinery must be modern, similar to that of the free labor; the training must enable the prisoners to find employment with which they can support their families.²²⁸

The print shop at Klong-Prem central prison is one of the largest in Thailand. There are approximately six hundred prisoners trained in the print shop to earn a good living after release. Some of them establish a printing business of their own.²²⁹

Agriculture is the heart of vocational training in Thailand. Most prisoners already have a good background

²²⁷ Department of Corrections of Thailand, Annual Report 1959, op. cit., p. 52.

²²⁸ Suwan Ruenyos, The Treatment of Offenders, op. cit., p. 26.

²²⁹ Ibid.

in agriculture.²³⁰ At the time of writing of this thesis, hog raising is a large area in vocational training. In Thailand pork is the main meat of the people and there is a great demand for hogs from both inside and outside the country.²³¹ Cattle raising is another kind of vocational training.²³²

The manufacture of cloth with modern machinery is another important phase of vocational training. Cloth manufacturing at Bang-Kwang central prison provides clothing for prisoners throughout the country.²³³

Approximately 1,000 prisoners work in crushing and grinding stone from the mountains.²³⁴

Training in the saw-mills of the prisons provides lumber for the construction of new prisons and for the repair of old prisons. The lumber is not made for sale. The main purpose of the saw-mills in prisons is to provide training for the prisoners.²³⁵

Carpentry is a widespread vocational training. The furniture and finished windows and doors made by modern machinery are sold to the public.²³⁶

²³⁰Ibid.

²³¹Ibid.

²³²Ibid.

²³³Ibid.

²³⁴Department of Corrections of Thailand, Annual Report 1959, op. cit., p. 72.

²³⁵Ibid.

²³⁶Ibid.

The uniforms of guards, prisoners' clothing, and the uniforms of soldiers are made in the prisons' sewing rooms.²³⁷ This provides vocational training and reduces the cost of uniforms of both officers and prisoners.

Barbering is another kind of trade training in prisons. Prisoners receive certificates from the department of public welfare if they complete the course satisfactorily.²³⁸

In addition to hog and cattle raising, vegetable and fruit farming, and poultry and rabbit raising constitute vocational training in agriculture.²³⁹

It should be stated here once more that in Thailand, up to the time of writing this thesis, there has been no law prohibiting the employment of prison labor as a competition with free labor.²⁴⁰

In order to provide more employment to the prisoners and to keep vocational training at a level with that on the outside, many projects for vocational training in mechanics, electricity, and hardware are also provided to the prisoners.

²³⁷ Ibid., p. 71.

²³⁸ Department of Corrections of Thailand, "Correctional News," Varasarn Rajatan, 9:2, March-April, 1961, p. 105.

²³⁹ Department of Corrections of Thailand, Annual Report, 1959, op. cit., p. 72.

²⁴⁰ Department of Corrections of Thailand, Annual Report 1957, op. cit., p. 151.

These projects include the repair of motors, the production of garbage bins for municipalities, plumbing and others.²⁴¹

From the discussion above, it can be seen that most prisoners in Thailand are trained in agriculture. Some of them receive training in such trades as barbering and printing. Others are trained in industries such as the manufacturing of windows and doors, weaving cloth, weaving sack, and sawing wood.

Prison labor in Thailand is divided into profitable and non-profitable employment. In 1959 there were 3,157,089 prison labor units in profitable employment and 4,224,522 prison labor units in non-profitable employment. One prisoner's work in a day is equal to one labor unit.²⁴² Thus in 1959 the number of prisoners engaged in non-profitable employment was greater than the number of prisoners in profitable employment. The non-profitable employment is assumed by the writer of this thesis to be the same as maintenance work described in the Manual of Correctional Standards. The Manual suggested that not more than 25 per cent of the inmates should engage in maintenance work.²⁴³ Maintenance work carefully organized

²⁴¹ Department of Corrections, Report on the Sixth Meeting of the Department of Corrections in Thailand (Bangkok: Department of Corrections, 1960), pp. 4-5.

²⁴² Department of Corrections of Thailand, Annual Report 1959, op. cit., p. 75.

²⁴³ American Correctional Association, Manual of Correctional Standards, op. cit., p. 384.

provides on-the-job training for prisoners which can be used for earning a living after release. According to the Manual, maintenance work includes the preparation and serving of food, mechanical services, maintenance and repair of the institution's physical plant, storekeeping, work in the medical and dental department, maintenance of grounds and gardens, and other maintenance activities such as laundry, the repair of clothing and shoes, clerical work, operation of motor vehicles, and library services.²⁴⁴ On the basis of the percentage standard suggested by the Manual, the number of prisoners engaged in maintenance work that exceeds the actual number needed is not exclusively the problem of Thailand, but it is also a problem in a majority of prisons in the United States.²⁴⁵

5) Educational and Moral Training. In Thailand classes have been established for the illiterate prisoners. These prisoners are taught to read and write so that they will become good citizens after release, because illiteracy and ignorance may be one cause of crime. In 1960 there were approximately 25,000 prisoners attending adult education classes. Of this number, 10,000 prisoners were taught to read and write in

²⁴⁴ Ibid., pp. 382-83.

²⁴⁵ Robert G. Caldwell, Criminology, op. cit., p. 608.

that year.²⁴⁶

The academic school in the prisons is set up according to the curriculum for elementary adult education of the Ministry of Education in Thailand. Prisoners are encouraged to take the examination to receive certificates from the Ministry of Education.²⁴⁷ Certificates help give prisoners the feeling of pride that they are recognized by the official as being able to read and write. Educational training suggested by the Manual will be discussed and compared with that of Thailand in the conclusion of this chapter.

Moral training is the function of the chaplains. Sometimes other authorities such as the warden, the associate warden, and distinguished guests from the outside are invited to give moral training to the prisoners. Moral training may be divided into three phases:²⁴⁸

a. General moral training to all of the prison population.

This kind of training is to explain proper conduct and the prisoners' responsibility toward the group, to explain rules and regulations that are necessary for living together, and to

²⁴⁶ Suwan Ruenyos, The Treatment of Offenders, op. cit., p. 29.

²⁴⁷ Ibid.

²⁴⁸ Department of Corrections of Thailand, Report on The In-Service Training, op. cit., pp. 213-15.

point out any improvement for better behavior.

b. Moral training to each group selected according to the nature of the crimes committed. Prisoners who committed crimes against the person are grouped together for moral training. Prisoners who committed crimes against property are separated into another group, and the same principle is applied to grouping other prisoners. The teaching of Lord Buddha that is relevant to the inhibition of again committing that specific crime is explained to the prisoners. For example, prisoners who committed crimes against property will be given the explanation about the undesirable result of avarice and the beneficial result of earning an honest living.

c. Moral training of each individual prisoner. This kind of training is aimed at studying each prisoner's character so that the training will correspond to each prisoner's need and encourage him to have hope in life.

Most prisoners in Thailand are Buddhists. Buddhist priests from the outside are invited to give a sermon to the prisoners on the Buddhist Sabbath day and on any important religious days and legal holidays. The importance of these days are explained to the prisoners. Prisoners of other religious faiths are given the same opportunity for their own religious observances.²⁴⁹

²⁴⁹ Ibid.

The first of these three phases of moral training may be compared to the orientation program in the U. S. which explains to the prisoners about rules and regulations of the prisons and the prisoner's responsibility toward the group.²⁵⁰ The second phase of moral training in Thailand may be compared to group therapy and group counseling in the U. S.²⁵¹ The third phase may be compared to individual counseling.

6) Standard of Living in Prisons According to Locality. The department of corrections in Thailand tries to arrange life in prison as similar to normal life outside as possible.²⁵² This standard of living in a prison varies with the locality. For example, prisons in the northeastern part of Thailand have living conditions similar to the normal life of the people in that area. Prisons in the central part of Thailand have the living conditions similar to the normal life of the people in the central part of Thailand. This similarity applies especially to the kind of food they eat. The low standard of living in prisons is now outdated.²⁵³

²⁵⁰ See the orientation program in Chapter VII.

²⁵¹ See Appendix G for group therapy and counseling.

²⁵² Suwan Ruenyos, The Treatment of Offenders, op. cit., p. 30.

²⁵³ Ibid.

In the old days, it was believed that prisoners should be maltreated. It was said that sometimes mosquitoes were not suppressed so that they disturbed the prisoners' sleep. The prisoners were fed inadequately, and many other inhumane treatments were prevalent.²⁵⁴ At the present time the treatment of prisoners is more scientific and humane. D.D.T. is used to suppress mosquitoes so that prisoners will have a sound sleep. Prisons are kept clean and food is adequate. The standard of food in prisons is measured by the normal standard of the locality where the prisons are located. For example, in the northeastern part of Thailand, the people like to eat glutinous rice and pickled fish. Because of this liking, prisoners in that locality are provided with such food. In the central part of Thailand the people like to eat cooked rice with curry, so prisoners in the central part of Thailand are provided with such food.²⁵⁵

Previously, prisoners were provided two meals a day. Now they are given three meals a day.²⁵⁶ The cost of food for each prisoner is approximately three Bahts a day which is about the same as the average citizen on the outside.²⁵⁷ From this description, it is apparent that the living condition in the prisons today is much different from the old days. At

²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ Ibid., p. 31.

²⁵⁷ Ibid.

present, every prisoner in Thailand has enough food to eat and has adequate clothing and bedding to make him comfortable.²⁵⁸

The arrangement of the living conditions in the prisons according to the standards of the locality, as referred to above, sometimes creates problems.²⁵⁹ For example, the Bang-Kwang central prison, which is the maximum security prison, receives prisoners from all over the country when sentences are from ten years upward. Before transfer to the Bang-Kwang central prison, these prisoners were in Changwad jails located in different localities of the country where the standard of living differs widely. It sometimes happens that prisoners who are transferred from Changwad jails in the northeastern part of Thailand, where the standard of living is low, to the Bang-Kwang central prison where the standard of living and the food are better and television is provided, are so excited and happy that when the release day comes they appear not to want to leave the prison.²⁶⁰ This problem may be solved by the construction of a maximum security penitentiary in every region of the country,²⁶¹ and also by inculcating in prisoners a sense of social responsibility.

7) Commissary. In the big prison there is a prison commissary which sells candy, cigarettes, coffee, and other commodities

²⁵⁸ Ibid.

²⁵⁹ Ibid.

²⁶⁰ Ibid.

²⁶¹ Ibid.

to the prisoners, in addition to the commodities given by the officials. Prisoners are extended privileges according to their grade. For example, prisoners in the superior and excellent grades may use their own clothing and may purchase candy, coffee, and cigarettes.²⁶²

8) Recreational Activities. In addition to the television as referred to under the heading of living condition in prisons, other recreational activities and facilities are movies, radios, the prison library, sports, and games.

The reason for having television in only some prisons is that the television sets are donated by the public.²⁶³ When these donated television sets were first installed in the Bang-Kwang central prison according to the intention of the donors, there was criticism from the press that the prisoners would have more luxuries than the average citizen outside. To this contention the department of corrections of Thailand explained that the average citizen outside who does not have television in his home has access to public television.²⁶⁴

At this point a study by Donald Clemmer may be discussed. Donald Clemmer suggested the significance of the use of a wholesome leisure time as a most important factor in the rehabilitation of the inmate after release. As technology progresses, the amount of leisure time for the average man

²⁶²Ibid., p. 32

²⁶³Ibid.

²⁶⁴Ibid., p. 33.

will be increased. Inmates must be taught the habits of play, of readings, of the development of hobbies, and other recreations which will occupy their non-working hours. If inmates are taught these new socialized values, the chances of reducing crime will be greater. This study of Clemmer is pointed out to show the significance of recreation.²⁶⁵

9) Receiving Prisoners. From the beginning of the chapter up to this paragraph, the described treatment of the offenders refers to the general life of the prisoners while in the institution. There are two more phases in the treatment of a prisoner. The first phase is at the time the prisoner is first admitted to a prison and the last phase of prison life is at the time of release.

The orientation program for the new inmate and the pre-release program in Thailand are comparatively simple when compared with those of the U. S. Bureau of Prisons or Michigan corrections which will be mentioned in the next chapter. In this chapter receiving and releasing prisoners in Thailand will be discussed.

When a new inmate is admitted to a prison in Thailand, the necessary routine legal and medical procedure is administered

²⁶⁵ Donald Clemmer, The Prison Community (New York: Holt, Rinehart and Winston, 1958), pp. 286-87.

to him.²⁶⁶ After the legal document from the court is correctly examined for the imprisonment of the new inmate, the new inmate is fingerprinted, photographed, and searched; the personal identification data are taken at this time. The prisoner is then required to take a bath and have a medical examination.

When these medical and legal procedures are over, a prison official is assigned to explain rules and regulations to the new inmate.²⁶⁷ The prison official explains what the inmate can expect from the prison in terms of self-improvement and what the prison expects from the inmate in terms of cooperation and good behavior. This orientation program is important in preventing any bad influence which might occur from the old inmates.²⁶⁸ The orientation program also prevents the new inmates from violating rules and regulations through ignorance.²⁶⁹ In addition it fits the inmate into the institutional program from the beginning. The orientation program makes it possible for the inmate to understand the functions of the prison, which are custody and the rehabilitation of the prisoners through helping the inmates to help themselves.

²⁶⁶The Penitentiary Act of Thailand, 1936, Sections 8 and 10.

²⁶⁷Department of Corrections of Thailand, Report on the In-service Training of the Officers of the Department of Corrections, op. cit., p. 213.

²⁶⁸Ibid.

²⁶⁹Ibid.

This orientation program in Thailand consists of pure explanation.²⁷⁰ There are neither psychiatric, psychological, nor achievement tests; there is no classification committee as will be described in detail in the next chapter.

10) Pre-release Program. The pre-release program consists of intensive moral training. Seven days before release, the prisoners are given less work and more moral training.²⁷¹ Prisoners who are Buddhists are required to memorize the five basic moral principles of Buddhism. These are: (1) Do not kill; (2) Do not steal; (3) Do not lie; (4) Do not indulge in illicit sexual relations; (5) Do not drink alcoholic beverages to excess nor use any narcotic drugs.²⁷² These five basic moral principles are supposed to be the standard of behavior of a good Buddhist. They are simple and easy to remember, but they mean a lot, too. Nobody can deny their importance. For the practice of the priests and people of higher morality the Buddhist principles increase. Prisoners who are Christians must memorize and understand the Ten Commandments of Jehovah. Prisoners who are Islamists must memorize the sixty-three items of Mohammed.²⁷³ This requirement

²⁷⁰ Ibid.

²⁷¹ Ibid.

²⁷² The writer's own understanding.

²⁷³ Department of Corrections of Thailand, Report on the In-Service Training, op. cit., pp. 214-15.

of the prisoner to memorize the basic moral principles of his own religious faith is the main element of the pre-release program in Thailand. The prisoner in Thailand will also be helped in securing a job by the social worker.²⁷⁴ It will be seen in the discussion of the pre-release programs of the U. S. federal prisons and Michigan corrections in Chapter VII that there is no such requirement of the memorization of the basic moral principles of the prisoner's own religious faith. Instead, interested citizens are invited from the outside to speak to the prisoner about the use of community resources and how to adjust his life after release. The writer of this thesis would like to suggest as the most desirable practice a combination of the pre-release program of Thailand with that of the U.S. federal prison system and Michigan.

In Thailand valuable possessions of the prisoner and the money left in his personal account is returned to him upon release. Every released prisoner is provided a suit of civilian clothing, a transportation ticket back to his home, and an allowance of enough money to help him to reach home safely.²⁷⁵

²⁷⁴Department of Corrections of Thailand, "Job-Findings for Prisoners Who are Released by Pardon," Varasarn Rajatan, 9:1, February, 1961, p. 76.

²⁷⁵Department of Corrections of Thailand, Ministerial Regulation No. 132 (Bangkok: Department of Corrections, 1937), p. 160.

11) Help Given to Detainees at the Time of Release.

During these past two years up to the time of writing this thesis, there is another kind of offender whom the head of the government orders to be trained in a special institution.²⁷⁶ About two thousand persons have been ordered to such an institution for behavior such as disturbing the peace, larceny, drunkenness, and threatening the female sex.²⁷⁷

After thirty days' training in this special Institution for Detainees, if these persons realize their undesirable behavior and are rehabilitated, they are released. After release if they have no way to turn for help, the Thai government gives each of them a piece of land which amounts to fifteen Rais or six acres (2 1/2 Rais equal to 1 acre) and a loan of two thousand Bahts²⁷⁸ to be returned within eight years with an interest of 5 per cent per year.²⁷⁹ The land given to these persons for cultivation is ploughed by the authority before being given to them.²⁸⁰ During the period of thirty days

²⁷⁶ Please refer to chart on page 12 of this thesis, Institution for Detainees.

²⁷⁷ Report on the Prime Minister's speech given to the Detainees (Bangkok: Department of Correction, 1961), p. 8.

²⁷⁸ Baht is Thai currency.

²⁷⁹ Report on the Prime Minister's speech given to the Detainees, op. cit., p. 11.

²⁸⁰ Ibid.

in the institution, these persons are trained in agriculture and farming as well as moral training.²⁸¹

12) Parole and Pardon. In Thailand a prisoner may be released in three ways. He may be released at the expiration of sentence. He may be released by parole, and he may be released by pardon.

A prisoner is eligible for parole after serving one-third of his sentence, or not less than ten years in case of life imprisonment, and the parole period to be imposed must not be less than one year but not more than the remainder of his sentence.²⁸² Parole is granted to prisoners who have good behavior, who are diligent, who have shown progress in work while in prison, or who have done any official good deeds.²⁸³ According to the Ministerial regulation No. 46 issued by virtue of the Penitentiary Act of Thailand 1936, prisoners in excellent grade will be granted a parole period of one out of four portions of his sentence imposed by the court. Prisoners in superior grade will be granted a parole period of one out of five portions of the sentence

²⁸¹ Ibid.

²⁸² Department of Corrections, The Penitentiary Act of Thailand (Bangkok: Department of Corrections, 1936), Section 32.

²⁸³ Ibid.

ordered by the court. From this Ministerial Regulation only prisoners in excellent and superior grade are eligible for parole.

At the time of writing this thesis, there is one central parole board for Bang-Kwang central prison and Klong-Prem central prison and an institutional parole board in every prison.²⁸⁴ Usually these parole boards conduct parole hearings every six months.²⁸⁵ They make recommendations to the director-general in the central office in Bangkok regarding granting or denial of parole. The final authority in granting parole is vested in the director-general who usually concurs with the parole board's recommendation. This concurrence is based on the principle that the parole board interviews the prisoners and knows which prisoners are ready for parole.²⁸⁶

When a prisoner is paroled, the parole conditions are imposed upon him by the parole board. Usually these parole conditions are: reporting to the parole officer once a month, not going into a public place with an armed weapon, not

²⁸⁴ Department of Corrections of Thailand, Regulation on Parole Hearing (Bangkok: Department of Corrections of Thailand, 1953), p. 2.

²⁸⁵ Ibid.

²⁸⁶ Suwan Ruenyos, The Treatment of Offenders, op. cit., p. 24.

drinking alcoholic beverages to excess nor using narcotic drugs, and going to church every Sabbath day.²⁸⁷

The use of multi-parole boards and parole conditions in Thailand will be compared to those of Michigan in Chapter VII. Recommendations regarding parole and others will be in Chapter VIII. This arrangement is to prevent the confusion of the practice of Thailand with Michigan corrections, since the detailed material of parole of both Thailand and Michigan is too long to be included in this chapter.

If a prisoner violates parole condition, parole may be revoked and the parolee will be returned to prison without a warrant from the court to serve the remainder of his sentence.²⁸⁸

Up until the time of writing this thesis, parole has not been used widely in Thailand because there are no parole officers. The department of corrections in Thailand has to depend upon the police officer and the sheriff in the community to act as parole officers.²⁸⁹

²⁸⁷ Department of Corrections of Thailand, Ministerial Rules Issued by Virtue of the Penitentiary Act 1936, op. cit., Rules Nos. 94-95.

²⁸⁸ Department of Corrections of Thailand, The Penitentiary Act of Thailand 1936, op. cit., Section 43.

²⁸⁹ Department of Corrections of Thailand, Annual Report 1955, op. cit., p. d.

Pardon in Thailand is granted by the King through the recommendation of the department of corrections which goes to the Minister of Interior, the Prime Minister, and finally to the King.²⁹⁰ There are two kinds of pardons in Thailand: (1) pardon to an individual prisoner for any extenuating circumstances--this kind of pardon is rarely granted--and (2) pardon on special occasions such as pardon in commemoration of the celebration of the 25th century²⁹¹ of the Buddhist era. A recent pardon was on the occasion of His Majesty the King's return to Thailand from his royal tour abroad.²⁹² This type of pardon on special occasions must be issued by an act, and it is granted to all prisoners covered under that specific act. This kind of pardon is also related to a prisoner's grade, to the offense he has committed, and to the length of his sentence. Life imprisonment may be given pardon with a reduction of sentence of imprisonment according to that specific pardon act.²⁹³

²⁹⁰This explanation is the writer's own personal study while working at the department of corrections of Thailand.

²⁹¹Buddhist Era 2500 or A.D. 1957.

²⁹²Department of Corrections of Thailand, The Pardon Act 1961.

²⁹³An example of the reduction of sentence of life imprisonment by pardon may be seen from the Pardon Act of Thailand 1961.

Better grade prisoners will be given pardon with a greater reduction of sentence than prisoners of lesser grades. Sometimes a prisoner's sentence will be reduced by pardon and no time is left to be served after the reduction by pardon.

In this case a prisoner will be released.²⁹⁴

Conclusion and Comparison with the Manual of Correctional Standards. This chapter deals fully with the treatment of offenders of every type in Thailand: classification, the Institution for Youthful Offenders, the open institution, vocational training, education, moral training, living conditions in prisons, receiving and releasing prisoners, the Institution for Detainees, and parole and pardon.

Comparisons will be made first of the educational, vocational, and moral training. The Institution of Youthful Offenders and the open institution will be compared later. Classification, receiving and releasing prisoners, and parole will be compared with Michigan in the next chapter.

Comparing the educational aspect, the Manual of Correctional Standards suggested that no inmate, except under unusual circumstances, should be illiterate when released.

²⁹⁴ Department of Corrections of Thailand, The Pardon Act 1961.

This standard may be accomplished by the parole board synchronizing the release date with desirable educational achievement level.²⁹⁵ In 1959, there were 1,051²⁹⁶ Thai prisoners who were illiterate when released. Provision should be made for these illiterate prisoners to continue their education after release until they are able to read and write. The best plan, however, is to have prisoners become literate before release.

Besides primary education for the illiterate, the Manual also mentioned intermediate and higher education programs for the inmates who need these kinds of education as background for vocational training or for pursuing higher education.²⁹⁷ This kind of higher education is desirable for the prisoners in Thailand.

The use of prison labor in maintenance, industrial, and agricultural assignments has been compared with the Manual of Correctional Standards in the body of this chapter, because the material in the Manual is too extensive to incorporate in this conclusion. More than half of the

²⁹⁵ American Correctional Association, Manual of Correctional Standards, op. cit., p. 321.

²⁹⁶ Department of Corrections of Thailand, Annual Report 1959, op. cit., p. 56.

²⁹⁷ American Correctional Association, Manual of Correctional Standards, op. cit., pp. 321-22.

prison population in Thailand in 1959 were engaged in non-profitable employment. This non-profitable employment is assumed to be maintenance work. The Manual suggested that not more than 25 per cent of the inmates should be employed in maintenance work, otherwise the operational efficiency will be impaired, resulting in greater risks in security and morale.²⁹⁸

A list of twenty types of vocational training in Thailand has been given in this chapter, together with the discussion of them. The Manual of Correctional Standards did not divide the percentage between agricultural and industrial training. Robert G. Caldwell said that in the U. S., reliable studies showed that 12-20 per cent of the inmates could be employed in agricultural activities.²⁹⁹ This percentage is applied only in the U. S. In Thailand agriculture is the predominant kind of vocational training.³⁰⁰

Since vocational training is a most important aspect in rehabilitation of prisoners, twenty types of industrial training suggested by the Manual of Correctional Standards

²⁹⁸ American Correctional Association, Manual of Correctional Standards, op. cit., p. 384.

²⁹⁹ Robert G. Caldwell, Criminology, op. cit., p. 608.

³⁰⁰ Suwan Ruenyos, The Treatment of Offenders, op. cit. p. 27.

are shown below. Comparing the twenty types of vocational training in Thailand on pages 114 and 115 with the twenty types of industrial training of the Manual, it can be seen that the types of industrial training which Thailand already has are: the manufacture of furniture, the processing of textiles, printing, production of brick, and stone crushing. This comparison is not conclusive because the types of work in the twentieth item of vocational training in Thailand listed as "miscellaneous" cannot be determined.

LIST OF INDUSTRIAL ACTIVITY CONDUCTED

IN CORRECTIONAL INSTITUTIONS

The Manual of Correctional Standards suggested that twenty types of industrial activity given below could well be expanded:³⁰¹

- 1) The manufacture of furniture and other products from wood and fibers: chairs, tables, desks, bookcases, cabinets, beds, trays, laboratory equipment, handles for picks, axes, brushes, and brooms, snow fencing, signs, toys, pattern making and milling. In addition to wood and fiber materials, foam rubber, inner springs, and other upholstery materials are used.
- 2) Sheet and tubular metal products made from enameled or galvanized steel, aluminum, and other alloys: lockers, beds, cots, files and filing cabinets, chairs, tables, desks, shelving, steel sash, cans, pails, waste baskets and other receptacles, trays, road signs, automobile license tags and other license tags, plates,

³⁰¹ American Correctional Association, Manual of Correctional Standards, op. cit., pp. 388-89.

signs, badges and seals.

3) Foundry products: hollow ware, manhole frames and covers, grates, hydrants, furnace parts, signs, and name plates. Iron, brass, aluminum, and other metals and alloys are used.

4) Machine shop work: machining of foundry products; manufacture of small parts for industrial uses; manufacture and repair of taps, dies, and tools, and production of jigs and fixtures to meet special requirements.

5) The processing of textiles; spinning, weaving, and finishing of cotton, wool, and knit underwear and outer clothing, sheets, pillow cases, gloves, caps, knitting, and finishing hosiery.

6) Broom and brush making: brooms and brushes of all types, staple, rubber, and pitch set from corn, hair, and other fibers.

7) Food processing: slaughtering and packing of meat, cheese manufacture, coffee roasting, processing of macaroni, canning and quickfreezing, preparation of syrups.

8) Laundering and dry cleaning for hospitals, offices, and uniformed public employees.

9) Mattress-making and Upholstering: manufacture of mattresses, pillows, pads, and cushions, with fillings of cotton, felt, feathers, and hair; upholstering and repair of upholstered furniture.

10) Printing, bookbinding, book repairing, and silk screen work.

11) Paper processing: manufacture of boxes, cartons, and other paper products.

12) Paint manufacture: production of paints for interior, exterior, and highway use, metal finishing paints and enamels, sign finishes.

13) Soap manufacture: production of soaps and detergents, insecticides, and disinfectants.

14) Production of cement and cinder blocks: brick, hollow tile, roof tile, drain tile and pipe, posts, garden furniture, and ornamental ware.

15) Manufacture of plastic goods, including products embossed and drawn from sheets, laminated, extruded, and molded.

16) Production of footwear and other goods: shoes, slippers, gloves, bags, briefcases, and harness.

17) Manufacture of rubber mats and rubber stamps; tire retreading.

18) Milling of flour, mixing of feed, stone crushing.

19) The processing of tobacco: production of cigarettes, pipe, and chewing tobacco.

20) The servicing and repair of office machines, electroplating, repair of electrical equipment, and renovation and repair of other equipment.

As has been previously stated, Thailand already has some of these twenty types of industrial activity suggested by the Manual: the manufacture of furniture, the processing of textiles, printing, production of brick, and stone crushing. Others of these industrial activities suggested by the Manual might well be established in correctional institutions in Thailand: broom and brush making, food processing, laundering, mattress-making and upholstering, production of footwear and brief cases, milling of flour, and repair of office machines. The suggestions of the writer of this thesis do not cover all the twenty types of industrial activity stated in the Manual. The writer's suggestions are based on the relatively less complicated nature of the work that might be feasible to establish in correctional institutions in Thailand at the present time.

With regard to moral training, the Manual of Correctional Standards listed the following functions of chaplains: conducting religious services, religious teaching and instruction, individual and group counseling, visiting the institution hospital, serving on the classification committee, and

utilizing community religious resources.³⁰² The chaplains should arrange for the released inmates to continue their religious programs in the community. The chaplains should also participate in a program of crime prevention.³⁰³

It is difficult, and would be inaccurate, to compare the functions of chaplains in Thai prisons with the Manual because detailed information on this matter is lacking. One difference known is that Thai chaplains do not serve on the classification committee for the reason that there is no classification committee. The chaplains in Thailand are not qualified to conduct religious services. This function belongs to the priests.

As for the youthful offenders, the Manual of Correctional Standards suggested that in the custody and discipline of youths, harsh measures should not be used because they reinforce suspicion and resentment among youths. If youths are subjected to the harsh measures of the adult authority, they resent it.³⁰⁴ Many youthful offenders have suffered severe psychological and social trauma throughout their lives.³⁰⁵ They are extremely disturbed and are prone to act out inner conflicts. A firm, consistent, and individualized understanding can minimize disciplinary difficulties

³⁰² Ibid., p. 368. ³⁰³ Ibid., p. 373. ³⁰⁴ Ibid., p. 501.

³⁰⁵ Ibid., p. 490.

and is an essential part of the treatment program.³⁰⁶

The Manual of Correctional Standards stated further that in the treatment of youthful offenders, the maintenance of family contact is necessary, since most young offenders have not been prepared for self-placement upon release. They will return to their family homes and might be confronted with the same interpersonal problems that are related to their delinquent behavior. Therefore, on the inmates' visiting day, the institution treatment personnel should be on duty so that family counseling may be given by them. In the case of particularly disturbed family situations, the institution treatment personnel may have to refer the case to other community welfare organizations³⁰⁷ and work in cooperation with them. The use of home placement of persons from unsuitable families has been modified in Michigan through the use of foster-homes.³⁰⁸

The Manual stated further that in terms of behavior patterns, attitudes, and defense mechanisms, youths are less rigid than adults. They are vacillating and are seeking for identifications and values. Because of the characteristics of youths, youth institutions should have stable adult personnel

³⁰⁶ Loc. cit.

³⁰⁷ Ibid., p. 502.

³⁰⁸ William Eardley, "Foster Home Projects," Proceedings of the American Correctional Association, 1960, pp. 347-53.

with whom youths can identify.³⁰⁹

According to the Manual, the housing and work units for youths should have not more than twenty inmates in each group in order that constructive influence of the staff upon inmates can be achieved. There should be provision for varying levels of housing security for youths.³¹⁰ In the treatment of youthful offenders, "maximum rewards as encouragement and loss of privilege without excessive restriction"³¹¹ should be used. Harsh punishment would reinforce suspicion and resentment.

Another form of treatment of youthful offenders suggested by the Manual is the inmate advisory program. This program would make them feel that they have some voice in their own management. The experience of youths with adult rejection in their pasts makes them feel that they are the victims of adult authority. These feelings might be reinforced if the youths are not given some responsibility. In the inmate advisory program, the degree of staff supervision depends upon the type of institution and inmates.³¹²

Counseling programs can help to stabilize youth adjustment. Through these programs intensive clinical treatment

³⁰⁹American Correctional Association, Manual of Correctional Standards, op. cit., pp. 490-91.

³¹⁰Ibid., pp. 495-96. ³¹¹Ibid., p. 501. ³¹²Ibid., p. 499.

is given to more disturbed young people.³¹³

The above principles are the basic and general principles suggested by the Manual for the treatment of youthful offenders.³¹⁴ Other aspects such as classification, pre-release, and parole are the same as those for adult offenders.

The Manual admitted that the knowledge regarding the treatment of youthful offenders is relatively new and more research is needed. The Manual further stated that in the separation of youthful offenders from adults, chronological age alone is not the sole criterion. Personality factors, past record, and potential are also considered.³¹⁵ This consideration does not imply, however, that callous youths should be confined with the more hardened adult inmates. For the whole concept of separation of youths is that "youths are more malleable and subject to change, whether that change be positive or negative."³¹⁶

In Thailand the separation of youthful offenders who are under twenty-five years of age and who are only first offenders indicates that in Thailand age is not the sole criterion in the separation of youths from adult offenders.

³¹³ Ibid., p. 500.

³¹⁵ Ibid., p. 490

³¹⁴ Ibid., p. 502.

³¹⁶ Ibid.

This criterion is more simple than the Manual suggested. If there are more institutions for youths, other factors besides age and the fact of a first offense should be considered. Factors such as potentiality, past record, and personality should be considered also.

Many youthful offenders in Thailand are treated in adult institutions, because adequate facilities for young people are lacking. In Chapter III Table IV, it is shown that among 6,600 youths ranging from under twenty years to twenty-five years of age, only 350³¹⁷ youths were housed in the Institution for Youthful Offenders in 1959. More institutions for youthful offenders with varying levels of custody should be provided.

The treatment of youthful offenders in Thailand is less rigid than treatment of adults. This can be noticed from the use of the word "discipline" in "discipline section," instead of the "guard section,"³¹⁸ which is used in adult institutions. This discipline section indicates the corrective rather than the punitive philosophy in the treatment of youthful offenders. Thailand's less rigid treatment

³¹⁷Department of Corrections of Thailand, "Prisons in Thailand," op. cit., p. 9.

³¹⁸See Chart IV on page 12 of this thesis.

is therefore in agreement with the firm but not harsh treatment suggested by the Manual as referred to above.

Besides the Institution for Youthful Offenders, another type of specialized institution in Thailand mentioned in this chapter is the open institution. The open institution in Thailand will be compared mostly with the Seagoville open institution of the U. S. federal prison system, because the Manual of Correctional Standards did not mention the open institution except for the mention of camps. Camps are only temporary establishments, while open institutions are permanent.

The characteristics of the open institution in Thailand have already been discussed. Characteristic of the open institution is the absence of physical precautions against escape, such as armed guards, walls, bars, or locks. Open institutions are the most effective method of instilling self-respect and self-responsibility,³¹⁹ because life in open institutions is like normal life outside. The open institution may be an independent establishment or it may be an annex to another institution.³²⁰ Prisoners may be sent to the

³¹⁹ Lionel W. Fox, "English Prisons Since the War," The Annals of the American Academy of Political and Social Science, Prisons in Transformation, 293, May 1954, p. 126.

³²⁰ United Nations, Asia and the Far East Seminar on the Prevention of Crime and the Treatment of Offenders, op. cit., p. 54.

open institution at the beginning of their sentence or may be transferred from other institutions.³²¹ The selection of the inmates to the open institution should be made on the basis of a medico-psychological examination and social investigation.³²²

The open institutions that are well known in the U. S. are Chino in California, Wallkill in New York, and Seagoville in Texas.³²³ Seagoville is the only open institution of the U.S. federal prison system. At Chino the inmates are told that they can enjoy limited freedom inside of the fence. If they abuse this freedom by escaping, they become fugitive felons; and many more years are added to their sentences. They can never be returned to Chino.³²⁴ This punishment is the reason why some inmates should be allowed to refuse the assignment to open institutions if they are afraid of the temptation to escape.

Occasionally at Chino there are abuses. Some marihuana, heroin, and liquor are found. The prison authorities deal severely with the inmates who receive them. Kenyon J. Scudder said that authorities have to take some chances if progress

³²¹ Ibid.

³²² Ibid.

³²³ American Correctional Association, Manual of Correctional Standards, op. cit., p. 191.

³²⁴ Kenyon J. Scudder, "The Open Institution," The Annals, op. cit., p. 82.

in prison reform is to be made.³²⁵ This information is mentioned to show that although the inmates are carefully selected for the open institution, problems still arise.

Seagoville, the open institution of the U. S. federal prison system, is an outstanding example of what can be done with carefully selected and well-trained personnel.³²⁶ At Seagoville the inmate has his own room and his own key. The inmate can lock and unlock the door at any time he desires.³²⁷ Since there is no physical barrier to prevent escape and the inmate can walk out at any time, the emphasis at the Seagoville open institution is on intelligent supervision and treatment.³²⁸ The inmates' minds and energies are occupied in constructive ways. Training and treatment at Seagoville consists of orientation, classification, individual counseling, education, work, and religious and recreational activities.

For social education at Seagoville, there are Dale Carnegie classes, a human relations class, and personal development groups which are a continuation of the human relations class. The inmates in the personal development

³²⁵ Ibid., p. 84.

³²⁶ Ibid.

³²⁷ U. S. Bureau of Prisons, Federal Correctional Institution, Seagoville, Texas (Washington, D.C.: U. S. Bureau of Prisons), p. 5.

³²⁸ Ibid., pp. 22-23.

groups apply and practice the basic principles of the human relations class in order to help develop their own personalities. They contribute money and make things to help underprivileged boys. For example, the inmates arranged a Christmas party and a birthday party for underprivileged boys.³²⁹

Before they are allowed recreation, the inmates must work eight hours a day. Some inmates of Seagoville work at a garment factory or at a furniture refinishing factory. There is also an institution farm where cattle, poultry, and vegetables are raised. There is a class for men to study typewriter repair.³³⁰

The key to success at the Seagoville institution is minimum supervision combined with proper guidance.³³¹ The officers are not keepers, but directors of institutional activity. They see that the inmates come to work on time, that they attend classes, and that they have linens, clothing, and sufficient supplies for correspondence. The officers serve as counselors by helping the inmates develop attitudes that will enable them to live in accordance with the law after release. The counselors refer the inmates' problems to the appropriate authorities when necessary.³³²

³²⁹ Ibid., pp. 5-11.

³³¹ Ibid., p. 14.

³³⁰ Ibid., p. 10

³³² Ibid., p. 20.

The adjustment board at Seagoville helps the inmate overcome problems which occur rather than punishing him for them. The adjustment board helps the inmate strengthen his character and develop his inner resources.³³³

Approximately 70-80 per cent of the inmates at Seagoville are direct court commitments. The remainder are prisoners selected from other institutions. The incidence of escape at Seagoville is less than one per cent.³³⁴ The inmates have their meals in a large cafeteria dining room during certain specified hours.³³⁵

From the above description, it can be seen that Seagoville exemplifies an excellent open institution which consists of a well-rounded training and treatment program. The open institution in Thailand seems to place much stress on work and less on counseling and personal and social development of the inmates. The only information available regarding the open institution in Thailand concerns work there and the informal visit of the inmates with their families.³³⁶ There is no mention of counseling, education, and religious and recreational activity. Since counseling should be an

³³³ Ibid., p. 18. ³³⁴ Ibid., pp. 22-23. ³³⁵ Ibid., p. 24.

³³⁶ Suwan Ruenyos, The Treatment of Offenders, op. cit., pp. 22-23.

important part of the program in an open institution, a discussion of counseling can be helpful at this point.

Robert H. Scott's description of counseling in Michigan camps could be applied to the open institution and other prisons.

Counseling may be done with a group or with individuals. Often the attitude of the inmate is changed by counseling.³³⁷

Robert H. Scott's explanation of group counseling for youthful offenders in Michigan camps can be applied here. Group counseling in Michigan camps is done with a small non-directive group of six to eight members. The role of the lay group leader is to keep the discussion within bounds in the direction that the group desires. At the end of the session, the leader interprets to the group the purposes and accomplishments of the discussion. The inmates are free to talk whenever they wish and are given anonymity outside the group, except on matters affecting security of the establishments.³³⁸

A discussion of group counseling would be incomplete without referring to Michigan correction camps, which are another kind of minimum security custody besides open institutions. Robert H. Scott said that group counseling is the

³³⁷ Robert H. Scott, "The Youthful Offender: An Illustration of New Development in Correction," in Hans Toch, Legal and Criminal Psychology (New York: Rinehart and Winston, Inc., 1961), p. 341.

³³⁸ Ibid., p. 333.

keystone of camp programs. In the Michigan correction camps youths are required to attend twelve weekly sessions of one hour each. After the twelve weekly sessions, attendance is optional. There is an "after session" for leaders or counselors following each group counseling session. The leaders or counselors are required by the camp authorities to attend a similar session after each group counseling session to discuss the development of the groups. Confidential information is respected except in matters which affect the security of the camps. It is important that leaders in group counseling be sincere and not pretend to know everything. They must avoid preaching and moralizing. Once the inmates are convinced of the leader's sincerity and accepts the goals of counseling, they participate in their own recovery.³³⁹

Another principle of the camp plan in general is that the number of inmates should be not less than sixty for the establishment of a camp, otherwise it would be uneconomical in terms of personnel supervision, foremen, and training and treatment facilities.³⁴⁰ The number of inmates at the Kow Gnoo Camp in Thailand is 125.³⁴¹ The Manual of Correctional

³³⁹ Ibid., pp. 333-38.

³⁴⁰ American Correctional Association, Manual of Correctional Standards, op. cit., p. 461.

³⁴¹ Department of Corrections of Thailand, "Prisons in Thailand," op. cit., p. 7.

Standards suggested that the inmates at the camps should be not more than two hundred.³⁴² Usually the treatment at the camp is the same as at the open institution and other prisons. There are educational, recreational, religious, and other welfare activities; there is individual and group counseling in camps in addition to useful work projects in the inmate's interest and public interest.³⁴³

The Manual of Correctional Standards suggested the method for the selection of inmates to camps. The positive criteria for the selection are: physical and mental fitness based on recent examinations, the inmate's willingness to accept camp assignment, the ability to perform the work project of the camp, and sufficient time remaining to be served for mutual benefit of the inmate and the camp program.³⁴⁴ Negative factors for the selection are: emotional instability, escape history, addiction to alcohol or narcotics, and the notoriety of the case.³⁴⁵

Except for the number of inmates and the kind of the work performed at the camps in Thailand, there is no information available, and the writer of this thesis has no first-hand knowledge in this matter. It is impossible to compare any

³⁴² American Correctional Association, Manual of Correctional Standards, op. cit., p. 495.

³⁴³ Ibid., pp. 453-59.

³⁴⁴ Ibid., p. 455.

³⁴⁵ Ibid.

further because of the lack of detailed material on inmates' every-day life in the camp and in each institution in Thailand. Such material should be written by the wardens or the directors of institutions and camps; by writing such material, interest and self-evaluation would accrue to the institution. Public information and comparisons could be made by interested students and researchers, in addition to the research of the department of corrections in Thailand.

The discussion of corrections in Thailand, by itself and as compared with the Manual of Correctional Standards and other professional correctional publications, is now completed in this chapter. From the first chapter through the sixth chapter, definitions, organization, and administration of the department of corrections and the prison system in Thailand, the types of punishment and offenses in Thailand, the characteristics of the prisoners, and the training and treatment of prisoners, are presented, discussed, and compared with the publications referred to above. Although there are various types of penal and correctional institutions to suit the needs of different kinds of prisoners, whether they are in Thailand or in the U. S., the general training and treatment of prisoners in these various degrees of custody is the same. The general training and treatment consists of educational, vocational, and moral training, individual and group counseling, medical

and dental care, psychiatric treatment for severely emotionally disturbed inmates, religious services and recreational activities, use of the library and the inmate commissary, and visiting and correspondence privileges. The basic general training and treatment is the same in every penal and correctional institution, but the emphasis is different. For example, youthful offenders may need more educational and vocational training than adult offenders; inmates in minimum security custody may have more privileges in visiting and correspondence than inmates in maximum security custody.

The discussion regarding the training and treatment of prisoners as presented in general from the second chapter through the sixth chapter and as presented in particular in the fifth and sixth chapters, is not as conclusive as the writer of this thesis wishes it to be. This inconclusiveness is remedied by the supplemental presentation in the Appendices of the thesis.

From the second chapter through the sixth chapter, corrections in Thailand have been compared mainly with the Manual of Correctional Standards and with other professional correctional publications. In the next chapter corrections in Thailand will be compared largely with the U. S. Bureau of Prisons, in terms of organization of the central office and the prison system, and with the Michigan Department of

Corrections, in terms of treatment. The comparison of correctional practices in the next chapter will offer more details to what has been discussed in the previous chapters, including this chapter. Let us now turn to the prison system, probation, prison, and parole in Chapter VII.

CHAPTER VII

SELECTED CORRECTIONAL PRACTICES USED BY THE U.S. BUREAU OF PRISONS AND THE MICHIGAN DEPARTMENT OF CORRECTIONS

After discussing corrections in Thailand from Chapter II through Chapter VI and comparing them largely with the Manual of Correctional Standards, supplemented by the Standard Probation and Parole Act and other correctional publications, some selected practices of the U. S. Bureau of Prisons and Michigan corrections to be described in this chapter will offer more detailed examples not found in the previous chapters.

The method of comparison of corrections in Thailand with corrections of the U. S. Bureau of Prisons and Michigan corrections will follow the same order of the titles of Chapters II through Chapter VI. These are organization of the central office, the prison system, probation, prison, and parole. Organization of the central office and the prison system in Thailand will be compared largely with the U. S. Bureau of Prisons. This is because the number of prisoners in Thailand is more comparable to the number of the U. S. federal prisoners than to the number of prisoners in Michigan.

As for the treatment aspect (orientation, classification, pre-release program, and parole), corrections in Thailand will be compared largely with those of Michigan. This is because the writer of this thesis is familiar with Michigan corrections as a result of course work and experience in field training.

Organization of the Central Office. The central office of the U. S. Bureau of Prisons is divided into five major divisions which are very similar to those of Thailand. These five divisions are: administrative division; division of classification, training, and treatment; medical division; division of field operations; and Federal Prison Industries, Inc.³⁴⁶

The administrative division deals with budget, procurement, accounting, and personnel management.

The division of classification, training, and treatment is concerned with rehabilitation programs such as classification, education, vocational training, recreation, case work, and chaplaincy.

The medical division is concerned with medical, psychiatric, and dental services.

The division of field operations deals with construction,

³⁴⁶ Virginia Seeley, "The New Penology: The Federal Bureau of Prisons" (Washington, D.C.: U. S. Bureau of Prisons), p. 5. (Mimeographed.)

engineering, proper maintenance of plant and physical facilities, the administration of food service and agricultural programs, and jail inspection service.

Federal Prison Industries, Inc., is concerned with the production and sale of goods made in federal institutions. Goods manufactured by Federal Prison Industries, Inc., are sold to federal governmental agencies only.³⁴⁷

The Michigan department of corrections is divided into six administrative units and a five-man full-time parole board. The six bureaus or divisions are: bureau of probation, bureau of pardons and paroles, bureau of penal institutions, bureau of prison industries, youth division, and a division in charge of the corrections-conservation camp program.³⁴⁸

The five administrative units of the central office of the department of corrections in Thailand are office of the secretary; division of education, moral training, and social service; criminology division; division of prison industries and vocational training; and the medical division.³⁴⁹

From the comparison between the organizations of the central office of the U. S. Bureau of Prisons, Michigan department of

³⁴⁷ Ibid.

³⁴⁸ Michigan Department of Corrections, Your Michigan Corrections Department, op. cit., p. 4.

³⁴⁹ See Chapter II of this thesis.

corrections, and department of corrections of Thailand, it is recommended for Thailand that classification should be added to the division of education, moral training, and social service. Probation should be added to the pardon and parole section in the division of criminology. The youth and camp program should be included in the research section in the division of criminology.

Classification is recommended for inclusion in the division of education, moral training, and social service because this division covers more training and treatment of the inmates in the prisons than in any other divisions. The routine duty of classification is usually performed by social workers. There are no problems in terms of personnel because this division already has positions for social workers. The function of classification in the central office would be the approval of the transfer of inmates to the appropriate penal and correctional institutions. The classification process will be discussed in detail later in this chapter.

The reason for the creation of adult probation in the pardon and parole section is that the nature of the work of probation and parole is much alike. One exception is that probation deals with the convicted offenders who are released without imprisonment and parole deals with the convicted offenders who are released after imprisonment. The work of

probation and parole officers is the same: investigation and supervision.

The reason for recommending the inclusion of youth and camp programs in the research section is that this research section would conduct the research concerning the programs for youths and offenders in camps. In order to put these programs into operation, the programs would be suggested by the research section in the division of criminology to other appropriate authorities either in the same division of the research section or in other divisions. Since Thailand has no separate youth and camp divisions as Michigan has, the recommendations for the inclusion of youth and camp programs in the research section would give more attention to the specialized treatment for youthful offenders and offenders in camps in Thailand. The research section would be concerned with the programs, while other divisions would put the programs into work.

The Prison System. In view of the composition of the prison system, the U. S. federal prison system is more appropriate for comparison with the Thai prison system than is that of Michigan. This is because of the more comparable number of prisoners. According to the annual report of 1959, there were approximately 23,000 federal prisoners in the United States³⁵⁰ and 28,294 prisoners in Thailand. In Michigan in

³⁵⁰ U. S. Bureau of Prisons, Federal Prisons, 1959, op. cit., p. 4.

1958, there were 10,678 prisoners.³⁵¹

The following is the composition of the U. S. federal prison system:³⁵²

	Number
Penitentiaries: Three classifications: for intractable, habitual tractable, and other improvable male offenders	6
Reformatories: Three for younger improvable male offenders and one for female offenders	4
Correctional institutions: for short-term male offenders	9
Institutions for juvenile and youth offenders	4
Prison camps: for minimum custody improvable offenders	8
Medical Center for physically and mentally maladjusted male offenders	1
Detention headquarters in New York	1
Jails in Alaska	2

The U. S. bureau of prisons employs more than five thousand employees; the ratio of employees to prisoners is

³⁵¹Michigan Department of Corrections, "Annual Report 1958" (Lansing: Michigan Department of Corrections, 1958), p. 1. (Mimeographed).

³⁵²U. S. Bureau of Prisons, Federal Prisons, 1959, op. cit., p. iii and Tappan, Contemporary Corrections, op. cit., p. 69.

5,000:23,000 or 1:5.³⁵³

Michigan Institutional Facilities. The institutional facilities in Michigan are as follows:³⁵⁴

State Prison of Southern Michigan
Maximum or reduced custody - ages 23 through 80

Marquette Branch Prison
Maximum or minimum custody - ages 25 through 55 or 60

Adult camp program
Minimum custody - ages 24 through 50 to 55

Ionia Reformatory
Maximum, minimum or medium custody - ages 15 through 22 with a sprinkling of older skiller, stable men.

Medium Security Correctional Institution
Medium and minimum custody - ages 15 through 21

Cassidy Lake Technical School
Minimum custody - ages 16 through 23 with a few older skilled, stable men

Camp Brighton
Minimum custody - ages 16 through 23

Detroit House of Correction
Medium or minimum custody - ages 24 through 50

In Chapter II, page 15, of this thesis the composition of the prison system in Thailand is described. The prison system in Thailand consists of three central prisons, six regional prisons, one institution for youthful offenders, one

³⁵³U. S. Bureau of Prisons, Federal Prisons, 1959, ibid., p. 4.

³⁵⁴Michigan Department of Corrections, "Reception-Diagnostic Center," pp. 4-5. (Mimeographed.)

institution for habitual criminals, one detention center, 129 regional detention centers, one institution for detainees, 71 Changwad jails, and 14 Amper jails. In comparison with the U. S. federal and Michigan prison systems and also in consideration of the number of youthful offenders in Thailand (6,600 youths in 1959 from under 20 to 25 years),³⁵⁵ it seems that in Thailand there should be more institutions for youthful offenders than the one available at the present time. Some of these youthful institutions should put more emphasis on technical training; some should emphasize academic training, according to the aptitude and the intelligence of the youths. If the number of prisoners who need prolonged psychiatric and medical care justifies it, there should be a medical center.

The Treatment. 1. Probation. In the conclusion of Chapter IV, page 80, of this thesis the advantages and the general conditions of probation are mentioned. In order to show the widespread use of probation, the number of persons placed on probation in federal courts and in Michigan courts and the number of probation officers will be given.

The annual report of the U. S. Bureau of Prisons, 1959 showed that out of 27,659 persons received in the federal courts during that year, 16,440 were sentenced prisoners and 11,219 or 40.6 per cent were probationers.³⁵⁶ In Michigan at

³⁵⁵ See Table IV, p. 69.

³⁵⁶ U. S. Bureau of Prisons, Federal Prisons, 1959, op. cit., p. 76.

the end of 1958, there were 26,980 persons on probation with a staff of fifty-eight probation officers, and there were 10,393 persons in penal institutions.³⁵⁷

From these figures it can be seen that approximately half of the offenders are placed on probation. This is the percentage of practice; there is no criterion for percentage. The only justification for placing a person on probation is that the person is more likely to be successful on probation than in the institution.³⁵⁸ The extent of the use of probation by the courts depends on the size of the professional staff available.³⁵⁹

The number of probation officers in Michigan is cited as an illustration of probation as it exists. In the Michigan department of corrections' annual report of 1958, a note on the shortage of probation officers was mentioned. The Manual of Correctional Standards suggested that the caseload for a probation officer as well as for a parole officer should be fifty units. A pre-sentence investigation is equal

³⁵⁷ Michigan Department of Corrections, "Annual Report 1958," op. cit., pp. 7 and 1 respectively.

³⁵⁸ National Probation and Parole Association, Standard Probation and Parole Act, op. cit., p. 21.

³⁵⁹ National Probation and Parole Association, Guides for Sentencing (New York: National Probation and Parole Association, 1957), p. 51.

to five units and a supervision is equal to one unit. If a probation officer has three pre-sentence investigations in a given month which is equal to fifteen work units, then he should have thirty-five probationers under his supervision.³⁶⁰

From Chart III on page 11 of this thesis, it can be seen that there is no adult probation in Thailand. If Thailand is ready to use probation, these figures would help in studying and comparing the number of persons placed on probation.

2. Institutions.

a. Admission-Orientation and Classification. The admission-orientation will be described from the "Orientation Program" of the Detroit House of Correction, Women's Division, where the writer of this thesis went for field training. After an explanation of the orientation program, an explanation of classification will follow.

At the Detroit House of Correction, Women's Division, the new inmate goes through the necessary legal and medical routine upon admission. She is searched, interviewed for personal identification, fingerprinted, photographed, given a shampoo and bath, and has a medical examination and medical quarantine in the hospital of the prison. The new

³⁶⁰American Correctional Association, Manual of Correctional Standards, op. cit., p. 525.

inmates are released from the medical quarantine, in their first or second week after admission to the prison, to the orientation residence which is set aside for the new inmates.

The orientation program is divided into two parts; each part lasts for a week. All new inmates, both misdemeanants and felons, participate in the first part. This part is designed to acquaint each inmate with the facilities available in the institution and the expectations of the institution regarding their behavior. The second part, during an additional week, is for felonious inmates serving sentence of more than ninety days. During this second week these inmates have psychiatric, psychological, and achievement tests and appear before the classification committee.³⁶¹

The schedule of the first and second week of the orientation program for female offenders, as referred to above is given on pages 168 and 169. The orientation program for adult and young adult male felons of the Michigan Reception-Diagnostic Center is also attached on pages 170 and 171 to give a whole picture of the orientation program of both males and females.

Before explaining the details of the orientation

³⁶¹Detroit House of Correction, "The Orientation Program," (Plymouth: Detroit House of Correction, Women's Division, 1960), p. 2. (Mimeographed.)

ORIENTATION PROGRAM SCHEDULE

FIRST WEEK

WOMEN'S DIVISION, DETROIT HOUSE OF CORRECTION ³⁶²

Time	Monday	Tuesday	Wednesday
7:00am to 8:30am	Dress Breakfast Clean room	Dress Breakfast Clean room	Dress Breakfast Clean room
8:30am to 9:30am	Introduction to orientation	Social service	Personal grooming, hygiene and manners
9:30am to 10:30	Director of Women's Division	Matron's func- tion. Discipline	
10:30 to 11:30	Medical program	Table manners & dining room service	
11:30 to 12:30	Lunch	Lunch	Lunch
12:30 to 1:30pm	Prepare for identification	Religious program	Vocational opportuni- ties
1:30pm to 2:30pm	X-rays, finger- prints, photo- graphs (Men's Section)	Recreation program	Use of commissary
2:30pm to 3:30pm		Physical fit- ness and recreation	Group dis- cussion of manners, rules, etc.
3:30pm to 4:30pm		Proper use of Clothing	
4:30pm to 5:00pm	Wash up, dinner, relax	Wash up, dinner, relax	Wash up, dinner, relax

³⁶² By courtesy of Mrs. Gladney, director of Women's Division, and Mr. Shapiro, Superintendent of Detroit House of Correction.

Thursday	Friday	Saturday	Sunday
Dress Breakfast Clean room	Dress Breakfast Clean room	Dress Breakfast Clean room	Dress Breakfast Clean room
Introduction to physical environment with tour of facilities	Transfer to new residence and work assignments	Work detail. clean residence	Rest, reading, meditation
		Clothing alterations	
Lunch	Lunch	Lunch	Lunch
Academic program	Transfer of new inmates into orientation residence	Work detail	Rest, reading, meditation
Make work and living assignments. All inmates with sentences less than 90 days. Achievement tests for inmates serving over 90 days.	Issue clothing	Clean grounds	
	Indoctrination into orientation program		
Wash up, dinner, relax	Wash up, dinner, relax	Wash up, dinner, relax	Wash up, dinner, relax

ORIENTATION PROGRAM SCHEDULE

SECOND WEEK

WOMEN'S DIVISION, DETROIT HOUSE OF CORRECTION³⁶³

Time	Monday	Tuesday	Wednesday
7:00am to 8:30am	Dress Breakfast Clean room	Dress Breakfast Clean room	Dress Breakfast Clean room
8:30am to 9:30	Psychiatric evaluation		Alcoholism rehabilitation
9:30 to 10:30		Social service interviews	Social service, discussion of family problems
10:30 to 11:30		Record office	
11:30am to 12:30pm	Lunch	Lunch	Lunch
12:30 to 1:30	Psychological testing and evaluation		Occupational therapy and handicraft
1:30 to 2:30		Chaplain interviews	
2:30 to 4:30		Physical fit- ness and recreation	Group discussion of manners, morals, rules
4:30 to 5:30	Wash up, dinner, relax	Wash up, dinner, relax	Wash up, dinner, relax

³⁶³ By courtesy of Mrs. Gladney, director of Women's Division,
and Mr. Shapiro, Superintendent of the Detroit House of Correction.

Thursday	Friday	Saturday	Sunday
Dress Breakfast Clean room	Dress Breakfast Clean room		
Classification	Transfer to new residences and work assignments		
Lunch	Lunch	Lunch	Lunch
Make work and living assign- ments			
Wash up, dinner, relax			

MICHIGAN RECEPTION-DIAGNOSTIC CENTER

ORIENTATION PROGRAM--ADULTS³⁶⁴

- I. Monday Placement. Discuss placement, if possible show slides depicting scenes of prison facilities explaining eligibility for same.
- II. Tuesday Parole. Explain:
1. Time slip
 - a. Special good time
 - b. Regular good time
 - c. Minimum and maximum sentence
 2. The Parole Board and its expectations
 3. Parole rules
 4. Special conditions
- III. Wednesday Profiting from prison: Available opportunities. Discuss:
1. Industries
 2. Education
 - a. Academic
 - b. Vocademic
 3. Special groups
 - a. A.A. [Alcoholic Anonymous]
 - b. N.A. [Narcotic Anonymous]
 - c. Dale Carnegie
 - d. Counseling and group therapy
 4. Recreation, etc.
- IV. Thursday Developing proper attitudes through visual aids. Suggested:
1. "Controlling Your Emotions"
 2. "Developing Your Character"
 3. "Right and Wrong" (making moral decisions)
- V. Friday Special problems involving the inmate. Discuss or role play
1. Gambling
 2. Debts and dealing
 3. Reasons for institutional officers
 4. Homosexuality
 5. Job adjustment

MICHIGAN RECEPTION-DIAGNOSTIC CENTER
ORIENTATION PROGRAM--YOUNG ADULTS³⁶⁵

- I. Monday What is expected:
 - A. Use chart to explain where the first offender can go.
 - B. Explain where who goes where and why.
 - C. Explain what offerings are available in various facilities for education, vocations and on-job training.
 - D. Explain what offerings he can get from various groups and organizations to help him solve his problems.
- II. Tuesday How prison looks: Show slides in order to give visual aid of idea of placement facilities
- III. Wednesday Parole: What to look forward to.
 - A. Since it is of paramount importance to the inmates, discuss parole, explaining:
 - 1. Time slip:
 - a. Special good time
 - b. Regular good time
 - c. Minimum and maximum sentence
 - 2. The parole board
 - 3. Parole rules
 - 4. Special conditions
- IV. Thursday How to resolve problems
 - A. Role playing to be engaged in to help develop insights for
 - 1. Sparking rumors
 - 2. Handling situations
 - 3. Dealing with specific problems, such as homosexuality, skating, lying, anger
- V. Friday Continuation: How to resolve problems
 - A. Visual aids used to continue attitude development suggested:
 - 1. "Controlling Your Emotions"
 - 2. "Developing Your Character"
 - 3. "Right and Wrong" (making moral decisions)
 - 4. Others

³⁶⁵ By courtesy of Mr. Bannan, Warden, State Prison of Southern Michigan.

program, it seems necessary to know the purpose of the orientation program. This purpose is aptly stated in the "Orientation Program" of the Detroit House of Correction, Women's Division as follows:

The purpose of the orientation program is to provide new inmates an opportunity to become integrated into the institution program from the very beginning of their incarceration. This program is aimed at developing an attitude in the new inmate which will lead to a desire for self-improvement and maximum use of the time she will spend here. By acquainting each individual with the physical environment, treatment facilities and the staff, the inmate will be provided with the privilege of taking advantage of every opportunity offered, and will be fitted into routines quickly and smoothly.

The staff will be acquainted with the new inmate at the time of her arrival and will be able to help develop an attitude aimed toward self-improvement and rehabilitation. Staff members will acquaint inmates with their particular areas of the rehabilitation program as well as the routines of the institution which will contribute to the early behavior patterning of the new inmate.³⁶⁶

The first hour of the first week in the orientation program schedule of the Detroit House of Correction, Women's Division, is the "Introduction to Orientation." This hour is assigned to a matron selected to see that the whole orientation program functions smoothly. She serves as the hostess of the orientation program. At this orientation residence, there is another matron assigned for the care and custody of the new inmates. These two matrons will be

³⁶⁶ Ibid., p. 1.

referred to subsequently as the former and the latter matrons.

In the "Introduction to Orientation" hour, the former matron explains to the inmates the purpose of the orientation program and the proper behavior of the inmates for showing respect by standing up when an authority of high rank appears before the inmates. The authorities to whom the inmates should show such respect are the superintendent of the institution, the deputy superintendent, and the director of the Women's Division, Detroit House of Correction.

The second hour in the orientation program is given in lecture form by the director of the Women's Division. The director of the Women's Division welcomes the new inmates and explains to the inmates facts regarding the institution. Facts are given about the composition of the inmates, the institution staff, and the physical facilities. The director also explains what the inmates can expect of the institution, such as care and custody, and what the institution expects of the inmates; for example, the institution expects cooperation, an effort toward rehabilitation by helping the inmates to help themselves, and good behavior. The director also explains how and when to see the director; for example, the inmates may appeal when institutional promises are not carried out. There is also the superintendent's mail box for the inmate's complaints. The inmate's letter to the superintendent is

not censored by the mail-censoring officer.

Personal grooming and clothing are explained to the inmates by the former matron who is assigned to supervise the orientation program. This matron told the writer that she was trained in this personal grooming subject before she came to work at the Detroit House of Correction. The reason for mentioning this is to show that every speaker in the orientation program is specialized in his or her own field. Proper application of make-up, hair care, personal cleanliness, manners, and appropriate attire according to activity are explained to the new inmates.

The director of recreation explains both indoor and outdoor recreational facilities available to the inmates and the need for recreational activity.

The chaplains representing the inmates' religious faiths speak to the new inmates regarding religious services, religious classes, individual counseling, contacts with family, outside religious affiliations, and religious materials.

The record clerk speaks to the new inmates about indeterminate sentence, regular good time, special good time, and the loss of good time.

The former matron, who is assigned to supervise the orientation program, speaks about table service and manners which include table setting, serving food, meal schedules,

responsibility of the hostess, absence from meals, the regulation forbidding removal of food from the dining room, and proper appearance at the table.

Conduct and discipline and the relationship between inmates and matrons are explained by the latter matron who is assigned for the custody of the inmates. The need for good behavior, the need for rules and regulations, disciplinary court, and major behavior problems, such as insubordination, fighting, possession of contraband, unladylike conduct, stealing, obscene language and conduct are explained to the new inmates. The functions of the matron as custodian, disciplinarian, counselor, work supervisor, and assistant in emergencies, and the inmate's responsibility to the matron in terms of respect, obedience, and cooperation are explained clearly to the new inmates.

The supervisor of the social service section explains the functions of the social service section which deals with contacts of the inmates with the outside. Such contacts include correspondence, visits, money, parole board, and counseling for both personal and family problems.

The assistant director of the Women's Division explains vocational opportunities in the institution to the new inmates. These vocational opportunities are housekeeping and cleaning, dining room help, yard work, cooking, laundry,

sewing room, canning factory work and such occupations as typist, clerk, bookkeeper, beauty operator, hospital work, and occupational therapy.

The matron from the commissary explains to the new inmates items that may be purchased from the commissary, catalogue orders, the time when items may be purchased, method of payment, the limit on funds which may be used for commissary purchases, packages received from outside sources, and issuance of clothing and equipment.

The director of the institutional school explains the various courses offered in the institutional school, including high school diploma through G.E.D. tests and correspondence courses in high school subjects and college subjects through the University of Michigan or the University of Chicago.

After all the above facilities are explained to the new inmates, a guided tour through the buildings and grounds is given. All misdemeanants serving less than ninety days are transferred to new residences and work assignments. Felonious inmates serving more than ninety days stay at the orientation residence for another week for psychiatric and psychological examinations and educational achievement tests. The results of these tests are compiled in the case history of the inmate by the social service section. After having all these above

mentioned tests, the new inmate serving more than ninety days appears before the classification committee who make a plan with the inmate regarding work, education, recreation, and a housing assignment. The classification committee is composed of the superintendent of the institution, the director of the Women's Division, Detroit House of Correction, chief of rehabilitation, the chaplains, the director of the institutional school, a nurse from the institutional hospital, the assistant supervisor of the social service section who acts as secretary of the classification committee, and the matron who assists the assistant director of the Women's Division, Detroit House of Correction, in housing and work assignments.

Usually the admission summary, which consists of the inmate's case history and the results of various tests, is distributed for study to each member of the classification committee at least a day prior to the appearance of the new inmate before the classification committee. At the classification meeting the secretary of the classification committee summarizes the case briefly and the case is discussed among members of the committee. After the case is discussed, the new inmate is called to appear before the classification committee. The classification committee tries to understand what it is that controls the inmate's behavior and what can

be done about it.³⁶⁷ A plan for the inmate's work, education, and recreation is made with her, and living quarters are assigned to her. All this is done for the rehabilitation of the inmate. The new inmates serving more than ninety days are transferred from the orientation residence to the new residences.³⁶⁸

b. The Meaning of Classification and Its Functions.

As referred to in the previous paragraphs, the new inmate stays in the hospital medical quarantine for about one or two weeks, depending on each case and then stays for another two weeks in the orientation unit before appearing before the classification committee. At this point the meaning of classification can be explained.

Classification, or the separation of inmates into groups having similar characteristics, is not new in prisons, but the objectives and the procedure of classification have been modified.³⁶⁹ Classification has as its objective that

³⁶⁷ James V. Bennett, A Briefing for Lawyers on Prisons (Connecticut: Yale University Law School, 1960), p. 15.

³⁶⁸ The explanation is summarized from the "Orientation Program" of the Detroit House of Correction, Women's Division, and the writer's own observation during field training.

³⁶⁹ Michigan Department of Corrections, Your Michigan Corrections Department, op. cit., p. 11.

of developing the program best suited for the individual inmate.³⁷⁰ In rehabilitation of a prisoner, it is necessary to know his abilities and weaknesses. This leads to the development of methods of diagnosis: psychiatric and psychological examinations, educational achievement tests, and interviews. After diagnosing and understanding the factors that contributed to the offender's criminal behavior, the institution authorities then determine what program is needed to deal with him constructively, and they administer that training and treatment program. This program may be modified according to the changing needs of the inmate. No major change in the program can be made without referral back to the classification committee.³⁷¹

The operation of classification was partly described under the Admission-Orienta-tion-Classification heading in order to give a continuous picture of the treatment of offenders after admission to the institution. The above paragraph explained further the meaning of classification and its function. The following paragraphs will continue the discussion of classification and its contributions to other aspects of prison work.

³⁷⁰ Ibid.

³⁷¹ American Prison Association, Handbook on Classification of Correctional Institutions (New York: American Prison Association, 1947), p. 4.

c. The Advantages of Classification and Reclassification.

In general, the basis for classification and program development is the pre-sentence investigation report, which includes personal history and attitude, and the physical, mental, and aptitude tests of the inmate.³⁷² As previously stated, the new inmate appears before the classification committee for initial classification after about thirty days from admission to the institution. After a certain period, usually six months or a year, there are reclassification meetings.³⁷³ The progress report of the individual while in the institution furnishes the basis for reclassification. These classification and reclassification meetings involve the entire prison staff, which is represented by heads of various departments of the prison.³⁷⁴ If the inmate is dissatisfied with his program made in the classification meeting, careful consideration will be given to change. If a classification operates properly, the inmate will see the results of it in himself and in his fellows.³⁷⁵

³⁷²Michigan Department of Corrections, Your Michigan Corrections Department, op. cit., p. 11.

³⁷³American Correctional Association, Manual of Correctional Standards, op. cit., p. 284.

³⁷⁴U. S. Bureau of Prisons, "Federal Prison System" (Undated).

³⁷⁵American Prison Association, Handbook on Classification, op. cit., p. 8.

This continuity in planning and treatment through classification and reclassification extends into parole. The parole board and the parole officer utilize the classification reports in making their decisions in granting paroles and planning for parole supervision.

From the above discussion, the continuity and the use of classification can be seen. The initial classification starts after the orientation program. There is reclassification after a certain period (six months or a year), and later the classification report is used by the parole board and the parole officers. In this way, classification is a process which contributes to the rehabilitation of the inmate. Through its diagnostic and coordinating functions, (diagnostic= various tests and interviews, coordinating function=classification committee meeting), classification also contributes to custody (makes known what level of custody the inmate needs), discipline (when the inmate is understanding, the problem of discipline is minimized), work assignments (the kind of work that is suitable for the inmate and will be useful for him after release), officer and inmate morale (the officer and the inmate should understand each other's function and work toward the same objective of rehabilitation), and the effective use of training opportunities. Classification assists in long-range planning and development.³⁷⁶

³⁷⁶ Ibid., p. 10.

The discussion of admission-orientation-classification may be summed up by giving an example. In Michigan, all male felons are first committed to the Reception-Diagnostic Center at Jackson. All female felons as well as misdemeanants are committed to the Detroit House of Correction, Women's Division. Normally, after thirty days at the Reception-Diagnostic Center, the inmates appear before the classification committee for transfer to any one of the Michigan correctional facilities.³⁷⁷ The reception or orientation program for female inmates at the Detroit House of Correction, Women's Division, has already been discussed. From the description of both male and female inmates, it can be seen that the orientation program may be in a separate unit within the prison itself, as in the Women's Division, Detroit House of Correction, or in a separate unit for the whole prison system as the Reception-Diagnostic Center at Jackson, Michigan. In a large prison system as in Thailand, there should be a centralized diagnostic-reception center for males and one separate reception unit in the female prison. This distinction is appropriate because the number of male inmates is large enough to justify a separate centralized reception center. On the other hand, the number of female inmates is

³⁷⁷ Michigan Department of Corrections, "Reception-Diagnostic Center," op. cit., p. 4.

comparatively small; usually there is only one prison for female inmates such as there is in Michigan, in the U. S. federal prison system, and in Thailand.

In addition to the reception-diagnostic center for male inmates and the reception-orientation unit for female inmates, the classification process should also be installed in Thailand to supplement the existing classification by age, sex, length of sentence, and by the study of prisoner's case history. This establishment of the orientation-classification program in Thailand would make it possible for individualized treatment and greater success in the rehabilitation of the prisoners. Norman Fenton said that individual diagnosis and orientation to prison in themselves offer no assurance of success after release. The constructive influences of the prison, especially vocational training and psychotherapy,³⁷⁸ are the main factors of success after release.³⁷⁹ The diagnostic and orientation programs open the way to other kinds of individualized training and treatment programs.

d. Social Education. The next step from the admission-orientation-classification is the training given to prisoners.

³⁷⁸ See Appendix G for Group Therapy.

³⁷⁹ Norman Fenton, "The Process of Reception in the Adult Correctional System," The Annals of the American Academy of Political and Social Science, 293, May, 1954, p. 57.

This kind of training in Thailand is not basically different from the training plan of the U. S. Bureau of Prisons or the Michigan Department of Corrections. There is educational, vocational and moral training. However, there is another kind of training on which the U. S. federal and Michigan correctional systems place more emphasis. This training is social education which is a relatively new development in correctional education.³⁸⁰ Social education came out of the realization that the ability to live peacefully and constructively with others is lacking among the inmates.³⁸¹ Teaching the inmates to read and write and acquire trade skills is not enough; social education must be provided for them. The objectives of social education are stated in the Manual as follows:

Broadly conceived, the objectives of social education are to help the men through a study of themselves and the society in which they live to so organize thinking that they will be able to critically examine their basic attitudes and personality patterns and through such evaluation grow in their ability to readjust their thinking, their motivations, and their behavior along the lines of progressive personal and social adjustment . . . this part of the education program would be aimed at improving the individual's ability to live with himself, to see things as they really are, accept other

³⁸⁰ U. S. Bureau of Prisons, Lewisburg Penitentiary, Pennsylvania (Washington, D. C.: U. S. Bureau of Prisons), p. 12.

³⁸¹ Ibid.

individuals with understanding, and help him cope with ordinary day by day social situations.³⁸²

Social education has direct and indirect approaches. The direct approach is achieved through such measures as orientation and pre-release programs, moral and civic training in such selected topics as social studies or citizenship education, and individual and group counseling.³⁸³ At Lewisburg Penitentiary, social education consists of (1) lectures in economics, sociology, arts and sciences; (2) discussion, led by qualified persons, of every-day social problems involving psychology and behavior to aid inmates in solving emotional difficulties and in adjusting to family and community relationships; (3) cooperation with Alcoholics Anonymous which helps inmates cope with serious personal problems, with new behavior patterns as a goal; (4) introduction of cultural aspects such as music, both classical and popular, and of library books which present new experiences to the inmates; (5) arranging debates with students from nearby colleges and universities; (6) providing a crafts program, which has special meaning to the inmates, helps create wholesome and constructive attitudes,

³⁸² American Correctional Association, Manual of Correctional Standards, op. cit., p. 324 as quoted from Albert C. Wagner, "A Modern Institutional Program for the Youthful Offender," Federal Probation, 20 (March, 1956), pp. 20-23.

³⁸³ Ibid.

and sometimes reveals latent talents of the inmates.³⁸⁴

The indirect approach of social education requires exemplary conduct of all institutional personnel³⁸⁵ coming into contact with inmates. These personnel members will help inmates acquire the will and capacity to live peacefully and constructively in society. These direct and indirect approaches offer the inmates the opportunity to experience the socially acceptable feelings, actions and thoughts.³⁸⁶

At the Detroit House of Correction, Women's Division, one of the classes in social education deals with human relations and is conducted by a psychologist who uses educational movies in this field.³⁸⁷

Some of the classes in social education discussed above, such as lectures in social studies courses, orientation and pre-release programs, recreation and library opportunities, are already conducted in Thai prisons. Some classes, such as human relations as referred to above, and debates, are not held in Thai prisons. In a broad sense, this social education

³⁸⁴U. S. Bureau of Prisons, Lewisburg Penitentiary, op. cit., p. 14.

³⁸⁵Ibid.

³⁸⁶Paul W. Tappan, Contemporary Correction, op. cit., p. 231.

³⁸⁷The writer attended this human relations class while she was in her field training.

covers the vocational, academic, and moral training which aims at socializing³⁸⁸ inmates to live in a conventional way. Social education aims at changing the inmate's attitude through counseling and psychotherapy,³⁸⁹ as well as through other constructive activities in the institution.

e. Pre-Release Program. The pre-release program in Thailand is not as extensive as that in the U. S. federal prison system and Michigan corrections. This difference can be seen from the number of days provided for this purpose as well as from the program itself. In Thailand seven days are provided for intensive moral training and for the securing of employment; ninety days are provided for the pre-release program in federal prisons and thirty days are provided for the pre-release program in Michigan.³⁹⁰

In both the U. S. federal prisons and Michigan institutions, one of the housing units is set aside for the pre-release inmates.³⁹¹ From the material available, there is

³⁸⁸ Alfred C. Schnur, "Prisoner Education, Prison Industry, And the Correctional Process," op. cit., p. 26.

³⁸⁹ Group therapy and counseling are explained in detail in the Appendix.

³⁹⁰ U. S. Bureau of Prisons, United States Penitentiary Leavenworth, Kansas (Washington, D. C.: U. S. Bureau of Prisons), p. 31 and Michigan Department of Corrections, Michigan Parole Camp, op. cit., p. 9.

³⁹¹ Ibid., and the writer's own experience while at

no mention of such a pre-release unit in the prisons in Thailand. A pre-release unit affords the inmates privileges that they cannot obtain in the ordinary institutional life. For example, the inmates are not locked in at bedtime.³⁹²

The pre-release unit serves as a gradual release from prison. It removes as much as possible the regimentation of prison life. The pre-release program helps the inmates with the problems which will confront them after release and assists them in making a proper utilization of community resources.³⁹³ The program is composed of group counseling sessions and individual interviews. Representatives from industry, labor unions, and employment agencies are invited to speak and answer the inmates' questions.³⁹⁴

The pre-release unit may be a unit set aside within the prison itself or set outside of the prison. The pre-release unit at the Detroit House of Correction, Women's Division, is of the former type. The latter type is demonstrated by the Michigan parole camp. This camp is adjacent to the State Prison of Southern Michigan which is a maximum security

field training at the Detroit House of Correction, Women's Division, there is a separate pre-release dormitory for the female inmates.

³⁹² Michigan Department of Corrections, Michigan Parole Camp, op. cit., p. 11.

³⁹³ Ibid., p. 1

³⁹⁴ Ibid.

prison. The atmosphere and environment in the pre-release camp is quite different from that of the maximum security prison.³⁹⁵

The purpose of the Michigan parole camp which is a pre-release camp is to attempt to cut down the incidence of parole failure during the first few months after release from prisons.³⁹⁶ It has been shown over the years that these first few months are the most hazardous period for the parolees.³⁹⁷ The inmates are transferred to the camp upon release approval by the parole board. (In Michigan, parole hearing is conducted at least thirty days prior to the day the inmate is eligible for parole;³⁹⁸ thus, when the parole board approves parole, the inmate still has thirty days remaining to be served before he can be released). The inmates remain at the camp for slightly over three weeks. The activities at the pre-release camp are divided in a work and a lecture-study curriculum. From a short study of parole violators, it shows that the pre-release camp is more successful than the routine pre-parole program. "Men who have been through the camp have at least a five per cent higher rate of success than men who

³⁹⁵ Ibid., pp. 6-7.

³⁹⁷ Ibid.

³⁹⁶ Ibid., p. 10.

³⁹⁸ Ibid., p. 9.

have not been through the camp."³⁹⁹ Michigan's field parole officers report that men who came from the pre-release camp are "more relaxed, friendlier, and better informed."⁴⁰⁰

3. Parole. Next to the pre-release program is parole which is the last step of the correctional process. From experience Michigan has learned that it is better to release prisoners to an approved program and supervision than to release them without the benefit of guidance and supervision of parole.⁴⁰¹ In Michigan parole is connected with indeterminate sentence. This indeterminate sentence applies to all offenses except for first degree murder.⁴⁰² The maximum term of the indeterminate sentence in Michigan is set by law and the minimum term by the sentencing judge. An inmate is eligible for parole after he has served his minimum sentence less good time.⁴⁰³ No application for parole is needed.⁴⁰⁴

³⁹⁹Ibid., p. 10.

⁴⁰⁰Ibid.

⁴⁰¹Michigan Department of Corrections, Parole in Michigan, op. cit., p. 3.

⁴⁰²Michigan Department of Corrections, Your Michigan Corrections Department, op. cit., p. 16.

⁴⁰³Michigan good time law is attached in Appendix I.

⁴⁰⁴Michigan Department of Corrections, The Michigan Parole Camp, op. cit., p. 9.

Two of the five members of the Michigan parole board appointed by civil service visit prisons to conduct parole hearings every month.⁴⁰⁵ An inmate appears before the Michigan parole board at least thirty days prior to the day he is eligible for parole. If parole is granted, he will have enough time for his pre-release program. The important criteria for parole selection in Michigan are conduct and progress of the inmate while in the institution and a satisfactory home and job after release.⁴⁰⁶ Roy H. Nelson, a member of the Michigan parole board, said that the parole board in considering for parole, should understand the inmate's motivation of behavior that had led him to commit crime. The parole board should also consider what the inmate has done to eliminate that motivation or what progress he has made while in prison. Misconduct during incarceration is not necessarily an unfavorable factor.⁴⁰⁷ It depends on the circumstance when misconduct occurred, a circumstance which the parole board should take into account. Generally speaking, poor institutional behavior militates against parole, while

⁴⁰⁵ Ibid.

⁴⁰⁶ Michigan Department of Corrections, Public Act 232, 1953, Section 33.

⁴⁰⁷ Roy H. Nelson, "Criteria for Parole Selection," Proceedings of the American Prison Association, 1958, p. 233.

satisfactory behavior is neutral.⁴⁰⁸

According to Rule No. 4 of the regulation on parole, criteria for parole selection in Thailand are:

1. Background, personality traits and circumstance of the prisoner before entering prison.
2. Conduct and progress while in prison.
3. Circumstance after prison (home and work).⁴⁰⁹

In essence, criteria for parole selection in Thailand and in Michigan as referred to above are the same. The basic criteria are background and personality traits of the offender, conduct and progress in prison, and a home and job after release. These basic criteria are expanded and discussed in detail by three writers experienced in parole decisions; this information is attached in the Appendix⁴¹⁰ of the thesis. Separately, none of these three writers has a perfect answer for criteria for parole selection. When combined, the criteria of these three writers are excellent for the present time.

The home and job for the inmate after release, as required in Michigan before a parole is granted, must be

⁴⁰⁸ Ibid.

⁴⁰⁹ Department of Corrections of Thailand, "Regulations on Parole," 1953, p. 3 (Mimeographed).

⁴¹⁰ See Appendix H "Criteria for Parole Selection."

investigated and approved by the field parole officer.⁴¹¹

The Michigan parole board's decision is by majority vote.⁴¹²

An inmate who is denied parole at the time of parole hearing will be rescheduled by the parole board for another parole hearing.⁴¹³

In Michigan, a parole period of not less than four years is required for all cases of murder, actual forcible rape, armed robbery, kidnapping, extortion, or breaking and entering an occupied dwelling during the night.⁴¹⁴ First degree lifers are not eligible for parole consideration; they can be released only through pardon or commutation of sentence by the governor. Other lifers and inmates who serve long minimum sentences may be considered for parole after they have served ten calendar years.⁴¹⁵

In the federal system, the federal judge may at his discretion (a) pronounce a definite term, (b) set a minimum and maximum, or (c) merely specify a maximum sentence. With

⁴¹¹Michigan Department of Corrections, Parole in Michigan (Lansing: Michigan Department of Corrections, 1958).

⁴¹²Michigan Department of Corrections, Public Act 232, 1953, Section 35.

⁴¹³Ibid.

⁴¹⁴Ibid., Section 42.

⁴¹⁵Michigan Department of Corrections, Your Michigan Corrections Department, op. cit., p. 16.

the exception of definite sentences, the parole board may set the release date. For a definite sentence, the parole board may set the release date at the end of one-third of the sentence or at any time after the minimum if that is set by the judge.⁴¹⁶

The federal parole board consists of eight members. These members of the federal parole board at Washington, D. C. tour the various penal institutions and conduct a parole hearing at each institution every three months.⁴¹⁷

The difference between the parole board in Thailand and the parole boards in the U. S. Bureau of Prisons and Michigan is that the parole boards in Thailand are multi, whereas in the U. S. Bureau of Prisons and Michigan, there is only a single parole board. The parole boards in Thailand conduct parole hearings in each institution every six months.

In general, the parole board or the paroling authority who grant or deny parole constitute the first phase of parole. The second phase of parole is supervision.

Supervision is the function of the parole officer. It includes home calls, job checks, and monthly reports submitted by the parolee. There is an obligation and

⁴¹⁶Bennett, A Briefing for Lawyers, op. cit., p. 26.

⁴¹⁷U. S. Bureau of Prisons, Federal Correctional Institution, Milan, Michigan, op. cit., p. 19.

responsibility on the part of the parole officer toward the parolee and vice versa. When the parolee violates the condition of parole, whether actually or allegedly, the parole officer investigates the case, analyzes it, and makes a report together with recommendations whether parole should be reinstated or extended, or whether the parolee should be sent back to prison. The Bureau of Pardons and Paroles in the central office of the Michigan department of corrections makes the final decision.⁴¹⁸

There is no parole officer in Thailand, except the police officer and the sheriff who serve as substitute parole officers. Thus, there is no parole supervision in the sense as explained above.

From the above comparison, it can be concluded that Thailand has criteria for parole selection and multi parole boards but has no parole officers. Criteria for parole selection as practiced in Michigan and in other states discussed in the 1958 Proceedings of the American Prison Association have been added to those of Thailand both in this chapter and in Appendix H. The use of institutional parole boards in Thailand should be replaced by the single parole board as practiced in Michigan and in the U. S. Bureau of Prisons so that

⁴¹⁸ Michigan Department of Corrections, Parole in Michigan, op. cit., p. 15.

the single parole board will have the responsibility only in the selection of the inmates for parole and the institutional personnel will have the responsibility only in the preparation of inmates for release. Parole officers in Thailand should be recruited, since the objective of parole is to rehabilitate the offenders through supervision and guidance.

Michigan General Parole Conditions. In supervising the parolees, there are certain parole conditions which are effective measures for evaluating the parolee's behavior. If the parolee complies with parole conditions throughout the parole period, then he has made progress in his behavior. The ability to comply with parole conditions is the measurement of the progress of the parolee's behavior. In Michigan there are twelve general parole conditions. These conditions have been arrived at through experience with many thousands of parolees by the agreement of the parole board and the supervisory staff. Conditions of parole may be changed as knowledge of parole behavior and problems increase. At present Michigan parole conditions are as follows:⁴¹⁹

1. Upon arrival at my destination I will immediately contact my Parole Officer as instructed.
2. Once a month or as instructed by my Parole Officer I will make a truthful written report to him on forms provided. I will not falsify this report.

⁴¹⁹ Michigan Department of Corrections, Parole in Michigan, op. cit., pp. 13-14.

3. I will first obtain permission from my Parole Officer to do any of the following:
 - a. To leave the State or County to which I am paroled (written).
 - b. To change my place of residence.
 - c. To change my place of employment.
 - d. To marry (written).
 - e. To drive or buy any motor vehicle or to provide money for the purchase of any motor vehicle. (written) (must have liability insurance)
 - f. To become involved in debt beyond reasonable current living expenses.
 - g. To own, purchase, or possess a firearm or any object used as a dangerous weapon or be in the company of a person possessing a dangerous object or weapon.
 - h. To associate or communicate with a person having any type of criminal or police record.
4. I must work steadily at an approved job.
5. I must be in my approved residence each night at a reasonable hour.
6. I will provide for my family to the best of my ability.
7. I will not use intoxicating beverages to excess nor frequent any places of illegal activity or occupation.
8. I will not own, possess, use, sell, distribute, or have under my control narcotic drugs in any form or narcotic paraphernalia, or be in the company of a person having same.
9. I understand it is my responsibility to keep my Parole Officer informed at all times of my whereabouts, movements, and activities.
10. I will reply at once to any letter or request from my Parole Officer.
11. I will live up to such special conditions of parole as ordered.
12. I will comply with all Municipal and County ordinances or orders, and all State and Federal laws.⁴²⁰

Parole conditions in Thailand have been described in

Chapter VI. Generally, parole conditions in Thailand are:

⁴²⁰ Michigan Department of Corrections, Parole in Michigan, op. cit., pp. 13-14.

reporting to the parole officer once a month, working steadily at an approved job, not going into a public place with an armed weapon, not drinking alcoholic beverages to excess nor using any narcotic drugs, and having religious practices.⁴²¹

These general parole conditions in Thailand are the same as those of Michigan, except that they are fewer in number; the last item "having religious practices" is not required in Michigan. Michigan parole conditions are more detailed and involve more personal matters of the parolee such as marriage, debt, driving a car, and the provision for the family. In the writer's opinion, all of these parole conditions both in Thailand and in Michigan in general are good, but they should be selectively applied to suit each individual parolee. For example, if the parolee already provides for his family, the imposition of such a condition is unnecessary.

Michigan parole board, parole hearing, criteria for parole selection, parole supervision, and parole conditions were described in detail because it showed clearly the objective of parole, the method of parole, and the result of parole. These parole rules by themselves may be thought of as

⁴²¹ Department of Corrections of Thailand, Ministerial Rules Issued by Virtue of the Penitentiary Act 1936, op. cit., Rules Nos. 94-95.

surveillance, but when combined with casework principles⁴²² administered by the parole officer, they are also treatment.⁴²³

In the supervision of paroles, the new knowledge and techniques that have been employed successfully in other fields of the behavioral science should be tried. For example, in Michigan at present the use of a foster-home project for the placement of youthful parolees is being experimented. This foster-home project has been tried successfully in the field of mental health and child placement.⁴²⁴

Number of Paroles Granted and Denied. Some figures of parole decisions will be cited to illustrate how extensive parole use is at the present time in the U. S. federal prison system and Michigan corrections.

In 1959 the U. S. federal parole board granted parole to 3,108 prisoners and denied it to 5,598 prisoners. The total parole decisions were 8,706.⁴²⁵ In Michigan the parole board hears 6,500 cases annually, and approximately 4,600

⁴²² See Appendix D.

⁴²³ John Wallace, "The Casework Approach to Rules," N.P.P.A. Journal, 2:1, January, 1956, p. 16.

⁴²⁴ William F. Eardley, "Foster-home Project," Proceedings of the American Correctional Association, 1960, p. 352.

⁴²⁵ U. S. Bureau of Prisons, Federal Prisons, 1959, op. cit., p. 72.

parolees are under supervision.⁴²⁶ In 1957 there were about seventy parole officers in Michigan.⁴²⁷ In Thailand in 1959 there were 119 paroles granted and 17 paroles denied. The total parole decisions were 136.⁴²⁸ In Thailand most prisoners are released at the expiration of sentence.

Conclusion. From comparison of corrections in Thailand with selected programs of the U. S. Bureau of Prisons and Michigan corrections, it may be concluded for Thailand that classification should be added to the division of education, moral training, and social service; probation should be included in the parole and pardon section in the division of criminology; youth and camp programs should be added in the research section in the division of criminology of the department of corrections of Thailand. These are the recommendations for the central office of the department of corrections of Thailand. The criterion for the recommendation for the inclusion of these functions in some specific divisions and sections is the similar nature of the work.

As for the prison system, the comparison shows that

⁴²⁶ Michigan Department of Corrections, Your Michigan Corrections Department, op. cit., p. 17.

⁴²⁷ Michigan Department of Corrections, "Annual Report, 1957," p. 6 (Mimeographed.)

⁴²⁸ Department of Corrections of Thailand, Annual Report, 1959, op. cit., p. 78.

more institutions for youthful offenders and a medical center should be provided in Thailand.

In terms of treatment, the following are found wanting in Thailand: probation, the orientation program and classification process, social education, a pre-release program, parole with a single parole board, the recruitment of professional parole officers, more comprehensive criteria for parole selection, and the improvement of parole conditions in the light of the present situation. It is concluded in this Chapter that the U. S. Bureau of Prisons and Michigan corrections should include in the pre-release program the requirement of every prisoner to memorize the basic moral principles of his own religious faith. Conclusions and recommendations for the whole thesis are in the next chapter.

CHAPTER VIII

CONCLUSIONS AND RECOMMENDATIONS

It may be concluded that the philosophy of corrections in Thailand is the protection of society and the rehabilitation of offenders. There are various degrees of custodial facilities which are centralized under a single administrative head. There is orientation for new prisoners and there is classification, but classification is not fully individualized. There is a program of educational, vocational and moral training. There is a seven-day period of pre-release moral training. In Thailand there is parole and pardon, but there is no probation.

Special Recommendations.

Things Thai Should Have:

The Prison System. On page 19 of this thesis, the percentage of prisoners that should be housed in maximum, medium, and minimum security institutions was suggested. In Chapter VII the number of various kinds of federal prisons was also described, together with the various kinds of Michigan correctional facilities. This description was purposefully given so as to present a realistic view

of the prison facilities as they exist. From the discussion and comparison in the previous chapters, it is recommended that more institutions for youthful offenders should be added to the Thai prison system. Some of the institutions for youths should have more emphasis on the academic program and some should have more emphasis on the technical program. These diversified institutions would make possible an individualized treatment according to the need of each youth. There should also be a medical center if the number of prisoners who need prolonged psychiatric and medical care is sufficient to justify it. As an illustration of a justifiable number of prisoners, the medical center of the U. S. Bureau of Prisons had 811 prisoners in the hospital and 245 prisoners in the maintenance unit in the year 1959.⁴²⁹

Probation. Probation should be used by the courts in Thailand. This in turn means that probation officers should be recruited. The reason for recommending the use of probation is that about 90 per cent or 26,048 prisoners in 1959 had sentences less than five years. Of this number, many could have been selected for probation. These five years are taken as a criterion from the Manual of Correctional Standards which stated that probation should not be granted for more

⁴²⁹ U. S. Bureau of Prisons, Federal Prisons, 1959, op. cit., p. 30.

than five years, subject to extension.⁴³⁰ One advantage accruing from probation is the pre-sentence investigation.⁴³¹

Institutions. There are four things that the writer would like to recommend for Thailand regarding the treatment of offenders in institutions. The first thing needed is the installation of a classification process in the modern sense. This classification process includes the recruitment of psychiatrists and psychologists. The second thing needed is social education. Prisoners should be encouraged to talk out problems in group as well as individual counseling. Individual and group counseling is a way of learning to solve problems in an acceptable manner and at the same time it has therapeutic value for the inmates. The third recommendation is that guards or correctional officers should be made aware of the constructive relationship between inmates and guards. In this connection, "Suggestions for Improving Human Relations in the Institution," of the State of New York Central Guard School, Department of Correction⁴³² should be required reading for new guards. The fourth change the writer would

⁴³⁰American Correctional Association, Manual of Correctional Standards, op. cit., p. 511.

⁴³¹See pages 62-63 of this thesis for use of pre-sentence investigation.

⁴³²Tappan, Contemporary Corrections, op. cit., pp. 48-50.

like to recommend is the pre-release program. The program should cover more than intensive moral training and an interview by a social worker for helping prisoners in securing jobs.⁴³³ More information on the use of community resources, the constructive use of leisure time, and the demand of the labor market should be provided. Representatives from industry and labor unions and interested citizens should be invited to speak in the pre-release program. There should be a separate pre-release unit for prisoners. In terms of gradual readjustment to normal life outside, thirty days seem more adequate than seven days for the pre-release program.

Specialized treatment of youthful offenders and treatment of offenders in the open institution are somewhat different from the treatment of adult offenders in other kinds of prisons and should have positive and constructive programs. These programs include social education, a varied program of work, and a firm but not harsh treatment of youthful offenders. Other programs are academic and vocational education, moral training, recreation, individual and group therapy and counseling, and medical and dental care.

Parole. The first thing the writer would like to

⁴³³ Department of Corrections of Thailand, "Finding Jobs for Prisoners Released by Pardon," Varasarn Rajatarn, 9:1, February, 1961, p. 76.

recommend regarding parole is the recruitment of parole officers who are specially trained for this work, who have good will and a love for one's fellow men⁴³⁴ and who are capable of carrying on the treatment program started in the institution. The second recommendation for Thailand is that parole should be granted to more prisoners. The number of parole decisions in the year 1959 (139 parole decisions) was very small indeed. In the third place, there should be a single parole board instead of multi parole boards. The prison authorities should be concerned only with the preparation of inmates for release, and the parole board should be concerned with the decision as to whether or not the inmates are ready for parole. Finally, parole conditions should be re-evaluated in the light of the present situation. The conditions that should be added or deleted should be decided through consultation among experienced authorities.

In regard to the appropriate use of probation, institution, and parole, the Standard Probation and Parole Act aptly suggested:

The whole correctional process must be considered in any state's efforts to deal with the crime problem. Concentration on probation or parole alone, or on the institutional facilities alone, would fall short of

⁴³⁴ Frank Dawtry, "Probation in Britain," N.P.P.A. Journal, 3:4, October, 1957, p. 410.

the balanced program needed. Nevertheless, it must be made clear that the proper development of probation and parole can make it possible for the correctional institutions to become, instead of mass custody centers, specialized and professionalized rehabilitation services for the relatively small number of offenders requiring institutional treatment.⁴³⁵

Things Thai Should Not Have. Although the seriousness of the offense⁴³⁶ and the number of crimes committed by a person not less than twice that are punishable for a term of not less than six months make it reasonable for the court to sentence a person as a habitual criminal, the writer wonders whether the placement of habitual criminals in a separate institution proves good for all habitual criminals. If a classification process is installed, some habitual criminals may be placed in other institutions that will more adequately meet their need in terms of treatment. This is a field where research should be conducted.

Things Thai Has and U. S. Should Have. There are two things that the writer would like to recommend for the United States. The first is confinement in lieu of fine. Prisoners who are unable to pay a fine and who are not placed on probation should be placed in a place of confinement which is not a prison. The second recommendation is that the pre-release program should require every prisoner to memorize

⁴³⁵ National Probation and Parole Association, Standard Probation and Parole Act, op. cit., p. vi.

⁴³⁶ See page 57 of this thesis for offenses committed by habitual criminals.

the basic moral principles of his own religious faith in addition to receiving other treatment in the pre-release program.

General Conclusions and Recommendations. The above recommendations result from the writer's comparative study of the standards represented by the American professional correctional associations and by the selected programs of the U. S. Bureau of Prisons and the Michigan department of corrections. Throughout the thesis, corrections in Thailand are compared and integrated with the standards and practices mentioned above. This method is evident from the definitions of maximum, medium, and minimum security custody and from the explanation of the meaning of an integrated and classified prison system. The writer's thesis deals with not just corrections in Thailand per se; many vivid examples from the Thai corrections that support contemporary correctional principles are presented in the body of the thesis. For example, the beneficial result of the humanitarian method regarding the use of instruments of restraint is given. The humanitarian principle also applies in the writer's recommendation for the United States regarding the use of confinement in lieu of fines instead of imprisonment. When a person is sentenced thirty days, ninety days, or fined, it means that if he has enough money to pay the fine he is set free, or that

if he has enough money but would like to spend it in other ways and is unwilling to pay the fine, he serves ninety days. He would feel more grateful and realize his own fault in a more healthful way if he is sentenced to a place of confinement which is not a prison. Prisons should be used only for those who really need prisons. A ninety-day sentence or a fine does not reflect a serious offense. If the person is not placed on probation, confinement in the Thai sense instead of imprisonment should be the answer.

It is often mentioned that prison labor should be used constructively and should enable the inmate to find a job outside after release. Corrections in Thailand point out that prison labor should be integrated with national economy. This concept of the integration of prison labor has two meanings. It means that the production of prison labor should be in accordance with the need of local, regional, and national economy and that the nature of the work should not be harmful. In the United States, integration with national economy means that the use of prison labor should in no way be in conflict with free labor.

The three main objectives of the treatment of offenders, adopted from the Standard Minimum Rules, are that rehabilitation should be the purpose of the treatment of prisoners, that the treatment should be individualized, and

that life in prison should be similar to normal life outside. The use of these three main objectives can be seen operating throughout the discussion of the thesis. Vocational, educational, and moral training is in accordance with the first objective. It cannot be fully said that Thailand has individualized treatment, the second objective. The classification process and the orientation program are described in detail for the implementation of individualized treatment of the prisoners in Thailand. The third objective of prison treatment that life in prison should be similar to normal life outside is illustrated by the explanation of the living conditions of the prison in Thailand; living conditions are arranged in accordance with the standard of the locality of that prison. This is especially true in the aspect of food. However, if public good will is to be maintained, care must be taken that life in prison must not seem higher than the normal life outside. Illustrations to prove this point are the use of television being questioned by the press and the prisoner's reluctance to leave the prison because of better food in the prison than in his own locality. This reluctance could be corrected by inculcating in the prisoner a sense of social responsibility.

An example of mutual benefit taken from corrections in Thailand and in the U. S. is moral training by the

requirement of each prisoner to memorize the basic moral principles of his own religious faith in Thailand and group counseling including group therapy in the U. S. These kinds of moral training and individual and group counseling, along with other constructive activities should be used in the prison, in the pre-release unit, or in camps. The employment of parole conditions, as cited from Michigan, as a measurement of the parolee's behavior provides another perspective of parole conditions which shows that the conditions are not merely set up for pure restrictions, but also for helping and evaluating the parolee in his adjustment to life outside.

An illustration of the way the writer compares corrections in Thailand with the U S. Bureau of Prisons and Michigan corrections in Chapter VII may be seen from the comparison of the prison system. Although the prison system in Thailand is integrated and classified, it is not adequate. From the discussion of the federal prison system, the writer points out that there should be more institutions for youths and there should be a medical center in Thailand. From observation of Michigan institutional facilities, it is suggested for Thailand that some of these institutions for youths should emphasize academic training and some should emphasize technical training. This method of comparison is applied in the appropriate places throughout Chapter VII

of the thesis.

Besides the value of the general discussion of corrections in Thailand compared with standards represented by American professional correctional associations and with some selected correctional programs in the U. S., the presentation in this thesis of statistics on crime and offenders in Thailand might prove useful to those who are interested in international statistics on crime; these statistics could be used for further research.

In addition to the specific recommendations as referred to above regarding the prison system, probation, treatment, and parole, many problems are revealed for future study:

- (1) The suggestion is made that publications regarding custody and treatment in each institution are needed and should be written by wardens or other institutional personnel.
- (2) Thailand has many types of treatment; how good these various kinds of treatment are for different kinds of offenders is not known due to lack of research. The relative proportion of success and failure of each kind of treatment (probation, confinement, prison, parole) and the factors that affect success or failure should be studied.
- (3) Evaluation and periodical re-evaluation of correctional practices in Thailand with the Manual of Correctional Standards should be

conducted; the Manual invited international evaluation⁴³⁷ for the acceptance or modification of its principles. Self-evaluation would help in the improvement of correctional practices. (4) In the formulation and the direction of research, the use of the experiences of institutional personnel and probation and parole officers would be of material usefulness.

The writer is surprised to find that Robert H. Scott's statement about changes in adult corrections is the same as the conclusion of the writer, although the contents in his chapter⁴³⁸ and in this thesis are quite different. The conclusions are the same, except for a few which are added in parenthesis by the writer of this thesis and the last item which is taken from the U. S. Bureau of Prison's Annual Report 1960. These changes in adult corrections are:

1. The development of classification for treatment (as well as custody).
2. The introduction of psychiatry and psychology as bearing upon concepts of causation and treatment.
3. Emphasis upon education and special programs including the chaplaincy, recreation, and other activities, such as radio and television.
4. The development of the indeterminate sentence (only when there are adequately qualified personnel).⁴³⁹

⁴³⁷American Correctional Association, Manual of Correctional Standards, op. cit., pp. 592-93.

⁴³⁸Robert H. Scott, "The Youthful Offender: An Illustration of New Developments in Correction," in Hans Toch, Legal and Criminal Psychology, op. cit., p. 325.

⁴³⁹Parenthesis except item 1 indicates recommendations by the writer of this thesis.

5. Improved standards of selection and training of personnel.
6. Civil service and merit systems.
7. Reorganized Departments of Corrections to include probation and parole services.
8. Development of camp programs.
9. Introduction of counseling services to institutions.
10. Improved standards and greater use of probation (and parole).
11. Increased use of the pre-sentence investigation to determine proper disposition.⁴⁴⁰
12. Greater use of community resources and research to evaluate programs and methods; and experiments with newer techniques in the light of changing conditions and advancement of knowledge.⁴⁴¹

These twelve items are the substance of this thesis.

This thesis is concerned with corrections, not with crime causation. The reader is reminded here that all of the treatment practices described in Chapters V and VI should not be applied in the same degree to all prisoners. Some prisoners may need intensive psychiatric and psychological treatment; some may need more educational and vocational training. Others may need only moral training and counseling for changing attitudes. George B. Vold mentioned in this regard that the ordinary prison population may be characterized into three segments:

1. The psychologically disturbed.

⁴⁴⁰Loc. cit.

⁴⁴¹U. S. Bureau of Prisons, Federal Prisons (Washington, D.C.: U. S. Bureau of Prisons, 1960), p. 23.

2. The unskilled and uneducated.
3. The psychologically normal and educationally average who identify with a non-law-abiding way of life.⁴⁴²

These three segments of the prison population support the above statement that not all prisoners need the same kind of treatment.

This thesis is intended to be as useful a tool as possible to all concerned with corrections. Definitions, objectives, criteria, methods, examples, and correctional practices have been presented. Some of these are discussed in the body of the thesis; others are summarized or quoted in the Appendices. Suggestions are made regarding needed criminological research as well as possible changes in the correctional process. Several other studies, along lines similar to this one in such areas as custody, physical correctional architecture, and clinical treatment, would supplement what the writer has done. Experienced and competent Thai authorities in these fields could prepare such studies. This thesis will fulfill its purpose if it contributes to the protection of society and the rehabilitation of offenders; protection of society

⁴⁴²George B. Vold, "Does the Prison Reform?" The Annals of the American Academy of Political and Social Science, op. cit., p. 49.

must always be kept in mind when rehabilitating offenders. This thesis is intended to serve as a stepping-stone for further research and planning in developing the most effective and efficient correctional system in Thailand. This thesis is also intended to contribute to the literature and theory of comparative corrections. Through the comparative analysis of correctional systems, all correctional systems can benefit since similarities and differences are revealed by such studies. Research can determine the relative effectiveness of the various ways of treating convicted law violators. Some problems for future research have been suggested in this chapter. Use of such knowledge gained from research could mean that more prisoners would be rehabilitated more rapidly and become more self-sufficient. Correctional efficiency is crime prevention both because the rehabilitated offender does not commit crime again and because it helps prevent the further development and spread of crime among other people who are directly associated with the released and rehabilitated offender.

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APPENDIX A

CUSTODY, SECURITY AND CONTROL

The Manual of Correctional Standards listed

fourteen essentials for good custody, security and control.

1. An adequate system of classification of prisoners.
 - a) Maximum custody is used for incorrigible or known "escape risk" inmates.
 - b) Close custody inmates are housed in the most secure units, assigned to work within the institution enclosure, and are under constant supervision.
 - c) Medium custody inmates are available for work outside of the regular enclosure under supervision or inside without direct supervision and are housed in dormitories or outside cell blocks.
 - d) Minimum custody inmates are eligible for outside assignments under only general or intermittent supervision.
 - e) There is an annual automatic review of the custody of each prisoner.
2. Inspection of security facilities.
 - a) A written weekly report is submitted to the appropriate officer of the results of a check of all security facilities.
 - b) All employees are trained to observe any unusual conditions as applied to security facilities.
 - c) All security equipment is in proper working order.
3. An adequate system of counting inmates.
 - a) There are at least four official counts every 24 hour period.
 - b) Detail and housing officers make irregular but periodic "census" checks of inmates under their supervision in addition to the official counts.

- c) The responsible count officer has up-to-the-minute information regarding all inmate changes and housing or work assignments.
 - d) Counts in dormitory or open-type units are never made by only one officer.
4. Control of Firearms.
- a) The firearms control plan meets the requirements of the basic control procedures.⁴⁴³
5. Gas Control.
- a) A sufficient quantity of gas is available for use only by personnel trained for this assignment.⁴⁴⁴
6. Control of Contraband.
- a) All types of medicine and stimulants are under lock and key absolutely inaccessible to prisoners.
 - b) There are periodic but irregular "shake-downs" of cells of all inmates and inmate work areas.
 - c) All vehicular traffic and supplies coming into the institution are inspected.
 - d) Metal detector devices are used at the gates of the compound and entrances into cell blocks.
7. Key Control.
- a) The key control system at any time indicates where each key is and in whose possession.
 - b) All personnel who withdraw keys give a receipt for them.
 - c) Periodic surveys have been made to assure that obsolete keys are discarded.
 - d) Prisoners are never permitted to handle keys.
 - e) Keys which actually permit egress from the housing unit proper are locked up securely under the direct supervision of a paid employee at all times.

⁴⁴³ See the basic control procedures for the use of firearms at the end of this Appendix.

⁴⁴⁴ See the plan for gas control at the end of this Appendix.

8. Tools and Equipment.

A satisfactory plan for control of tools and equipment items that pose a threat to persons or the physical security of the plant is in effect.

9. Job Analysis.

- a) Every officer assigned regularly, or as relief, is required to know the responsibilities and requirements of his post.
- b) There is a set of general procedural orders and a specific job analysis for every post.

10. Locking Devices.

- a) There is a competent locksmith on the staff.

11. Proper cell equipment . . . to minimize the necessity of permitting custodial risks to leave their cells after lock-in.

- a) Cells are equipped with necessary plumbing.

12. Emergency doors . . . provided into housing and to the areas where prisoners are congregated.

- a) All housing units have an emergency door with lock opening only on the outside and that swings outward.

13. Special Emergencies . . . (a) riots, (b) escapes, (c) fires. . . .⁴⁴⁵

- a) The approved basic procedures for dealing with riots have been developed and used in the training of personnel.
- b) Copies of the escape plan have been made available to personnel concerned and they are familiar with it.

⁴⁴⁵ See basic procedures for dealing with riots, escapes, and fires at the end of this Appendix.

- c) The written escape plan is current and includes the Manual of Standards list of essential elements.
- d) There is a well trained crew of inmate fire fighters available at all times under employee supervision.
- e) The basic plan for control of fires includes the minimum requirements listed in the Manual of Standards.

14. A positive program of inmate activities.

The Manual of Correctional Standards said that perhaps the most important item is the fourteenth item.⁴⁴⁶

⁴⁴⁶ American Correctional Association, Manual of Correctional Standards, op. cit., pp. 209-10 and p. 594.

1. A Basic Control Procedures for the use of firearms.

a) The weapons arsenal should be located outside the inmate housing and activities area. Under most conditions, an armory tower is the most secure arsenal location for all weapons and ammunition not in use. It should be borne in mind that weapons are not needed inside, so that the proper place for storage is outside if possible. Firearms are used only as a last resort to prevent escape or in extreme cases of violence. Therefore they are usually needed only when escaping prisoners are gaining egress from the institution perimeter. When prisoners have reached the outside, weapons stored inside the institution in a vault or an inside armory are practically useless.

b) All employees must be trained to safely handle and shoot all weapons they may be called upon to use. . . . Prison officers should be required to qualify over regulation shooting courses as a requisite for their positions, initially, and should later be required to qualify at least once each year.

c) When it is necessary for firearms to be checked out of the arsenal or when they are being transported in areas adjacent to prisoners, there should be two or more officers available. In most cases where it is necessary for weapons to be transported from the arsenal to towers that are manned only for certain shifts, it is advisable for one officer to transport the weapons, and after he has posted himself in the tower, to receive the ammunition from another officer. This procedure may be varied depending on location of tower lines, etc.

d) Precautions should always be taken to assure that shipments of weapons or ammunition coming into institutions are plainly labeled and that instructions on the outside of the cases direct that the institution will be notified prior to delivery.

It should be emphasized to all new prison trainees that there is no more flagrant example of false security than an ostentatious show of weapons and the habitual use of such weapons in close proximity to prisoners. It is an open challenge and the histories of many bloody riots show without question that it almost inevitably leads to death or terrible violence or both, sooner or later. The untrained or blustery prison officer who swaggers among prisoners with a gun on his person is usually trying to compensate for fear or lack of

knowledge in how to handle prisoners. Any prison system that permits such use of weapons is inviting disaster.⁴⁴⁷

⁴⁴⁷American Correctional Association, Manual of Correctional Standards, op. cit., pp. 214-15.

2. A Plan for Gas Control.

All penal institutions should be equipped with a sufficient quantity of gas for use in quelling violent disturbances. Ordinarily, institutions of from 500 to 1000 inmates should have a minimum stock of approximately 50 CN gas grenades, several 1.5 inch gas projection guns with at least ten rounds of tear gas projectiles for each gun and these should be divided about equally between short-blast and long-range projectiles, and at least twenty-five billies. Other types of gas dispensers are available and most are satisfactory.

Prison administrators should ascertain where additional supply of gas equipment can be readily obtained in the event of a major disturbance. Because gas munitions deteriorate rapidly, it is not economically sound to keep large quantities on hand in the institution.

. . . Gas should never be used by personnel who are not trained in its use.

Advantages. The use of tear gas in suppressing disturbances is more humane than bullets since it causes no serious or lasting damage. Unless there has been prolonged exposure to intense concentrations, tear gas has a physiological effect only for a short period of time varying from a few minutes to a few hours. It provides a means, if properly used, of overpowering and subduing a man or a group of men without wounding or mutilating them. The psychological effect of using tear gas is also helpful. Actually, the threat and availability of gas at the scene of a disturbance has probably halted more incipient disorders than its actual use.

Disadvantages. The proper uses of gas are not understood by the public generally and may lead to unfavorable reactions. The physical effects of tear gas tend to make a man oblivious of everything except his desire to get out of the gas. This may prove to be a disadvantage. If the gas is used unwisely, it might precipitate a disturbance worse than the one which exists at the time, and it might cause temporarily blinded prisoners to injure themselves by rushing into an unseen hazard.

Conditions must be favorable so the use of gas, when released, will reach the intended objective; an adverse wind could cause the gas to be disadvantageous. There are also

limitations to its use inside a building because of dangers of starting fires from burning grenades, getting a concentration which is too dense, or gassing adjoining areas not affected by a disturbance.

Use of DM or Nauseating Gas. The use of DM is not recommended except under the most extreme conditions. If extreme violence prevails and extensive property damage may result, then, as a last resort before use of firearms, DM gas may serve to subdue desperate rioters.

The effects of nauseating or DM gas are sneezing, coughing, nausea and vomiting in varying degrees of severity, depending upon the concentration inhaled. The victims of the gas become depressed, physically weak and generally debilitated after a few minutes and can offer little resistance. The gas does not take effect as quickly on some persons as on others. Action has been known to be delayed about thirty minutes in rare cases. The effects are more lingering than those of tear gas and usually light concentrations only are necessary. It should be remembered that DM may readily contaminate water and cause poison if such water is used for drinking or cooking. An effective concentration may be produced with .002 of an ounce of Adamsite, in 1,000 cubic feet of air at three minute exposure.

For DM gas or a mixture of CN-DM the treatment usually recommended is rest, fresh air and removal of the contaminated clothing. The nose and throat should be washed with salt water or a solution of bicarbonate of soda. Relief for the burning of the nose and throat is afforded by inhaling the following mixture:

Alcohol 40%, chloroform 40%, ether 20%, and ammonia 5 to 10 drops. Glycerin and menthol troches help to relieve the burning of the throat. Breathing chlorine given off from a bottle of chloride of lime is beneficial. Keep patient warm, but not near heat.⁴⁴⁸

⁴⁴⁸ American Correctional Association, Manual of Correctional Standards, op. cit., pp. 215-16.

3. A Plan for Dealing with Riots

A well developed Emergency Plan for dealing with riots or violent disturbances should include the following:

- a) Prevention:
 - 1) Alertness to detect and report any signs of unrest or tension.
 - 2) Consideration of legitimate complaints or needs.
 - 3) Provision of an adequate overall institutional program.
 - 4) Unbiased thinking on the part of the personnel.
 - 5) Use of organization as a sounding board.

- b) Control:
 - 1) Adoption and proper use of Master Riot Plan
 - 2) Selection and training of personnel for squad.
 - 3) General knowledge of plan among all personnel.
 - 4) Prompt and decisive action.
 - 5) Adequate alarm system.
 - 6) Ready availability and proper use of equipment.
 - 7) Proper application of special controls by Mechanical Service personnel.

- c) Post-Riot Procedures:
 - 1) Have institution count made.
 - 2) Segregate ringleaders and agitators.
 - 3) Check security of institution.
 - 4) Conduct a thorough investigation of incident.
 - 5) Administer first aid to injured.
 - 6) Repair damage.
 - 7) Adopt effective measures to prevent repetition.

In putting into effect the Emergency Plan, there are a few things of vital importance to remember:

- a) When an emergency alarm is sounded, be sure that all available officers DO NOT rush to the scene. A rear guard or reserve force should remain away from the scene to take action after the situation has been evaluated. The histories of many unfortunate riots show that officers who rushed unguarded and unwarned into actual or staged group disorders have been taken as hostages, overpowered, or killed.

- b) Officers who are untrained with firearms should never be given assignments calling for the use of arms to quell a disturbance. If gas or weapons are needed, use them methodically and only after detailed plans of operation have been prescribed.
- c) Above all, have a plan and proceed calmly and quickly.⁴⁴⁹

⁴⁴⁹ American Correctional Association, Manual of Correctional Standards, op. cit., pp. 222-23.

4. Procedures for Dealing with Escapes

The following suggestions are considered essential to any procedures for escapes:

- a) The institution, usually in the office of the Custodial Supervisor, should maintain an up-to-date list of all employees, with addresses and telephone numbers so arranged that a minimum number of calls will contact a majority of officers.
- b) The Procedures of Escapes should provide that when an unauthorized absence of any inmate from a work crew or living quarters is discovered, it will be reported at once to the supervisor responsible. When it is determined that an escape has probably occurred, the Procedures for Escapes should be placed into effect without loss of time and prearranged signals should be sounded to notify all employees living in the area of the prison.
- c) Procedures for Escapes should include a complete list of posts to be covered by officers while the search is in progress. These may be divided into schedule A, B, C, etc., and depending on the information available as to how inmates escaped, time and means of departure. The posts covered may be only those included in certain areas. For example: if inmates have departed by car and are known to be some distance from the institution, posts normally covered near the scene of the escape would not be manned. The Procedures for Escapes should provide that officers on assigned posts may be moved only by the person in charge of the search operation.
- d) The Custodial Supervisor should have available a "kit of instructions" to be handed each officer on a post. For example: if post number sixteen provides for the covering of a particular crossroads, this kit marked "Post No. 16" would contain a map of the nearby area, information as to residents living in that area, location of the nearest telephone, location of the nearest law enforcement officers or agency, and any other information that will assist the officer when he arrives on the post.
- e) Concurrent with initial assignments of officers on post, one employee should be designated to notify by telephone or radio all law enforcement agencies in

the country or state. The telephone and communication lines should be covered as long as the search is in progress. Any well developed Procedures for Escapes provide that law enforcement officers will have been contacted in advance and would be prepared to go into action when the prison gives notification that an escape has been made.

- f) Plans should provide that in case of a general escape alarm, all personnel, custodial and non-custodial, not on duty will report immediately to the officers' assembly room or previously designated place.
- g) Officers in charge of crews at work should place their tools and equipment in one place and proceed with their crews to the checking-in point. They should then make themselves available for emergency duty.
- h) Officers assigned to essential maintenance posts such as powerhouse, kitchen, hospital, fire station, who have under their supervision inmates who must remain on duty should take a count at the sound of the emergency alarm and report this count to the control center. The Procedures for Escapes should provide for specific instructions for officers on posts such as the powerhouse, fire station and any other post that may exercise control over vital utilities.
- i) At the sound of the escape alarm, officers assigned to armory towers or arsenal units, should make immediate preparations to issue arms, ammunition and such other equipment as may be needed.
- j) The record clerk should stand by his office and be ready to prepare escape circulars for distribution and mailing. These circulars should be mailed to the Chiefs of Police in all nearby cities and to all law enforcement departments in each county in the state in which the escape occurs and to sheriffs, chiefs of police, and state patrol departments in neighbouring states. Circulars and information also should be disseminated to railroad police, immigration agencies, and any other law enforcement agencies available. Under no circumstances should untrained officers be sent out with a gun. Also, under normal circumstances, correctional employees should not establish roadblocks nor stop cars unless accompanied by duly appointed law enforcement officers.

- k) The Procedures for Escapes should provide for use of nearby radio and television stations. If plans have been made previously, it is nearly always possible to secure the cooperation of these public service facilities.

Experience has indicated that most escapees prefer to remain under cover during daytime and move at night. When information is available that escapees are in a certain area, it is well to maintain groups in that area to apply continuous pressure in order to force the escapees into movement. Even when the majority of employees have been taken off the search, about the third or fourth day, it is well to continue some patrol of areas previously covered in order that investigations of all reports may be made. Above all, rely on the sincerity and integrity of community citizens who are extremely helpful in any escape hunt.

One thing not to be overlooked is that all law enforcement agencies and communities previously informed of the escape be notified immediately when the prisoners have been recaptured. This is good public relations and assures that the same agencies and groups of citizens will respond to later emergencies⁴⁵⁰

⁴⁵⁰ American Correctional Association, Manual of Correctional Standards, op. cit., pp. 223-25.

5. A Basic Plan for Control of Fires

Any basic plan for control of fires should include as a minimum:

- a) A full-time crew of inmate firemen. These inmates should be suitable as to custody, intelligence, interest and training to cope with any types of fires in the main institution and in buildings outside the main security perimeter.
- b) The fire crew should be housed in close proximity to the fire truck and other equipment. It is highly desirable that this crew be housed separate from other inmates in order that they may be checked and identified quickly if it becomes necessary to go outside the main compound.
- c) Equipment should include as a minimum a modern fire truck complete with pressure pumps and tanks. Modern portable extinguishers should be a part of this equipment. Fire extinguishers should be placed in close proximity to all housing units and should be located in strategic spots in all building areas. The types of extinguishers to be used should be those recommended by the local fire department since fire hazards differ according to types of structures and types of operations. It is important to use care in selecting the types of mixtures for use in fire extinguishers since inmates sometimes resort to emptying the instrument in order to drink the fluid or inhale the fumes. In some cases this can be dangerous to the inmate and, it destroys the value of the extinguisher.
- d) The institution should have specific plans for evacuation of inmates in case of emergency, such as fire, earthquake, bombing, and so forth. In the case of fire, it is well to remember that smoke, under normal conditions, arises upwards, and a plan for evacuating cell house tiers would include evacuating the upper tiers when a fire begins to get out of control in the housing unit. As a rule, it is not difficult to extinguish fires that occur in cells, but it must be borne in mind that a fire allowed to get out of control endangers the lives of all occupants who are locked in a cell house, since the danger of suffocation is greater than that of actually burned.

- e) Keys to all emergency exits and to stationary fire-fighting equipment that may be locked in storage places should be immediately available. Such keys should be marked distinctly to avoid confusion during the emergency. It is a good idea to paint the metal tags on these keys in a distinguishing color, such as red, in order that they may be located and issued with no delay.
- f) Portable floodlight equipment should be readily available in the control room and fire station, since these are usually necessary in combatting fires at night. This type of equipment is especially necessary when approach to the fire must be gained across roof tops. These lights may be used as additional security protection also, along fence lines when many inmates are out in the compound at night engaged in fighting the fire.⁴⁵¹

⁴⁵¹American Correctional Association, Manual of Correctional Standards, op. cit., pp. 225-26.

CUSTODY, SECURITY AND CONTROL

Hugh G. Christie mentioned a variety of rules and conditions under which control will benefit most from a positive approach, and the requirement for custody has been applied in the least damaging way. These items are listed below:

1. In a good system there will be an opportunity for recognizing growth and individual differences through the provision of institutions and camps allowing varying degrees of liberty and normal living ranging from maximum custody to open institutions and parole.
2. There will be classification system which has sufficient . . . personnel. . . .
3. Institutions and camps doing the best work will usually be small units of 60 to 100 to allow the personalized contacts necessary for the best understanding, control and treatment. . . . These camps or units may be associated with each other for administrative reasons. . . .
4. When a man comes to prison it not only represents a personal failure of his own but also the failure of his family and community. . . . The prison is supplying a supplementary service or helping them with a problem which was and still is theirs . . . community and family interest, help, and responsibility can best be maintained by the existence of small institutions in each community rather than great impersonal fortresses at central points at a distance from the prisoner's own home.
5. Control is at its best in an institution where the general atmosphere is such that the inmate is impressed with the fact that staff believe in his worth and are as sincerely interested in his welfare as his custody;

6. Custody will be better in the institution that requires a full day's work up to the limit of each inmate's ability and where leisure hours require and encourage participation in a choice of truly recreational services. . . .
7. Good custody will be most certain and positive where staff are so well trained that they can operate as a professional team, . . . in the same direction not only as regards the general atmosphere and objectives of total program but also with regard to the individual job being done with each inmate. . . .
8. Since training is the essence of any program particularly those involving the coordination of custody and treatment, a number of points to indicate the trend which decisions should take, the attitudes which should be fostered, and the extent to which training should proceed, will be listed as a further basis for discussion of what might be called basic custodial training.
9. . . . good custody . . . incorporates, though inconspicuously, the essence of harmony, professional technique, and gentlemanly conduct so essential to any program which will successfully reform the offender.
10. . . . officers should remember . . . that they are servants of the people. Although you may, on occasion, have to oppose the wishes and even the physical attacks of both free citizens and prisoners, it must always be done with decision but with no expression of disrespect. Other important principles which will be outlined in your course will emphasize the importance and the character of proper relationships between staff and with inmates, and the importance of the prison officer living up to the standards the institution is trying to inculcate in its inmates. Disturbed people do not, generally speaking, learn to be good citizens because of some form of logic such as "crime does not pay." They learn that someone has faith and interest in them, no matter how rigid his discipline must be. They admire that person. They accept his standards. They learn by example rather than precepts. The two points are equally

important. There is no substitute for proper morals in a prison officer, and every officer must, throughout his relationship with inmates, make clear his faith in their eventual worth.

You should be always aware of your oath of allegiance to the ideals which the Crown, the Institution, and its executive head represent. This is very important, since the temptations of an officer are great and the opportunities for disloyalty many.

11. Members of prison staff should not discuss, outside the prison, any information or knowledge they acquire in the course of their duties. This information or knowledge is the property of the Crown, and may only be disclosed by order or permission of competent authority.
12. Staff should not discuss prison affairs or other officers or inmates with inmates. This is a dangerous practice and will in time cause an officer to be reduced to the same level as his prison charges.
13. A prison officer should conduct himself on the street or in public places in the same manner that he is expected to conduct himself while on duty. He should be a happy person, but should conduct himself with dignity.
14. Do not seek or solicit information from inmates. This will only cause inmates to lose their respect for you, or worse, you may find yourself obligated to such an extent that you may find it very difficult to say "no" if the occasion should arise and it probably will. You will also find that in many cases you have been listening to pure fabrication. If, on the other hand, a prisoner tells you something on his own accord and apparently without any hope of reward, check the truth of his story as soon as possible, but take care, he may be only trying you out.
15. Contraband is any article or thing prohibited by law or prison rules. It is a serious offence for any member of staff to import or export, or in any way engage in the traffic of any contraband article. . . .

16. It is the duty and responsibility of all members of a prison staff to familiarize themselves with the Prison Rules and Regulations, and orders issued from time to time for the management of the prison. . . . When in doubt concerning proper interpretation, clear with your superior officer. It is the intent of rules which is important. . . .
17. Your attitude towards inmates should approximate that of a good employer toward his employees. You should be firm and dignified. You should watch and listen to your charges without being conspicuous,--learn all you can about them. This will assist you in your control and understanding of prisoners and in making accurate reports on individuals or groups. You should not allow them to know anything about yourself except that you are a man of integrity and upright character. These essential qualifications you will show by the standards you set and by your words, deeds, and demeanour, so that while they are in your charge they will feel that they will be treated fairly and justly. If you should have to deal with an obstreperous prisoner, he will get little sympathy from his fellows, and in the long run will realize he was fairly treated. The over-permissive officer will have more difficulties than the firm but fair one.
18. When on duty, you are expected to be alert and aware of the fact that you are an officer in uniform and should stand upright. Leaning against something, smoking, chewing gum, whistling, or singing is not considered good practice, and will bring discredit to the duty you perform. Custodial duty properly performed requires maximum alertness at all times. You are not to read books, magazines, or newspapers of any kind while on duty.
19. Staff members should not run at any time, in or around the prison or on the prison grounds, except and only when there is something wrong, such as an escape, fire, or other danger. A prisoner should not be allowed to run at any time, unless he is cooperating with an officer in the event of fire or like emergency, when instructed to do so, or during a physical training program. Walk quickly with eyes open and thinking alertly at all times.

20. You are to be on time for duty . . . at least fifteen minutes in advance of the time of the duty period. This assembly period of fifteen minutes offers an excellent opportunity to check new orders, and keep informed regarding policies, procedures, and methods of performing your duties. It is the individual officer's duty to be informed of the duty he is scheduled to perform. It is the duty of all officers to be sure that any points of note be passed on to the officers relieving them.
21. While on duty in charge of prisoners, you must not engage in long conversations with anyone, and in the event of an incident occurring or a noise being created, you will be alert, as it may be intentionally set up to draw your attention away from what could be a dangerous situation. It is absolutely essential that prison officers be alert at all times while on duty.
22. Officers on visit duty must be observant during visits. With clergy, lawyers, social workers, etc., the officer should be out of hearing but in sight. It is unfortunate that honesty does not necessarily go hand in hand with success. Precautions must therefore be taken to prevent contraband entering the prison.
23. Making the count is one of the most important functions of the day. To make it efficiently and correctly demands practice and on-the-job instruction. You can have any information or assistance you require from the officer in charge but there must be no doubt after a count is considered complete. Never pass up a man in bed on the morning count. Always be alert for packed beds or dummies. You must always, on taking over the custody of prisoners, count them. A positive count must be made at proper intervals. You are to exercise the utmost care in units or dormitories at times when they are thought to be cleared of all inmates. This should be considered a dangerous period, and you should be very alert and check closely.

24. The use of force is seldom required in a well-run institution. . . . It could confront us all, and often unexpectedly. Your own good sense is an important essential when the occasion arises. To prevent the occasion arising, is of course, the best remedy. However, we cannot always do that, and we must sometimes therefore resort to force when it is the only method left for us to provide the necessary control. A prison officer can, where necessary, without higher authority use force in such instances in self defence, to restrain a prisoner, to lock him in a cell, to place him in a straight jacket, or to cuff his wrists or ankles. When you find it necessary to take action of this nature, you must as soon as possible notify the officer in charge of the prison. In the event of a prisoner attempting to escape, you call upon him to stop. If he does stop, and comes toward you, that indicates that he has ceased his flight and no further force should be used. If he continued his flight after you ordered him to desist, you would, if armed, fire on him, the firing to take effect. If a felon attempts to flee from justice, and in his flight loses his life, the responsibility is his. . . . you must not, at any time or under any circumstances use more force than is absolutely necessary to prevent his escape or to effect his recapture. For instance, in stopping a fight, in the first instance you should order them to stop. If they disobey, you increase the force, but only to the amount necessary to restrain them. . . . Although the security of the prison must always come first, you must also take every precaution to protect the life of the officer and the inmate.
25. If you should find it essential to use weapons, such as batons, or night sticks, you are to strike the shoulders, arms, and legs, and no more than is necessary. As with the use of firearms, good sound sense is essential.
26. If you should find it necessary to raise an alarm, do so by the readiest means. Call, shout, whistle, phone, fire a revolver or rifle, or sound a siren, but always raise an alarm by the readiest means.
27. The orderly movement of inmates to and from work details, educational classes, and recreational activities, must be established and maintained for proper custody. Orderly movement should be relaxed and does not require rigid drill or regimentation.

28. If you are assigned to supervise a work detail, whether employed outside or in a shop, your first duty is to line up your group and count them, calling the count to the officer in charge of the unit or from whom you received your group. Your group should be marched in good order, no smoking, and in close formation to their place of work. You must always keep your men in sight or where they cannot get out of custody. There are exceptions to every rule, but prisoners seldom attempt escape while under observation. It is of great importance that officers in charge of work details be always on the alert. This also applies to gangs provided with armed escort. Officers on outpost duty must always face the gang and be alert. The outpost who walks back and forth a few paces is preferable. Officers carrying on conversations cannot give adequate supervision to prisoners. Your supervision must be keen, but inconspicuous. Get around your shop. See that contraband is not being produced. Make a casual approach, and watch closely the man's reactions. If there are no provisions made for the searching of your group before entering their quarters, you are expected to search them yourself. Remember, a search properly interpreted becomes a necessary routine for the protection of all, rather than a personal suspicion regarding any individual. You will return your group in good order and formation, and check your count with the officer in charge. He will acknowledge your count before you can be considered as relieved of their responsibility.
29. All prisoners being received or being discharged, or going to court and returning from court, are to be systematically searched and their clothing removed if necessary.
30. Officers are not to go into dormitories during darkness unless absolutely necessary and under the observation of another officer, who will remain at the gate, keeping close watch on the officer in the dormitory. He will also keep the gate closed while the officer is within. Officers are not to go into dark rooms, cells, or any building in darkness. They should have lights on, or use a flashlight. Officers will carry out their duties by night as quietly as possible.
31. Officers should not leave their posts of duty unless properly relieved, and must not go on messages unnecessarily. In the supervision and procedure during the serving of

meals should be served promptly, fairly, and in an orderly manner. Officers never partake of food set out for inmates unless eating at a common table as part of a laid down training programme.

32. The use of firearms is not desirable but is sometimes necessary. You will therefore be instructed in the use, care, and maintenance of firearms. You must never allow your firearms out of your possession at any time, or go into any building or confined area with firearms where there are prisoners unless so instructed. The normal procedure is to allow a distance of approximately 15 meters or fifty feet between prisoners and an officer armed with a rifle, depending upon the circumstances.
33. When searching cells or dormitories you are to search systematically. Remember, you go there to search, not to create havoc. The cell or shop should be left in approximately the same condition you found it, with one important exception--all contraband should be found and removed. A good search is creditable, a bad one brings disrespect for authority. . . . The way a man is received into a prison will have a great bearing upon his behavior during his stay there. When searching a man, search him thoroughly, but . . . respect his individuality, and if the search should require even the slightest entry to the body, a medical authority must be present.
34. You must not at any time argue with a prisoner or use bad language towards him. If a prisoner becomes unruly and abusive towards you, remain silent, listen to what he says, and then quietly order him to his cell, place, or work, as the case may be. Never argue with a prisoner, either in a friendly way or otherwise.
35. When reprimanding or correcting a prisoner do it in a way which is definite but does not embarrass him before others. You should, over and above any other action you have taken, inform your relief of any such unusual incidents that may have occurred during your tour of duty.
36. You are not to remove a prisoner from any work detail, or any group unit, or cell, until you have notified the officer in charge to that effect. You must also notify the officer in charge when you return the prisoner to any place in the prison.

37. You should not witness any documents if requested by visitors to do so. On gate duty you must not allow any person to enter the prison compound or grounds until they are properly identified or until you have satisfactory proof that they are bonafide visitors, or have good and sufficient business reasons for visiting. When in doubt, contact your senior officer. All vehicles, travelling in either direction, must be stopped and inspected at the gate house. All packages or articles being brought in or taken from the prison even by staff must be checked, . . . and accompanied by a receipt or authorization signed by competent authority. You are to be courteous at all times.
38. When admitting prisoners returning from court after the close of the prison, take all necessary precautions to ensure safety. During darkness, have the flood lights on and have the armed yard patrol at a reasonable distance in front of the entrance. Do not allow the escort to leave until you have the prisoners in completely safe custody where they cannot seize keys or arms for the purpose of escape.
39. You must distinguish the difference between a prisoner's rights and privileges. This can be done by studying prison rules and regulations. They vary according to the type of prison. Only the Warden, or Superintendent or the officer acting in his absence, should deprive a prisoner of his privileges.
40. When you find it necessary to report an inmate to higher authority, place his name, identification and location on paper. Write the charge (for example; 'being in possession of contraband'), note time and place, and give this to the clerk in charge of these records, who will write it into the charge book. Place a tag on the contraband marked "evidence re the prisoner and his identification", and place it in the office of the Deputy Warden in charge of custody.
41. When you are called upon to bring an inmate before the Prison Court, you must see that the prisoner wears no cap and stands at attention. You will salute the court or use whatever indication of respect is laid down. The Warden will read the charge and ask the prisoner for his plea. . . . the Warden may still ask you to describe the circumstances, which you will do simply, honestly, and truthfully. When the case has been disposed of, you will

again acknowledge the court and escort the prisoner away. Never feel that the severity of the punishment is in any way related to you or whether the charge should have been laid. The punishment should serve the needs of the prisoner and the total institution, and a warning is therefore often the best punishment even where the crime is a serious one.

42. It is not good policy to tell a prisoner that you will report him. The situation may already be a threatening one, and a statement by an officer such as "I'll crime you" may be taken by the prisoner as a form of threat, aggravate the situation, and he may become more defiant and use abusive language towards you, or even get into more serious trouble.
43. Never allow the outer and inner gates to be open at the same time. . . . Receive all visitors with courtesy. See that they sign the register provided for that purpose. Do not allow any prisoner out the front gate unless accompanied by an escort or the prisoner has a pass from the Deputy Warden.
44. You are not to make any calls for prisoners, or call at his home, unless granted permission by the Warden or Superintendent to do so. Refer the inmate to the priest or social worker, if such services seem necessary.
45. You must never leave padlocks open. They should be locked on a bar or similar safe place. Keep your keys in your possession and do not set them down even for a second. When being relieved, hand keys directly to the relieving officer. All keys not in use must be left in the strong room or safe. Keys must not be taken from the prison at any time. Keys must never be given to a prisoner.
46. Unless employed in or for the prison, no one should be allowed to cross the prison grounds unescorted. To allow trespassing even on unused prison land often leads to later difficulties.
47. The night patrol officer is expected to be alert and vigilant. Observe all buildings for escape or fire. Check any livestock. Change direction of patrols frequently. Never pass anyone in the yard without identifying him conclusively.

48. If you should observe an inmate destroying his work or committing any infraction of the prison rules in any part of the prison. Whether he belongs to your unit or not, you are to take immediate action to stop him.
49. If it should be considered necessary to open a cell or dormitory at night, notify the officer in charge of the prison and take all necessary precautions. It may be a ruse on the part of the prisoner for the purpose of escape. Even in the case of an apparent attempt at suicide, give the alarm which should be conveniently located before taking the necessary steps to help the inmate.
50. You are not to play games with anyone while on duty unless you are instructed to do so as part of a recreation program. . . . You should not stand and watch a card or similar game. Such practices are dangerous because they divert your attention from your duty.
51. Officers, when managing prisoners, must avoid favouritism, and should never allow one prisoner authority over another.
52. The senior officers have an important responsibility with regards to getting the new officer off to a good start. Help him realize the importance of his job. Help him feel that he belongs to the organization. See that he has confidence in you, the institution, and himself. See that he understands the institutional policies, and the reasons behind them. Help him realize the importance of good work and the dangers of carelessness. See that he has received the initial guidance needed, knows who to approach to receive further assistance, and that he will ask for assistance rather than accept advice from inmates.
53. . . . staff training . . . is an endless job. The preceding points are an example of the body of simple but important material which must be built up and kept up to date by the constructive criticism and continuous review provided by professional training methods such as are demonstrated in this working conference. The different setting and circumstances of each institution and staff will require a slightly different emphasis and rate of change in some areas than will be practical in others but the basic principles which underlie our work will be the same everywhere.

Finally but most important, is the reminder that walls and chains and other negative methods of control cannot be set aside until positive methods have been developed to take their place. Change even for the better is an unsettling experience and requires time and careful guidance. Negative methods are most comfortably abandoned when positive methods have first been developed to the point where their gradual application forces the less efficient methods into disuse.⁴⁵²

⁴⁵²Hugh G. Christie, "Custody, Security, and Control," op. cit., pp. 61-71.

APPENDIX B

FORMAT OF THE PRE-SENTENCE REPORT

The format of the pre-sentence report may vary. A good pre-sentence report should include the following:

- 1) Social history-information regarding significant family, personal, social, and economic factors in the offender's life . . . :
 - a) Age, sex, address, social security number
 - b) Residence and citizenship
 - c) Race and national descent
 - d) Family history
 - e) Intra-family relationships and their effect on the subject
 - f) Housing and neighborhood characteristics
 - g) Health history-physical and mental
 - h) Educational background and capacities
 - i) Religious and fraternal affiliations and influences
 - j) Interests and activities
 - k) Employment status and experience
 - l) Military status and experience
- 2) Statement of offense, including:
 - a) A summarized version of the facts of offense
 - b) Defendant's own statement of offense, including why he thinks he committed it and what meaning it had for him.
 - c) Statement of circumstances surrounding the offense: was it planned in advance? Were companions involved in committing it? What extenuating circumstances, if any, were there? Can motivation for the act be determined?
- 3) Supplementary material--excerpts from, or copies of, clinical reports, jail reports, personal references, employer reports, and pertinent correspondence.
- 4) Prior record--obtained from the defendant, local law enforcement agencies, state and federal identification bureaus. There should be a clear description of these

- offenses so that they can be related to the offender's present behavior.
- 5) Evaluation--an assessment of the offender's personality, including a description of his customary behavior, particularly under stress; and evaluation of his personal strengths and weaknesses or special problems, in terms of the proposed treatment; analysis of his current environment's demands on him and supports for him.
 - 6) Plan of treatment and recommendations
 - a) Plan of treatment clearly explained. What kinds of help does defendant most need? Referral to family agency for help with marital problems? Medical attention? Psychotherapy? Guidance in choice of companions and recreation? Establishment of good relationship with helpful person interested in his welfare? Employment? Vocational training?
 - b) Recommendation for or against probation or for other disposition according to court policy.
 - c) Special conditions.⁴⁵³

THREE GENERAL PRINCIPLES FOR PROBATION SUPERVISION

The following are the three general principles for probation supervision:

- 1) The needs, problems, capacities, and limitations of the probationer must be considered in planning and carrying out supervision.
- 2) Legal requirements and conditions must be applied for the best interests of the offender and the community.
- 3) The goal of supervision is to help the offender understand his own problems and enable him to deal adequately with them.⁴⁵⁴

⁴⁵³ American Correctional Association, Manual of Correctional Standards, op. cit., pp. 520-21.

⁴⁵⁴ Ibid., p. 522. These principles may be applied also to parole supervision.

APPENDIX C

PROBATION CASE RECORD CONTENT

The content of a case record should be entered in an orderly fashion under typical headings for easy accessibility and it should include:

- 1) Face sheet with name, age, sex, race, address, family composition, religion, and social data included in the pre-sentence investigation.
- 2) A summary of the pre-sentence investigation including treatment plans and recommendations initially proposed.
- 3) Copies of medical, psychological, psychiatric, employment, and other records or reports from other agencies.
- 4) Copy of court order placing defendant on probation.
- 5) Copies of all legal papers, petitions, detaining orders, modification orders, etc.
- 6) All correspondence.
- 7) Record of casework interviews between probation officer and probationer either chronologically by interview or periodically summarized, including:
 - a) Date of interview
 - b) Changes and significant events in the activity of the probationer
 - c) Character and significance of the relationship between offender and officer
 - d) The offender's progress or lack of it
- 8) Central Index clearance
- 9) Reports from other social agencies.

- 10) A closing statement summarizing the method and reason for terminating probation, an evaluation of the overall progress made by the probationer under supervision, and a prognosis of his future adjustment in the community.⁴⁵⁵

⁴⁵⁵Ibid., p. 524. This content may be used also in an institution or parole case record. This can be done by changing the word "probation" into "institution" or "parole" in the appropriate places. When used in an institution, the case record is called "institution progress report." When used in parole, the case record is called "parole progress report."

APPENDIX D

PRINCIPLES OF THE CASEWORK RELATIONSHIP

Casework in corrections is the professional service rendered by trained personnel in the description and social treatment of offenders. It is a more intensive process than counseling in that it requires a more thorough knowledge and use of principles of human growth, personal adjustment, and social pathology. Most commonly, casework consists of working with one individual at a time, with the aims of (1) providing clear case description, (2) solving immediate problems involving family or other personal relationships, (3) probing carefully into long range problems of social adjustment, (4) offering supportive guidance and information to inmates who are nearing release from the institution and, (5) offering supportive guidance and professional assistance to offenders on probation or parole. In recent years, the group method has been used to augment the case service activities in corrections such that the total social service function of the institution involves both individual and group programs.⁴⁵⁶

The interaction between the caseworker and the client has three directions:

- 1) From the client to the caseworker the problem is revealed.
- 2) The caseworker assuages the client's fear by his attitude communicating respect for "the client's basic human rights and for his integrity as a person."
- 3) The client is aware of the caseworker's attitude and manifests his awareness to the caseworker.⁴⁵⁷

⁴⁵⁶ Ibid., p. 299. These principles may be used in probation, institution, and parole, as a tool for the case description and treatment of the offender.

⁴⁵⁷ Felix P. Biestek, S. J., The Casework Relationship (Chicago: Loyola University Press, 1957), p. 135.

There are seven principles of the casework relationship which are based on intensified basic needs and on the three directions of the dynamic interaction referred to above. The seven principles include:⁴⁵⁸

- 1) Individualization
- 2) Purposeful expression of feelings
- 3) Controlled emotional involvement
- 4) Acceptance
- 5) The nonjudgmental attitude
- 6) Client self-determination
- 7) Confidentiality⁴⁵⁹

Individualization is the recognition and understanding of each client's right and need to be treated as an individual who has unique qualities arising from his heredity, environment, and life's experiences. Purposeful expression of feelings is the recognition of the client's need for communication at a time when his problem is partially or predominantly emotional. Controlled emotional involvement is the recognition of the client's need to receive an appropriate response to his feelings. Acceptance means perceiving and dealing with the client as he really is rather than as the caseworker might wish him to be, maintaining all the while a sense of the client's innate dignity and personal worth. The nonjudgmental attitude is the recognition that the caseworker's role is to understand and help rather than judge or condemn him. Client self-determination is the recognition of the client's right and need to make his own decisions [within the limit of law]. Confidentiality is the preservation of secret information concerning the client which is disclosed in the casework interview. . . .⁴⁶⁰

"The probation officer as a caseworker with use of authority as a special factor has been given considerable attention in the professional literature."⁴⁶¹

⁴⁵⁸ Ibid., p. 136. ⁴⁵⁹ Ibid., p. 1. ⁴⁶⁰ Loc, cit.

⁴⁶¹ American Correctional Association, Manual of Correctional Standards, op. cit., p. 299.

APPENDIX E

WHAT THE CORRECTIONAL WORKER NEEDS TO KNOW

The probation officer, the parole officer, or the person who works in a prison is called the correctional worker. The following are the seven items that the correctional worker needs to know:

1. The generic qualities for effective practice in social work, i.e., the ability to form interpersonal relationships, the capacity to identify with a wide range of people, an active interest to help, an ability to feel intensively while retaining objectivity, and an interest in understanding oneself accompanied by an interest in change of oneself.
2. Ability to use authority comfortably, neither fearing nor avoiding it, nor overdependent upon it nor overusing it. This is predicated on a mature acceptance of authority with as little residue as possible of infantile hostility, fear or rebelliousness. If this acceptance is lacking, the worker will find difficulty in seeing authority as a reality and in helping the client to mobilize his energy within it instead of becoming involved in grappling with the immovable reality rather than with the problems.
3. A basic sense of his own adequacy and strength which minimizes the need to dominate others or the urge to be a "good fellow" at all costs.
4. An awareness of legitimate hostility and an ability to express it or repress it. Authority is a dangerous temptation to the aggressive hostile person.
5. Strength and some immunity in facing extreme aggression and hostility because responsibilities in this field include ability to meet hazardous situations where the awareness of the need as well as the ability to the calculated risks is essential.

6. Recognition that a successful solution is not possible in all cases and that there are limitations beyond which you cannot proceed in this field.
7. Ability to work with persons from other agencies since the legal framework inevitably borders upon other fields. Persons who have a need to deal with total situations and do not like to share responsibilities with others will not be comfortable or adequate in authoritative settings.⁴⁶²

⁴⁶²Price Chenault, "Structuring An In-Service Training Program," Alabama Correctional Journal, 7:1, June, 1960, p. 46, as quoted from American Prison Association, In-Service Training Standards for Prison Custodial Officers (New York: American Prison Association, 1951), p. 12.

APPENDIX F

PRINCIPLES OF INTERVIEWING

The interview is an important instrument for securing information from and for treatment of the client in probation, prison, and parole. Interviewing is an instrument of the casework relationship. The success of the interview depends upon the interviewer's ability to establish rapport, his attitudes, and his skill in the interviewing techniques. The following are principles of interviewing:

1. The importance of rapport. Rapport means harmony. First of all the interviewer must establish a relationship in which the client will feel free to communicate. This relationship is based on the client's trust. In securing information from the client, for example, about his past life, his family, his companions, or his offense, the interviewer should always tell the client how the information is to be used. If the information is regarded as confidential to be revealed only with the client's permission, the client should be informed of this fact. If the information will be available to others, the client should be informed.

When rapport is established in an interview relationship, it is characterized by confidence, mutual respect, and cooperation.

It is the responsibility of the interviewer to establish and maintain rapport. The techniques for establishing rapport are quite consistent with common courtesy.

2. The interviewer indicates his interest in the client.

The interviewer should avoid the impression that he is too busy to talk to the client or that he has many other things to do. The entire interview period should be devoted to the client and his affairs. There should be privacy in interviewing with no distractions or interruptions. Telephone calls and visitors should be avoided except under extraordinary circumstances.

3. The interviewer communicates to the client at his level. The interviewer should use the words and concepts that the client can understand. Professional jargon should be avoided.

4. The interviewer avoids distractions or annoying mannerisms. These distractions include unusual physical surroundings and unusual dress or behavior. For the most part, jokes or accounts of personal experiences are to be avoided. Physical contact other than shaking hands is inappropriate.

5. The attitudes of the interviewer. The closeness of the interview situation communicates the attitudes and feelings of the interviewer to the client. Sometimes it is difficult

for the interviewer to accept certain cases in the interview situation. He may react to the client in the same way as others react to the client. This reaction is not bad because from such reaction the interviewer learns how the client affects others. This kind of reaction is not a handicap on the part of the interviewer, but the interviewer should know himself well enough to differentiate between such normal reactions and a reaction to the client as a result of the interviewer's own anxieties, insecurities, and problems. Usually, however, such reactions are based on stereotypes or false impressions and will diminish as the interviewer tries to understand the client and his reactions to him.

Structuring within an interview should be kept at a minimum. When rapport has been established, the course of the interview is determined primarily by the client. There is little need for direction from the interviewer. This does not mean that the interviewer should not make some preparations for the interview. The interviewer should have his own goals for the interview. He should examine and review the material from the case record of the client before each interview.

6. Listening to the client. The goal of the interview is for the interviewer to obtain information from the client rather than to give information. The interviewer should listen to the client's story without interfering with

excessive directing, questioning, and information-giving.

7. Understanding the client. Assuming that rapport has been established and the client talks freely, the interviewer must interpret what he sees and hears in order to evaluate the client. The interviewer should listen not only to what the client says but also to how the client speaks, because the quality of speech will tell the feelings of the client. The interviewer should observe the client's gestures, manners, and dress.

8. In addition to the content of the client's story, certain characteristics obtained from the interview should be noted here:

"Association of Ideas. The client, for example, mentions his inability to get along with his boss soon after he talks about his feelings toward his father.

Shifts in conversation. The material discussed may have been too painful or the patient may be seeking to relate the topic of conversation to himself.

Recurrent Explanations or references. Unconscious conflicts may be expressed by frequently recurring themes.

Inconsistencies and gaps. The client has difficulty in saying certain things because of guilt, hostility, ambivalence, etc.

Defense mechanisms. Digressions, rationalizations, projections, and the like often indicate general area and true nature of the conflict."

9. Free expression and emotion should be encouraged, but they should be kept within the limit of the interview situation.

There should be some limits on the client's behavior, otherwise disciplinary problems may arise. The interviewer has the authority to enforce limits.

10. The interviewer should be prepared for the client's questions. When rapport has been established, the interviewee may feel free to ask the interviewer questions. The answer of the interviewer may help or hinder the progress of the interview. The interviewer should not express his own opinion or concur with the client's opinion on personal or controversial matters such as religion or the behavior of friends, because the motivations of the client in asking these matters are difficult to know.

11. When it is necessary for the interviewer to ask questions, he should ask them clearly, concisely, and for "ticklish" questions, he should ask them straightforwardly.

12. Emotional scenes should be handled tactfully. Sometimes the client shows emotional reactions such as anger or crying. The interviewer should handle these reactions with understanding and acceptance (empathy), without becoming emotionally involved himself (sympathy).

13. Termination of the interview. There should be a time limit for the interview, usually about an hour; and the client should be aware of this. In the termination period of each

interview, the client should have the answer or know what he is going to do next.

14. The foregoing 13 principles are only a guide. A skillful interview requires experience and understanding of people. "Where understanding is present, the techniques will take care of themselves."⁴⁶³

⁴⁶³ Raymond D. Fowler, "Principles of Interviewing," Alabama Correctional Journal, 7:2, December, 1960, pp. 1-6.

APPENDIX G

GROUP THERAPY AND GROUP COUNSELING IN THE RESOCIALIZATION PROCESS

Group therapy or guided group interaction is defined as "the use of free discussion in a friendly supportive atmosphere to re-educate the delinquent to accept the restrictions of society and to find satisfaction in conforming to social norms rather than following delinquent patterns."⁴⁶⁴ Basically group therapy attempts to reorient and resocialize inmates through group interaction. The dynamics of the group are used as a tool to modify the personality of each member.⁴⁶⁵

Counseling is defined as consultation to offer a course of action. Counseling implies mutual consent. The goals of counseling are to solve immediate problems or to develop the offender's understanding and maturity. Counseling may be provided by social workers, a psychiatric staff, teachers, and work supervisors.⁴⁶⁶

Group therapy and group counseling have the same purpose. The difference is that group therapy requires

⁴⁶⁴ Robert G. Caldwell, Criminology, op. cit., p. 566.

⁴⁶⁵ Ibid., pp. 564-65.

⁴⁶⁶ American Correctional Association, Manual of Correctional Standards, op. cit., p. 298.

professional leaders, whereas group counseling may use lay leaders.

Group therapy was first recorded in 1931. It was first used with tuberculosis patients and with psychoneurotic and other mentally disturbed cases. Group therapy became popular in the treatment of maladjusted soldiers and sailors in World War II.⁴⁶⁷ Group therapy was introduced into some correctional institutions in the early 1940's to readjust the attitudes of prisoners while in prisons and before release.⁴⁶⁸

There are various forms of group therapy. These forms are sometimes associated with the names of the persons who first introduced them.⁴⁶⁹ Basically there are three forms of group therapy:

1. The repressive-inspirational psychotherapy.
2. The analytical therapy.
3. The didactic psychotherapy.⁴⁷⁰

The repressive-inspirational psychotherapy urges the individual "to control himself, suppress asocial or worrisome

⁴⁶⁷Loc. cit.

⁴⁶⁸Ruth Shonle Cavan, Criminology (New York: Thomas Y. Crowell Co., 1956), p. 464.

⁴⁶⁹Walter A. Lunden, "Recent Experiments in Group Therapy," Alabama Correctional Journal, 7:1, June, 1960, p. 25.

⁴⁷⁰Paul W. Tappan, Contemporary Corrections, op. cit., p. 211.

thoughts and wishes, and find an interest in life, work, community, religion, etc."⁴⁷¹ The repressive-inspirational method uses "the emotional appeal of an evangelistic revival meeting and the commercial techniques of salesmanship."⁴⁷²

The analytical therapy urges "the loosening of repression, the conscious recognition and analysis of unconscious asocial wishes."⁴⁷³ This method holds that when the patient's energies are free, he will find suitable outlets in life. The analytical method uses "free association and intuitive interpretation of material presented by group members."⁴⁷⁴

The didactic approach uses the class method of treatment. This method believes that the "intellectual insight and verbal knowledge of psychodynamics constitute treatment."⁴⁷⁵

These various kinds of group therapy are used along with other rehabilitative programs. The word "guided group interaction" instead of "group therapy" or "group psychotherapy" was introduced in New Jersey reformatories to avoid any implication that the inmates were mentally abnormal or unbalanced.⁴⁷⁶ The major emphasis of guided group interaction is on the group and its development rather than on the exhaustive psychoanalysis of the members of the group.⁴⁷⁷

⁴⁷¹ Ibid.

⁴⁷² Ibid.

⁴⁷³ Ibid.

⁴⁷⁴ Ibid.

⁴⁷⁵ Ibid.

⁴⁷⁶ Ibid.

⁴⁷⁷ Edwin H. Sutherland and Cressey R. Donald, Principles of Criminology, op. cit., p. 494.

The number of inmates in each kind of group therapy is as follows:

- | | |
|-------------------------------------|------------------------------------|
| 1. Group psychoanalysis | 2-4 patients. |
| 2. Psychodrama | 2-5 patients. |
| 3. Release therapy | 5-12 patients. |
| 4. Repressive-inspirational therapy | 10-50 individuals. |
| 5. Group orientation | 10-100 individuals. ⁴⁷⁸ |

A guide as to who should attend group therapy is to select the individual who does not disturb the equilibrium of the group. Selection should be made on the basis of reaction to group life rather than on belonging to categories such as psychopaths and neurotics.⁴⁷⁹

In large groups the inmates are heterogeneous; in small groups the inmates are homogeneous.⁴⁸⁰ The inmates in small groups may be selected on the basis of (1) aggressive, (2) depressed and withdrawn, (3) normal, and (4) introductory behavior.⁴⁸¹ Homogeneous groups should be used (1) when the interview is used as the type of therapy, (2) when the therapy is less profound and non-intensive, and (3) when the therapist is not trained for a deep level of therapy. Heterogeneous groups should be used (1) when there is a need for a deep level of therapy, (2) when it is necessary to modify character structure, and (3) when the therapist has adequate

⁴⁷⁸Paul W. Tappan, Contemporary Corrections, op. cit., p. 212.

⁴⁷⁹Ibid., p. 217.

⁴⁸⁰Ibid., p. 214.

⁴⁸¹Ibid.

training and experience.⁴⁸²

Guided group interaction in the New Jersey Reformatory consists of both small and large groups. In the heterogeneous or large group, the number of inmates is between 125-175.⁴⁸³ In the homogeneous or small group, the number of inmates is from twelve to thirty-five inmates. The inmates meet with a leader every day for a fifty-minute session. All inmates attend three large group meetings and three small group meetings weekly.⁴⁸⁴ The inmates attend for about 26 weeks.⁴⁸⁵ This therapy program is coordinated with mental hygiene, principles of human relations, visual aid, and music to prepare the way for and to augment emotional reactions to visual aid.⁴⁸⁶

Supporters of group therapy presume that (1) the inmates are reformed through insight combined with ventilation about their resentment of authority, feeling of guilt, frustration, etc., (2) by accepting the fellow inmates' opinions in the therapy session, the inmate in turn will accept the restriction of society; (3) by guided group interaction, the inmate becomes interested in other inmates and sees that other inmates have the same problems as he has; this changes the

⁴⁸² Ibid., p. 214. ⁴⁸³ Ibid., p. 212. ⁴⁸⁴ Ibid.

⁴⁸⁵ Ibid., p. 214. ⁴⁸⁶ Ibid.

inmate's attitude from egocentric to altruistic; (4) the problem in group therapy is not individual versus society, but the problem concerns criminal values versus anti-criminal values;⁴⁸⁷ (5) the group benefits the inmates by reducing isolation; the permissive atmosphere reduces tension.⁴⁸⁸ The inmate learns that satisfaction comes from an inmate's cooperation with his associates rather than an inmate's exploitation of his associates;⁴⁸⁹ (6) group therapy destroys the routinized living in the prison. From the discussions in the group, the inmates are aware of present, past, and future problems. If a group program is effective, there is a modification in the behavior pattern of the inmates;⁴⁹⁰ (7) films are one of the mediums which help in presenting health lectures and which help in getting across to the inmates the importance of securing psychiatric counsel for emotional upsets. Films are helpful to overcome hostility and to create favorable attitudes toward law, etc.;⁴⁹¹ (8) there is evidence

⁴⁸⁷ Sutherland, Criminology, op. cit., p. 495.

⁴⁸⁸ Taft, Criminology, op. cit., p. 591.

⁴⁸⁹ Ibid.

⁴⁹⁰ Tappan, Contemporary Corrections, op. cit., p. 215.

⁴⁹¹ Mabel Elliot, Crime in Modern Society, op. cit., p. 629.

that where group counseling or group therapy operates on a wide scale, infractions of rules diminish. The inmates and the custodial staff are more relaxed and tolerant toward each other, and the number of escapes is reduced;⁴⁹² (9) group therapy helps the inmate to adjust better to prison life and to have peace of mind and a new purpose in life instead of merely doing time.⁴⁹³ This makes the prison operate more easily;⁴⁹⁴ (10) group therapy opens means of communication between inmates and administrators. This communication increases mutual understanding and respect.⁴⁹⁵

Having explained the meaning of group therapy, the various forms of group therapy, homogeneous and heterogeneous groups, and the effect of group therapy, the writer of this thesis will give an example of group therapy here.

At the Iowa State Penitentiary at Fort Madison, the analytical approach of group therapy was used. Eleven incorrigible inmates were selected for the pilot group on a voluntary basis. The inmates were told that the group therapy

⁴⁹²Barnes and Teeters, New Horizons in Criminology, op. cit., p. 481.

⁴⁹³Walter A. Lunden, "Recent Experiment in Group Therapy," op. cit., p. 30, 32.

⁴⁹⁴Robert G. Caldwell, Criminology, op. cit., p. 566.

⁴⁹⁵Ibid., p. 567.

was of an experimental nature for the benefit of the inmates themselves. There were four essential steps in this group therapy experiment. The first step was the "what." The inmates learned to identify persons and ideas that were their problems. The second step was the "why." Through writing their own autobiographies, the inmates tried to find out why or how the problems occurred. The "why" was then linked to the "what." The dissatisfaction which created emotions of the "why" was compared by the leader of the group therapy to a "motor race." Once the emotions occurred, they created a "motor race" which in turn affected emotions. These emotions in turn increased the "motor race" just as a cycle. Ultimately this "motor race" was strong enough and produced the result in a committed crime. The third step used at the Iowa State Penitentiary was the "habit." The habitual behavior of one person may irritate others. Because the behavior is his own, a person is used to it and does not realize that it may irritate others, and vice versa. Once an inmate learned this concept, he began to make allowances for other people's behavior, and the "motor race" did not occur. The fourth step was "physico-muscular exercise." There is a relationship between physico-muscular tension and mental status. Through proper muscular relaxation and rhythmical breathing,

emotions become calm.⁴⁹⁶

One important aspect of group therapy is the in-service training for the staff and the custodial officers. The inmates may threaten the staff to disclose in the group therapy sessions anything that is unpleasant to them. Unless the members of the staff are trained about the goals and methods of the group therapy program, they may feel insecure and hostile toward the program.⁴⁹⁷

Psychiatrists, psychologists, sociologists, social caseworkers, and counselors may be group therapists. Lay counselors may be recruited from all services.⁴⁹⁸ If the group therapy program is to be effective, the leader must build rapport with the inmates and must be accepted by the group.⁴⁹⁹

Some considerations for the selection of inmates in homogeneous and heterogeneous group therapy have been mentioned. The following are seven basic considerations in guided group

⁴⁹⁶This example of the analytical method of group therapy was summarized from Walter A. Lunden, "Recent Experiment in Group Therapy," op. cit., p. 29.

⁴⁹⁷Paul W. Tappan, Contemporary Corrections, op. cit., p. 217.

⁴⁹⁸Harry Elmer Barnes and Negley K. Teeters, New Horizons in Criminology (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1961), p. 479.

⁴⁹⁹Donald R. Taft, Criminology (New York: The Macmillan Co., 1961), p. 591.

interaction:

1. The inmates should be selected on the basis of their ability to work together with the group.
2. The leader and the inmates should be suited to each other.
3. The inmates should be of the same age, educational level, and intelligence.
4. Voluntary participation is desirable.
5. The group should not have more than twenty members.
6. Each group should meet at regular intervals and at specified times.
7. The continuity of group membership is important, since a high rate of turnover makes it difficult to develop common bonds of understanding and sympathy.⁵⁰⁰

As has previously been stated, group therapy is only one element of the total program of rehabilitation. From the evaluation of the group therapy program, the results seem to be fruitful.⁵⁰¹ Like other kinds of rehabilitative programs, more effective techniques need to be tried. Robert G. Caldwell suggested three questions regarding group therapy:

⁵⁰⁰ Robert G. Caldwell, Criminology, op. cit., p. 567.

⁵⁰¹ Tappan, Contemporary Corrections, op. cit., p. 567.

1. What kind of leadership and procedure produces the most successful group therapy program?
2. Will it function well in all kinds of institutions with all types of inmates?
3. What effect does it have upon discharged persons?⁵⁰²

These questions stimulate thinking in conducting a group therapy program as well as stimulating research in this area.

⁵⁰²Caldwell, Criminology, op. cit., p. 568.

APPENDIX H

CRITERIA FOR PAROLE SELECTION

Criteria for Parole Selection were discussed in the 1958 Proceedings of the American Prison Association. The following were criteria for parole selection suggested by three correctional writers experienced in the selection of inmates for parole.

1. Everette M. Porter suggested these criteria:
 - a) The nature and gravity of the inmate's offense against society;
 - b) The deviant history of the person seeking parole or the absence of any misconduct in his past life;
 - c) The inmate's total personality as the same reflects the presence or absence of potential and capacity for serious harm to society;
 - d) The likelihood that on release the offender will return, or will not return to a life of criminal conduct and the probable injury society will suffer should the prisoner become a recidivist;
 - e) What efforts have been made, or not made by the prisoner since imprisonment by way of improvements in habits of social conduct--education or skills--to demonstrate an honest desire to live in harmony with society and its laws; and
 - f) How effective or ineffective the efforts of the inmate seem to have been and will probably be when released in aiding him or her toward living a life free of crime.

Furthermore, Everett M. Porter said that each board member should have the satisfactory answer to the following questions:

- 1. Is he dealing with a mental defective and to what degree the person is defective?
- 2. Is the person suffering from a debilitating neurosis or psychosis?
- 3. Is the person an alcoholic or a narcotic addict?
- 4. Is the person suffering from psychopathy growing out of bad experiences of childhood, or whether the source of the problem is in some other area?

2. Thomas R. Jones suggested the following criteria:

- a) Type of offense and length of sentence
.....
- b) Prior record of offenses
.....
- c) Previous parole or probationary experiences
.....
- d) Psychiatric and psychological evaluations
.....
- e) Institutional adjustment
.....
- f) Change of attitudes and thinking
.....
- g) Satisfactory release planning
.....

3. W. H. Swearingen suggested these criteria:

- a) . . . whether or not his law-violation and/or anti-social behavior and attitudes were a part of his normal approach to community living. . . .
.....
- b) What factors and weaknesses precipitated the man's delinquency? Will these conditions continue to be present when released? Can adequate safeguards be placed around them to give reasonable assurance that they will not dominate his actions again?
.....
.....
.....
- c) What are the man's weaknesses? Basically they may be expected to fall in one or more of four specific areas: (1) drinking; (2) gambling; (3) unstable work record; (4) association with undesirables. These, of course, lead to related problems of failing to meet financial obligations,

neglect of family, etc.

- 1) . . . to what extent they may be controlled or eliminated. . . .
- 2) Does he actually have the ability to cope with them without undue harm to himself and the community?
- d) What are the man's strengths? How can they be utilized to help him overcome his weaknesses or to minimize them to the extent they will not be harmful to the community?
.
- e) Will his family ties be a strength or weakness in this man's community life?
- f) Perhaps the most important single strength is a good work record and an extremely stable employment plan. . . .
.
.
- g) What is the attitude of the community toward the man's parole?
.
.
- h) What is the man's institutional record?
.
- i) The parolee must understand thoroughly the requirements for parole and our reasons for them. . . .
.
.
- j) What is the man's attitude: (a) toward parole; (b) his responsibility to his family and the community; (c) toward society; (d) toward a real desire to put the past behind him; turn his period of custody into an asset and to use all his abilities toward good citizenship in the future?
.
.
- k) Does the proposed **TIME OF RELEASE** meet certain necessary requirements?
(a) Does he have sufficient sentence remaining to enable parole treatment to accomplish its needed purpose?

- (b) Has he served a sufficient period to have received maximum benefit from custodial treatment?
- (c) Has he served a sufficient period for the community and inmate population to accept his release as proper and fair?

- (d) How many times has the man previously failed on parole? . . . The first failure is often a useful tool in the second parole, both in avoiding errors on our part and in helping the man to understand the absolute necessity for conforming to requirements of good citizenship.

When a man has failed twice on parole he cannot reasonably be expected to conform on later problems but rather to feel such effort on his part is not necessary. Also, each subsequent parole beyond the second chance lessens the respect and confidence of the community and the inmate population in the parole program and it is greatly harmed by such procedure. There is again, of course, the rare exception which can be used in community education but it must be such an exception or the parolee himself will prove the lack of wisdom of repeated releases after prior failures.

- 1) . . . the final and crucial question:
 Does he appear to have an even chance or better to make good on parole, without undue risk to the community if he failed?⁵⁰³

⁵⁰³ Everett M. Porter, Thomas R. Jones, and W. H. Swearingen, "Criteria for Parole Selection," Proceedings of the American Prison Association, 1958, pp. 225-47. It is suggested that the reader combine the criteria of the above three writers with the criteria for parole selection in Michigan and Thailand which were previously presented in Chapter VII.

APPENDIX I

MICHIGAN GOOD TIME ALLOWANCES⁵⁰⁴

Michigan's Good Time Law is mandatory. "Every convict who shall have no infraction of the rules of the prison or the laws of the state recorded against him, shall be entitled to and shall receive a reduction from his sentence as follows":

Under the provisions of Act 105, P.A. 1953, (M.S.A. 28.1403), inmates of Michigan prisons must be granted reductions from sentence in the form of good time allowances in accordance with a uniform scale applicable to all inmates. The number of days of "regular" good time which are granted, increases with the number of years served, as follows:

<u>Years of Service</u>	<u>Good Time Allowance Per Month</u>
During first and second year	Five days
Third and fourth year	Six days
Fifth and sixth year	Seven days
Seventh, eighth and ninth	Nine days
Tenth through fourteenth	Ten days
Fifteenth through nineteenth	Twelve days
Twentieth and succeeding	Fifteen days

In addition to "regular good time," the Wardens of the various institutions, with the consent and approval of the Director of Corrections, may grant inmates "special good time" in amounts not to exceed one-half of the amount of "regular good time" allowed under the foregoing schedule. Sentence reductions through "regular" and "special good time" allowances as applied to some of the sentences frequently imposed by the courts are on appended sheet.

<u>On the minimum of an indeterminate sentence of</u>	<u>An inmate is eligible for parole after</u>	<u>Which may be advanced by Special Good Time to</u>
Six months	Five months	Four months, fifteen days
One year	Ten months	Nine months
One and one-half years	One year, three months	One yr., one mo., fifteen days
Two years	One year, eight months	One year, six months
Two and one-half years	Two years, twenty-four days	One yr., ten mo., six days
Three years	Two years, five mo., eighteen days	Two yrs., two mo., twelve days
Three and one-half yrs.	Two yrs., ten mo., twelve days	Two yrs., six mo., eighteen days
Four years	Three yrs., three mo., six days	Two yrs., ten mo., twenty-four days
Five years	Four years, twelve days	Three yrs., six mo., eighteen days
Seven years	Five years, six months	Four years, nine months
Seven and one-half yrs.	Five years, ten mo., six days	Five years, nine days
Ten years	Seven yrs., six mo., twenty-four days	Six yrs., four mo., six days
Fourteen years	Ten yrs., two mo., twenty-four days	Eight yrs., four mo., six days
Fifteen years	Ten years, ten months	Eight yrs., nine months
Twenty years	Thirteen yrs., eight mo., twenty-four days	Ten yrs., seven mo., six days

Example: Should an inmate receive a sentence of from one to five years, he may be paroled at the end of ten months, or with special good time at the end of nine months. Or he may be paroled at any time thereafter until he has served his maximum sentence. If there has been no infraction of the rules recorded against him, but he has not appeared to the Parole Board to be a fit subject for parole, he must be released by the Warden after having served his maximum sentence, which is four years and twelve days, and he may, if his conduct has been exemplary, be discharged by the Warden, if the Director approves, after serving three years, six months, eighteen days, or any time between that and the four years, twelve-day expiration.



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