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THEY ALL COME OUT!

AN ADDRESS

by

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THE NATIONAL RADIO FORUM

arranged by

THE WASHINGTON STAR

Broadcast over a nation-wide network  
of the  
National Broadcasting Company

WASHINGTON, D. C.

MONDAY, MAY 23, 1938

9:30 P. M. Eastern Standard Time

THEY ALL COME OUT!

I have frequently wondered what varying degrees of amazement might be manifested by some of my early predecessors in the office of Attorney General were they to return today and, in a tour of the Department of Justice, observe the diversified duties of the Government's chief law officer in the year 1938. There would be, I am confident, many expressions of genuine surprise at the remarkable expansion that had taken place. For instance they could not fail to be impressed by the fact that the Attorney General has under his supervision 22 penal and correctional institutions, ranging from reformatories, mountain camps and hospitals to the prison in San Francisco harbor known as Alcatraz.

The Federal Prison System is today the largest co-ordinated prison system in the world. Its story has never been fully told. Prison stories generally remain untold. From the beginning of institutional treatment the public psychology has dictated that what transpires behind prison walls shall remain a mystery. There has been a definite demand that those who have transgressed be forgotten. "Don't throw their problems back at us", they say, "We have builded a prison wall to keep them in. Keep them in. They are men apart. Keep them apart."

It has only been in recent years -- very recent years -- that we have come to comprehend the challenge which prisons present in our culture. The awakening comes inevitably if we inquire about our prisoners. Who are they? What happens to them? The answer - I'll give it to you - they all come out! Well, at least ninety-nine percent of them. Of the 16,000 Federal prisoners confined in our institutions last year only 79

died. Yes, they come out - back to live in your neighborhood, to walk beside you on the street, even to join your church. Their children will associate with your children, their families will be a part of your community. If men don't die in prison they must live - and die - after they leave prison. And that, my friends, is the challenge of the prison system. We cannot escape it and we simply must face it.

The institutions which come under the Federal Bureau of Prisons of the Department of Justice have been called "Uncle Sam's barred cities." The people in them have one - and only one - thing in common. They have been caught, convicted and imprisoned for some violations of the many hundreds of Federal criminal statutes. There are forgers, auto thieves, kidnapers, smugglers, murderers, bank robbers, racketeers, narcotic addicts, confidence men; and some hillbillies who neglected to comply with certain revenue requirements in the manufacture of moonshine. No two persons are alike. Some come from broken homes. Some are rich, others poor. There are the sick and the well, the marons and the geniuses. Every occupation, skill, profession and religion is represented. They form an amorphous mass which must be broken down and analyzed before there can be intelligent treatment. Remember that, for better or worse, they all come out some day.

Classification thus becomes our first great task. Obviously 16,000 separate means of institutional treatment are out of the question. But we can make, and we have made, genuine attempts to separate the old from the young, the sick from the well, the good risks from the bad. Let me describe briefly this phase of the work.

Young offenders are placed in reformatories such as the one at Chillicothe, Ohio. Here they are educated and taught trades. Others who give evidence of an awakened sense of responsibility and who have no apparent ambition to escape are sent to our mountain camps, such as the one at Kooskia, Idaho, or the one in the Catalina Mountains of Arizona. The physical and mental defectives are sent to our hospital at Springfield, Missouri. The narcotic addicts are concentrated in specially equipped institutions. While only five percent of our prison population is made up of women, it has been necessary to maintain a special institution for them at Alderson, West Virginia. The habitual criminals are ordinarily sent to the older prisons, such as Atlanta and Leavenworth. For those with serious records of violent crime, or who are intractable in ordinary prisons, we have the institution at Alcatraz. It will be seen from this brief listing that each institution serves a separate purpose.

The most recent attempt to secure a degree of specialized treatment is represented by the measure which I recommended last week to the Congress which would create a uniform system for dealing with immature delinquents. It provides for a uniform procedure for the trial of Federal juvenile delinquents much like the enlightened systems which have been created in many of the States, since the turn of the century. This, I think you will agree with me, is a vital need. It provides also that the juvenile may be committed to the custody of the Attorney General so as to make possible the use of such state and local institutions and quasi-public homes, as may appear to be suitable. Such a system would thus serve to reduce to a minimum the detention of juveniles in jails. Again, we must not forget that some day these youngsters will come out.

The greatest curse of prison life is the degrading effect of idleness. Each year in the prisons of this and other countries thousands of men are going through a process of mental, spiritual and physical disintegration. Many of the men who are in prison were unable to meet the tests that modern existence imposes. We conceive it to be our duty to see that these misfits are not returned less fit than when they enter. During the past five years we have developed three new prison industries and increased the number of inmates employed in industrial occupations from 1760 to 3230. Approximately 80% of our inmates are kept busy at some kind of work. The goods manufactured are made only for the use of the Federal Government and we consequently eliminate any possibility that those products will reduce the wages of industry or the standards in private enterprise. In this way we have attempted, without injury to free labor, to remove the ancient curse of idleness.

Another challenge is presented in the health of these men. We have resolved that they shall not leave our institutions with the mark of prison pallor and the handicap of a sickly body. Men can't fight their way back to respectability under such a burden. In the past five years we have doubled the medical staff of the Federal institutions and during this period the number of out-patient treatments increased from 385,000 to 900,000. Special research in the treatment of drug addiction has been inaugurated at two of the institutions. Why should we expend all these efforts in behalf of men who have violated our laws, when often outside prison walls persons who have led orderly lives suffer for want of such treatment. Why? Because they all come out.

Another great task which confronts us may be characterized by the phrase "hope versus despair". Prisons breed bitterness. The whole atmosphere of prison life is conducive to the production of warped minds - long prison corridors, the lock step, the monotonous shuffle of marching men, the walls, the bars, the guarded towers. It becomes our duty in these surroundings to inject some note of hope, though at times I confess it is extremely difficult. To remove bitterness, rancor and the pervading sense of defeat is a real task, but nevertheless an essential duty which falls upon us. The fight is an unending one.

We have another obligation, however, and a primary one. That is, to see to it that the sentence of the court is fully and faithfully executed, and that men leaving the institution do not leave by the route which is commonly described by the inmates as "over the fence". When a man goes to a Federal prison he must realize that loss of liberty is the inevitable consequence of crime. Occasionally, of course, a few men escape. They are few indeed. During the last fiscal year, out of an average population of nearly 16,000 only 19 men escaped, usually from prison camps, and 18 of these were recaptured within a few hours. Shortly after I assumed the office of Attorney General I became convinced of the need in our prison system for an extra secure institution in which might be confined offenders of a well-understood type. It was this conviction which led me to take such a personal interest in the establishment of the penitentiary at Alcatraz in 1934. We needed some place where the "end product" of our law enforcement system could be incarcerated. We needed a place also for ingenious "escape artists", and for those who are intractable or impair discipline or seek to maintain

contact with the underworld. We established such an institution. It was not only intended for the purposes named but also to improve the morale and release the tension in the prisons in which this type of prisoners had previously been confined. Firm discipline and minimum privileges without resort to brutality, these characterize what has picturesquely been termed "The Rock". The Warden at Alcatraz, Mr. James A. Johnston, is possessed of intelligence, experience, and ingenuity. I can assure you that it would be difficult to place the institution in more competent hands.

There are today upwards of 150,000 men and women in all of our State and Federal prisons and reformatories. This does not include thousands of individuals confined in city and county jails. A little more than 18,000 of these, including inmates in narcotic farms, are in Federal institutions. In addition, about 4,900 are serving parts of their sentences on parole or on conditional release. To these must be added about 30,000 men and women who have been placed upon probation by Federal Judges and who are under the supervision of Federal Probation Officers. This makes a total of more than 50,000 Federal offenders who are today under the supervision of the Department of Justice. There is still one other group consisting of 5,000 Federal offenders who are boarded out in local city and county jails awaiting sentence or serving short sentences. To insure proper housing for this group, it has been necessary for us rigidly to inspect all of the jails in this country which might be used by the Federal Government. Out of a total of more than 3,000 county jails in this country the Bureau of Prisons has approved less than 700. These inspections have served a highly useful purpose by drawing public attention to those that are inadequately equipped or poorly operated. The conditions which exist in many of them are deplorable. Such institutions

frequently are virtual schools of crime. Ofttimes there is no attempt at segregation. Discipline is lax and the sanitary conditions are literally disgusting. Graft, corruption and brutality are not uncommon. Partly because of these conditions and also to serve as a demonstration of what standards should prevail in the operation of a modern jail we have provided for three new regional institutions at Sandstone, Minnesota; Tallahassee, Florida; and Terminal Island, California. The California institution will be formally opened within the next two weeks. The other two institutions are almost ready for occupancy. They will also serve to take care of the growing number of Federal prisoners which are crowding our institutions. Some of our institutions are greatly over-crowded. We hope to meet this increasing load by the construction of additional facilities as soon as funds become available.

I believe you will gather from the brief picture which I have presented this evening something of the staggering administrative burden which is involved in the guarding, feeding, employing, educating and supervising of so vast an army. Almost 25 percent of the funds expended by the Department of Justice goes to this work. Nearly 2,000 of our employees devote their full time to prison work. The Director of the Bureau of Prisons is Mr. James V. Bennett, an able, industrious humane and far-sighted public servant.

I have reminded you, perhaps too often, that prisoners must some day leave our institutions. I have occasionally been asked why this is necessarily so. Why should not the great mass of offenders be kept behind the bars for life or for long terms? The answer is twofold. First, for many of our Federal offenses, it would be unjust to impose long prison terms. In the second place, there are practical difficulties. The average time of



confinement of an inmate of a Federal prison is about twenty months. If this confinement period were extended to forty months we would have to erect twice as many institutions at a staggering cost. And if this were done it would be very questionable whether we had made any particular contribution to the solution of our problem because after the forty months period had been served the prisoner would still come out.

But we are presented with a real problem when it comes to the method of release. The basic question is this - shall a man leave prison scot-free or shall he come out under supervision? We must not forget that he has to undergo an adjustment process. If people were to trace the footsteps of the average man who leaves prison today and goes in search of employment in an effort to fight his way back they would comprehend some of the difficulties which the prisoner faces in making this adjustment.

A well regulated parole system whereby deserving prisoners may be permitted to leave their cells before the expiration of their terms, get permanent work outside of the jail under the supervision of honest parole officers, has its place in any scientific program of crime prevention. 25% of those who leave the Federal institutions today go out under parole. The small percentage of those who fail is a tribute to the intelligent selection by the Federal Parole Board and the conscientious work of our Federal parole supervisors. The Department of Justice rejects the idea that parole should be used for clemency, as an opportunity to review the sentence meted out by the trial judge, or for any purpose except to provide a scientific and helpful means of rehabilitating those cases in which reformation is possible and where law abiding conduct may reasonably be anticipated. When parole systems do not do this they cannot rightfully be called parole. Release without

supervision is not parole. Our position is simply this - we believe in parole and constantly seek to improve its administration.

It has been necessary in these remarks to confine myself to certain fundamental problems which face the Department of Justice in the administration of its prison system. I have been forced to eliminate from this discussion many interesting and, indeed, vital phases of the work. I might summarize with this suggestion, that in the administration of our penal institutions we have endeavored to make them places in which there is hope rather than despair, work rather than idleness, health rather than disease. We feel that this is a protective policy to which all realists willingly subscribe, for we are constantly faced with the one undeniable fact, that some day these men will all come out.