

**REHABILITATION OF
SEX OFFENDERS IN NEVADA:
AN EVALUATION**

BULLETIN NO. 52



NEVADA LEGISLATIVE COUNSEL BUREAU

OCTOBER 1962

Carson City, Nevada

REHABILITATION OF SEX OFFENDERS IN NEVADA:

AN EVALUATION

BULLETIN NO. 52



NEVADA LEGISLATIVE COUNSEL BUREAU

OCTOBER 1962

CARSON CITY, NEVADA

NEVADA LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE COMMISSION

B. MAHLON BROWN	SENATE MEMBER
CHARLES D. GALLAGHER	SENATE MEMBER
FLOYD R. LAMB	SENATE MEMBER
WALTER WHITACRE	SENATE MEMBER
JAMES C. BAILEY	ASSEMBLY MEMBER
F. C. BUCKINGHAM	ASSEMBLY MEMBER
GLENN JONES	ASSEMBLY MEMBER
ARCHIE POZZI, JR.	ASSEMBLY MEMBER

A. N. JACOBSON	LEGISLATIVE AUDITOR
J. E. SPRINGMEYER	LEGISLATIVE COUNSEL

TABLE OF CONTENTS

Foreword	
Preface	
Assembly Resolution No. 10	
Quotation from Paul W. Tappan	
Introduction.....	1
Chapter I - Legal Factors Pertaining to Sex Offending.....	3
Chapter II - Essential Factors in a Planned Program of Rehabilitation in a Prison.....	29
Chapter III - Conditions at the Nevada State Prison and Suggestions for a Rehabilitation Program.....	41
Chapter IV - Discussion of Some of the Problems in Paroling Sex Offenders from the Nevada State Prison and the Role and Responsibilities of the State Board of Parole Commissioners and their Staff.....	60
Chapter V - Community Resources Pertinent to the Rehabilitation of Sex Offenders.....	77
Summary.....	80
Appendix I - Citations from Nevada Revised Statutes	
Appendix II - Background and Experience of Author	
Appendix II - 1961-1962 Report on Probation Matters to District Judges from Edw. C. Cupit, Chief Parole and Probation Officer, State of Nevada	

FOREWORD

The Nevada Legislative Counsel Bureau is a fact-finding organization designed to assist legislators, state officers, and citizens in obtaining the facts concerning the government of the state, proposed legislation, and matters vital to the welfare of the people. The staff will always be non-partisan and non-political; it will not deal in propaganda, take part in any political campaign, nor endorse or oppose any candidates for public office.

The primary purpose of the Counsel Bureau is to assist citizens and officials in obtaining effective state government at a reasonable cost. The plan is to search out facts about government and to render unbiased interpretation of them. Its aim is to cooperate with public officials and to be helpful rather than critical. Your suggestions, comments, and criticisms will greatly aid in accomplishing the object for which we are all working--the promotion of the welfare of the State of Nevada.

PREFACE

During the 1961 Session of the Nevada Legislature, the Assembly adopted Assembly Resolution No. 10, which memorialized the Legislative Counsel Bureau to study the rehabilitation of sex offenders in the State of Nevada.

This resolution was motivated by an earlier resolution adopted by the Assembly during the 1953 Session (A.R. 15), which memorialized the Counsel Bureau to study the incidence of, and the penalties for, sex crimes in this state. Although a report (Legislative Counsel Bureau Bulletin No. 24, "Nevada Sexual Deviation Research") was submitted to the 1955 Session of the Nevada Legislature, no further action was taken, and no measures were enacted to impose additional penalties or to provide for remedial care.

As stated in Bulletin No. 24: "If the sex offender can be cured, he may be released with safety to society; if he is not treated, his condition will not improve; if he is given a sentence less than life in a penal institution, he may be released without being cured, to prey upon society again." Therefore, the 1961 Legislature felt that consideration must be given to the possibility of preventive, therapeutic and rehabilitative, rather than merely punitive, legislation in this area of crime.

In accord with its policy of acquiring the most expert researchers in specialized fields, the Legislative Counsel Bureau contracted for the services of Mrs. Louise V. Frisbie, a psychiatric social worker with a notable education in social work, as well as a distinguished career in governmental agencies dealing with the mentally disturbed and allied problems. Further, Mrs. Frisbie is the author of several studies directly in point to the study requested by Assembly Resolution No. 10. She is a recognized authority on the subject, and has most recently been associated with the California Department of Mental Hygiene, one of the most outstanding of such departments in the United States.

Copies of this study may be obtained free of charge from the Nevada Legislative Counsel Bureau, Carson City, Nevada.

J. E. SPRINGMEYER
Legislative Counsel

Assembly Resolution No. 10 - Mr. Posin

FILE NUMBER 37

ASSEMBLY RESOLUTION - Memorializing the legislative counsel bureau to study the rehabilitation of sex offenders.

WHEREAS, During the 1953 session of the Nevada legislature, the assembly adopted Assembly Resolution No. 15, which memorialized the legislative counsel bureau to study sex crimes and penalties therefor in the State of Nevada; and

WHEREAS, A report relative thereto was presented to the 1955 session of the Nevada legislature for study and consideration; and

WHEREAS, No action was taken and additional penalties were not enacted; and

WHEREAS, It is evident that both legal thought and public policy are departing from the historic concept of criminal justice which prescribed specific punishments for specific crimes as the method of protecting society from sex offenders; and

WHEREAS, Increasing attention is being centered on the offender, on his inner motivations, and on his rehabilitation; now therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the legislative counsel bureau be memorialized to study the rehabilitation of sex offenders, with emphasis upon psychiatric treatment, the indeterminate sentence, probation and parole supervision, prison programs considered to be therapeutic in their effects, and other specialized services and facilities; and be it further

RESOLVED, That a report relative thereto be presented to the 1963 session of the Nevada legislature for study and consideration.

The chances of a man's success after discharge from prison depend upon three major variables: his pre-prison experience and attitudes, the changes in him that are effected during incarceration, and the influence of the post-prison environment.

-- Paul W. Tappan

Crime, Justice, and Correction
McGraw-Hill Book Company, Inc.

1960 - pg. 668

INTRODUCTION

In 1955 the Nevada Legislative Counsel Bureau executed a study, "Nevada Sexual Deviation Research," in compliance with Assembly Resolution No. 15, 1953. The statement made in 1955 that "the problem of the sex offender is not so much the inadequacies of our law, as it is the failure to provide rehabilitation services" is equally applicable in 1962. So little has been accomplished in the intervening seven years in the direction of instituting rehabilitation programs for the criminal offender - including the sex offender - that Nevada stands indicted of neglect in attacking the problem in a forthright manner. By reason of the growth in state population in those seven years, and the characteristics of the state's major economy, the problems implicit in criminal offending have mushroomed to the point where Nevada in 1960 led all other states in the nation in the crime rate. Further delays in coping with the problem may contribute to a public branding of the state as indifferent to public welfare and safety.

A concerted attack to rectify the existing situation will necessarily involve more effective law enforcement, rehabilitation programs in correctional institutions, strengthened parole and probation services, dynamic prevention programs, an expansion of mental health services, and a re-orientation of attitudes, patterns of thinking, and sense of responsibility of the citizenry. Such objectives will cost money, and, understandably, represent only one general area in the expenditure of public funds. But bigger jails, and more prisons, in the last analysis, cost even more money; and the waste in human values cannot be measured in tangible form.

In considering the subject of rehabilitation of sex offenders in Nevada, it is helpful to have some guides in terms of the scope of the problem. But mere numbers do not present a realistic basis because the only tabulations possible pertain to sex offenders who have been made known to the police or sheriff. Furthermore, variations in systematized statistical reporting occur from one law enforcement agency to another, and their efficient investigation of reported offenses is often influenced by the adequacy of staff and local policies. Another cogent fact is that many victims of sex offenders do not report the experience because of fear, or unwillingness to become involved in court proceedings. Still another factor is the unknown number of actual or substitutive sexually deviant acts which are hidden under an arrest for a non-sexual crime as this is generally understood. It is thus generally accepted that the precise extent of sexual offending in any state is not known, but it is more wide spread than statistics indicate.

The focus of this study was directed to the problems and rehabilitation needs of adult male sex offenders. By reason of NRS 62.060 (Procedure when person between 18 and 21 is accused of a felony) and NRS 62.080 (Commission of felony by child of 16 years or older), a small number of youthful offenders could be included among the adult group on probation. In the prison population there were two inmates age 21 and two inmates age 20 as of the survey date of April 6, 1962. At the time of incarceration their ages were 16, 17, 18 and 20. The most common sex crime among the younger group is statutory rape with a peer. This crime poses a problem in terms of administering true justice, for consenting heterosexual experience is far more common today among minors than when the law was drafted. Many teen age girls are extremely sophisticated, aggressive

in associations with males, and in looks and behavior appear considerably older than their chronological age. Repeated instances of promiscuity may be experienced with the same or different male partners, and sometimes in anger or spite the female minor, not a victim but a willing partner, complains against one male. On occasion the girl's parents, learning of her indiscretions, may complain against one male though he is only one of several with whom she has sexual experience. This entire complex is symptomatic of a serious moral and social problem in present-day society, and should be dealt with more effectively by parents, educators, clergymen, and social agencies. The arrest, conviction and imprisonment of a male minor under this kind of situation can result in a serious miscarriage of justice, with life-long consequences.

There are unique and difficult problems inherent in planning rehabilitation programs in Nevada because of the vast area of the state, the distribution of population, the antiquated prison, the inadequately staffed parole and probation department, and the dearth of community resources. These limitations must be viewed as challenges in formulating new programs oriented to social and individual values.

Attention is directed to the Biennial Report 1959-1960, Department of Corrections, State of California. A wealth of material is ably presented, including the philosophy underlying California's correctional system (considered to be one of the best in the nation) and pertinent facts applicable to the separate institutions. Extensive and valuable data are to be found in "Crime, Justice, and Correction" written by Paul W. Tappan and published in 1960.

Grateful acknowledgement is offered to the numerous state, county and city officials - especially the personnel of the Nevada State Prison and the Office of the State Board of Parole Commissioners - who gave generously of their time in supplying information, and to the staff of the Legislative Counsel Bureau for their assistance in the preparation of this report.

CHAPTER I

LEGAL FACTORS PERTAINING TO SEX OFFENDING

Extent of the Problem

No one can guess, much less estimate accurately, how many adult males practicing sexually deviant behavior are free in society. The sex offender is not identifiable visually; age, intelligence, academic achievements, occupation and social status do not offer distinguishing criteria.

Some sex offenders are relatively harmless and constitute a social nuisance because of their public affront to accepted conventions. Others represent a serious menace to the health and welfare of society, particularly to children. There is no question but that large numbers of men who practice sexually deviant behavior are never reported to law enforcement agencies; others who are reported are not apprehended; still others who are apprehended are not prosecuted.

The national statistics published annually by the Federal Bureau of Investigation reflect a recapitulation of the individual reports submitted by thousands of law enforcement departments in the 50 states. It is an accepted fact that these individual reports contain inaccuracies and reflect omissions and non-uniform classification among categories of crime, particularly misdemeanors. Yet despite all the limitations, the Federal Bureau of Investigation reports contain the only mass figures available and serve as a national index of crime rates and trends. Because Nevada has no central agency comparable to a state bureau of criminal identification and investigation to which the law enforcement agencies in the 17 counties report, there are no available statewide statistics which reflect the number of known sex offenders at this time. For purposes of this report, comparative data from the Federal Bureau of Investigation publication "Crime in the United States - 1960" are presented. In addition, data were collected from Washoe and Clark counties, and from eight selected counties of lesser population for the year 1961, as well as from the Nevada State Prison to provide some understanding of the current existing problem.

General Comparisons

The Federal Bureau of Investigation data for 1960 show a 14% increase in the national crime rate over the 1959 rate. As defined by the Federal Bureau of Investigation, an offense is a complaint received by a law enforcement office; an arrest is a crime cleared by apprehension and arrest. Forcible rape includes within that classification rape, assault to rape and attempted rape. Other sex offenses is a conglomerate category which excludes only forcible rape, prostitution and commercialized vice.

As evident in the following tables, Nevada in 1960 had the highest national rate of total offenses per 100,000 population; Clark County had the highest rate of total offenses and forcible rape offenses per 100,000 population of any county within the state; and, over a 30-year period, Nevada had a much higher rate per 100,000 population of felons in prison than did California. As of December 31, 1959, California's rate of prison population per 100,000 popula-

tion had increased to 124.1 prisoners.¹

Total Offenses and Forcible Rape Offenses per 100,000 Population in 1959 and 1960 for the United States, Nevada, California, and two Nevada Counties²

	Total Offenses per 100,000 Population		Forcible Rape Offenses per 100,000 Population	
	1959	1960	1959	1960
U. S.	917.5	1037.9	8.5	8.7
Nevada	1915.8	1993.1	17.1	12.6
California	1635.8	1976.5	18.6	18.3
Nevada		1993.1		12.6
Clark County	Not Given	2403.6	Not Given	19.7
Washoe County		2233.8		8.3

Average Prison Population Rates per 100,000 Population for the United States, Nevada and California³

	<u>20-year Period</u>	<u>30-year Period</u>
U. S.	102.63	-
Nevada	-	181.5
California	-	110.8

Nevada State Prison Population

On April 6, 1962, there were 420 inmates in the Nevada State Prison, among whom 40 (9.5%) had been convicted of sex crime. This is equivalent to 1.4 sex offenders in prison per 100,000 population. Seven counties were represented by the sex cases; ten counties had no cases.

Distribution of Cases of 40 Prison Sex Offenders by County of Conviction and Category of Offense

County	Number of Cases				% of Total Cases
	Rape	L & L	ICAN	Total	
Washoe	7	8	2	17	42.5
Clark	8	2	2	12	30.0
White Pine	2	1	1	4	10.0
Mineral	3	1	0	4	10.0
Ormsby	1	0	0	1	2.5
Churchill	1	0	0	1	2.5
Elko	0	1	0	1	2.5

1 "California Department of Corrections, Biennial Report, 1959-1960," p. 5

2 "Crime in the United States, Uniform Crime Reports - 1960," Federal Bureau of Investigation, Table 2, pp. 34 & 36; Table 4, pp. 64 & 71

3 "State of Nevada Minimum Security Prison Master Plan," Part 2, Section 1 B(1)

In the preceding table, the first column of figures includes cases of rape, statutory rape, assault with intent to rape and attempted rape; the second column of figures indicates cases of lewd and lascivious conduct with children under 14, lewdness with children under 14 and incest; the third column gives figures on infamous crime against nature, attempt to commit infamous crime against nature.

Sentencing of Sex Offenders

Theoretically, sentencing is predicated on the ultimate social good. Practically, this necessitates an objective appraisal and evaluation of both social and individual interests as related to the particular crime committed. Although emotional reactions and prejudices of attorneys, judges, juries and probation officers should not influence or have bearing on the imposed sentence, in sex offense cases, non-objective factors frequently condition - or at least contribute to - the nature of the legal sanction.

Basic to much of our present day criminal and penal law is a reflection of society's demand for retribution. Society, with moralistic righteousness, often insists that the sex offender victimized another because he deliberately chooses to do so, and that he therefore "deserves" to be punished for lacking the will power to conform to established cultural mores. The concept of the irresistible impulse and of limited criminal responsibility has as yet been reflected in few statutory changes among the states.

Sanctions based on deterrence as a force in equating the pleasure-pain principle with consequences in human behavior have distinct limitations. Many sex offenses are committed and the suspect never apprehended. In addition, in many cases of apprehension, there is no arrest because of inconclusive identification by the victim, or unwillingness of the victim, or - in the case of young children - the parents of the victim, to become involved in a court proceeding with potential embarrassment and publicity. In still other instances, the charges are reduced from a felony to a misdemeanor when the suspect agrees to plead guilty to the lesser charge, or a conviction appears to be assured on the lesser charge due to the nature of the evidence. There appears to be disinclination on the part of some district attorneys to conduct a thorough investigation of sex offense cases, which suggests that the practice of reduction in charges may represent a less arduous method of resolving the case.

There is conflicting opinion in the legal profession on the relative merits of the determinate, the indefinite and the indeterminate sentence. According to Tappan, the terms are defined as follows:

The definite sentence is here used to mean a specific or "flat" term of years (e.g., a five year term). The indeterminate sentence indicates a term with neither minimum nor maximum limits (e.g., from one day to life or at the pleasure of the government). The indefinite sentence means a term with a fixed maximum and usually a fixed minimum (e.g., from three to fifteen years). It will be observed that in actual administration these simple definitions have little significance.¹

1 "Crime, Justice and Correction," Paul W. Tappan, McGraw-Hill Book Company, Inc., New York, 1960, p. 430

In discussing the definite sentence, Tappan states:

In the states with definite sentences, laws were drafted to provide that prisoners might be eligible for conditional release upon the expiration of some fixed part of their sentences. The effect of this legislation was to create a form of indefinite sentence in which the maximum was the term fixed in the sentence and the minimum was some fraction of that term or a fixed number of years in accordance with a general provision of the penal law relating to parole eligibility. Today there are eleven jurisdictions, including the Federal, that employ the definite sentence almost exclusively and eight others that use it preponderantly. Good-time laws are applied in nearly all states. As a consequence of these changes, the offender convicted of a felony and sentenced to a fixed term faces in reality an indefinite period of imprisonment with a possibility of parole or of early release on good time. The definite term has become a fiction because of these correctional innovations.¹

In presenting historical data pertaining to the French Penal Code and indefinite sentences, Tappan says:

This principle, restated, maintains that some variation in treatment should be permitted in accordance with the circumstances of the particular offense and offender but that excessive deprivations should be avoided by establishing limits upon the range of discretion exercised by judges and administrators.²

Tappan further notes the part played in this regard by Dr. Benjamin Rush, who in 1787 said:

"Let the various kinds of punishment be defined and fixed by law. But let no notice be taken in the law of the punishment that awaits any particular crime. Punishments should be varied in degree according to the temper of criminals or the progress of their reformation. Let the duration of punishments be limited but let this limitation be unknown. I conceive this secret to be of the utmost importance in reforming criminals and preventing crimes. The imagination, when agitated with uncertainty, will seldom fail of connecting the longest duration of punishment with the smallest crime."³

Tappan's further tracing of the indefinite sentence through English propos-

1 "Crime, Justice and Correction," Paul W. Tappan, McGraw-Hill Book Company, Inc., New York, 1960, p. 432

2 Ibid., p. 432

3 Ibid., p. 433

als cites the dictum of Frederick Hill, a Scottish prison inspector, that

"...the prison should be 'a kind of moral hospital', to which offenders shall be sent until they are cured of their bad habits" has a strangely modern sound, considering that it was written more than a century ago. Their thought was oriented more to the prolonged detention of incorrigibles, however, than to early release of those who needed little correctional treatment.¹

In examining the indeterminate sentence, Tappan notes:

"...the indeterminate sentence has been recommended from time to time since the eighteenth century. It is grounded in the belief that one should not apply sanctions proportioned to men's crimes but to the men themselves and that the duration of correction should be determined by their need for and response to treatment. At its extremes this would imply that, however minor his offense, the criminal might be subject to interminable incarceration and that, however serious his crime, he might be released immediately after study and observation. Aside from such extremes, however, it would mean that imprisonment might be long or short without regard to the crime involved. Criminologists have advanced this principle of indeterminacy for probation and parole as well as for prison treatment. . . .Aside from rather exceptional cases, our criminal law has rejected the principle of the indeterminate sentence because it is so foreign to our basic concepts of justice."²

The Nevada District Courts impose either a definite or an indefinite sentence, however, by reason of the powers delegated to the State Board of Parole Commissioners, the definite sentence becomes, as Tappan points out, an indefinite sentence in actual practice. Moreover, in an examination of twenty case records of sex offenders in the Nevada State Prison, the sentencing differed from court to court within specific classifications of crime. In eight of the 40 cases of sex offenders, a definite sentence of five, seven or ten years was imposed. In one case of an indefinite sentence, the sentence itself is illegal because it exceeds the statutory maximum. The question which arises with respect to the eight definite sentences is whether this actually represents a personal satisfaction to the judge in playing a role of omnipotence, or a relieving of his personal anxieties. It is indeed difficult to understand how a judge, in his position of remoteness from the felon sentenced to prison, can presume to project and specify the precise time necessary for the felon to achieve rehabilitation and termination of menacefulness.

The problem of sentencing in the justice and police courts is even more unpredictable and questionable because of the limited legal and general educa-

1 "Crime, Justice and Correction," by Paul W. Tappan, McGraw-Hill Book Company, Inc., New York, 1960, p. 433

2 Ibid., p. 435

tional background of some of the judges. The opportunity is ready-made for the psychopath with his winning personality and guileless charm to "con" the uninitiated into dismissing the case, when in fact the psychopath's behavior may be singularly menacing. Furthermore, the short jail sentence or fine frequently imposed in a justice court in preference to probation, and necessarily in a police court, where there is no probation resource, results in a revolving door routine much as in the case of a chronic alcoholic.

The variation in sentencing procedure is evident in the following table:

Sentences in 40 Cases of Sex Offenders in Nevada State Prison by Classification of Offense

<u>Offense</u>	<u>Sentence in Years</u>														
	<u>1-5</u>	<u>1-10</u>	<u>1-Life</u>	<u>5-Life</u>	<u>5</u>	<u>5-6</u>	<u>5-7</u>	<u>7</u>	<u>5-10</u>	<u>5-20</u>	<u>10-10</u>	<u>10-25</u>	<u>14-Life</u>	<u>20-Life</u>	
Rape				8	1	1								1	
Statutory Rape				3		1	2		2	1					
Attempted Rape										1					
Assault/Intent to Rape													1		
L & L Act						3		2	3		2	1*			
Lewdness									1						
Incest		1													
Infamous Crime			3	1											
Attempt to Commit Infamous Crime	1														

* Illegal per NRS 201.230

Sex Offense Cases in Counties with Urban Population

The data which follows were developed from observation; from interviews with law enforcement personnel, District Attorneys and Judges; and from examination of official records for 1961.

1. Clark County

There is no question but that the major economy and sub-culture of the Las Vegas area stem from and are inextricably interwoven into tourism, and the hotel, gambling and entertainment melange. In consequence, these factors contribute substantially to criminal offending and law enforcement problems. According to the Federal Bureau of Investigation Reports for 1960, Clark County achieved the sinister distinction of ranking third in the index of crime for standard metropolitan statistical areas in the United States. (Washoe County ranked fourth in these tabulations.) Comparative ranking data show:

Los Angeles-Long Beach, California (Includes Los Angeles and Orange Counties)
Population 6,742,696
Total offenses, rate per 100,000 inhabitants, 2678.9

Miami, Florida (Includes Dade County)
Population 935,047
Total offenses, rate per 100,000 inhabitants, 2569.5

Las Vegas, Nevada (Includes Clark County)

Population 127,016

Total offenses, rate per 100,000 inhabitants, 2403.6

Reno, Nevada (Includes Washoe County)

Population 84,743

Total offenses, rate per 100,000 inhabitants, 2233.8

The impact of "pleasure industries" which flourish in Clark County in a more extensive and extravagant fashion than in any other Nevada county, appears also to foster a psychological climate of distance and detachment from the rest of the state. One gains the impression from some officials in Las Vegas that they unconsciously view their location more as a suburb of Los Angeles than an integral part of Nevada. An example of this attitude is illustrated by a proposal outlined in the Las Vegas Review-Journal of May 10, 1962, entitled "Law Enforcement Chiefs Map New Economy Move." The proposal was that Clark County establish an independent office for centralization of criminal identification and investigation data. A rebuttal to this idea reflecting the personal opinion of a police chief was couched not in terms of a preferential need for a state-wide service of this nature, but in terms of the complete lack of need for such a program because of the direct telephone service already existing with the sheriff and police departments in Los Angeles.

In practice, it appears that the lack of any local and centralized clearance of criminal cases creates a situation where the law enforcement's right and left hand knows not what the other does. In the compact area of centralized population there is an inescapable drifting of criminal offenders from one legal jurisdiction to another, specifically in and out of county territory (sheriff's jurisdiction) and incorporated areas (police jurisdiction of Las Vegas, North Las Vegas, Henderson and Boulder City). Yet the head of any single law enforcement agency would of necessity have to telephone four other offices if he wanted to clear the record and trace the movements of a single suspect.

In examining sex offense cases in the offices of the Sheriff, Police and the District Attorney, it was difficult and/or impossible to discover continuity or consistency in record content. The likelihood of finding in a record the final disposition of the case was indeed rare. Allegedly there are many problems in obtaining a prosecution of felony cases through the Office of the District Attorney. Original felony charges are said to be reduced or dismissed with scant attention given to the evidence already developed in the case. Frequently there is a series of continuances of trial dates which result in extensive delays and sometimes eventuates in dismissal in accordance with NRS 178.495. There was skepticism expressed that this course of action is a manipulative device of the defense attorney not countered effectively by the District Attorney.

Referring again to the Federal Bureau of Investigation report for 1961, showing the rate of persons found guilty in cities of over 25,000 population (which would apply to Las Vegas), the following is noted:

Number of Persons Found Guilty per 100 Persons Formally Charged by the Police,
1960; 279 Cities Over 25,000, Total Population, 39,025,550¹

Forcible Rape Cases			Other Sex Offense Cases		
Found Guilty			Found Guilty		
Of Offense Chgd.	Lesser Offense	Total	Of Offense Chgd.	Lesser Offense	Total
36.3	14.5	50.8	60.9	6.1	67.0

As stated previously, it is not possible to offer comparable figures for Clark County. However, on the basis of the records reviewed, it is evident that the proportion of persons held for prosecution, and subsequently found guilty, is far below the national rate. In this connection, a question arises about the assignment of law enforcement officers. Is it possible that a disproportionate number of officers are on duty in the early evening and throughout the night patrolling in the "Strip" and the downtown areas of Las Vegas proper on the alert for armed robbery, assault, burglary, drunkenness, theft, etc., thus limiting the number of officers available for duty during the day when sex crimes against children are more prevalent?

Office of the District Attorney - A total of 17 sex offense cases for 1961 was shown in the central files, classified as follows: forcible rape 8, statutory rape 2, lewd with minor 5, indecent exposure 1, and incest 1 case. Three of the cases noted did not appear in the records of the Sheriff or any police department; 3 felony cases shown as referred to the District Attorney by a law enforcement department did not appear in the District Attorney's files. As closely as could be determined the dispositions of the cases were as follows:

Charges Reduced: 2 cases of statutory rape to contributing; victims, daughter and stepdaughter; sentences, 60 days and 60 days plus \$300 fine

Case Dismissed: 3 cases including incest, indecent exposure, rape

Not Extradited: 2 cases of rape; one victim, suspects lived in Needles, California

Trial Pending: 1 case lewd with minor, offense reported 12-20-61, trial date 4-13-62

Jumped Bail: 1 case lewd with minor, APB issued

Sentenced Prison: 1 case lewd with minor - verified never received at prison, probably sentence suspended

Committed Nevada State Hospital: 1 case lewd with minor; first trial a hung jury, commitment to determine sanity for purposes of re-trial; eloped from hospital, wanted by the FBI

No disposition shown: 1 case lewd with minor; victim, daughter

1 "Crime in the United States," Uniform Crime Reports - 1960, Federal Bureau of Investigation, Table 10, p. 86

Unaccounted for: 5 cases

Las Vegas Police Department - The 1961 Uniform Crimes Reports submitted to the Federal Bureau of Investigation showed five forcible rape cases, four of which were cleared by arrest, and one suspect not apprehended; the data on other sex offenses were not available. It was said that there were 52 arrests for sex crimes in 1961, with 35 cases resulting in conviction. Judges are said to advise the convicted sex offender of the statutory registration requirement. A separate file of registered sex offenders included 16 during 1961. A direct telephone line to the Police Department in Los Angeles is considered very valuable in clearing cases for prior records, pending receipt of the Federal Bureau of Investigation and California Bureau of Criminal Identification and Investigation rap sheets.

The comment that most sex offenders are tourists was not substantiated further. A high incidence of indecent exposure cases was described as "quite a rash." Reported voyeurs (peeping Toms), if apprehended, are usually booked as prowlers or vagrants. Treatment resources for sex offenders are considered to be non-existent. A continuing in-service training program for police officers is reported, and the comment was offered that this resource could be used advantageously by the independent North Las Vegas Police Department if they were inclined to eliminate the duplication of effort by their own department.

An examination was made of twelve folders for 1961 organized by calendar months, with each containing the transcribed daily report record for that month; the sex offense cases were listed. Eighty such cases were noted involving a male suspect. Wherever a booking number was given, the original daily report register was consulted to determine the final disposition, if known. Seven of the 80 cases had booking numbers; two cases noted as arrested but without a booking number were subsequently identified through other sources; eight cases were noted referred to the Juvenile Department, but the basis for such referral is obscure, as not all the suspects were themselves juveniles.

There is inconclusive, over-lapping and confused terminology in classifying sex crimes against the person, and crimes against decency and morals. Among the 80 cases, 28 separate but frequently duplicating classifications in terms of described behavior were noted as follows:

Indecent Exposure	Lewd and Lascivious
Indecent Exposure & Attempted Molest	Investigate Lewd & Lascivious
Prowler & Indecent Exposure	Lewd Condition
Lewd Suggestion	Gross Lewd
Obscene Phone Call	Child Molesting
Vulgar Phone Call	Possible Child Molesting
Indecent Remark	Attempt Child Molesting
Attempt Molesting	Possible Attempt Child Molesting
Molesting	Incest
Immodest & Improper Condition	Assault Attempt Rape
Immoral, Immodest, Indecent Behavior	Attempt Rape
Immodest Behavior	Statutory Rape
Immodest, Indecent Behavior	Indecent Advance
Investigation Infamous Crime Against Nature	Sex

Illustrative examples of some of the above incongruities are cited:

Immodest and Improper Condition: propositioning two boys to engage in perverted acts; also, offer of money to observe boy 18 and his girl friend in sexual intercourse

Immodest Behavior: exposure on school grounds; also, homosexual overture to adult male

Attempt Molest: following in a car two girls walking from school and inviting them into the car; also, advance to adult female

Immodest and Indecent Behavior: following in a car two girls walking home from bus stop

Sex: physical contact followed by gift of money to minor boy

Indecent Advance: whistling, pointing, remarks addressed to adult female

Although it might be assumed that some of the unusual classifications are linked with city ordinances, it is evident that the officer who takes the report is not familiar with formal legal classifications and invents a combination of words which may seem to be suitable to him, and/or the officer is not supervised adequately in the performance of this particular function. The wording of city ordinances applicable to sex offenses is stated in the City Code of Las Vegas, 1960, as follows:

Title VI Police Regulations

Chapter 1.

- 6-1-18 Immodest, Improper or Indecent Behavior: Immodest, improper or indecent behavior upon any of the public streets, alleys, or highways of the City, or in any place within the City to which the public is invited is hereby prohibited. A person violating this Section shall be guilty of a misdemeanor. (Ord. 6)
- 6-1-20 Indecent Exposure: Every person, who wilfully and lewdly, either exposes his person or the private parts thereof in any public place where there are present other persons to be offended or annoyed thereby; or procures, counsels or assists any person to expose himself, or to take part in or make any exhibition of himself to public view, or to the view of any number of persons, such as is offensive to decency, or is adopted to excite vicious or lewd thoughts or acts, in any public place, or in any place where there are persons present to be annoyed thereby, shall be guilty of a misdemeanor. (Ord. 178)

6-1-39 Vagrancy: Defined

(K) Every idle, lewd, or dissolute person

(Q) Every person who annoys or molests any school child;
or who loiters about or within 400 hundred feet (400') of
any school, or public place at or near where school
children attend

. . . shall be deemed an act of vagrancy (Ord. 631)

Chapter 10

6-10-2 Obscene Language: It shall be unlawful for any person
to use any threatening, vulgar, indecent, obscene, im-
moral or insulting language over any telephone. (Ord. 987)

It is understandable that difficulties in classification of an offense arise when an hysterical victim or an outraged parent reports the sex offense in terminology of his own. However, in translating the data into an official report, the appropriate and legally established classifications which describe the general nature of the offense should be used. When the crime involves a sexual advance toward a child, and particularly when there is bodily contact, however, the appropriate state statute, rather than a city ordinance, should be used.

In 38 (47.5%) of the 80 cases, the name of the suspect was given in the original report. In three cases a citizen's arrest was made. Among 15 cases (18.7%), a specific clue was offered including: automobile license number (7 cases), description of an unusual feature about an automobile (2 cases), address, parent, or place of employment (4 cases), and a promised rendezvous (1 case).

Among the cases in which no booking number is shown on the daily report, there were undoubtedly some additional arrests. This could not be verified because the filing cabinets were in the process of being moved, and the clerks were too far in arrears with regular routines to check each case through the master file. A spot check of six cases in which the suspect was named failed to reveal an arrest in any one of the cases. In these specific cases, the reported offenses were: statutory rape (2 cases), lewd and lascivious act with minor (2 cases), incest (1 case), and gross lewd (1 case). In the absence of an exhaustive, time-consuming search (which was not possible), no objective evaluation can be offered of the effectiveness of police investigation and apprehension in the sex offense cases.

Among the nine cases with a known arrest - plus one case referred to the Juvenile Department which was found in the files of the District Attorney - the following dispositions were noted:

<u>Offense</u>	<u>No.</u>		<u>Jail</u>	<u>Jail & Fine</u>	<u>Disposition</u>				
	<u>Cases</u>				<u>Bail Forf.</u>	<u>Fine</u>	<u>Dismsd.</u>	<u>Abscond</u>	<u>Prob.</u>
Indecent Exposure	5		2a/f	1a/f			1a/f lg		
Attempt Molest	2				1a/f				lg
Lewd & Lascivious	1							lg*	
Investigate Lewd & Lascivious	1						1b		
Immoral, Immodest, Indecent Behavior	1					1a/f			

Legend: a/f - adult female, g - minor girl, b - minor boy

* 6-2-61 preliminary hearing waived, bond ordered; 4-30-62 suspect failed to appear, bond forfeited, bench warrant and APB issued.

North Las Vegas Police Department - Until approximately eighteen months ago, when the present chief came into office, an inadequate system of record keeping had been perpetuated for many years. Progress is reported in standardizing the filing system and in establishing specialized files for cases of juveniles, sex offenders, and "M.O." file. Administrative efforts have been directed to instituting formalized, written personnel standards. Increased salaries for police officers have been achieved. Officers are required to attend a scheduled course in police work at the Nevada Southern University; they are also encouraged to enroll in other courses through the adult education program of the local schools. As a part of the in-service training program, a system of evaluations of performance was introduced, with evaluations made monthly during an officer's probationary period, and semi-annually thereafter. Purposeful reading on subjects allied to the field of law enforcement is encouraged, and an elementary course in basic English is given to improve report writing. Staff morale is reported to be high.

Many sex offenders are regarded as needing treatment for an emotional illness rather than punishment for a crime committed; however, available treatment resources are viewed as highly inadequate. Psychiatric out-patient clinic facilities are badly needed; an expanded marriage counselling service is desirable according to an opinion expressed. Private psychiatric treatment is almost always found to be beyond the financial resources of a sex offender. Early detection of abnormal trends in sexual behavior, followed by effective rehabilitation opportunities, is of primary importance if progress is to be made in dealing with this total problem, according to an opinion expressed. The reluctance of the District Attorney to accept felony cases for trial was mentioned.

During 1961, there were seven reported sex offense cases, each with a known suspect. In the three cases of rape, there was but a single victim. The cases include:

<u>Offense</u>	<u>No.</u>		<u>Arrest</u>	<u>Charge</u>	<u>Disposition</u>
	<u>Cases</u>				
Rape (Juveniles)	3	No		None	Referred Juvenile Dept.
Stat. Rape (Vict. 17)	1	Yes		Contrib.	15 days & \$75
*Invest. Stat. Rape (Vict. 16)	1	Yes		RHO & Contrib.	60 days city jail each count
*Invest. Incest (Vict. 15)	1	Yes		Ch. Molest	Dmsd., insuff. evid.
Indecent Exposure	1	Yes		Ind. Exp.	Charges dropped

* District Attorney refused to issue complaints

Henderson Police Department - The opinion was expressed that there are serious law enforcement problems in Henderson attributable largely to the "rough element" of population living in the community, but a very small proportion of valid sex offense cases are actually reported. The few glaring examples of sex offenses have led to extensive investigation, but allegedly they eventuated only in dismissal or reduction of charges, or endless delay in the office of the District Attorney. Extraneous cases not applicable to 1961 were cited including a case of incest extending over a period of years, and a father's sadistic beating of his children culminating in the death of a three-year-old son from a beating.

No sex offenders have registered to date. Cases are filed by booking number only. The 1961 report of five sex offense cases include:

<u>Offense</u>	<u>No.</u> <u>Cases</u>	<u>Arrest</u>	<u>Charge</u>	<u>Disposition</u>
*Att. Rape (Vict. daughter)	1	Yes	Contrib.	60 days county jail
Invest. Attem. Rape	1	No	-	Unfounded case
Child Molesting	2	No	-	Co. jurisd., ref. Sheriff
Indec. Exposure	1	Yes	Indec. Exp.	Ref. Juvenile Dept.

* Referred to District Attorney

Boulder City Police Department - The community was described as composed largely of retired, elderly persons or stable employees working at Hoover Dam or the power company. There was also the expressed opinion that due to the fairly recent incorporation of Boulder City following withdrawal of federal jurisdiction, that psychological vestiges and fringe benefits of the federal period of control persist which contribute to general law-abiding behavior.

<u>Offense</u>	<u>No.</u> <u>Cases</u>	<u>Arrest</u>	<u>Charge</u>	<u>Disposition</u>
Stat. Rape	1	No	-	Parental discussion & planning
Att. Child Molest (step-daughter)	1	No	-	Insufficient evidence

Sheriff's Department - The opinion was expressed that law enforcement problems will continue to increase because of the "criminal element" constantly arriving in Las Vegas attracted by the hotel, gambling and entertainment industry. There is no routine clearance of reported sex offenses with the several police jurisdictions in the immediate area. As a matter of fact, there is less inter-county communication than exists with Los Angeles County through the direct telephone line with the sheriff's department there. The comment was made that many child molesting cases are dropped quickly for insufficient evidence when the experience involves the child alone, and court testimony would be limited to the child's word against that of the adult suspect.

All files are maintained alphabetically; there are no special category files; it was not possible to learn the number of sex offenders who registered in 1961. The data supplied in 1961 to the Federal Bureau of Investigation on

the Uniform Crime Reports in the category of forcible rape did not coincide with daily report figures; furthermore, the separate section of this report which includes sex offenses (other than forcible rape and prostitution) could not be found despite the efforts of the employee recently placed in charge of the record department. The report to the Federal Bureau of Investigation showed for 1961 six rape cases - two cases unfounded, four cases cleared by arrest. An examination of the individual case records in the office of the Sheriff and the District Attorney disclosed ten cases which were resolved as follows:

Rape

1 case: arrested, dismissed by the District Attorney, insufficient evidence

2 cases: one victim, warrants for arrest issued, suspects apparently not apprehended; both lived in Needles, California, crime committed in Nevada

1 case: Not arrested, unfounded

2 cases: One victim, not arrested, parents of minor married, victim refused to prosecute

1 case: Incorrectly included in category of other sex offenses, action taken not known

Attempted Rape

2 cases: One victim; arrested, dismissed; victim refused to prosecute

1 case: No arrest, reason not recorded, suspect apparently victim's former spouse

There were 22 additional cases of sex crimes found in the daily report records. In 7 cases, the suspect was not initially identified. The classifications of offenses, together with the number of cases in each classification, were: child molesting, 5; attempted child molesting, 3; indecent exposure, 4; lewd with minor, 3; incest, 1; lewdness, 1; statutory rape, 5. A spot check of these cases was made, and the following case illustrations are cited:

Lewd with Minor

Female victim, age 6, verified to have an acute gonorrheal infection; suspect, a roomer in the home, allegedly left town, not apprehended

Incest

Daughter, age 17, claimed forced sex relations since age of 10, polygraph findings indicated truthfulness of statements. Polygraph findings on suspect on same date indicated "evidence against him" and suggested a possibility of a mental disorder. Medical examination of victim verified sexual intercourse many times. Case dismissed by District Attorney on the basis of a psychiatric report "tending to discredit the complaining witness "

Statutory Rape

Victim age 13, pregnant, referred to Juvenile Hall; suspect awarded

probation.

Attempt Child Molest

Victim stepdaughter, age 16, suspect convicted of contributing to the delinquency of a minor, 6 months county jail and \$300 fine. Two unidentified white male suspects, "case closed, misunderstanding, parents satisfied."

2. Washoe County - 1961

Office of the District Attorney - Departmental policy and procedure are directed to a careful investigation of each case with interviews of both victim and suspect prior to the filing of the complaint based on the character of the offense. Circumstances peculiar to each case are evaluated, with prosecution on a lesser charge only when this is deemed to be consistent with the crime committed. The need for a strong probation and parole program was stressed with actual supervision provided in contrast to a required monthly written statement from the probationer or parolee. Actual and practical rehabilitation of sex offenders is viewed as unlikely in most cases. The opinion was expressed that an improvement in the prison program is essential for all felons.

In 1961, among all misdemeanor cases (918 processed), .005% were sex offense cases; among all felony cases (244), sex offenses accounted for .082%.

Sex offense cases on record in the District Attorney's office, 1961, included:

<u>Charge</u>	<u>No. Cases</u>	<u>Disposition</u>					
		<u>Dismsd.</u>	<u>Acquit</u>	<u>Prison</u>	<u>Prob.</u>	<u>Jail</u>	<u>Pending</u>
Contributing	5	1				3	1
Lewd & Lascivious	8	1		1	6		
Incest	1			1			
Incest & Rape	1		1				
Gross Lewdness	2					2	
Rape	4	4					
Statutory Rape	2			1	1		
Infamous Crime	1						1
Attempt Inf. Crime	1			1			
Total	25	6	1	4	7	5	2

It is apparent that the courts are adhering to the requirement in NRS 201.230, subsection 3(b) which specifies that a psychiatric recommendation of non-menacefulness be obtained before probation may be considered. In some cases, treatment was recommended, but unless the individual could afford private psychiatric care, it is most unlikely that the recommendation could be followed. In three of the pre-sentence probation reports, the officer making the field investigation interjected highly subjective comments including diagnostic statements not within the province of the laymen. To be meaningful to the court, recommendations for or against probation must be based on facts. In one case, the sex offender was awarded out-of-state probation under the Interstate Compact Agreement. In one case, the probationer was authorized to live in another county where employment and living opportunities were more realistic.

Reno Police Department - An estimated 20 registrations have been received in conformance with NRS 207.152. No separate file is maintained of these reg-

istrants; no "M.O." file is currently maintained. Few cases of indecent exposure are reported. The opinion was expressed that few cases of lewd and lascivious behavior eventuate in court because parents are reluctant to have young children subjected to cross examination by the defense attorney. There is a great need for a Nevada central registration agency for criminal identification and investigation to improve the effectiveness of law enforcement. The local budget has been inadequate in the past; and currently, without a staff analyst, it is not possible to organize or maintain separate files by crime category, or to compile special reports. Current information on sex crimes is limited to the data submitted to the Federal Bureau of Investigation for 1960. No data are available for 1961. Arrests on sex offense cases accounted for .002% of the total arrests.

Sex offense cases on record in the Reno Police Department, 1960, included:

<u>Offense</u>	<u>Arrested</u>	<u>Found Guilty of Offense Chgd.</u>
*Forcible Rape	3	3
Sex Offenses (except rape & prostitution)	11	11

*Not consistent with Federal Bureau of Investigation Form B, "Annual Return of Offenses Known to the Police," Item 2, which shows 8 cases reported or known to the police, with 2 cases unfounded, 6 actual offenses, 4 cleared by arrest.

Sheriff's Department - Relatively few of the complaints filed on sex offense cases eventuate in a court hearing. In instances of lewd and lascivious behavior with minors, many parents of young children do not follow through because of their hesitancy in having the child obliged to testify in court. When reports of suspicious persons loitering around school grounds are investigated, they frequently involve a parent who is party to a divorce case and is trying to locate his own child with the intent of removing the child physically from the county. In cases of statutory rape, a medical examination of the victim is ordered, the victim is questioned, and a polygraph test given. If the polygraph results indicate that the victim is truthful, and if the parents are reluctant to sign a complaint because of potential publicity in the press, the Sheriff signs the complaint and the victim appears in court as a witness. In most statutory rape cases, the victim is considerably younger than the suspect. Indecent exposure and voyeurism cases on conviction are usually given a sentence in the county jail; recidivism is frequent. There are no known treatment resources for sex offenders other than through a private psychiatrist.

Following arrest or registration of a sex offender, fingerprint cards are forwarded to the California Bureau of Criminal Identification and Investigation and to the Federal Bureau of Investigation. The rap sheets are received in approximately two weeks from Sacramento and in three weeks from Washington, D.C. Rap sheets are received from Sacramento on a courtesy basis on those sex offenders who register in California under Section 290 of the Penal Code when the last prior address was in Nevada; and, on cases arrested in California on a sex charge, when the individual was a registered sex offender in Nevada. Opinions were expressed that there is a great need for a central agency of criminal identification and investigation in Nevada to ex-

pedite effective police work within the state, and to eliminate makeshift methods of notification between counties. The continuing dependency on the California agency is deplored.

When a convicted sex offender registers with the Sheriff's Office as required by NRS 207.152, effective July 1, 1961, a carbon copy of the registration form is forwarded to the Chiefs of Police in Reno and in Sparks for their information. No separate file of registered sex offenders is maintained, and it is estimated that approximately six persons have registered to date. No "M.O." (method of operation) file is maintained for sex offenders. The opinion was expressed that the District and Justice Court Judges are not following in a uniform manner the provisions of NRS 207.154, subsection 2, 3 and 4.

Sex offense cases on record in the Sheriff's Department, 1961, included:

<u>Offense</u>	<u>Arrest</u>	<u>Charge</u>	<u>Disposition</u>
Indecent exposure, attempt fondling	Yes	CDM	Guilty, County Jail
Lewd with minor	Yes	L & L	Suicide while on bond
Statutory Rape (stepdaughter)	Yes	St. Rape	On bond (arrested July 1961)
Forcible Rape	Yes	Rape	Guilty, 2 yr. probation
Fondling	No	-	Unfounded case
Indecent exposure (juveniles)	No	-	Parental discussion
Lewd with minor (stepdaughter)	No	-	Offense in other state, fict. ref. Wittenberg Hall
Lewd with minor	No	-	Juris. Reno P.D., referred
Indecent exposure (juveniles)	No	-	Parental discussion
Forcible Rape	No	-	Suspect not apprehended

Wittenberg Hall - An inquiry was made on the incidence of cases known in 1961 to the Juvenile Detention Facility (Wittenberg Hall), in which a female minor was victimized sexually by an adult. Although this may not be germane to the scope of the study, it was considered to be of tangential interest. The following information was supplied.

During 1961, 6 cases were known to the agency and in each case the minor was the alleged victim of a stepfather. Ages of the girls were: 3 cases, 13 years; 1 case, 15 years; 2 cases, 16 years. In 5 cases, the sexual relationship had been existent for one year or more; in one case the duration was approximately 6 months.

The cases came to the attention of the agency because one girl ran away from home, one was pregnant, four were exhibiting delinquent or problem behavior at school. Five of the girls were placed immediately in a foster home or with relatives, one girl was detained at Wittenberg Hall temporarily until a suitable placement could be arranged. In one case, the victim's mother was said to be unaware of the sexual involvement; whereas in five cases the mother was allegedly aware of the situation, but disbelieved her daughter. Polygraph records were made in all cases, with the text result in five instances indicating that the victim was truthful. Allegedly in no case was the stepfather prosecuted. The present status of the six girls reveals that one became pregnant and married a boy with a known juvenile record; two are living with relatives out of state and making a good adjustment; one lives in a foster home and is adjusting well; two are in an institutional treatment setting out of

state, having been placed by court commitment.

Sex Offense Cases in Counties with Rural Population

The following data were obtained from interviews with public officials, including Sheriffs, Deputy Sheriffs, Chiefs of Police, Assistant Chiefs of Police and District Attorneys in the separate counties.

In eight counties of lesser population than Washoe and Clark, the problem of sexual offending is reported to be so infrequent as to be relatively inconsequential. The thread of expressed opinions revolved around the following foci:

Limited population makes it possible for local officials to know personally the residents of the community, their general status and behavior eccentricities.

The legal requirement for registration of employees in gambling casinos as a prerequisite for a permanent work certificate permits the rapid elimination of persons with criminal records as verified by rap sheets received from the Federal Bureau of Investigation and the California Bureau of Criminal Identification and Investigation.

Houses of prostitution, tacitly if not legally recognized, are under medical supervision; the incidence of venereal infection is thus controlled and the safety of local women and children is enhanced.

In the few felony sex offense cases resulting in conviction, a sentence to prison presents the only practical, potential opportunity for rehabilitation of the individual, but an actual opportunity only if and when a sound rehabilitation program is initiated at the Nevada State Prison. Local resources for psychiatric treatment are non-existent, and will continue to be so in the foreseeable future. The present system of floating out of town those individuals who have no visible means of support, as well as those convicted of misdemeanors, will doubtless remain a chosen method of disposing of cases. It was readily conceded that this technique solves no basic problem, and encourages dependency and criminal offending elsewhere. However, because law enforcement officers are concerned with law enforcement within their own domain, have low operating budgets, and in some counties very antiquated jail facilities, the practice will doubtless continue of moving beyond the county line those transients or local individuals with an unsavory reputation, who, in large urban centers, might be handled differently. In all fairness, it must be said that this practice of "floating" is by no means limited to Nevada.

1. Ormsby County

In the past three years there have been only six cases of sex offenses; no sex cases were reported in the 1961 Uniform Crime Report required by the Federal Bureau of Investigation, although the county ranked third in the state for felony arrests. Two sex offenders have registered since January 1962 as required by statute. All fingerprints are registered with the California Bureau of Criminal Identification and Investigation and with the Federal Bureau of Investigation. The opinion was expressed that the excellent teletype commun-

ication with Sacramento permits quick identification and facilitates apprehension, thus minimizing many law enforcement problems. The local crime prevention program is strengthened by close cooperation with the high school administrative staff and participation by the Chief of Police in a lecture series to civics classes on law and law enforcement. The comment was offered that a thorough investigation by the District Attorney in all statutory rape cases resolves many situations without criminal action, in the best interest of both victim and suspect when the age differential is minimal.

2. Churchill County

According to the 1961 Uniform Crime Report submitted by the Sheriff's Office to the Federal Bureau of Investigation, there were no sex offense cases. In 1960, one rape case occurred. Fingerprints in felony cases are sent to Washington, D.C., and to Sacramento. It was the impression of one person interviewed that there are few sex cases reported because the District Attorney is thought to be disinterested in prosecution, and although a more vigorous program of apprehension would be desirable, it is considered to be useless unless valid efforts in prosecution follow.

Some complaints of indecent exposure and voyeurism are received, but these are usually associated with the suspect's drunkenness and become lost statistically in the category of vagrancy. If there are reports of lingerie stolen from clothes lines, the crime is usually considered an act of vagrancy with conviction likely to result in a floater out of town. No arrests were made by the Police Department in 1961 for sex offenses. Inquiry in the District Attorney's office produced two cases in 1961, which were not reflected in the Uniform Crime Report. A further inquiry resulted in the explanation that the two cases were probably coded under the category of "All Other Offenses" rather than under "Other Sex Offenses." The two cases in question were legally classified as contributing to the delinquency of a minor. In one case the victim was 16, the suspect convicted following a plea of guilty, and sentenced to 75 days in jail or \$150 fine. In the other case, the victim, a resident of Schurz, was reported to be away from home 48 hours and allegedly in Fallon; the suspect, allegedly a resident of Lovelock, was never apprehended.

3. Mineral County

During 1961, one complaint of lewd and lascivious behavior involved the molestation of a 13-year-old girl by her 51-year-old stepfather. The complaint was signed by the Sheriff, the child was made a ward of the Juvenile Court, and the suspect, after withdrawing a plea of not guilty and registering a plea of guilty, was sentenced to the Nevada State Prison for five years. There was no request for probation.

No complaints have been received in 1962 of sex crimes. Over the years, there have been a few reports of statutory rape, but these have been resolved by parental action or marriage of the young adults involved. The infrequent reports of voyeurism or stolen lingerie have been traced to juveniles or no suspect was apprehended. About ten years ago there was a succession of rape cases reported among the negro community of Babbitt, but in no instance when the case was ready for trial would any witness testify. All vagrants in Hawthorne are rounded up at curfew, booked as sleepers and ordered out of town

the following morning. Fingerprints are registered with Sacramento and Washington, D.C. Any cases of sexual misbehavior occurring in Schurz or on the Indian reservation are processed by tribal council action.

4. Nye County

There were no reported sex crimes in 1961. In the past eight years, there has been only one case of child molesting; a conviction was secured on the suspect, who had a long record of sexual misbehavior. One other case, which was actually a vicious rape with great bodily injury, was prosecuted on a charge of assault and battery. Prior to arrest, the suspect was shot by a group of vigilantes, but he survived. A hung jury resulted in release of the suspect, who has since been reported as convicted of a felony in Tennessee and sentenced to the state prison there. The opinion was expressed that there are actually no sexual deviates living in the community, where the citizenry is well known to law enforcement officers. School areas are patrolled, itinerants are floated out of town. There have been no cases of indecent exposure reported; the last voyeur was reported five years ago. Two sex registration cases were noted in 1961; one, a California offender; the other, a Nevada parolee.

There is some speculation that more problems may develop at Project Mercury, but fourteen deputies are based there and cooperation with the federal officers is excellent. Due to the fact that a security clearance for civilian employment is mandatory, an effective means of removing suspicious persons or criminal offenders from the reservation is quickly and easily enforced by the simple expedient of cancellation of the security clearance. No children are permitted in the civilian housing offered to employees.

5. Esmeralda County

No valid sex offense cases were reported in 1961. In 1960, a case involving two female juveniles was reported from Coaldale, but investigation proved the report to be unfounded. No sex registration cases are on file. The Sheriff allegedly was averse to fingerprinting anyone over a period of many years, hence only since he has been out of the office due to illness during the past year and a half have any fingerprints been taken. An opinion was expressed that there has not been and likely there will not be any problem in the area of sexually deviant behavior because of the very small population of both Goldfield and the county at large.

6. White Pine County

There were no reported cases of sex offenses in either the Sheriff's office or the Police Department during 1961. In 1960, there were two cases of lewd and lascivious behavior. In one case, a thirteen year old girl was molested by her stepfather; both parents were charged with contributing to the delinquency of a minor; convictions resulted, both parents served time and were floated out of town. The victim and three siblings were all made wards of the Juvenile Court and placed in foster homes by the State Welfare Department. The actual sexual misbehavior in the other case was indecent exposure, the suspect was given a suspended sentence and advised to leave town forthwith.

During 1958, there was a series of five rape cases in one week; convict-

ions were secured and no similar problem has existed since then. Vagrants are booked and jailed until fingerprint records are cleared through the Federal Bureau of Investigation, at which time the suspect is floated out of town if he is not wanted elsewhere. A few prowlers are reported annually, but usually are not apprehended. The primary problem mentioned was the lack of any resource for treatment of alcoholics; no Alcoholics Anonymous chapter presently exists in Ely. A tangential problem described was the lack of any facility at the County Hospital for maximum security detention of an acutely disturbed mental patient waiting transportation to the Nevada State Hospital.

7. Eureka County

In the past four years, there has been one complaint of attempted rape which proved to be unfounded. Due to the small population of both Eureka and the county at large, there are few criminal complaints of any kind, brawls and drunkenness represent the main law enforcement problems. A comment was offered that in the future there could be potential problems of sexual misbehavior in view of the expanding agricultural development in Diamond Valley which attracts migrant workers.

8. Lander County

The only case of sexual misbehavior in recent years occurred in 1960, and involved a rape charge which resulted in acquittal by the jury. Fingerprints on vagrants and sleepers are not registered, but are held in event of a future question by the Federal Bureau of Investigation. A slight increase in transients and migrant agricultural workers into the county was noted.

The Sex Offender Who Drinks

Research, based on careful examination of case histories supplemented by clinical evaluation of sex offenders who drink, has disclosed a cause and effect relationship not generally understood. The crime is committed not because the man is an alcoholic, rather he drinks in order to commit the crime. Specifically, the man who has a predisposition for deviant sexual behavior finds that the effects of alcohol eliminate the controls which he is able to maintain otherwise. He drinks because he is then disinhibited and courageous enough to do that which he wanted to do. This does not imply that all men who drink to excess are sex offenders, but there are in the personality configurations of each type the common factors of emotional immaturity and inability to face and to accept the responsibilities of ordinary realities.

Whether on probation, parole, or in prison, the alcoholic sex offender needs treatment. Exhortations to stop drinking will avail nothing, for "cure through will power" is an unrealistic approach. The true alcoholic in his "first step" toward rehabilitation must surrender and acknowledge his inability to control his drinking. So, too, must the sex offender who drinks face up to his fears of self-adequacy, and, through help, learn to find the strength which will free him and enable him to confront stressful experiences through overt behavior compatible with the sexual mores of society. The philosophy and mutual support implicit in the program of Alcoholics Anonymous in prison, may be continued advantageously during the period of parole.

Suggestion

The Nevada State Alcoholism Agency is a resource to be used. The Director of the agency is formulating plans to develop and coordinate a more dynamic program within the Nevada State Prison, and help should be offered him in this effort. Other institutions have experienced difficulties in integrating a successful Alcoholics Anonymous program into a prison setting due to factionalism, and enthusiastic but ill-advised leadership of a sponsoring local group which leads to pyramiding difficulties. The sincerity of inmates who elect to attend meetings within the prison should be weighed and evaluated in order to eliminate the conniving inmate whose overt or subtle influence with other inmates is a destructive force.

Patients with Sexually Deviant Behavior Committed to the Nevada State Hospital

Research and experience have shown that, compared with all sex crimes committed, few sex crimes are committed by men who are psychotic. The M'Naghten rule for determining criminal responsibility has prevailed in most states in this country since it was promulgated in England in 1843. Nevada adheres to the precepts of the M'Naghten rule in a finding of the court that the individual who committed the crime is not guilty by reason of insanity. Under the M'Naghten rule "to establish a defense on the ground of insanity, it must be clearly proved that, at the time of the committing of the act, the party accused was laboring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act he was doing; or, if he did now it, that he did not know he was doing what was wrong."¹

It is assumed that patients currently in the Nevada State Hospital who were arrested after having committed a sex crime were determined to be criminally responsible and were committed under the statutory provisions for commitment of the mentally ill or of mentally deficient, non-educable children. Exception to the above would be found among patients committed to the Hospital for examination and report to the court under NRS 433.240 subsection 3, or for observation and report to the Superintendent of a Juvenile Correctional Institution under NRS 210.200 subsection 3.

As would be expected however, there are some mentally ill or mentally deficient patients in the State Hospital who demonstrate sexually deviant behavior. This may vary from the individual who masturbates publicly to the severely aggressive, dangerous homosexual. There is currently no statistical reporting system at the Hospital which identifies those patients who were known sex offenders prior to commitment, no tabulates patients according to the type of commitment, nor identifies patients exhibiting overt sexual misbehavior. The Superintendent's Annual Report July 1, 1959, to June 30, 1960, lists only one case having a diagnostic classification which includes "Sexual Deviancy" as part of the diagnosis (Table 3C, page 21).

The opportunity for rehabilitation necessarily varies for each individual in relation to such factors as the severity of the mental illness or retarda-

1 "The Mentally Disabled and the Law," Frank T. Lindman and Donald M. McIntyre, Jr., p. 332. For a full discussion of the subject of mental disability and the criminal law, see Chapter 11, pp. 330-372.

tion, age, organic limitations, and the availability of treatment in contrast to custodial care. Present concepts of treatment in mental hospitals emphasize the importance of a sustained therapeutic milieu in all phases of the institutional program to expedite the patient's improvement. Planning toward a patient's return to life in the community should begin with the initial diagnostic evaluation and the selected modalities of treatment to be undertaken, and should be re-evaluated at regular staff conferences when the patient is interviewed, the extent of his progress noted, further treatment needs are explored and prescribed, and the tentative release from the hospital is predicted.

Throughout the hospitalization period, it is important that the interest and concern of the patient's relatives be strengthened because, in many cases, the post-institutional rehabilitation focus will be in relation to the family setting. In cases where there are no relatives who are able or willing to accept the patient when he is ready for release, other alternatives must be substituted. Family care, nursing or boarding home placements are important resources in extra-mural care.

Thus, the rehabilitation of mental patients, including those with special problems in the area of maintaining socially acceptable sexual behavior, is a responsibility which extends beyond the confines of the State Hospital. Once a medical determination has been made that the patient has improved sufficiently to be returned to society, there are three methods of release as follows:

Return to the committing court when the commitment so requires.

Responsibility for the patient is then transferred from a medical to a legal focus, hence the extent of pre-release planning by the hospital social service department is severely limited.

Discharge (unconditional release).

Too often this release procedure is manipulated by the institution to provide beds for new admissions, and/or to ease fiscal problems including budgetary advantages, as perceived by the superintendent, and an annual statistical report implying that the hospital functioned with maximum efficiency. A discharge from the hospital is bonafide only when the patient is prepared adequately in terms of his current emotional condition to return to society, his living arrangements are suitable, he has financial security either actual or implicit, all of which must have been established by the social service department. Although the patient presumably would have sufficient insight into his emotional or mental problems to be able to function without continued or intermittent out-patient psychiatric treatment, he should be instructed on the availability of mental health resources within the community where he would live, and encouraged to seek help promptly should he experience increasing tensions or serious problems in inter-personal relationships.

Leave of absence.

Many patients who are not in full remission can be released from the hospital and the rehabilitation process accelerated, providing they are placed in a carefully selected environment. The attitude of

acceptance, warmth, tolerance and understanding, coupled with wise supervision on the part of those with whom he will be in immediate contact, are far more important than material advantages. The location of the placement in an urban or rural area must be considered particularly in those cases where the patient has demonstrated aggressive sexual drives prior to or during hospitalization. A major advantage in a leave of absence plan lies in its trial features, its transitional characteristic of bridging the hiatus between complete dependency, as known in the institution, and earned independence. Furthermore, this technique permits the patient to be returned promptly to the institution without a new commitment if the patient is not able to adjust in a non-institutional setting, or experiences a regression in his mental condition.

When it is unwise for the patient to return to his own home, alternatives exist in private nursing or boarding homes or in family-care homes. When the patient has no relatives, such resources may represent the only opportunities for release. Financial assistance in full or in part may exist through old age assistance, social security or private insurance benefits. Supplemental contributions sometimes can be arranged through members of the family.

Suggestion

Some state hospital patients who have the added problem of controlling their sexual behavior in socially approved forms can be habilitated sufficiently to be released from the hospital. This achievement can be realized only through an institution-wide program which is dynamic in character, ably administered, and used advantageously the team effort of trained and experienced professional staff buttressed by the understanding, interest, and purposeful efforts of competent ward personnel who have received sound in-service training. The details of release planning lie within the function of the social service department.

The social service staff at the Nevada State Hospital is currently limited to one highly-qualified psychiatric social worker who was employed in October 1961. She cannot hope to do more than meet daily crises in a hospital where the population approaches 600 patients. Serious consideration should be given to employing three additional psychiatric social workers at the earliest possible date so that not only can the accepted function of a social service department be approached within the Hospital, but also a carefully planned extra-mural care program can be developed. Budgetary provision necessarily would provide for a standard monthly care payment to the caretaker, plus a small monthly amount given to the leave-of-absence patients for personal needs. A practical method of supplying appropriate clothing must be outlined. Arrangements must be structured for emergency medical care at the local level. The cooperation of community mental health centers is essential in providing out-patient treatment as may be required, and channels of referral and reporting must be developed.

It is false economy for Nevada to maintain a state hospital which is inadequately staffed and without a comprehensive program of rehabilitation. In the absence of these primary requirements, the patient population will outgrow bed capacity, re-admissions will increase, and professionally acceptable

standards of treatment will deteriorate. The loss in human values cannot be calculated. It appears that a comprehensive study of the institution as a whole should be made by a staff of professional experts if the people of Nevada have sincere concern about what happens to the mentally ill and the mentally deficient among their citizenry in the twentieth century. Unless professionally sound recommendations are implemented and translated into action, the money spent on a study is wasted.

Suggestion

1. The time is past due when Nevada should have established a Bureau of Criminal Identification and Investigation. The recommendations made in 1959 by George H. Brereton in "A Study of the Feasibility of Establishing a Nevada Bureau of Criminal Identification and Investigation" should be reviewed and appropriate, definitive measures instituted forthwith. With the progressive increase in state population, it is essential that the law enforcement agencies in each county have a quick and reliable method of obtaining and exchanging information on criminal offenders. The present system of depending on the California Bureau of Criminal Identification and Investigation and the Federal Bureau of Investigation involves unavoidable delays in the receipt of cogent data on criminal offenders with prior records. The exchange of information between law enforcement agencies in the 17 counties is presently done in a haphazard manner, or not at all. The artificial separation of Clark County from the rest of the state contributes significantly to difficulties in other counties in taking the most appropriate action upon apprehension of criminal offenders. Statistical reports and evaluation of observable trends in crime obtainable through a bureau of criminal identification and investigation are valuable to the state and to individual counties in planning meaningful programs of crime prevention and concentration of law enforcement efforts in specific problem areas.

2. Because there is no standardized method of compiling records or of filing accumulated data throughout the counties, steps should be taken to instruct the chiefs of police and the sheriffs in the 17 counties on this subject, taking into account the special problems existing in both rural and urban areas. Assistance in this type of effort is available through a field service division of the Federal Bureau of Investigation.

3. To increase the effectiveness of law enforcement, and the sentencing of criminals, an immediately available record of the legal disposition of prior arrests is essential. A system should be devised and made operational statewide whereby the disposition of a criminal case by any court must be reported promptly by the clerk of the court in writing to the agency which made the arrest, so that this information may be included in the individual case record. Such are particularly important in sex offense cases to facilitate the most effective handling of the case in event of subsequent arrests. The same data are essential for the completion of a rap sheet; and a duplicate copy of the court decision supplied to the arresting agency should also be forwarded to the Nevada Bureau of Criminal Identification and Investigation as soon as that agency becomes operational.

4. Because police judges and justices of the peace, as part of their prescribed duties, hear cases of misdemeanants, including some sex offenders, and render legal decisions which - as pertaining to sex offenders - may have

a compelling effect on the welfare and safety of society, and the subsequent behavior of the offender, the qualifications for office of these elected officials should be raised. This would entail a statutory revision of NRS 4.010, and NRS 266.545. In the interest of a knowledgeable application of law, and a familiarity with present concepts of correction and rehabilitation for criminal offenders, an educational background including graduation from an accredited school of law should be stipulated as one qualification for these offices.

5. For the better protection of society through an assessment of the probable degree of menacefulness of the offender, in all sex offense cases in which a felony has been committed, the court should be provided with a comprehensive psychiatric evaluation of the offender. Statutory revision would be necessary inasmuch as NRS 201.230, subsection 3(b), applies only to the offense of lewdness with a child under 14 years. It is further suggested that the required psychiatric evaluation be requested from the Mental Health Clinic established by the State Department of Health in those counties where such a facility exists. It is accepted clinical practice in preparing a psychiatric evaluation of a case to include an interview(s) by a psychiatrist, psychological testing by a psychologist, and a social study by the psychiatric social worker of the offender in terms of his background and within the context of his current family constellation. The separate data are discussed in conference by the clinic team to arrive at a clinical diagnosis and recommendation for treatment. Payment for this professional service should be made to the State Department of Health according to a fixed schedule applicable on a state-wide basis. In those counties where no Mental Health Clinic has been established, suitable alternative arrangements would be necessary.

6. The practice of imposing a definite sentence on sex offender felons should be discontinued as being unrealistic.

7. Society finances the monetary cost of crime and suffers the consequences of criminal acts. On the subject of criminal offending, the effectiveness of law enforcement agencies, the administration of justice through the several court levels, and the specific benefits from established programs of rehabilitation, the public is inadequately informed. There must be a more realistic awareness on the part of the citizenry of Nevada on the extent of criminal activity within the state and what is being done about it, with both positive and negative facts presented. This will entail improved, extended and interpretative channels of communication between the public, law enforcement agencies, the courts and public institutions. Sensationalism and distortion of facts are inexcusable and must be scrupulously avoided. Objective presentations of data are basic to arousing public interest and stimulating sound programs for social action. The state should provide responsible leadership in this particular area of a public information program; however, unless all data presented are completely divorced from political chicanery, the public will be sold short.

Chapter II

ESSENTIAL FACTORS IN A PLANNED PROGRAM OF REHABILITATION IN A PRISON

General Considerations

The concept that a prison is intended exclusively as a place of punishment, retribution and of expiating a debt to society is not acceptable in present day penology. The permanent value of imprisonment as a sole deterrent against future anti-social behavior is also widely questioned. Enforced separation from family and friends, the loss of freedom, regimented living, and arbitrary disenfranchisement constitute punishment, but the impact and meaningfulness of these factors are not identical for any two persons because of the individual value systems which are rooted in early family and environmental experience.

It is elementary that the public has the right to be protected from persons who, by their anti-social behavior, constitute a threat to the health, safety, and welfare of the larger group. On the other hand, it is difficult through legal fiat (except in the imposition of the death penalty) to designate the degree and duration of a state of menacefulness with reference to a specific individual. The combination of diverse factors such as age, intelligence, physical condition, environmental and cultural influences, personality structure, emotional maturity, emotional deprivations particularly during infancy and early childhood, prior criminal history both juvenile and adult, and structure of ethical and value judgments, as understood intellectually and applied realistically, cluster into innumerable constellations. Hence, it is important to orient the public, legislators, judges, and persons employed in correctional systems toward discarding old concepts of punishment and imprisonment founded upon emotional needs of righteous justice, in favor of an intelligent approach based on the premise of rehabilitation and control.

Incarceration - whether in maximum, medium or minimum security classification - in any penal institution is expensive to the state. Not only is there the fiscal problem of construction, maintenance and operation of the physical plant, but also the fact that at the same time the inmate is removed from the labor force and becomes an unproductive, non-contributing member of society. In addition, when the inmate has dependents, the state frequently must provide for these dependents. The corollary appears self-evident, that the goals in a penal system should be the protection of society by holding the offender in custody when this is necessary, with the period of custody geared into re-orienting the offender for return to society at the earliest date compatible with the safety of the public. Such a goal can be approached by offering the offender "treatment," which is no more or less than an intelligently administered program which will enable him to effect a positive change in values, attitudes, motivations, sense of responsibility, capacity for self-discipline, and emotional maturity. However, no program of rehabilitation is limited to the prison. Because the testing ground of the offender lies outside the prison gates, the growth process initiated during custody needs to be extended throughout the period of parole.

Although all criminals have in common the fact that they have acted and reacted to stimuli within their individual personality configurations by some overt act which was illegal, the sex offender provokes greater indignation,

fear and condemnation on the part of the public than does the bad check writer, the robber, the burglar. The layman, using his own experience and values as a basis of judgment, cannot comprehend how an adult male can deliberately expose his genitals in public, commit forcible rape, or molest a child sexually. The layman is thus wont to assume that the sex offender is insane, mentally deficient or to be considered outside the pale of human beings. There are those who would invoke the biblical injunction of "an eye for an eye"; others pontificate that the sex offender should be "locked up and the key thrown away," apparently forgetting that in this last half of the twentieth century relatively few men sentenced to prison live their lives out in confinement.

Infrequently is the sex offender mentally ill and therefore subject to civil commitment to a state hospital. He is ordinarily sane and legally competent; he knows right from wrong and will so acknowledge; he also knows that he will be held criminally responsible for the act which he committed, but which was at the time beyond his conscious control. This condition represents an abnormality, and the sex act prohibited by law and contrary to cultural systems and moral codes is a symptom of a personality or a character disturbance. Psychologically, the rapist and the robber have much in common even though the choice of acting out their primitive drives is entirely different. The act of most arsonists also stems from a distortion of personality development in the sexual sphere.

Personality disorders cannot be detected nor diagnosed through use of X-ray, fluoroscope or laboratory tests; medication and surgery are ineffective as a means of treatment. The field of psychiatry which offers the most effective treatment is itself limited, and practicing psychiatrists are generally modest in their claims of success. It is recognized that neither confinement, coercion or exhortation to change will, of itself, deter the male with abnormal sex desires. Hence, in dealing with the problem scientifically and intelligently, it is urgent that society direct efforts toward rehabilitation and education. Because years have gone into the formulation of the disturbed personality, a great deal of time and skillful professional and lay assistance is required. It must be recognized also that there are some individuals who have such deeply ingrained patterns of anti-social behavior, and such depths of emotional disturbance and maladjustment, that the best efforts may result in such a marginal response that indefinite custody is essential for the protection of society. Despite this gloomy picture, there are encouraging indications in some states that certain felons, including sex offenders, can be rehabilitated.

It is timely then to remove the concept of a prison as a holding place, and provide a prison that is a vehicle for rehabilitation and re-orientation toward socially acceptable behavior. Implicit in the learning process is the desire of the individual to live in harmony with his fellow man, and his development of insight into acceptable ways of expressing emotions through positive action. With a better integrated personality, the individual then can cope more adequately with ordinary stressful situations, tensions, frustrations and inter-personal relationships. To approach this goal, a state should provide a functionally planned prison structure, staffed with trained and experienced professional and non-professional personnel, and a budget adequate to establish and continue a dynamic program focused on rehabilitation. The following outline is presented as a guide.

Program Structure and Content

1. Personnel

Warden - The Warden as the administrative chief establishes a positive or a negative climate for the entire institution. He must be thoroughly interested in the responsibilities of his position, or he will never survive the endless daily frustrations. He must have such integrity that the members of his staff and the inmates know that there will be wise and judicious expenditure of funds, that there will be fairness in handling disciplinary problems, and that members of the staff in direct and daily contact with the inmates never will be permitted to exercise physical or psychological brutality. A warden must have a working philosophy of his own which guarantees the dignity of every human being, and which recognizes that within each individual is a potential worth, which - although not immediately apparent - nevertheless exists. This essentially is a man strong in character, whose other attributes of intelligence, education, experience in penology, rich and varied experience in living, resourcefulness, ingenuity, humanness, and practical acumen will enable him to be a true leader. High morale, that intangible something which can be invested into institutional living, is not achieved by any miracle, but through day to day hard work and by team effort.

Other Staff - All staff should be employed on the basis of position specifications as defined by the state personnel commission. Personal qualifications of security guards are extremely important in a prison where they must work directly and constantly with criminalistic and emotionally troubled individuals who are quick to act out aggressive hostilities toward others. It is impractical to expect that only those security officers will be recruited who have had prior training or experience in the correctional field. Therefore a vigorous program of orientation and a continuous program of inservice training must be provided. For the inexperienced officer there are frightening possibilities of what he may do unwisely or incorrectly through ignorance or in panic.

The staff also need to be helped into an understanding of their personal reactions to difficult and unfamiliar situations through expressions of anger, cunning, threats, either actual or implied, and the provocative use of authority. By learning to know the inmates as individuals, their capabilities for growth in personality and social control, by holding the inmates to the limits set for each specific aspect of daily life, but at the same time handling each one in terms of that person's individual characteristics, and by never indulging in favoritism to a single inmate, the morale factor will be enhanced. Prison work is difficult at best, but it should never become routine to the individual officer, or he loses an opportunity to participate in the continuous reconstruction process which enables the prisoner to benefit at a maximum rate.

Clerical workers, key professional personnel, maintenance and service workers and security officers should be paid adequately and in accordance with salary scales prevailing in states with progressive prison programs. A 40-hour, 5-day week is important in order that all personnel can be away from the prison for two consecutive days. Sufficient staff to man three shifts adequately is imperative. Expectation of frequent or continuous overtime work by individuals reduces their effective performance, contributes toward a negative

attitude, and endangers esprit de corps.

2. Discipline

Prisoners may be adults in chronological age but emotionally they are immature and have not learned to accept authority and to exercise self-discipline. The limits established to maintain security must be enforced without discrimination. Discipline for infraction of regulations should be swiftly administered and commensurate with the gravity of the infraction. A reprimand, loss of privileges, forfeiture of good time earned, or transfer to a unit of greater security when administered wisely and with individual counselling can help the inmate to use the experience constructively. Detention of inmates in solitary confinement should be reserved for major infractions and should be reported in writing daily to the warden.

3. Office Space

Appropriate space for normal work functions and for private interviewing is essential if work is to be performed efficiently. Necessary supplies are imperative.

4. Case Records

The advantages of a single case record in which all pertinent material about an individual is centralized offers innumerable advantages. Filing within the jacket, whether chronologically or functionally, should be standardized and maintained. A practical and systematized procedure for the flow of required reports to the record room should be devised. The legal documents which represent the initial framework for each file must be checked immediately on admission of the prisoner to insure that they are in order. Thereafter, all data regarding the inmate should be assembled in the jacket. Such data would include - but not necessarily be limited to - the following: fingerprints and photographs; designation of classification, custody level, disciplinary action; work assignments; reports on behavior, attitude, school, health (both medical and dental), work performance; visits; official correspondence; psychiatric, psychological and social service evaluations.

Confidentiality of case records must be rigidly maintained. When inmate clerical help is utilized in restricted functions, necessary safeguards must be established, administrative responsibility defined, and supervision provided.

5. Classification

Classification is a tool of prison management for custody assignment and for purposefully planned rehabilitation in the largest sense of the word. Properly used, it promotes good morale among both inmates and staff. The meaning of classification is succinctly stated in the "Handbook on Classification in Correctional Institutions" printed by the American Prison Association, New York, 1947, page 2.

The purposes of classification are accomplished, first by analysing the problems presented by the individual through the use of every available technique, such as thorough social investigations, medical, psychiatric, psychological examinations, educational, vocational, religious and recreational

studies; second, by deciding in staff conference upon a program of treatment and training based upon these analyses; third, by assuring that the program decided upon is placed in operation; and fourth, by observing the progress of the inmate under this program and by changing it when indicated.

6. Housing of Inmates

Adequate space, ventilation, sanitation, and fire safeguards in conformance with recognized health and safety standards are essential. Whether in individual cells or dormitory assignment, the prisoner should have locker space in which to keep the personal possessions allowed. Bedding should be adjusted to climatic variations with provision of mattress covers, sheets and pillow slips at all times. Housekeeping standards should be maintained at a high level of cleanliness and orderliness. When more than one person is assigned to a cell, trouble is invited.

7. Food

A nutritious, varied, well-balanced diet with foods properly cooked and served with care is a tremendous and continuous source in fostering good morale. Total reliance on inmate cooks for menu planning and food preparation is unwise. The gain in weight following admission is often attributed to excessive starch content in the diet, but the regularity of meals and limited physical exercises should not be underestimated. Dining rooms should be light, well-ventilated and spotlessly clean. Kitchen equipment must be adequate for quantity cooking and approved sterilization techniques followed.

8. Work Assignments

Because idleness is one of the most destructive forces in prison life, work assignments both in and out of the institution are extremely important in rehabilitation. Each assignment should be suited to the individual's physical capacity but not necessarily to his liking; however, preservation of special skills is important in long range planning. Responsibility and self-discipline can be learned and lead to a sense of increasing skill, facility and achievement through accomplishment. Through security classifications of work assignments, the inmate may progress to increased privileges which, in turn, accelerates growth and contributes to an improved self-image as a responsible, trustworthy citizen within a currently restrictive community. All work should be purposeful and contribute to the well-being of all inmates and the institution. Exploitation of inmates is intolerable.

Imagination and foresight are required of the prison administrative staff in selecting, instituting and manning work programs. Although it is necessary for an adequate number of inmates to be assigned to routine housekeeping and maintenance operations, too frequently the administrative path of least resistance is to overload each shift, shorten hours or stagger schedules so that twice as many inmates are assigned as are actually needed. This practice encourages indolence, skepticism of prison management and deprives the individual of utilizing known skills or receiving the benefit of new work experience. Examination is fruitful of the experience accumulated by the Federal Bureau of Prisons in the development of constructive work programs within an institution. For those inmates classified in medium or minimum security levels, farm and forestry programs not only serve useful purposes, but also provide a more healthful living routine.

9. Vocational Training

Particularly among the younger age group are some who have had no training in any trade or vocation, which fact in many instances has been contributory to personal dissatisfaction, aimless drifting and marginal financial status. Some have never utilized resources which were available, others have lived in areas where there were scant or no resources. The dignity of work well done is an unknown experience, and as insurance to future purposefulness and economic independence, such men need to be trained in a vocation in which natural aptitudes and interests can be used to best advantage. A training program requires shops, tools and adequate materials with which to work, as well as skilled craftsmen who not only can teach but also can instill in the trainee a sustained interest and goal of satisfactory performance. Among older inmates are those who by reason of physical limitations are not able to continue in a prior occupation, and these, too, should be considered proper candidates for re-training. The total program should be coordinated with the work program of the institution.

10. Educational Training

In any inmate population there is a wide discrepancy of academic accomplishment, ranging from the illiterate to the college graduate. A program of instruction must encompass the opportunity for learning from basic literacy through elementary to advanced courses. Through planning with the State Department of Education, it should be possible to develop a curriculum enabling individuals to earn an elementary or high school diploma or the equivalent thereof. Those who have the privilege of enrolling in and are able to afford correspondence courses at the college level should be encouraged to do so. In an extensive program of academic instruction within such a wide range, it would be impossible for one staff teacher to meet all needs; however, among the inmate population there are some individuals with specialized knowledge who could be integrated into the school program as teachers on a work assignment basis. Thus, the rehabilitation process involves a two-way direction. To obtain the maximum benefit from any school endeavor it is imperative that quiet classrooms be provided, together with appropriate supplies of books and materials with which to work. Access to the library is essential.

11. Emotional Re-training

In this area, which is so frequently misunderstood, lies a major contribution toward the goal of personality rehabilitation. Except in rare instances of a single offense entirely out of character in the individual's life pattern, and coupled with a situational factor, felons sentenced to a state prison are to be regarded as emotionally troubled persons, who have not been able to manage their lives in both a personally satisfying and a socially acceptable manner. Literature in the field is replete with documented data which disclosed that the majority of such persons have known a background of family disintegration and disorganization, dislocation, poverty, inadequate training in ethical and moral values, alcoholism, and severe emotional deprivation during infancy and early life. As a result, the development of the personality is warped, sexual identity is confused, hostile feelings pyramid, aggressions become unmanageable and the individual acts out his unconscious feelings through aggressive acts against one or more persons, and indirectly against society as a whole. The method of choice for the release of the primitive drives differs from one individual to another because of the particular set of circumstances which channeled and governed his personality development.

In some cases, the scarring is so deep and the damage so irreversible that presently-known techniques of treatment cannot offer hope of sufficient permanent change to make it safe for the individual ever to be at large in society. On the other hand, persons with a positive desire to change can be helped to break through barriers of isolation and limited communication, to understand enough about their personality structure and the meaning of the distorted mechanisms which had been used to gain presumed satisfactions, to exercise self-discipline, and to achieve substitutive patterns of behavior which will lead to satisfactory inter-personal relationships acceptable in the present cultural and societal structure. Individual capabilities are thus released in a more integrated, mature and purposeful manner in contrast with the fragmented, self-destructive and continuously unsatisfying patterns previously utilized. In such a re-training process, gains are slowly achieved and advance is not uniform. The process is a provocative challenge to the professionally qualified person, and no degree of success is possible without sustained motivation on the part of the inmate. The high level of psychological resistance by the inmate at the outset must be worked through, and in this initial period of painful exploration great skill is required from the therapist.

The professional staff should include persons who are not only qualified by theoretical training, but also have had successful practical experience in one or more treatment settings. The staff needs to be represented by the professional disciplines of psychiatry, social work and psychology. Private offices and rooms suitable for group therapy sessions are required. Despite some negative views expressed on the benefits of the group therapy and counselling process, there are some notable successes, and through this medium treatment opportunities can be extended to more inmates. Group therapy should be supplemented by individual therapy as the need is perceived by the therapist. It must be recognized, however, that not every trained and experienced professional person is competent to function in a prison setting, hence selection of staff must be made with great care. In the diagnostic and treatment program and process no unrealistic goals can be projected. Psychotherapy, social case work, and counselling represent special skills and techniques, and although they are basic in a total program of rehabilitation, that are only one of several media.

To extend the therapeutic opportunities further, non-professional staff should be trained in understanding human behavior from a theoretical standpoint, and eventually be assigned to act as group discussion leaders. The California Department of Corrections is having considerable success in this area. Part of the success is traceable to this new and rewarding experience for the inmate to be treated by the traditionally hated "bull" with understanding, dignity and consistency based on acceptance of the inmate as a human being.

Those who do not understand fully the concept of "treatment" often discredit the validity of such a program on the basis that security is threatened by staff-inmate relationships. This need not be so, and in fact must not be so, because if at all times the relationship is not limited to the reality situation, treatment becomes impossible. The staff member, to work effectively, must be conscious always of the custodial framework within which he functions, and hence he maintains a sense of distance from the inmate. This does not imply an aura of cold indifference; to the contrary, the staff member must accept the inmate as a human being with dignity and worth. But he does not establish a friendship, in the usual sense of the word, with the in-

mate. Nor does he extend favors, or promise to appeal for special concessions or privileges for the inmate. In short, the desired staff member is understanding, accepting, non-judgmental, and honest, but he is never exploitable. Another analogy might be to say that the staff member must be continually aware that his primary responsibility is to the institution, which is one of custody and security. With this focus he then helps the inmate to face the reality and to deal with problems within such a setting in a constructive, planful manner. This kind of relationship is indeed difficult to achieve, particularly because prison culture long has been oriented to flaunting and circumventing authority, both as a concept and as an actuality.

12. Spiritual Guidance

An opportunity must be provided to inmates to attend regular chapel services and to receive spiritual counselling. Where a prison population does not warrant the employment of a full-time chaplain, arrangements must be substituted through a ministerial association in the adjacent community. A dignified chapel used for Protestant, Catholic and Jewish services can be an important phase of rehabilitation programming. Much help to some inmates is to be derived from the guidance offered by the forthright cleric who is not limited by the doctrines of his own denominational background.

13. Medical Care

The physical well-being of the prison population is of tremendous importance in furthering good morale. The services of a qualified physician readily available on a scheduled basis and quickly obtainable in emergency situations must be provided. Because of the range in age of the potential patient group, an adequately equipped hospital ward or infirmary is necessary. Budgeted funds should include provision for medication to treat cases of acute and chronic organic diseases, and provide symptomatic relief as needed. Opportunity for elective surgery can result in general and specific physical improvement, which is a major factor in total rehabilitation. In the area of prevention, an annual physical examination of each inmate, supported by routine laboratory tests and x-rays as needed, can do much toward improving and/or maintaining satisfactory levels of health. When the prison facilities are not adequate for major surgery, or highly specialized forms of treatment for physical or mental illness, there must be working arrangements for such services to be provided elsewhere. Provision of glasses and prostheses as needed represent tools toward physical rehabilitation.

14. Dental Care

Preventive dentistry is widely publicized throughout the country as a factor in maintaining good physical health. Theoretically the day has passed when teeth are extracted as the primary treatment for pain, yet it is a common practice in many public institutions to limit dental care to the treatment of emergency conditions, and extractions represent the cheapest form of care. The provision of partial or full dentures, and fixed or removable bridge work, is a valuable part of total rehabilitation, particularly as it effects the inmate's own image of himself as a presentable individual in both employment and social situations. Prophylaxis following routine and periodic examinations is not only desirable, but has long range benefit to the inmate in his efforts toward self-improvement.

15. Recreation and Leisure Time Activities

The constructive use of time not allocated to specific assignments is of tremendous importance in channeling the inmate's interests and development of latent talents or individual resources. Idleness, absence of anything to do other than walk round and round in a circumscribed yard, sitting apart or mingling in groups where plotting, gossiping, rumor fabrication, and complaining in varying degrees of intensity, are all destructive forces. Resources must be provided with skillful programming by an experienced director of rehabilitation so that the inmate will begin to explore and take advantage of those activities which directly meet his needs, tangentially contribute to his growth, and counteract "prisonization."

Foresight and ingenuity could develop many resources, including:

Library with adequate facilities for stacking, cataloging, repairing, and Issuing books, periodicals and newspapers. A quiet, well-lighted and well-ventilated room for reading is desirable for those inmates eligible for this privilege. An ordering system for those confined in maximum security should be provided.

Hobbies do not necessarily require extensive space or elaborate equipment. Painting, letter work, looming, mineral classification, carving, stamp collecting, etc., can be adapted to individuals or small groups. Under controlled situations selected inmates may be used as teachers.

Music is highly regarded as a therapeutic device both from the standpoint of participant and listener. Organized instrumental groups can provide entertainment to the population as a whole and can be a vehicle for good public relations between the institution and the community when appearances are carefully scheduled and supervised. Choral groups have great value to the individual who not only enjoys singing and the lift in morale inherent in the process, but in participating in a group endeavor which is creative and satisfying. Some inmates will be found who are highly talented and their ability to maintain skills is important, while as a fringe benefit they entertain others through scheduled affairs in a suitable location or over the intercom system. A genuine improvement in attitude, self-confidence and eagerness to share is not only implied but actually develops as individuals and groups have the opportunity to express themselves through music. Practice rooms must be provided.

Sports not only provide the vehicle for releasing physical energy and tension, but offer the means of promoting team play and submergence of the individual drive to excel into unified effort of the group. This can provide a valuable learning experience in fair play, teamwork and sportsmanship which some inmates will have never before experienced. Basketball, baseball, volleyball, badminton, quoits, shuffleboard, wrestling, boxing, weight lifting and calisthenics offer a range of activities to meet the needs of different age groups. Obviously, the space requirements for the different activities must be adapted to such areas as can be made available. Supervision is necessary, although as team efforts become integrated, the inmates themselves exercise discipline over their own players. Equipment should be supplied initially by the institution, but purchase of additional equipment or scheduling of some replacements may be considered through the inmates' benefit fund, provided this is openly known and proposals are acted upon by a committee which represents the inmate group.

Television viewing should be available in a comfortable, quiet room during daytime periods. Monitoring the programs is the prerogative of the staff. However, when there is a choice of programs available, the majority opinion of the viewing group should prevail. The use of closed circuit television as a teaching and counselling medium is under experimentation in some institutions at the present time.

Radio broadcasting through an intercom system with headphones in each cell offers the individual a choice of listening or silence. During the hours of the day when there are no special programs of general interest to males, long playing records may be substituted. Regular news reports and special events of national interest should be included, particularly to reach those inmates to recognize that they are still in contact with the outside world.

Meetings of Alcoholics Anonymous can be a forceful tool in the rehabilitation of some chronic alcoholics for whom the philosophy and program of A.A. does more than any other single approach. An on-going institutional group should be encouraged, provided with space for uninterrupted meetings, and sponsored by a community A.A. chapter whose members can offer leadership and enthusiastic support.

Prison newspaper encourages creative thought and desirable communication. General supervision over editorial policy is essential by a delegated staff member. The process of collecting and selecting copy, planning format and actual printing can be left to the inmate group, resulting in a paper which is in fact their own. The privilege of mailing the paper to authorized correspondents should be encouraged to further the sense of family unity and the interest of friends.

16. Earnings

Earnings represent the means not only to supply current health and pleasure needs, but realistically to build a stake against parole needs. The incentive to progress to privileged work represents an element of psychological rehabilitation because the inmate thus established evidence that he can, within severe limitations, continue to be a productive person and offer tangible proof to the parole board of his earnestness in responsible planning for the future. Pay rates should be on a sliding scale commensurate with the type of work performed. Contributions toward the needs of the family builds the inmate's morale.

17. Visiting and Correspondence

Visiting and correspondence become the only means whereby family ties can be maintained during the period of confinement. It is necessary that censorship be exercised, and the staff person assigned to this duty must at all times be fully aware of his responsibility to main confidentiality, except in those instances where security measures are threatened. Visiting regulations should be as liberal as practical within the limitations of space and institutional program. Where there is no degree of relationship, screening of visitors must be carefully done. Although only a limited degree of privacy can be offered, the physical arrangement should contribute as much as possible to a semblance of quiet and privacy. Direct face-to-face visiting between the inmates in minimum security classification and their immediate relatives can contribute to improved morale.

18. Inmate Council

An inmate council offers an excellent medium for two-way communication and interpretation of administrative policies and regulations to the total population, and for registering complaints and suggestions to the administration. The council should be composed of five men, including members of minority groups in relation to the total population. They should be elected by secret ballot for a specific period of not less than three months. Meetings with the warden or his delegated staff member should be held weekly at a stated time.

19. Regularity of Review by the State Board of Parole Commissioners

The knowledge that his case will be reviewed by the parole board offers an incentive to the inmate to accumulate good time in preparation for his ultimate release. There are many advantages inherent in a review procedure currently not followed in Nevada. Essentially, this involves a thorough analysis of each case to include a succinct resume of social history and criminal record predating the present incarceration, facts about the crime committed which eventuated in the prison sentence, a summary of the inmate's work record, school achievements, leisure time activities and general behavior during imprisonment, an evaluation of the dynamics of the inmate's behavior patterns as disclosed through psychiatric interviews and psychological testing, a clinical assessment of the response to treatment together with a prediction of the present degree of menacefulness, and verified plans covering anticipated living arrangements, employment opportunities and potential acceptance by friends and relatives. The accumulated data on each case is duplicated, then forwarded in advance of the scheduled board meeting to each member of the State Board of Parole Commissioners, thus permitting a careful review of each case. On the date of the hearing, each inmate is interviewed and because of the advance preparation, the procedure needs take no more time per case than that involved when each case must be presented to the group and a decision made in absentia. This suggested procedure permits a more thoughtful, objective and hence a more meaningful basis to arrive at a group decision of awarding or denying parole at a specific point of time.

20. Pre-parole Planning

In the broadest sense, the concept of progressive readiness for release is a continuing process during incarceration climaxed by the definitive action of the parole board in setting a release date. At this juncture, the inmate needs intensive counselling to help him understand the doubts and anxieties which may suddenly blossom forth with intensity, or contrarily, understand how an exaggerated and superficial optimism reflects insecurity and fears. Concrete planning as proposed by the inmate should be discussed jointly by the social worker and the therapist so that implications of the plans are thoroughly explored and potential contingencies anticipated. Necessary verifications of resources are made by the prison social worker independently and/or in conjunction with the parole department.

21. Cash Allowance

Traditionally, a prisoner is given a flat and often inadequate allowance as provided by statute at the time of his physical departure from the institution. It is more realistic that the statute provision offer flexibility

within a ceiling consistent with present day costs, so that the social worker may determine the specific amount necessary to meet the anticipated needs. To release a prisoner without any funds, or funds so limited as to be totally unrealistic in providing maintenance until a first check is received, is to invite disaster.

22. Parole Supervision

This represents the second phase in the continuum of rehabilitation beginning on the day of the prisoner's release from custody. The effectiveness of parole supervision is too often nullified because of untrained, poorly trained, incompetent and/or inadequate staff. The Manual of Correctional Standards of the National Probation and Parole Association suggests that a parole officer assigned to supervision should not carry a case load exceeding 50 to 75 cases per month, and a parole officer assigned full time to investigations should not be required to complete more than 15 investigations per month. California has been experimenting with a Special Intensive Parole Unit in terms of the size of case load, the degree of supervision in relation to time intervals following release from prison all with reference to the successful adjustment of the parolee. It seems certain that the trend will gain momentum nationally within the decade that most felons can be released from prison after short terms (two to four years), provided the prison itself is treatment-oriented, and the parole program is richly staffed with highly capable parole officers.

Practically speaking, the conditions of parole should be discussed with the parolee, and set forth in a written statement, including the parole officer's name, address, and telephone number. If the man has been prepared properly throughout his prison term, he will regard the condition of parole supervision not only as a legal requirement to be accepted, but also as a resource in meeting difficult personal and environmental situations which may arise. The skillful parole officer, despite his authoritative role, can help the parolee to use the relationship constructively. From the focus of the parole officer, it is important that his case load and work schedules permit an unhurried monthly conference with the parolee during the first year. When the parolee's needs change, or he encounters critical situations, the parole officer should be available to assist in practical ways as well as in a counselling role to help the parolee maintain his status as a productive member of society. Technical violations of parole involving minor infractions should be weighed judiciously by the parole officer, against the primary goal of helping the parolee to gain steadily in independent judgment, self-discipline and self-control.

CHAPTER III

CONDITIONS AT THE NEVADA STATE PRISON AND SUGGESTIONS FOR A REHABILITATION PROGRAM

Background

Originally constructed as a hotel, the building was taken over in 1861 by territorial action under a lease arrangement for a prison. The present site was purchased in 1864, and possession taken in March 1865 as a state prison. On January 8, 1873, Governor L. R. Bradley in his first biennial message to the Legislature stated, "The site of the Prison was an unfortunate selection. The building itself lacks size and strength. The number of trades which may be taught to the prisoners in order to reclaim them from a life of vicious idleness and render their industry productive to the state is very limited. Many of the convicts are now employed in stone cutting, others in shoemaking, while many more are altogether unemployed."

Over-crowding was noted in 1874-1875. In 1909, the prison farm of 1162 acres was purchased to afford work opportunities to the inmates and to provide additional food, primarily meat and dairy products. Throughout the years, there was a steady growth in prison population, and to meet the need for additional cells and improved security, additions and renovations to the original structure were constructed on what appears to have been a basis of expediency rather than long-range planning. Padlocks, each with a separate key, are still used on doors to dormitory units in the old building. The only claims to modern construction are the four-tier cell block buildint to which was added the maximum security unit, and the boiler house. Increase in prison population in 1960 was 13.3% greater than for 1959. On April 6, 1962, the prison census was 420.

Today the Nevada State Prison, a coeducational institution, stands on the outskirts of Carson City as an antiquated establishment, jerry-built, and jury-rigged. In toto, it is as outdated in this twentieth century as the stone footprints of the prehistoric mammoths still visible in the cave adjacent to the security fence. In the eyes of the present administration, the only tangible hope for the future lies in the completion of the authorized women's prison (hopefully in 1963) and the minimum security prison (hopefully in 1964).

Present Situation

As the prison is presently structured, organized and administered, there can be no realistic program for the rehabilitation of sex offenders as a separate group for two primary reasons: (1) the annual number of inmates incarcerated who are sentenced as the consequence of an overt sex act ranges from 35 to 40; (2) this number is far too small to justify a specialized program limited exclusively to sex offenders.

There is no basis in fact that only sex offenders among all felons in prison should be selected for an intensive, well-planned and implemented program of rehabilitation. The portion of the study devoted to a reporting of facts and observations about the Prison, and the suggestions for new departures in a rehabilitation program therefor is developed in terms of the inmate population as a whole. Whatever program is initiated on behalf of the sex offenders obviously will be equally beneficial to the other felons.

In any prison, security measures are difficult to maintain efficiently unless there is segregation of inmates in relation to custody requirements. A total rehabilitation program to the extent desired therefore can never be made operational until the minimum and medium security inmates can be housed in a separate institution. The 1961 Legislature authorized \$1,410,000 (Chapter 357, Statutes of Nevada 1961) for constructing, equipping and furnishing the first increment of such an institution. The master plan for this prison was prepared in a firm of architects and community planners with a design to meet the need in Nevada for the next 20 years for male inmates estimated at 1152 in the minimum-medium security classification. The facility to be located at the Prison Farm near Stewart is to be constructed in two phases, each consisting of four increments, with the initial increment housing 144 inmates. However, because of the reported increase in prices of some building materials and higher labor costs than in 1961, there is apprehension that modifications will be inevitable to coincide with the authorization. It is estimated that about 16 months will be required for completion after actual work begins. The bonds are to be let for bid after July 1, 1962. Realistically, if the anticipated increase in prison population eventuates by early 1964 when the new facility should be ready for occupancy, the present institution will be in the same dilemma of overcrowding, security problems and lack of space to carry on modified rehabilitation programs.

A legislative appropriation of \$244,200 (Chapter 319, Statutes of Nevada 1961) was made in 1961 for the design and construction of a new women's prison with a capacity for 34 inmates. Delays have been encountered, the lowest bid received exceeded the allowable amount, and bids must be re-let. There is apprehension that modifications of the original plan may result in a reduction of inmate capacity which would represent short-sighted economy and negate long-range planning. It is estimated that approximately nine months would be needed for construction after actual work begins.

It is readily apparent that until the two new facilities become operational, the limitations of space and functional design in the present Prison are not subject to major changes. Hence, substitutive measures must be introduced to resolve the existing impasse of sterility of program. The practical approach is through an implementation of staff, and the introduction of a constructive program much of which can be transferred or adapted to the new facilities. This will require a supplementary appropriation for the balance of the biennium, and for the 1963-1965 biennium to permit the employment of professionally competent persons to fill the following positions: two full-time male social workers, two full-time psychologists, one recreation-activities director, one school teacher, one full-time male registered nurse, one part-time male registered nurse (16 hours per week) and 18 correctional officers. Support for the professional positions will be noted under the sections concerned. The recommendation for additional correctional officers has the dual purpose of strengthening security control by rectifying existing situations where officers are burdened with unwarranted responsibility, and of permitting a revision of shift schedules so that the minimum and medium security inmates are not restricted to excessive hours of idleness in their cells. Present assignments of correctional officers as reported by Prison personnel include the following:

1. Security

Honor Camps - Honor Camp No. 1, Spooner Summit, has an average complement

of 26 prisoners. One correctional officer is on 24-hour duty five days a week and is responsible for the general maintenance, operation and security of the camp. Supervision by employees of the Division of Forestry is limited to the time when the prisoners are working on the scheduled projects. Honor Camp No. 2, Peavine, has an average complement of 16 prisoners with one correctional officer delegated with the same administrative and security responsibilities as at Camp No. 1. An additional correctional officer acts as relief officer for both camps and on the fifth day of his work week performs such general duties as transporting supplies, mail, prisoners who have medical or dental appointments, etc.

According to statute (NRS 281.100), the work week for an unclassified employee is limited to not more than eight hours a day and 56 hours per week. Actually the work week for the officers at the camps totals 120 hours (5 days at 24 hours per day). It is said that the assignments to the Honor Camps are not mandatory and that an officer, if dissatisfied, may return to duty at the Prison without prejudice. It is stated further that initially, in formulating a rehabilitation program through the operation of honor camps, the staff was interested in doing a highly creditable job, and hence volunteered the balance of their time over and above ordinary duty hours. From the standpoint of the employee such an attitude is admirable, but it does not seem logical that such a volunteer effort should have continued for three years. From the standpoint of the Prison administration, and assuming a genuine concern for the efficiency, health and well being of the employee, it would appear that there has been a perpetuation of an initial arrangement which is completely unjustified according to any personnel standards.

Furthermore, the Prison administration has the same responsibility for security as though the prisoners were in the Prison itself. Not even minimum supervision can be exercised by an employee on continuous 24-hour duty. It is said that great care is exerted in selecting the prisoners for assignment to the camps and that their reliability, integrity and honor are of paramount concern. Yet some inmates are selected for this assignment as early as six weeks after admission to the Prison. Without a better system of classification and evaluation than exists at present, an unwarranted degree of calculated risk enters into the judgmental selection of inmates for the honor camps.

Prison Farm - A somewhat similar situation exists at the Prison Farm where 20 to 25 minimum security inmates are assigned. The Farm Supervisor has complete responsibility for the prisoners' work and security, and hence is on 24-hour duty. No correctional officer is assigned to the Farm.

Shift Schedules at the Prison - To enable inmates to return to the main yard after the last meal at 3:30 in the afternoon to participate in a vigorous activities program which is being suggested as part of the rehabilitation effort, there must be additional correctional officers to maintain security. The present duty hours and number of staff assigned are as follows:

Day Shift	7:00 am to 4:30 pm	Average 21-22 on duty (28 needed to cover relief days)
Swing Shift	3:00 pm to 11:00 pm	5 on duty (8 needed to cover relief days)
Graveyard	11:00 pm to 7:00 am	5 on duty (8 needed to cover relief days)

Suggestion

1. Every possible impetus should be given to the construction and early completion of the new minimum security prison. Management practices with reference to inmates assigned to the honor camps and the Farm will change upon occupancy, improved security will be possible, and greater economy in operation should result.

2. In the interim, the proposed station allocations of additional correctional officers would be:

Honor Camps	2 officers for regular duty, one relief officer, total 3
Prison Farm	1 officer for regular duty, one relief officer, total 2
Prison	8 officers for regular duty, four relief officers, total 12
	1 officer for supervision, no relief officer, total 1

2. Structural and Safety Problems

Women's Quarters - The matron's office is located on the second floor off a locked corridor from the general stairway access. Adjacent is a dormitory housing four prisoners. On the third floor are two dormitories accommodating four to six prisoners each. There is no possible observation of any dormitory, and to enter it is necessary to unlock a metal door with an enormous key, then unlock a padlock with a separate key. When a female prisoner must be isolated for disciplinary purposes, she is placed in a cell on the third floor in what was originally death row. There is no direct communication, and in event of emergency, the situation would not be discovered until the routine check was made by the matron at irregular intervals.

Each dormitory functions as a separate living unit. There is a stove in each unit and meals are planned according to group preferences, with foods requisitioned from the commissary. The furniture in the day rooms and in the individual cells, or space assigned as sleeping quarters, consists of odds and ends of wooden tables, dressers, chairs and makeshift storage units. Personal laundry must be done in the sink, used also for washing dishes. Recreation activities are limited to the day room except when the matron takes a group outside for a walk.

Although the original building is constructed of stone, there are interior plastered walls. The sections used for housing the female inmates present the worst possible situation in event of a fire starting at night in any one of the 3 dormitories. After the shift ends for the matron at 4:00 or 5:00 in the afternoon, the women are locked in for the night and both staff matrons go off duty, taking the keys with them. One returns from 7:00 to 8:30 to dispense medications and to make a security count. Thereafter they are on call with one or the other always required to be on the grounds. The horrendous possibilities can be imagined if a fire were to break out in a dormitory during the night. The prisoners could conceivably be overcome by smoke and no alarm given until the fire was discovered accidentally. Then it would be necessary to summon the matron or her assistant from her private residence on the grounds. She in turn would have to go to the main building through two security controlled doors, through a day room, up one or two flights of stairs, depending on the location of the fire, unlock the corridor door and finally down a hall, arrive at the single door into the dormitory which in turn could be opened only

through the big key and in event of a suicide or sudden acute illness of a female inmate, the possibility of summoning administrative help would be equally difficult.

The rationale for this night lock-up system is that there is no staff provided for night duty with the women prisoners. Under a prior administration, the regular graveyard shift carried keys to the women's dormitories and allegedly some officers went into the dormitories for purposes other than carrying out official duties of security patrol. The present arrangement, therefore, is regarded as a preferable solution to the dilemma.

Additional Sources of Fire Hazards - Housed in this same original structure are the main line and short line kitchens, laundry, electrical repair shop, machine shop and bakery - each with equipment and appliances representing potential fire hazards.

Safety Problems - In the four-tier cellblock building with accommodations for 366 inmates, there are both single cells and dormitories with the kitchen, laundry and farm crews assigned to the latter. On the first floor cell tier, the steel bars which provide a security patrol corridor between the cells and the exterior building wall are bent in a readily noticeable concave arc. Presumably this is due to the weight and pressure from the three tiers above, aggravated by the fact that the building foundation rests on porous rock. Architecturally and structurally the building perhaps is sound, but from this evidence of shifting and pressure, the possibility of a major collapse is ominous. The implications of such a catastrophic event are indeed frightful.

The execution chamber is located on the top floor, northeast corner, of the old building. It contains two chairs, whether in the interest of economy or presumed moral support for the condemned is not known. In any event, the room is of considerable size, which implies the need for a large volume of lethal gas. The present outlet arrangement for ventilating the room after an execution presents a possible problem in safety. It would appear conceivable that with a sudden shift in wind or an unexpected change in atmospheric pressure, the poisonous gas might be shifted through the open windows into the cell block building or down into the main yard where a large number of men would be concentrated.

The office of the prison psychologist, used also as a multiple purpose room for group therapy meetings, religious services, A.A. meetings and band practice, is located in a cave adjacent to the main yard. There is some timbering to shore up the roof, but obvious flaking occurs from above. In addition, water trickles through the ceiling onto the floor; this water is due allegedly to natural seepage as the only building above is a guard tower.

Suggestion

In the interest of reasonable safety for the inmate group, consideration should be given to the following:

1. The immediate formulation of a practical plan for twenty-four-hour coverage in the women's section.
2. Re-inspection of the prison buildings by experts qualified in the area of fire danger, building construction and safety factors to determine what modifications may be necessary, and a prompt actualization of the recommendations made.

Classification Procedure & Case Records

Immediately on the arrival of an inmate, his legal documents are checked. Processing includes photographing in regular dress, and signing of required forms by the inmate. He is then placed in an isolation cell, but no routine physical examination is done unless the inmate has obvious bruises or complains of a specific ailment. Upon medical clearance of freedom from infections or contagious disease, he is then photographed with prison identification, fingerprinted and an interview sheet completed which includes brief social and occupational information, and the inmate's own comments about the criminal charge if he elects to make a statement. A cell assignment is made, usually on the basis of existing vacancies, unless there is some indication that maximum security is advisable.

The fingerprints are forwarded to the California Bureau of Criminal Identification and Investigation in Sacramento and to the Federal Bureau of Investigation in Washington, D.C. When the rap sheets are received from the two agencies, if prior imprisonment is shown, letters are sent to the last two correctional institutions requesting a case summary which data may then be used as a guide in determining the degree of custody currently needed.

Records are maintained in the identification office and in the Warden's office, the latter containing confidential material, including a statement of facts by the district attorney, incidental reports, and some correspondence. A daily record of conduct is compiled for each inmate, and he is granted such privileges as his daily record indicates is justifiable. The compilation of this data for each inmate is a large task. In cases pre-dating 1961, there is rarely a copy of the probation officer's pre-sentence report. Pre-parole evaluation reports by the prison psychiatrist and psychologist are now being included in the case records, and the inmates are evaluated to the extent possible, keeping in mind that the psychiatrist and psychologist work part-time.

In essence and aside from the legal order of commitment, the content of case records is so inadequate as to be practically meaningless in understanding the inmate as an individual, in evaluating his potential for rehabilitation and in recommending steps to be undertaken in a program of rehabilitation. The presently used system of "classification" is nothing more than an ordinary physical processing of a new admission.

Suggestion

The rehabilitation process should begin on the day of the inmate's arrival at the Prison through progressive steps of admission and classification. This procedure encompasses a group endeavor by several staff members, each of whom represents an area of function and competence. The Classification Committee members should include the Warden, Captain of the Guard, psychiatrist, social worker, and psychologist. The admission routines preliminary to the actual classification represent necessary steps, but aside from the first three items enumerated, do not necessarily follow in the sequence set forth.

1. Admission of the new inmate requires careful processing of all legal documents followed by fingerprints, photograph, etc.
2. An assignment is then made to a designated admissions unit within which specific cells are allocated for purposes of temporary medical isolation.
3. A complete and thorough physical examination supported by routine lab-

oratory tests, a chest x-ray, and such other x-rays as may be deemed medically important should be made by the Prison physician who compiles the data into a summarized report to include an evaluation of general physical status, any limitations precluding ordinary work, and recommendations for needed treatment.

4. A dental examination should be made by the Prison dentist who summarizes his findings and recommendations for treatment or prophylaxis.

5. The social worker should interview the inmate to obtain a detailed social history which is followed by correspondence to nearest relatives, institutions, clinics, social agencies, employers or schools as is appropriate to the case.

6. A battery of tests should be administered by the psychologist to evaluate the inmate's level of intelligence, aptitudes, attitudes, and pathological symptoms with the written report including a summary of findings.

7. A summarization of notes made by the cell block officer covering his observations of the inmate's attitude, moods, and adjustment to daily routines should be included to round out the profile of the inmate.

8. Approximately six weeks after admission, the Classification Committee should hold a case conference. The accumulated data, including a statement of the offense, the rap sheet, social history and clinical findings should be presented to the group by a staff member selected as chairman. After the inmate is interviewed, the case should be discussed, and recommendations made in terms of custody level, work, school, vocational training, and individual or group therapy. Formal assignments should follow. The discussion and recommendations of the Committee should be summarized in writing because these data become that part of the case record which is a measurement base for future review and evaluation. It also will be utilized in the material presented to the Parole Board at the appropriate time.

9. A semi-annual review of the case by the Classification Committee is necessary so that the inmate's adjustment and progress may be appraised, and modifications of the original recommended plan can be effected as indicated.

4. Inmate Housing for Male Prisoners

Neither mattress covers, sheets, or pillows are provided by the state which practice is contrary to accepted health standards. If an inmate has personal funds, he is permitted to purchase his own linen and a pillow. Such a practice not only creates laundry problems, but introduces a morale factor among the inmates who are not financially solvent enough to acquire similar comfort and symbols of status.

Maximum Security - This custody unit although attached to the main cell block building is completely separated from the rest of the Prison, both psychologically and physically. It contains 51 individual cells and an additional 18 isolation cells used for disciplinary purposes. All housekeeping routines and food service are performed by a selected crew of about six inmates of the unit, who may earn work credits by maintaining an unblemished behavior record. All other inmates are confined to their cells except for showering twice weekly and, unless on disciplinary restriction, are escorted in groups not exceeding six men to the day room for approximately one hour each day. A few table games

are available in the day room, which is improperly located at the extreme end of the cell block and hence not visible to the officer on duty unless he stations himself exclusively in that area. Two meals a day are brought to the unit via an electrically heated food cart. There is no outdoor yard for exercise or recreation. Some books are kept in the office, others may be ordered from the Prison library. Radio headphones are installed in cells except in the isolation section. It is obvious that idleness and inactivity are paramount.

Inmates are assigned to the maximum security unit for their own protection (young, effeminate males most likely to be victimized by aggressive homosexuals) or because of unusual belligerence, threatfulness toward officers or inmates, fighting, attempted escape, aggressive homosexual behavior, or serious infringement of institutional regulations. There were no readily available records to show the average length of stay of inmates in this unit. An informal "disciplinary committee," recently introduced, involves a group decision by the Captain of the Guard and selected subordinates for assignment of an inmate to maximum security or to the isolation cells.

The 18 isolation cells are allegedly more often empty than occupied. It is said that the mere existence of these cells has a salutary effect on potential troublemakers, and also, if a group of inmates foment trouble, all can be disciplined simultaneously. Isolation does not exceed ten days. Inmates are stripped of all clothing. No showering is provided. The steel bed is welded to the wall and is without mattress or blankets. The toilet flushes automatically at frequent intervals. Daily diet is bread and water (bread and water for three days only - then soup and other food is provided), with a plastic pitcher of water left in the cell and as much bread offered as the inmate desires. There is a double door into each cell, hence no light enters except when the duty officer makes a routine check approximately once an hour, but not at the same time intervals. No heat is supplied in winter and the temperature is described as cool but not comfortable. In summer the temperature is said to be cool and comfortable. Ventilation is limited to a small opening below the ceiling. The "disciplinary committee" decides where the man is to be housed after his release from isolation.

Medium and Minimum Security - In the main cell block building, there are four tiers with 366 individual cells and dormitories with a capacity of 32 inmates. Radio headphones are installed in each cell. Electrical extension cords are in common use to provide better lighting, but fire hazards are thus multiplied. In the original Prison building, 32 inmates are housed in four padlocked dormitories equipped with bunked beds and a collection of old dilapidated wooden furniture which would do credit to a secondhand store ready for receivership. This is a distinct fire hazard.

During periods of over-crowding, two men are assigned to a single cell and additional beds are placed in the dormitories. Except that one cell tier is designated for inmates who wish to study, and a greater degree of quiet is maintained, there is no routine segregation. Inmates, except for late work crews, are locked in their cells after the last meal, scheduled at 3:30 in the afternoon (one hour earlier on Saturday and Sunday), and are not released, except for early morning work crews, until breakfast at 7:30. The hours in the late afternoon and evening are therefore replete with idleness and inactivity except as an inmate reads, studies or writes letters.

Suggestion

The Classification Committee should approve all changes in security level

except that when an emergency situation arises necessitating the immediate transfer of an inmate into the maximum security unit (including a disciplinary isolation cell) the authority for such transfer is vested in the Warden or, in his absence, the Deputy Warden. Within three days of an emergency transfer, the Classification Committee should review the case in detail to identify the precipitating factors inherent in the inmate's serious acting out behavior, and to designate disciplinary and treatment measures to be taken. The former would be concerned with the specific loss of earned good time and privileges, and the recommended time to be spent in isolation. Incentive advantages are inherent in a non-definitive period for retention in maximum security. The latter would be concerned with the necessity of helping the inmate face realistically the crisis which he precipitated, the meaning of his behavior in relation to individual and social controls, and exploration of substitutive behavior which could have achieved his objectives in a conforming manner. Modifications of the maximum security status should be based on a realistic appraisal of the inmate's reaction to close custody, apparent sincerity of purpose and degree of remorse, developing insight.

Segregation in an isolation cell is utilized as the most severe punishment. The physical discomforts inherent in continued darkness, a minimum subsistence diet, questionable temperature and ventilation levels, and absence of mattress and bedding are indeed substantial. The psychological discomforts of prolonged solitude in total darkness with uninterrupted idleness are more traumatic. To deprive the inmate of all clothing and ordinary food negates the concept of punishment (which can be accepted if justified), and represents an authoritative act of degradation (which cannot be accepted and only intensifies hostility). The practice of stripping the inmate and the bread and water diet should be discontinued immediately as contra-indicated in a program of rehabilitation.

In the absence of an emergency, the planned placement of an inmate in maximum security does not ipso facto negate his treatment readiness, and a recommendation for this custody status should be explained to the inmate as not a punishment but an imposition of restrictive limits for therapeutic reasons. When properly implemented, the experience can be constructive for the inmate whose overt behavior demonstrates increasing tension, moroseness, hostility or secretiveness.

Confinement in a maximum security cell, except for the daily hour in the day room, can produce rapidly destructive effects, partially due to the non-meaningful use of time and partially due to exacerbation of undisciplined habit patterns of thinking. An opportunity for inmates to ventilate and verbalize strong feelings is therapeutic when channeled in a structured situation by a professionally competent staff member who is skilled in group therapy techniques. To that end, a selected group not to exceed six men should meet one hour daily with the selected staff member. As the group achieve identity and combines the goals of self help and mutual help, individual progress accelerates in awareness of individual strengths and weaknesses and the need to change into conforming behavior compatible with realities. In addition to the hour's session, consideration should be given for this group to be served their meals in the day room rather than in their cells as a further adjunct of the treatment process.

An outdoor recreation area and exercise yard for the maximum security unit is urgently needed and should be provided promptly. Scheduled physical exercise contributes to general health, relieves accumulating tensions and improves amenability to treatment.

For the inmates in medium and minimum security, constructive use should be made of time in the late afternoon and evening hours. This would require drastic revision of administrative scheduling as it presently operates and is one basis for additional security officers as previously cited. As soon as an activity program is developed as a part of the total rehabilitation effort, present routines will of necessity require changes.

5. Food Service

Minimum security inmates and staff eat in the short line dining room. The menu is identical except that the noon menu for staff becomes the dinner menu for inmates. All other inmates eat in the main line dining room where the food is similar but not identical. All food is of good quality, well prepared and tastefully served. Bakery products are excellent. "There are few beefs about the food" and this situation undoubtedly is one of the largest contributions to current good morale among the inmates.

No cooks are employed by the Prison. The entire responsibility for planning menus, ordering supplies from the Commissary Steward, supervising food preparation, cooking, serving, dishwashing and general housekeeping in the kitchen and dining room is delegated to two inmate "head cooks" who function independently in the two kitchens. No pay is received for this assignment. The men selected as cooks are said to have had years of experience in quantity cooking, restaurant management and meal planning; hence, the administration has concluded that a staff dietician or cook is superfluous and by using inmate cooks a financial advantage to the state is effected.

Suggestion

If the present system of inmate cooks is retained in the interest of economy, the following should be considered:

1. An arrangement to be made for a quarterly submission of all daily menus to the nutritionist in the State Department of Health for spot checking and evaluation of the adequacy of the foods served on the basis of nutritional standards. Suggested changes or improvements (if any) made by the nutritionist thereafter should be discussed by the Warden and the Commissary Steward with the inmate cooks with the objective of complying with the changes and recommendations.
2. Although a work assignment as chief cook offers the opportunity to maintain occupational skills, excessive work hours should be avoided and the inmate concerned be afforded the opportunity to participate in rehabilitation programs. Furthermore, in view of the delegated responsibility, the inmate cooks should be compensated with at least the same pay as is given to the cooks in the honor camps.

6. Medical Care Program

A Carson City physician by contract arrangement goes to the Prison one-half day each week to hold sick call; he is also on call for emergencies. Because of the limited time spent by the doctor at the Prison, only the most urgent cases can be attended. The x-ray equipment is very old; laboratory facilities are extremely limited. Chest x-rays and routine serology are done on each inmate at point of admission. There is no provision for refractions or glasses as needed; trusses are supplied. An annual physical examination of each inmate is not attempted. Elective surgery is not offered; cases requiring emergency surgery are transferred for temporary care to local facilities in Carson City or

Reno. Medicine, including narcotics, are kept in a locked cabinet in the armory with no key available to the duty officer stationed there.

An inmate orderly is assigned to the infirmary ward containing 12 beds. Only first aid supplies and the medication prescribed for the hospitalized patients are stored in the ward. Food, including special diets and supplementary nourishment as prescribed, are brought from the short line kitchen. A refrigerator is on the ward. To implement the medical program, plans were effected to use the services of an inmate physician who had been a licensed, practicing physician in Nevada, under the supervision of the contract physician. The plan was discontinued shortly because of the attitude of the inmate physician.

Suggestion

1. Because the contract physician cannot hope to practice preventive medicine within the limited time he is on duty, implementation must be sought elsewhere. The possibility of a special project might be explored through the Nevada State Medical Association to establish a panel of licensed physicians who would donate their services at a scheduled time at the Prison, so that all inmates would receive a complete physical examination and evaluation with recommendations for treatment. Among the total group would be found some inmates for whom elective surgery would constitute a major factor in rehabilitation. Volunteer services of surgeons and anethetists on a panel basis as that of the physicians would be sought. The method of approach to the County Medical Society should be decided by the contract physician and the State Health Officer. If such a project could be developed, the Prison would of necessity be responsible for the hospitalization costs.

2. There are dangers implicit in relying solely on an inmate orderly on an infirmary ward when the inmate has had no training or experience in nursing. Emergencies can arise which require immediate and exacting techniques pending the arrival of the physician. Consideration should be given to employing one full-time male registered nurse and one part-time (16 hours per week) male registered nurse to provide coverage each day for eight hours. In addition to supervising the infirmary ward and giving nursing care to the patients, this professional nurse could assume other duties to include:

Dispensing all medications as ordered by the physician.

Rendering first aid in an emergency.

Teaching classes in first aid to groups of inmates.

Training a small group of carefully selected inmates who would be assigned to the infirmary ward during hours when professional coverage is not provided.

Interviewing and preparing a preliminary report of stated current symptoms for each inmate who asks to see the physician at the next regular sick call.

Special assignments at the request of the contract physician.

3. The lack of eyeglasses, when visual correction is needed, not only limits the scope of an inmate's work capacity but may also curtail severely his reading and study. Following a refraction, corrective glasses should be supplied when recommended and when the inmate has insufficient funds to meet this cost.

7. Dental Program

A public health dentist whose salary is paid by the State Department of

Health spends two and a half days per week at the prison. It is reported that his facilities and equipment are adequate. A routine examination is made on newly-admitted inmates and a prepared schedule is being followed to insure an examination and follow-up care for every inmate. Prophylaxis fillings, treatments, and supplying some prostheses are included in the program. Indiscriminate extractions are not done.

Suggestion

Oral rehabilitation is an important part of total rehabilitation. Commendable progress has been made in the Prison dental program.

8. Psychiatric Program (Clinical services, casework services, counselling)

Psychiatrist - since early 1962 a part-time psychiatrist has been on duty approximately sixteen hours per week at the prison; his salary is paid from the Nevada State Hospital budget. The majority of his time and attention prior to 1st May was directed to evaluating the cases of sex offenders to be reviewed by the Parole Commissioners in May 1962. Some treatment of selected cases on an individual basis is planned for the future. The psychiatrist expressed personal doubt as to benefits resulting from group therapy.

Psychologist - A part-time psychologist, whose salary is paid by the State Department of Health, has been working part time at the Prison during the past 18 months, averaging approximately 30 hours per week. By utilizing inmate help, psychometric testing has been given to inmates whose cases were reviewed by the Parole Commissioners semi-annually. The aptitude and opinion test developed by the California Department of Corrections has been utilized. No routine testing of new admission has been possible due to lack of time and funds to purchase test materials. Some individual psychotherapy and two on-going therapy groups meeting twice a week have been scheduled. The opinion was expressed that some inmates have been stimulated to do extensive reading in psychology and philosophy with superficial benefit and a widening of intellectual horizons. It was also stated that some inmates have benefited observably from group psychotherapy through reduction in aggressiveness and hostility and a more realistic acceptance of authority.

Social Case Worker - None employed on the Prison staff.

Suggestion

Present day thinking conceptualizes as a major factor in a prison program of rehabilitation, the application of mental health principles and techniques. The benefits from counselling at various staff levels, social case work, re-education in social values and reorientation toward authority are based on an understanding of the personality of each criminal offender, his background of experience and the motivations leading to his anti-social behavior. It is thus possible in many cases to help the inmate gain enough insight and understanding that he achieves a reconstruction of social values and personal goals and integrates them with self-discipline and emotional maturity. The probability of socially acceptable behavior in the future is thus enhanced.

1. The clinical team of professionally trained personnel at the Prison must be able to work together in harmony, and recognize and accept the professional areas of competence represented by the three disciplines. The staff initially should include a psychiatrist on half-time duty, two social workers, and two psychologists. In other states, the inclusion

of social workers on the staff in correctional institutions has proved to be advantageous. Position titles, however, frequently obscure the professional identification of the social worker. Some of the diverse functions which the social worker at the Prison would perform include fact finding; that is, data concerning the social and cultural background of the inmate which individualizes him as the product of many compelling forces. Through skills in interviewing, the social worker while obtaining the facts, simultaneously enables the inmate to express his feelings about past experiences and the persons directly involved in those experiences. The blending of fact and feeling is necessary in order to gauge the extent of the inmate's distortion of his own perceptions. Such an appraisal is basic in helping the inmate to face the immediate facts and to sharpen his awareness of the consequences when he fails to accept or conform to reality situations.

2. The social worker should interview inmates' relatives who visit, not only to evaluate the strength of family ties and what this can mean to the inmate when he is released, but also to interpret to them some of the difficulties the inmate faces in his growth toward responsibility and his responses to custody. When serious family problems are brought to the social worker's attention by the inmate, referral to the appropriate agency in the community is frequently indicated.

3. Regardless of the length of time a felon, particularly a sex offender, has spent in prison, he experiences a mounting tension prior to the meeting of the Parole Commissioners at which time his application is to be considered. For the man who is granted release, the tension increases as he speculates and he is beset with fears about his future. Despite the loyalty of family and friends, and despite the assurance of a job, the prisoner wonders how people in the community will receive him, whether his wife and children really want him home again, whether the police will be watching his every move, whether he will be ridiculed when he registers as required by law. These are understandable anxieties, and the social worker can be particularly helpful in assisting the man to verbalize his fears, and to face realistically the known and the unknown future.

4. In those cases in which an unattached man has insufficient money for maintenance until he shall have received a first pay check, temporary assistance must be provided. It is illogical for the state to have spent approximately \$100 per month on the prisoner during his incarceration, then release him with \$25. This amount was stipulated in 1925 and is entirely out-dated; bus fare to Las Vegas, for example, is \$14.00. Thus, as a factor in rehabilitation, it is expedient for the state to make an adequate initial provision for the man so that he can begin his social and economic re-integration into society with some measure of practicality. The social worker should determine the amount to be granted under a realistic ceiling to be authorized by the Legislature.

5. Group therapy represents the clinical method of treatment in an institution whereby professional help can be extended to more persons than is possible through individual therapeutic sessions. Discriminating assignment of prisoners to groups, limited to ten men, should be initiated under the leadership of the psychiatrist, the social workers and the psychologists. Although there are differing points of view regarding preferential techniques employed by psychotherapists, in a prison setting it is essential that the therapist maintain

an orientation of practicality, and that discussions be held to the level of comprehension of the members of the group. An introduction by the therapist of abstruse theoretical concepts should be avoided as inappropriate in a prison setting. Quarterly progress reports are desirable and should be included in the case record of each inmate assigned to a group.

6. In some instances, correctional officers become apprehensive of professional staff, clinical techniques, and presumed conflict of interest with reference to the inmate. The officer can contribute much in the on-going rehabilitation of individual inmates, provided he is instructed in the role he should play and the function which he should attempt. In-service training for correctional officers should therefore be provided on a continuing basis, with the responsibility for such a program delegated to the professional staff most skillful in performing such a function.

9. Recreation Facilities and Leisure Time Activities

For the majority of inmates, the non-constructive use of leisure time is a degenerating experience. There is literally little to do and less with which to do. The one extended, multiple-purpose building in the main yard is old, dilapidated, dingy and unattractive. Supplies and equipment which are available appear to have been begged, borrowed or put together from odds and ends. Mass idleness is a daily occurrence.

Main yard - A few benches are available along the edge of the yard to accommodate those who wish to sit and do nothing or stir up conversation. In the center of the yard is a volleyball court, and a newly-made basketball court, which is a distinct improvement over the old one laid out on a hillside slant. (This undoubtedly posed challenges in sharpening accuracy and foot-work, but was not conducive to successful competition play when the Prison team met outside teams on a standard court.) There is a small separate enclosure where weight lifting can be practiced.

The library at one end of the multi-purpose building offers few magazines, no current newspapers, and a collection of books which appear to have been donations. These are classified by small shelf labels into a system obviously evolved by an amateur as a method of expediency. Inmates are not allowed in the library and must request a book through a windowed door. How they are made aware of the available selection is not understood. There is no reading room, nor any quiet nook in the yard where an individual can go to read or study.

Adjoining the library is the "bull pen" which accommodates the Prison gambling casino and television room. It is dark, dirty, without adequate ventilation, and no heat is supplied in winter. Here are arranged makeshift tables with signs advertising available gambling opportunities. An inmate may "buy" a table and, if he so desires, "hire" a dealer at a set price. Inmates with money in their personal account may obtain brass chips in various denominations. Allegedly there has been no trouble over bad debts or cheating. A percentage of the owner's take reverts to the inmate benefit fund. An opinion was expressed that since gambling is legal in Nevada, the Prison casino is a legitimate source of entertainment, and furthermore it was inherited from a prior administration.

At the end of the casino is the television space which is represented by

a few backless benches facing the television screen mounted on the wall. Quiet is unobtainable. This one room is the only available shelter for over 200 men who are turned into the yard every morning after breakfast, and again after the noon meal regardless of weather conditions. Despite wind, rain, snow, sleet or boiling sun, the inmates are not permitted to return to their cells or dormitories and must remain in the yard until 3:30 in the afternoon.

The hobby shop located in the same building could not accommodate more than a dozen men comfortably at any one time. Those who are privileged to enter may do leather work, hand weaving and oil or water color painting or pencil sketching. Lighting and ventilation are poor. Sharp cutting tools used by the leather workers are not under strict control, which presents a problem in security. The men are without staff supervision, help or instruction, except that a local artist volunteer has maintained a weekly schedule of several hours to instruct the inmates interested in painting.

Other activities - The "Boys in Blue" is a musical group which goes out under the supervision of a prison officer to play for civic groups or fraternal organizations upon request. Membership in the band is highly desired, and the group has received commendation from many sources in the community. Most of the instruments are said to be loaned or donated. It is also said that although some inmates have personally-owned instruments held in storage at the Prison, the administration has been unwilling to permit their use. Some of the inmates come into the Prison with instruments, but the use of such instruments is limited to those inmates who are trusty risks and are willing to practice when time is designated for that purpose. The Prison does deny the use of an instrument by an inmate in his cell where it is disturbing to other inmates, and the inmate who does this deliberately has his instrument taken away. Inmates are denied who are in the Prison on rough charges and are in maximum security. There are only one or so instruments in storage.

Boxing matches are scheduled from time to time under the direction of a security officer who volunteers his own time to supervise practice and scheduled bouts. Occasionally three or four men have been permitted to go outside the Prison to participate in an evening of bouts scheduled by a professional manager who is seeking practice matches for his own clients. It is alleged that these bouts are not fairly matched and decisions are frequently questionable. Because this constitutes a resource for a few men to earn a few dollars, it has been permitted, although some staff members regard the activity as of doubtful value.

There are few organized interest or hobby groups. Inmates interested in Alcoholics Anonymous attend scheduled meetings.

Suggestion

1. Past years of experience at the Prison show that if anything constructive is to be accomplished, the planning and execution of a recreation-activities program cannot be left to chance or to the scattered, sporadic interests of staff already charged with full time duties. With a full-time director to plan and coordinate a program, the following activities might be attempted:

- Intra-mural basketball and volley ball tournaments.
- Instruction in boxing and wrestling with periodic exhibition matches.
- A daily period of group calisthenics.

Baseball teams for those inmates privileged to go outside the main yard.

Debating teams, toastmasters club, stamp club, rock club, book review group, current events discussion group, music appreciation club.

Choral groups, quartettes, barber shop quartettes, jazz combos, string quartette, band, whistlers group.

Art classes, finger painting, weaving, leather work, jewelry making, carving, clay modeling, sign painting.

Dramatic skits, short story writing.

2. The above suggestions for the most part require neither elaborate nor expensive equipment. Leaders will emerge from the inmate group who have special talents and can assume some responsibility for teaching or direction under staff supervision. Those activities which lend themselves to group entertainment which can be broadcast over the inter-com system should be encouraged.

3. Since space is at a premium, re-alignment of the space available should be considered. It is recommended that the gambling casino be eliminated forthwith, because it serves no useful purpose in rehabilitation and only encourages the inmates to perpetuate ingrained patterns of scheming and taking risks "to beat the rap." When the weather is pleasant and many men prefer to be in the open air, the room could accommodate numerous small interest groups, each provided with chairs and a small table. In inclement weather, when crowding is inevitable, there could be community singing, debates on subjects of general interest, the showing of travelogue slides or films available without cost from many large industrial corporations and the National Institute of Mental Health, and a "town hall" type meeting for floor discussion of topics proposed by the inmates.

4. To counteract the present long periods of idleness and confinement to cells, and through the addition of more security officers, a schedule should be effected so that the men may return to the yard after the 3:30 meal. The night lock-up hour should be geared to seasonal variations as related to sunset. A further opportunity for selected minimum security prisoners to be privileged to continue in an officially sanctioned, supervised activity for another hour should be considered. Administrative flexibility within the demands of security is the key to workability of new programs.

5. In inclement weather, the arbitrary turn-out of all inmates into the yard should be modified. Those who elect to remain in their cells should be permitted to do so.

6. If volunteers are used, a coordinated program should be developed to include a careful screening of applicants, orientation, supervision and recognition of services.

10. Work Assignments

Each inmate (maximum security unit excluded) who is physically able to work should have a specific assignment. In the absence of a prison industries program, the opportunities for work are more limited.

Outside the Prison - Selected inmates with minimum security status are assigned to the two honor camps, the Prison Farm, the capitol building and grounds, the State Library, the Governor's mansion and to special projects in the public interest. From each inmate's earnings, one-third is impounded to build up a fund against future release needs.

The pay scale is 75¢ per day (\$15.00 per month) with the following exceptions: Cooks at the honor camps, \$30 per month because of seven-day duty, and the assignee to the Governor's mansion, \$20 per month. A practice peculiar to the Prison Farm involves more complex financial strategy. Crews are hired out to individual ranchers who live within reasonable traveling distance of the Prison at the 75¢ per man per day rate. In addition, the rancher credits to the state \$5 per man per day, which total amount is payable in kind; that is, farm produce. The criterion for selecting the ranchers who participate in this type of transaction is said to be their accessibility. The rationale for the arrangement is based on the fact that the Prison cannot produce sufficient hay, grain and pasture for the Prison-owned livestock. On the other hand, the money credits to the state are applied against prevailing market prices, at roadside delivery, for the desired ranch products. The legality of this procedure is not clear-cut in terms of the statutory prohibition against prison labor in competition with free labor. Obviously, the practice is discriminatory in favor of those ranchers who live near the Prison, in contrast with those ranchers who live at greater distances and who, therefore, are not able to market their crops under similar conditions of cheap farm labor.

Within the Prison - Inmates assigned to the numerous service and maintenance operations, and to the automobile license plate manufacturing plant receive no pay for their work. This is a valid practice with the exception of those inmates who assume duties ordinarily performed by a paid employee. Presently, inmates function as chief cook in the two kitchens, as laundry supervisor, baker, plumber and electrician. Apparently in violation of law (NRS 209.480), the license plate factory is under the jurisdiction of and operated by the Department of Motor Vehicles, with inmate help. Presses and machinery are used in the fabrication of the license plates, but the inmates working with this equipment are not covered by industrial accident insurance. In event of an accident, medical care must be provided through the regular Prison medical care program. In event of a permanent, crippling injury, there would be no benefits for the inmate.

The tiny shoe repair shop, located in the multiple-purpose building in the main yard, contains scanty, obsolete equipment and could not begin to meet the regular shoe repair needs of the institution. It offers no opportunity for vocational training. The tailor shop is crowded into a room in the original Prison building, and also is inadequate to offer any vocational training.

Suggestion

1. Pay scales should be extended to cover inmates within the Prison who are assigned to duties ordinarily performed by a paid staff member.
2. The applicability of industrial accident insurance coverage for inmates assigned to and working in the license plate factory should be explored.
3. The rationale for the present practice of using inmate labor on private ranches should be examined.
4. Initiation of a vocational training program in conjunction with the work program must be deferred until the medium security prison is operational.

12. Visiting Privileges and Correspondence

An approved list of visitors with a maximum of six is established for each inmate, based on the degree of similarity of information which each submits on separate forms. There are no limitations on the degree of relationship for visitors and no minimum age for children. Friends - male or female -, business associates and ministers may be approved on special request for one visit only, except in instances of alleged male friends who by appearance and manner arouse suspicion as to their purpose in visiting. In such instance, a criminal record check may be initiated to substantiate approval or denial of future visiting privileges as requested.

Visiting is limited to one hour per week per person except for visitors who have traveled a distance in excess of 200 miles. In these cases, visiting on two consecutive days is permitted. Each visitor on arrival signs a register, and in the preliminary application for visiting privileges, he signs a form which includes the following statement:

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby agree that I will save and hold harmless the Nevada State Prison and the employees thereof, for any damages which may be sustained by my person or my property while I am a guest in, about or upon the grounds of the Nevada State Prison. I hereby agree that in consideration of being allowed to be a guest of said institution that I hereby assume all risks of any nature whatsoever.

The existing arrangements for visiting offer no opportunity for quiet, private conversation as they are located in the rear area of the Prison lobby behind a showcase display of inmate-produced sale articles. Noise incidental to restless children, infants, and anxious adults waiting their scheduled visit creates confusion. There is a locked restroom for women and children off the lobby, but no restroom facility is provided for men. There is space for two inmates of minimum security classification in a mesh cage, with the visitors sitting on benches in the lobby and able to converse through the screening. Other inmates are seated in a room, also used for utility storage, behind heavy glass and must talk through a small screened opening below face level to the visitor seated on a small bench in the lobby. Seven inmates and visitors can be accommodated simultaneously.

Incoming and outgoing correspondence in accordance with an approved list of correspondents for each inmate is censored by an assigned officer. All money received by mail is deposited to the inmate's personal account with a receipt issued to him. A record is maintained of both incoming and outgoing letters by addressee.

Suggestion

1. For the minimum security prisoners permitted outside the main yard, the privilege of visiting face to face with relatives would be an additional factor in rehabilitation. This opportunity, particularly in the months pre-dating release, would enable the prisoner to talk more freely with his family and therefore plan more effectively for the future. Space should be set aside adjacent to the building and a few picnic tables with benches installed. Consideration should also be given to a modification of the existing regulations to extend the time permitted from one to three hours for this particular group of inmates.

2. In view of space limitations, other changes in the visiting plan should be deferred pending the completion of the minimum security prison.

3. In the interest of internal security, particularly as regards the passing of contraband, the door opening from the lobby into the Prison canteen should be kept locked at all times when visitors are in the lobby.

13. Religious Program

The existing space limitations in the Prison have precluded the opportunity for conducting religious services in a dignified, appropriate setting. The Legislature in 1961 authorized the construction of a chapel (Statutes of Nevada 1961, Chapter 216), but actual construction has not yet been started.

Suggestion

1. Because there may be among the clergymen, priests and rabbis who conduct services at the Prison and who offer religious counseling to some individual inmates, some men who are unfamiliar with a prison setting, and with the Prison administrative policies and practices, one staff member should be designated to orient the religious leaders.

2. The responsibilities of the prison social workers should be delineated clearly to the religious leaders to avoid complications which might arise as the result of spontaneous and well-intentioned contacts by the religious leaders with relatives of inmates, the State Welfare Department, or local groups.

14. Inmate Council

A committee of five inmates meets with the Captain of the Guard to discuss grievances and proposals originating with the inmate population. This committee is used also as a medium of communication and interpretation to the prison population on institutional policy and procedure. Apparently the arrangement has functioned to mutual advantage.

Suggestion

An inmate council when properly structured and supervised is a valuable adjunct in prison administration. Through the election of a representative committee, unexpected qualities of leadership in some individuals may emerge and can be encouraged. Concerted action by the prison population in collection of funds for organized charities, blood donors and the like can be stimulated effectively through the inmate council. One intangible result is the increased sensitivity on the part of the individual inmate that he still is a member of the society to which he will return. It is important that this rehabilitative effort be encouraged.

Chapter IV

DISCUSSION OF SOME OF THE PROBLEMS IN PAROLING SEX OFFENDERS FROM THE NEVADA STATE PRISON AND THE ROLE AND RESPONSIBILITIES OF THE STATE BOARD OF PAROLE COMMISSIONERS AND THEIR STAFF

Background

Parole is the conditional release of a felon from a correctional institution prior to the expiration of his sentence. It is a privilege and not a right of an offender. Properly administered, a parole program offers a sound vehicle for continuing rehabilitation, provided the offender has demonstrated during incarceration a basic change in attitudes, social values, motivations and self control to the extent that his return to society does not appear to be inimical to the public good. To help insure a successful parole experience, the parole officer must enter into a positive relationship with the parolee. This involves a fundamental attitude of acceptance of and helpfulness to the parolee on the part of the parole officer, which attitude is based not on sentimentalism, but on a realistic concept of his role as a professional person functioning under an authoritative structure. The parole officer's function includes counseling, supportive assurance to the parolee in his efforts to demonstrate responsibility and sound judgment, practical assistance in emergencies and the expansion of limits as the parolee demonstrates independence in successful social adjustment.

State Board of Parole Commissioners

Nevada statutes authorizing the establishment and delineating the functions of the State Board of Parole Commissioners include provision for appointment (NRS 213.108), staggered terms of office and remuneration (NRS 213.109), and definition of powers and duties (NRS 213.1091, 213.1092, 213.130, 213.155). Because of the quasi-judicial powers vested in a parole board, it is extremely important that a statement of personal qualifications of board members be stipulated by legislative act; this Nevada has failed to do. Persons appointed not only need to possess unimpeachable integrity, but also should be highly intelligent and sufficiently educated to be knowledgeable in many areas including, but not limited to, sociology, psychology and criminology. The experience background of the board members should include also a familiarity with situations and problems which the parolee faces. Professional experience in the fields of education, law, social work or mental health is advantageous. That political partisanship should be totally removed from the selection of board members is self-evident.

No parole board, despite the keenest discernment and the most discriminating judgment, can achieve a perfect record in selecting for parole only those felons who will make a successful adjustment in society. Some boards thus decide against parole in individual cases to protect their own record for desired impeccability. So that each case may be evaluated for parole readiness in an objective, comprehensive manner, it is expedient for the board to have formalized criteria for release. Against this framework, the data submitted and studied in advance on each case can be individualized and a rational, equitable decision is more likely to result.

Over-crowding within the prison in no manner should be construed as placing

an onus on the parole board to create a stated number of vacant beds as of a specific date. If such a mandate or even such an inference is relayed to the board, and they are influenced by this factor in their case decisions, the basic concept of parole is nullified. In addition, this kind of situation breeds public criticism, distrust, and ill will. It also creates anxiety among the individual board members in their weighing of one candidate against another in terms of the comparative "seriousness" of the crime committed, the length of incarceration, and an intuitive belief that certain candidates represent preferred risks. The issues of public safety and sound parole administration cannot be permitted to collapse upon the faulty premise of expediency.

The public generally in their understanding of fixed sentences for felonious sex crimes are not aware of the apparent anomaly in the statutes regarding penalties and eligibility for parole. Among the major sex crimes the penalty for incest and the infamous crime against nature is one to ten years; for lewdness with a child under the age of 14, rape and statutory rape, the penalty is five years to life. Within these prescribed ranges, the courts frequently impose a preferential determinate sentence for a specific number of years.

NRS 213.110 reads as follows:

The Board shall have power to establish rules and regulations under which any prisoner who is now or hereafter may be imprisoned in the State Prison and who shall have served one calendar year, less good term credits, of the term for which he was sentenced and who has not previously been more than three times convicted of a felony and served a term in a penal institution, or who is imprisoned in a county jail, may be allowed to go upon parole outside of the buildings or enclosures, but to remain while on parole, in the legal custody and under the control of the Board and subject at any time to be taken within the enclosure of the State Prison or county jail.

Further elaboration occurs in NRS 209.280, which enumerates a schedule of good credits (time off the sentence) by annual increments in computing time served toward eligibility for parole.

1. Every convict who shall have no infraction of the rules and regulations of the Prison, or laws of the State, recorded against him, and who conforms in a faithful, orderly and peaceable manner the duties assigned to him, shall be allowed for his term a deduction of two months in each of the first two years, four months in each of the next two years, and five months in each of the remaining years of the term and pro rata for any part of the year where the sentence is for more or less than a year.

2. The mode of reckoning credit shall be shown in the following table:

Schedule of Credits

<u>No. of Yrs. of Sentence</u>	<u>Good Time Granted</u>	<u>Total Good Time Made</u>	<u>Time to be Served if Full Time is Made</u>
1st year	2 months	2 months	10 months
2nd year	2 months	4 months	1 year, 8 months
3rd year	4 months	8 months	2 years, 4 months
4th year	4 months	1 year	3 years
5th year	5 months	1 year, 5 months	3 years, 7 months
6th year	5 months	1 year, 10 months	4 years, 2 months
7th year	5 months	2 years, 3 months	4 years, 9 months
8th year	5 months	2 years, 8 months	5 years, 4 months
9th year	5 months	3 years, 1 month	5 years, 11 months
10th year	5 months	3 years, 6 months	6 years, 5 months

and so on through as many years as may be the term of the sentence.

3. In addition to the credits for good behavior provided for in subsection 1, the Board may adopt regulations allowing credits for convicts whose diligence in labor or studies surpasses the general average and for convicts who donate their blood for charitable purposes.

4. Each convict shall be entitled to the deductions allowed by this section unless the Board shall find that for misconduct or other cause reported by the Warden, he shall not receive them.

Through application of the foregoing provisions, a felon convicted of incest or the infamous crime against nature theoretically could be paroled after 10 months (good time and work credits off minimum sentence), whereas the rapist or pedophile theoretically could be released on parole prior to three years and seven months of custody, provided the pedophile met the additional stipulation of NRS 201.230, which states in subsection 3:

No person convicted of violating any of the provisions of subsection 1 of this section may be:

(a) Paroled unless a board consisting of the Superintendent of the Nevada State Hospital, the Warden of the Nevada State Prison, and a physician authorized to practice medicine in Nevada who is also a qualified psychiatrist certify that such person was under observation while confined in the State Prison and is not a menace to the health, safety or morals of others.

This provision was doubtless conceived to be consistent with present trends in psychiatric practice as applied to the release of institutionalized sex offenders. However, by excluding the crimes of rape and the infamous crime against nature (specified in NRS 201.230 subsection 1) as applied to children under the age of 14, the limitations of the provision are self-evident. Pre-parole psychiatric evaluation of cases of sodomy and/or oral copulation with child victims is extremely important because this type of deviant behavior is

generally recognized as severely pathological. Furthermore, it is difficult to understand how being "under observation while in the State Prison" could validate a certification that the person "is not a menace to the health, safety, and morals of others." Spontaneous "cures" of pedophilia are indeed a rarity. The Nevada law fails to designate improvement in response to treatment while in custody as one primary determinant of rehabilitation and parole readiness.

It is spurious for the Parole Commissioners to be required to predicate their decision on the statement of psychiatrists that the sex offender "is not a menace to the health, safety and morals of others." No psychiatrist can make this unequivocal pronouncement. He can and does offer what amounts to a calculated prediction of the individual's degree of menacefulness based on the diagnosis, observed and demonstrated response to treatment, and a clinical evaluation of the individual. No more can be expected in the light of current scientific knowledge.

Because of recurrent, undocumented comments that the Parole Commissioners release large numbers of sex offenders, a review of the facts is enlightening. Direct comparisons of the following data for 1961 and 1962 are inequitable because the Board decisions at the fall meeting in 1963 may alter the total percents in either direction. However, at the May 1962 meeting, the same number of sex offenders were ordered released from prison as were released through two meetings in 1961. It is possible that the new legal requirement of a psychiatric evaluation of each sex offense case represented a supportive device to the Parole Commissioners in arriving at a decision for release.

It must be pointed out that release does not imply that the prisoner was placed on parole. Alternatives leading to an outright discharge include the prisoner having served his full term (less good credits), or his intention to settle in another state where he has relatives who will accept him, or an employment offer. In the latter instances, parole status could be granted with supervision to be given by the receiving state under the Interstate Compact Agreement. In this event, however, should the parolee violate the terms of his parole, it would be incumbent on Nevada to pick up the man and return him to prison at state expense. The present philosophy therefore is to discharge as many minor type crimes as possible on the premise that the individuals will leave Nevada and automatically become the responsibility of another state if further anti-social behavior persists. Although it is possible that some individuals will adjust satisfactorily without supervision in the out-of-state environment with which they were once familiar, it is a well-known fact that recidivism occurs most frequently during the first year of re-adjustment to society following release from prison. It appears therefore that the practice followed by Nevada counties in floating misdemeanants out of town and over the county line is not only tacitly endorsed by the Parole Commissioners, but becomes their own working philosophy in releasing felons from prison. A statistical analysis of the number of felons "released" from prison in terms of those discharged and those paroled was not available. It is said that in the cases of sex offenders who elect to remain in Nevada, parole under supervision is awarded, rather than outright discharge, except when the full sentence has been served.

Disposition of Cases Reviewed by the Parole Board in 1961 and 1962

<u>No. of Cases</u>	<u>May & Nov. 1961</u>	<u>May 1962</u>
Reviewed	405	198
Denied	181(44.7%)	84(42.4%)
*Discharged to other jurisdiction	46	14
Discharged to begin new term	2	5
**Released	149(36.8%)	91(46%)
Deferred to next meeting	7	4
Sex Offense Cases	39	23
Denied	32	15
**Released	7(.047% all cases released)	7(.087% all cases released)
Discharged to begin new term	0	1
* Legal detainer on file from another state		
** Included discharge or parole		

During 1961 a total of 5689 prisoners were paroled in California; 6.5% of those paroled were sex offenders. In considering the cases of sex offenders reviewed by the Parole Commissioners in 1961 and 1962, the following categories of offense are noted:

<u>Offense</u>	<u>1961</u>		<u>1962</u>	
	<u>No. Denied</u>	<u>No. Released</u>	<u>No. Denied</u>	<u>No. Released</u>
Infamous Crime Against Nature	3	0	0	3
Attempt Infamous Crime	0	0	1	0
Lewd Act with Minor	0	0	4	1
Lewd & Lascivious	9	2	1	0
Lewdness	3	0	0	0
Incest	0	1	1	0
Rape	9	2	4	3
Statutory Rape	7	1	4	* 1
Assault to Rape	1	1	0	0

* Remains in prison to begin new term of statutory rape

In the cases of releases sex offenders during 1961 and 1963, the following counties are represented.

<u>County of Conviction</u>	<u>Number of Cases</u>	
	<u>1961</u>	<u>1962</u>
Churchill	2	0
Clark	2	3
Mineral	0	1
Washoe	2	2
White Pine	1	1

Among the sex offense cases released, as categorized by classification of offense, the time spent in prison ranged from eleven months to ten years and nine months.

Offense	Prison Time in Years						
	Under 1	2-3	3	3-4	6-7	7-8	10-11
Infamous Crime		1			1		1
Lewd & Lascivious		1				1	
Lewd Act with Minor		1					
Incest				1			
Rape			1	1	1	2	
Statutory Rape	1						
Assault to Rape		1					
Total Cases	1	4	1	2	2	3	1

Structure of the Parole-Probation Department (Board of Parole Commissioners)

A department of parole was made operative in Nevada in 1945, then expanded in 1951 to include a department of probation. This consolidated system differs from that in many states in which the two departments are entirely separate, with the parole department - including juvenile and adult divisions - operating at the state level in conjunction with state correctional facilities to provide supervision of parolees, and the probation department - including juvenile and adult divisions - functioning at the county level to provide pre-sentence investigation service to the courts and supervision of probationers. The prime dangers in combining the two functions of parole and probation into one department, even when limited to adult offenders, is that one program or the other will suffer, and that an aggressive public relations-public education effort will be ignored entirely. Hence it is practical to combine with efficiency these separate functions in one agency only when there exists vigorous leadership, superior administrative planning and a departmental budget adequate to employ sufficient and competent staff. To date, this complex has not existed in Nevada, and it may be anticipated that during the balance of the biennium the situation will deteriorate rather than improve. It is predicted that the supervision function will suffer at the expense of pre-sentence investigations, who abscond from or violate the terms of their probation or parole. Incarceration represents the next step. Remedial efforts are imperative for the protection of society, to insure an accountable service to the individual offender, and for long-range economy to the tax payers.

The Professional Council of the National Probation and Parole Association in 1953 established minimum standards of academic training and professional experience for parole and probation officers. Various states have conducted experimental research with different size case loads in attempting to learn at what level the best performance of competent workers may be expected as measured by successful rehabilitation of their charges. The generally accepted standards in both areas may be stated briefly as:

Education - A bachelor's degree plus a graduate degree from a school of social work, with one year's experience under supervision in the correctional field or in a recognized social agency. An equivalent substitution for experience might be represented by a well-established in-service training program with a probation department. Desirable personal attributes could be enumerated at length; however, the primary requisite for the probation or parole worker is emotional stability and maturity.

Case Load - For specialized functions, not more than 15 pre-sentence in-

vestigations per month per worker; for supervision, preferably 50 cases, but not more than 60 cases per month per worker.

The foregoing standards represent ideal situations, and there is no question but that many departments throughout the country still continue to settle for less. It is also obvious that factors of distance and time consumed in travel enter into case load assignments. Flexibility within a total program is necessary in relation to the specific skills, individual capacities and aptitudes of workers, and in relation to the background of experience, familiarity with the territory, community resources, employment opportunities and individual work habits. But the day has passed when states with a progressive program for rehabilitation of criminal offenders dare to settle for probation or parole officers who are high school graduates. Furthermore, the college graduate without a major in the social sciences, and with but one year of experience in some allied field, should be viewed with skepticism unless the agency has a well-organized and administered in-service training program.

1. Personnel specifications

In Nevada, the personnel specification for an adult parole and probation officer, effective 3-1-62, under minimum qualifications states:

Education and Experience:

I. Graduation from an accredited college or university and one year of experience in investigative work, social work, rehabilitation, parole supervision or similar activities, preferably with adults.

II. Graduation from high school and three years of experience in investigative work, rehabilitation, social work, parole supervision or similar activities, preferably with adults.

III. An equivalent combination of education and experience.

In the interest of a better program and staff improvement, items II and III should be eliminated from the personnel specifications, and item I represent the minimum standard with the following changes: "Graduation from an accredited college or university with a major in the social sciences," and "one year of experience under supervision in a recognized social agency, rehabilitation agency or probation department." The phrase "investigative work" is completely incongruous, for the skills expected of a private detective or investigator are not those desired in a parole and probation officer.

2. Cases of Sex Offenders

From the enormity of the problem of covering the regular work load scattered over vast areas, it is obvious that no special attention can be focused on any one group of cases according to the type of crime committed. Thus, any counseling offered to the parolee or probationer who has been convicted of a sex offense has been on a catch-as-catch-can basis. Contrarily, it sometimes happens that prejudices against a sex offender harbored by an uninformed officer may motivate him into an inordinate surveillance with the objective of discovering a basis for violation so that the sex offender can be incarcerated.

A recent study (not yet published) made in California on the recidivism of sex offenders who received psychiatric treatment in an institutional setting, showed in point of time that a man was most likely to re-offend within the first year after his release into society. It is in this early period when the tolerance for handling stressful experiences has not been firmly established, that counseling and supportive assistance are so important. In Nevada, under present departmental staffing, it is impossible for a parole and probation officer to give sustained counseling or special service as needed, and the only alternatives are to let the parolee or probationer sink or swim, or to rely on an established community agency or clinic to meet the needs. At present, no treatment resources are available within the state other than through the few private psychiatrists whose fees are prohibitive for practically all the parolees or probationers. No psychiatric out-patient clinic is provided by the Nevada State Hospital, and the four mental health centers are so limited in their services that sex offenders, per se, as patients are rarely accepted.

3. Central Office

The Chief Parole and Probation Officer under the stipulations of NRS 213.1083, 213.1095, and 213.200 (subsections 2 and 5) has duties and responsibilities which are impossible for one person to fulfill under the existing limitations of budget and staff, and the geographical complexities of the state. In practice, the Chief Parole and Probation Officer is the secretary of the State Board of Pardons and the State Board of Parole Commissioners. He has the responsibility of returning all parole violators, regardless of where they may be located in the United States. He is on call nights, Saturdays, Sundays and holidays. He is obliged to make a quick trip anywhere within the state to handle an emergency investigation requested by a district court when the parole-probation officer assigned to that district is not available. He goes to the Prison each day that he is in Carson City; and, in the weeks preceding a semi-annual meeting of the Parole Commissioners he reviews each case, interviews the prisoners and prepares necessary correspondence to relatives and prospective employers. He corresponds with other states regarding legal detainers, and interstate compact matters. He attempts long distance supervision of his staff who are based in other parts of the state. Numerous quarterly, annual and biennial reports must be submitted to individuals or departments. In the day-to-day routines there is a surge of correspondence to be answered, relatives to be interviewed, plus the unexpected extra emergency. With the tremendous distances to be covered by car, with the pressures inherent in dealing directly and indirectly with people in legal difficulties and social catastrophe, it is short-sighted for the state to expect one person to perform effectively under such diversified responsibility.

The clerical staff is represented by two persons; the Chief Parole and Probation Officer does some of his own typing.

4. Las Vegas Field Office (Clark County)

The staff consists of two assistant parole and probation officers who are obliged to type all their reports and correspondence because no clerical help is provided. Pre-sentence investigation service is given to the Eighth Judicial District Court, which comprises four departments, each with its own judge. The reports are required by the court within ten days. Each investigation is presumed to include one or more interviews with the arrestee, verification of

arrest record. The written report is presumed to include a social history, statement of the offense, statements of persons contacted in the course of the inquiry, evaluation of the findings and a recommendation for or against probation. Because these reports are made a part of the official court record, it is important that the data be well organized, factual and objective. The departmental procedure therefor is to have the preliminary reports forwarded to the central office for review by the Chief Parole and Probation Officer. In that office, the reports are then typed in final form for return to Clark County.

During the fiscal year 1960-1961, there were 103 pre-sentence investigations made with the following court dispositions:

Referred for investigation	103 cases	
Probation granted	69 cases	(67% of all cases
Probation denied	32 cases	referred)
Decision pending	2 cases	
Received for supervision	49 cases	(71% of cases granted
Discharged from supervision	10 cases	probation)
Probation violated	10 cases	

Supervision is extended by each staff officer to diverse classifications of offenders. It must be remembered that in any supervision case load there is continuous activity with cases to be prepared for discharge from probation, violations to be processed and emergencies of all kinds to be handled; nothing is ever static or routine. Statistical data are indicative of the general volume of work assignments:

Clark County probationers (1960-1961)	48 cases
Interstate Compact probationers (5-31-62)	58 cases
Interstate Compact parolees (5-31-62)	48 cases
Nevada State Prison parolees (5-31-62)	<u>5 cases</u>
Total	160 cases

The combined function of investigation and supervision therefore results in a monthly work assignment of approximately 4½ investigation cases and 80 supervision cases for each worker. As a result of this work load, there are many days when both staff officers are out of the office simultaneously and the door is locked. The implication of such a situation is obvious with reference to the man under supervision who comes to the office seeking help at a time when he may need it most desperately. In such a dilemma, the danger of recidivism is aggravated. Furthermore, there may well be a connection between the foregoing circumstances and the fact that as of 5-31-62 there were 19 persons from Clark County reported as absconded from parole or probation. Among the 50 violators incarcerated in prison as of the same date, there was no identification of the number attributable to Clark County.

5. Washoe County

One officer assigned to Washoe County works out of the central office in Carson City and serves the Second Judicial District with its four departments and four judges all located in Reno. Pre-sentence investigation reports are prepared at the request of the court and in general follow the same outline as used in the Las Vegas field office. The reports are typed in the central office following review by the Chief Parole and Probation Officer. In some of these

reports on sex offense cases, there are opinions, remarks or comments made by the assistant probation and parole officer which are entirely subjective, beyond his area of competence and reflect obvious prejudice. Such statements as: "I am satisfied Subject is a confirmed sex pervert and that this is not the first experience, as he would like us to believe"; and "If denied probation in this offense, Subject, in my opinion, is still getting off rather easily. The charge could have been Lewdness with a Minor under 14, or Statutory Rape - and both carry longer sentences. I may be prejudiced being the father of two daughters - I think this fellow should finally get a lesson"; and "_____ appears so unstable as to represent a mental case, but probably not serious enough for commitment."

This kind of material has no place in an official court record. The obvious emotional reactions and bias of the officer suggest that it would be extremely difficult and probably impossible for him to establish any kind of professional relationship with a sex offender who might be assigned to him under probationary supervision. Obviously more intensive supervision is necessary, although it is a matter of judgment on how to handle a matter of this kind with limited personnel.

During the fiscal year 1960-1961, a total of 82 cases were referred for pre-sentence investigation with the following dispositions made by the court:

Referred for investigation	82 cases
Probation granted	59 cases(72% of cases referred)
Probation denied	22 cases
Decision pending	1 case
Received for supervision	47 cases(80% of cases granted
Discharged from supervision	5 probation)
Probation violated	7

Distribution of classifications in supervision cases showed:

Washoe County probationers (1960-1961)	52 cases
Interstate Compact probationers (5-31-62)	20 cases
Interstate Compact parolees (5-31-62)	21 cases
Nevada State Prison parolees (5-31-62)	8 cases
Total	101 cases

The statistics of 5-31-62 show a total of 10 individuals who absconded from parole or probation. As in Clark County, there is no identification of the precise number of violators from Washoe County represented among the 50 violators incarcerated in prison.

6. Ormsby, Churchill, Douglas, Storey, Lyon Counties

The one officer assigned to this area is based at the central office and serves the First Judicial District with two departments and two judges. Considerable traveling is necessitated in preparing pre-sentence investigation reports and in supervision. During 1961-1962, a total of 44 cases referred for pre-sentence investigation resulted in the following judicial dispositions:

Referred for investigation	44 cases
Probation granted	34 cases(80% of all cases referred)

Probation denied	9 cases
Case dismissed	1 case
Received for supervision	28 cases(82% of cases granted probation)
Discharged from supervision	3 cases
Probation violated	3

The parolees from the Nevada State Prison, together with probationers and parolees accepted under the Interstate Compact Agreement represent an additional supervision work load over and above the county probationers assigned for supervision.

7. Humboldt, Pershing, Lander, Eureka, Elko, White Pine, Lincoln, Nye, Esmeralda, Mineral Counties

One officer technically headquartered in Carson City is assigned to ten counties which cover an area of 87,534 square miles, and - according to the 1961 United States Census - included a total population of 46,812. Pre-sentence investigations are made at the request of the Third, Fourth, Fifth, Sixth and Seventh Judicial District Courts. In event of an emergency, the Chief Parole and Probation Officer goes to the county concerned when the regular assigned officer is at the opposite end of his territory. Planful organization of supervision schedules is extremely difficult, and backtracking of routes recently covered may occur as pre-sentence investigation requests are received. A total of 40 such requests occurred in 1961-1962, with court dispositions made as follows:

Referred for investigation	40 cases
Probation granted	28 cases(70% of all cases referred)
Probation denied	11
Disposition pending	1
Received for supervision	26 cases(93% of cases granted probation)
Discharged from probation	1
Probation violated	1

The supervision responsibility extends beyond the 26 probation cases referable to the individual counties to include parolees from the Nevada State Prison and parolees and probationers accepted under the Interstate Compact Agreement.

Suggestions

If Nevada is seriously concerned about a comprehensive rehabilitation program for criminal offenders, including sex offenders, the Parole and Probation Department should be strengthened through administrative changes, a more dynamic program and an expanded, well-qualified staff. A departmental budget increase can be off-set by the resultant number of offenders who otherwise would be incarcerated in prison or in county jails. Specifically, by using the figure of \$100 per month, the Nevada approximate cost for a felon in prison, a flat sum of \$12,000 per year could accrue if only ten offenders were maintained successfully on parole or probation. Recognizing the annual increase in both population and crime rate in Nevada, the conclusion is inevitable that county jails and the Prison will have to be enlarged. The capital outlay for the construction of new institutions and additions to existing institutions is enormous, and involves

bond issues. Regular maintenance and operation must come out of the tax dollar.

It must be remembered also that men while achieving rehabilitation on parole or probation continue to be self-supporting and maintain their families who otherwise, more often than not, become public charges. Furthermore, there is no financial measure of the psychological and social advantages to the offender who is rehabilitated in society rather than incarcerated and thereafter branded as an "ex-con" or a "jail bird."

It is not assumed that a qualified, experienced parole and probation officer supplants the need for treatment resources in the community. He is not expected to offer therapy to his charges as is expected of the skilled clinician in a mental health center. But the professional parole and probation officer in his counseling, supervisory role must be a clever diagnostician in assessing the degree of responsibility which his charge can assume at given points of time, and utilize the innate strengths of the individual in the continuing effort toward socially acceptable and responsible behavior. The parole and probation officer must recognize that the offender's ability to conform and to achieve a more personally satisfying pattern of behavior must be accomplished within the context of the immediate family group, whether this involves parents or wife and children. Thus the offender and his family are viewed as a unit, are accepted at their demonstrated level of functioning, and a progressive case work plan is developed toward specific goals. Manipulation of environmental factors is often necessary during the process of growth. The professionally trained and competent parole and probation officer is fully aware that his identification with authority ("the law") injects certain elements into establishing a positive relationship with the parolee-probationer which are not present in a non-authoritarian case work setting. However, this very identification can be used successfully by the skilled practitioner; in the hands of an amateur it can easily lead to disaster.

1. Central Office

The Carson City office is headquarters for the department. As departmental chief, the primary concern of the Chief Parole and Probation Officer should be directed to administration, program planning, supervision of staff and public relations. Specifically, this involves:

Efficient administration of the Department in fiscal, operating, personnel and service matters.

Skillful supervision of the staff, principally in terms of the quality of their work as measured against recognized standards of professional performance.

The maintaining of comprehensive statistics and the preparation of sufficiently detailed reports to reflect the legal status of parolees and probationers at periodic intervals.

Analysis of the records of those clients who have violated the terms of their parole or probation, or who have absconded, in order to gain insight into the causes underlying such behavior that these data may be used in a staff development program, to correct departmental inadequacies of service, and to devise improvements within the agency program.

The development of a well-planned, adeptly timed and ingeniously focused program of public information dispersed through a variety of media.

The arranging for purposeful, reasonably periodic contacts with judges of district, justice and municipal courts, chiefs of law enforcement agencies and other selected public officials throughout the state to discuss problems of mutual concern, give and obtain interpretation of practical difficulties encountered in carrying out responsibilities implicit in individual spheres of concern, and explore jointly areas of potential remedial action.

In view of these broad responsibilities, some of the functions now being performed by the Chief Parole and Probation Officer should be considered for re-delegation. Technically, the parole officer's responsibility begins when an inmate is released from prison. The Chief Parole and Probation Officer should not be expected to prepare the inmate for parole, because this function can be performed more advantageously by the prison social worker who has extended knowledge of and contact with the inmate. The terminal arrangements, including validation of employment opportunities, living arrangements, available financial resources beyond the inmate's institutional account, and transportation plans sometimes would require joint effort by the prison social worker and the field worker in the Parole and Probation Department. All data requiring verification which has not been secured by the prison social worker in direct interviews at the Prison with the inmate's visitors or in correspondence with appropriate persons should be forwarded in duplicate to the central office for transmittal of one copy to the appropriate field worker for processing. An exception to this procedure concerns cases in which release arrangements would need to be made under the Interstate Compact Agreement. This function must remain with the Parole and Probation Department.

Since the Chief Parole and Probation Officer has no supervision responsibility for the parolee, a direct contact is not essential. His practice of calling for the man at the point of release from the Prison is time-consuming. Release procedures should be expanded at the Prison to include the written statutory requirement of notification to the inmate for registering in Nevada or other state of destination, escorting the inmate to the common carrier selected for transportation, and sending an immediate notification to the state office of the Parole and Probation Department of the actual departure. A possible exception to third procedure would concern Interstate Compact cases, and the procedure should be established to the satisfaction of the Parole and Probation Department.

A relinquishment of direct supervision of the Las Vegas District office should eventuate promptly on the establishment of that office. This would result not only in release of time for the Chief of the Parole and Probation Department, but also eliminate the present clerical functions connected with typing reports and correspondence for the Las Vegas office.

The once-weekly travel time to Reno and return necessitated by supervising the staff in that district office would not represent an undue burden, because a part of the day would be devoted to furthering the public relations effort which could be done only through face-to-face contacts in the Reno area.

According to the United States Bureau of the Census Report for 1960, the population in Clark County was 127,016. Based on the U.S. Bureau of Census pro-

visional estimates of population for 1961, and a further projection to April 1, 1962, predicated on the census reported rate of increase; namely, 163% for the decade 1950-1960, the present population of Clark County would approximate 168,423. It is recognized that this estimated figure would be high rather than low, because the population of Nevada may not be increasing in 1962 at the same rate of growth experienced during the 1950-1960 decade.

From the focus of accessibility of potential case load for the Parole and Probation Officer, Clark County offers positives because of the concentration of population reasonably adjacent to Las Vegas. Again using data from the 1960 U.S. Bureau of the Census Reports, the total county population was 127,016 with the following breakdown:

Boulder City	4,059
Henderson	12,525
Las Vegas	64,405
North Las Vegas	18,422
Las Vegas Twp.	<u>23,928</u>
Total	123,339

Thus, there was in 1960 a centralized population of 123,339 (97.1%) in and around Las Vegas, leaving only 3,677 persons living in the outlying areas of Clark County.

According to the data in the Federal Bureau of Investigation Uniform Crime Reports of 1960, the following comparisons reveal the grim rates for Clark County:

	<u>Total Offenses per 100,000 Population</u>	<u>Forcible Rape Offenses per 100,000 Population</u>
United States	1037.9	8.7
Nevada	1993.1	12.6
Clark County	2403.6	19.7

Without relating these rates to the probable increase in the county population by July 1, 1962, it may be assumed that the rate for total offenses and forcible rape offense per 100,000 population would be higher than that reported for 1960.

It is therefore suggested that the Las Vegas field office be made a bona-fide district office charged with initiating a demonstration program for rehabilitation of criminal offenders, with emphasis on sex offenders. The accomplishments of the program should be reviewed by the Legislative Counsel Bureau in the last half of the fiscal year 1963-1964. To this end, a supplemental budget appropriation should be authorized by the Legislature for the fiscal year 1962-1963 and for the biennium 1963-1965 to provide for essential office equipment and supplies and three new positions; namely, one Supervising Parole and Probation Officer, one Assistant Parole and Probation Officer and one stenographer-receptionist. The responsibilities of the personnel would include in general the following:

A. Supervising Parole-Probation Officer

Although administratively responsible to the Chief Parole and Probation

Officer in Carson City, he would have full authority to formulate, organize, implement and supervise the Clark County program within the framework of the Nevada statutes and state departmental policies. He must be highly qualified by professional training and experience and should receive a beginning salary minimum of \$8,000 per annum. He should initiate a vigorous public relations program through the media of press, radio, television and addressed to civic, fraternal and religious groups to interpret the goals and general techniques employed in rehabilitating criminal offenders. He should recruit employers willing to offer bonafide work opportunities to parolees and probationers. He should strengthen relationships between his department and each law enforcement department in the county, the office of the District Attorney, the district court judges, the justices of the peace and the police judges. In this connection, he will need to explain and interpret the inherent risks to the community, particularly to potential child victims, in the practice of reducing felonious sex crimes to misdemeanors and prosecuting sex offenders under a city ordinance rather than an appropriate state statute. The potential benefits from probation as contrasted with the revolving-door results of fines or limited jail sentences must be portrayed. He should cooperate closely with the Chief Juvenile Probation Officer, with a coordinating council and with the staff of the Mental Health Center. He would assign cases to the assistant parole and probation officers, supervise their work through regularly scheduled individual conferences, approve all written reports and correspondence and schedule regular staff meetings with a planned agenda focused on staff development. He would define the duties of the stenographer-receptionist and supervise her work.

B. Three Assistant Parole and Probation Officers (One new position, two existing positions)

Using as a base the work load for 1961, potential assignments for the three workers would suggest the following: one worker to process all pre-sentence investigations (average of fifteen cases per month) and a supervision case load of 30 cases; two workers each with a supervision case load of 65 cases.

C. Stenographer-receptionist

This employee would type all correspondence, required client forms, pre-sentence investigation reports, and entries in the case records, the form of case recording - either chronological or summary - to be decided by the Supervising Parole and Probation Officer. She would prepare for transmittal to the central state office all time sheets, travel vouchers and regular narrative and statistical reports. She would establish and maintain necessary filing systems, keep required statistics, answer the telephone, receive persons coming into the office, make appointments for the field workers in their absence according to pre-established schedules of their availability, and refer emergency cases to the Supervising Parole and Probation Officer.

3. Washoe County District Office

The United States Bureau of the Census Report for 1960 notes the population of Washoe County as 84,743. Using the official census figures for the decade 1950-1960 reporting a 68.8% increase in population in Washoe County, the provisional estimate of population for 1961, plus a further projection to April 1, 1962, results in an approximate total of 97,997. That this estimate would be high rather than low is acknowledged on the basis that the population

growth in Nevada may not be as accelerated in 1962 as it was in the 1950-1960 decade.

As in Clark County, Washoe County has a centralization of population in and around Reno, which permits accessibility of a parole-probation case load. The 1960 census figures show the following population subtotals:

Reno	51,470
Sparks	16,618
Verdi Township	587
Reno Township	12,137
Sparks Township	<u>2,197</u>
Total	83,009

Accordingly, the centralized population in and adjacent to Reno represents 98% of the entire county population. Only 1734 persons reside in the outlying areas of Washoe County. According to the Federal Bureau of Investigation Uniform Crime Reports of 1960, the following comparisons disclose the seriousness of the problem of criminal offending in Washoe County.

	<u>Total Offenses per</u> <u>100,000 Population, 1960</u>	<u>Forcible Rape Offenses per</u> <u>100,000 Population, 1960</u>
United States	1037.9	8.7
Nevada	1993.1	12.6
Washoe County	2233.8	8.3

With an assumed increase in the number of persons living in Washoe County since 1960, it is probable that the crime rate per 100,000 population is currently higher than it was in 1960. It is therefore suggested that the parole and probation program be strengthened by the following measures:

A district office be established with adequate space procured in a publicly owned or leased building, and suitable furniture and necessary equipment supplied.

A personnel complement be installed and to include two well-qualified assistant parole and probation officers, and a half-time stenographer-receptionist.

The allocation by the Chief Parole and Probation Officer of one regular day per week to be spent in the Reno area. In the initial period, half of the day should be devoted to direct and intensive supervision of the staff through individual case conferences, and a group meeting for discussion of general problems and staff development. Half of the day would be utilized in an aggressive public relations program.

To accomplish the first two items, a supplemental budget appropriation should be authorized by the Legislature for the fiscal year 1962-1963, and for the biennium 1963-1965, to provide for initial and continuing expenditures in establishing and maintaining the office and for staff positions. It is predicted that this type of administrative plan would increase the efficiency of operation of the department in Washoe County and also strengthen materially the rehabilitation program for criminal offenders (including sex offenders),

which will eventuate in financial and social economy. The practical and most immediate advantages of the plan would be reflected through the following:

The establishment of an office would provide a much-needed base of operation, decrease the necessity for frequent commuting to the present office in Carson City by a 60-mile round trip, eliminate many telephone calls, insure readily accessible case records and afford a stabilized location for the client to see his assigned officer in an emergency, or when a particular need for assistance occurred. Through a coordination of schedules of the three employees, full-time coverage of the office could be assured.

With an additional parole and probation officer, the work load would be manageable and better quality of work should result. A reasonably equitable division of assignments would include for one officer the processing of all pre-sentence investigations, which in 1961 averaged twelve per month, plus a supervision case load of 35 cases. The second officer would then carry a supervision case load of approximately 65 cases per month. By staggering office and field work schedules, one or the other officer could be available in the office during specific hours each day for pre-arranged appointments and emergency duty.

Under regular and more intensive supervision, the level of performance of the officers should reflect improvement. The Chief Parole and Probation Officer could devote some time to a long-range program of improved public relations.

4. Ormsby, Churchill, Douglas, Storey, Lyon Counties
and
Humboldt, Pershing, Lander, Eureka, Elko, White Pine, Lincoln, Nye,
Esmeralda, Mineral Counties

Until such time as departmental changes are effected and made operational in Clark and Washoe Counties, it is not practical to undertake major changes in the counties of lesser population. However, this does not imply that departmental improvements are not indicated in these counties. Remedial efforts should be a part of long-range planning to be evolved by the Chief Parole and Probation Officer.

Chapter V

COMMUNITY RESOURCES PERTINENT TO THE REHABILITATION OF SEX OFFENDERS

General Problem

Throughout the state, all appropriate, existing resources should be used in a total program of rehabilitation. Obviously, help cannot be limited to the sex offender alone, for in most instances he is part of a family unit. The role either played by, or perceived by, the offender to be played by, a wife, child (children) or parent may be a primary contributing factor to the sex offender's overt behavior.

To theorize on the specialized community resources which can contribute to the personality development and social rehabilitation of a sex offender would be unrealistic, because Nevada has made a late beginning in planning and providing services in the field of mental health. To single out a small segment of the total population to be recommended for preferential treatment is not only unjustified but short-sighted. There are too many potential and actual juvenile delinquents, mentally ill, mentally retarded, handicapped, emotionally disturbed, criminally oriented persons in need of personal and social rehabilitation through specialized care and treatment. If all the desirable facilities could be provided statewide, it would be impossible to recruit the professional staff needed to operate the utopian program. The reported ratio of psychiatrists to population in the United States in 1960 was one per 15,000. The supply of professionally trained social workers and psychologists falls far short of meeting needs in those states where a vigorous mental health program is operational. Staff recruiting is a slow and frustrating experience, but despite the gloomy picture, efforts must be made.

Mental Health Centers

It is thus obvious that the sex offender at this time will have to stand in line with all the others in Nevada to obtain specialized help for himself and his family. The sensible approach therefore is to continue to work toward a faster implementation of the present program instituted by the Bureau of Mental Health of the State Department of Health, in terms of community clinics for adults and children, with psychiatric social workers and psychologists carrying most of the treatment responsibility and psychiatrists functioning in a consultant role. This is a practical division of responsibility, for many persons can be helped into an insightful adjustment through counselling and case work techniques, and they do not require the treatment in depth given by a psychiatrist. Although there is controversy over the relative benefits accruing to the individual from participation in group therapy, there is sufficient evidence to warrant the utilization of this technique by competent staff to extend therapeutic resources to larger numbers of people.

Mental Health Centers now exist in Las Vegas, Reno, Elko and - as of July 1, 1962 - in Ely. Professional staffing patterns could not be maintained consistently in the past at planned levels because of some resignations. Treatment for individuals was primarily short term and did not exceed 25 interviews. Additional interviews with relatives of patients were scheduled as indicated. The staff also provided counseling service to community agencies and participated in public educational programs. As reported in 1961 by the Las Vegas

Clinic to the National Institute of Mental Health, 165 patients were seen, 101 of these being over the age of 18. A complete clinical staff was not available continuously throughout the year. Assuming that this ratio was maintained and applied to four clinics, the total number of patients seen would be 660 in one year. This number of patients would be increased if a complete staff were maintained in each clinic throughout a year. It must be remembered that the mental health centers were established as a demonstration program, with the intent that their financial support would be assumed eventually by the separate communities.

During a sex offender's period of confinement in prison, the family in many instances will encounter problems which cannot be resolved independently. Such problem areas may include financial dependency, medical and dental needs, child placement, vocational training and counseling. To the extent these needs of the family can be met, the incarcerated sex offender will benefit indirectly through a reduction in anxiety over the family's plight - about which he can do nothing and thus increase his amenability to respond to the opportunities offered at the prison for his own rehabilitation.

State Welfare Department

The State Welfare Department, in administering the public assistance programs, is unable to meet the budgeted needs of families receiving Aid to Dependent Children, and the allowance received by a family is not adequate to cover minimum standards of living as to rent, utilities, food, clothing, personal and medicine chest supplies. The average Aid to Dependent Children monthly payment for a family of two (adult and one child) is \$63.45, the average monthly income from other sources, \$20.70, and the average monthly unmet need is \$26.40. No medical care is provided except through the county hospital and out-patient clinics. Because of staffing problems and size of case loads, it is said that specialized case work services cannot be extended generally to those persons receiving public assistance. The families of imprisoned sex offenders would fall most often into this client group.

Other Resources

Some school systems employ social workers and psychologists in conjunction with their pupil guidance programs. In Reno, a part-time Marriage Counseling Center has been manned by volunteer social workers and psychologists, but there is tentative planning toward United Community Fund support which would permit the employment of a psychiatric social worker on a full-time basis. In Las Vegas, a Marriage Counseling Service supported by the United Community Fund operates with a full-time paid social worker. The Veterans' Hospital in Reno offers no psychiatric out-patient service. There is a very limited number of psychiatrists, psychologists, and social workers in private practice in the two urban centers who represent a resource for those who are able to afford the fees charged. Clergymen may be helpful in a counseling role to some sex offenders and their families. Alcoholics Anonymous groups offer much support to some sex offenders.

Suggestion

It is difficult within the complex of state health and welfare agencies to assign priorities in a planned expansion of programs, for the tax dollar is

directly involved. In some areas, special federal grants or grants from private foundations can be obtained, but such funds are usually restricted to demonstration programs or to research. The dissemination of information about mental health principles, parental responsibilities, and child development should be increased through a dynamic statewide program. Although planning, guidance and coordination are properly evolved at the state level, the actual execution of the program becomes the responsibility of local individuals, organizations and groups. Civic, fraternal, religious, professional and service organizations, PTA and neighborhood groups, labor unions and law enforcement agencies all represent segments of the community to whom talks and the showing of films can be directed. Effective press releases geared to the local community, panel discussions on television, radio and before groups constitute effective media of educational advancement. Such public information programs, however, must be presented in a coordinated plan, else there is wasteful duplication of effort and confusion.

It must be anticipated that one result from such an effort will be an increase in the number of self-referrals to existing agencies. And for the troubled person, some direct service is important at the time requested, for a quick denial of service without an alternative plan or a long-delayed initial appointment may be interpreted by the client as hostility and rejection, which serves only to aggravate his problem.

The mental health centers need to be budgeted for increased staff to perform the specialized function so sorely needed now and in the foreseeable future. Imaginative programs of recruiting, training and assignment of capable volunteers should not be neglected. The possibility of a traveling clinic in rural areas might be considered.

To the extent that dynamic, preventive programs can be developed in a community, the need for rehabilitation programs will diminish. A frontal attack on the forces which breed delinquency and crime must receive support at all levels of government and in groups charged with community planning.

Chapter VI

SUMMARY

A dynamic program of rehabilitation, both in prison and in the community, is one essential in coping with the problems related to sex offending, but other criminal offenders are equally in need of rehabilitation. A comprehensive program should, and can be, designed to include both groups of offenders. A direct approach necessitates:

1. A strengthening and expansion of the present Parole and Probation Department through an increase in the number and professional competency of parole and probation officers and a development in depth of the investigation and supervision functions.
2. The introduction of a well planned and coordinated program at the Nevada State Prison made possible through an expansion of personnel, including the establishing of some new positions, and the modification of some current practices to the end that while security is maintained the period of custody for the inmate is made productive.

It should be observed that generally speaking and within the limitations of the physical plant and the personnel provided by the Legislature, the Prison authorities are doing a good job under extremely adverse circumstances. It is hoped that with the completion of the new structures now authorized, and the addition of necessary personnel, many of the pressing problems will be resolved. The construction of the medium security prison as planned should be expedited so that a realistic segregation of prisoners can be effected, and some of the planned programs of rehabilitation can be implemented more advantageously. Properly administered, this resource should accelerate the prisoner's personal and social reorientation, hence shorten the period of necessary custody, and enable him to be paroled with reasonable safety at an earlier date than is now feasible. The net result will be a financial saving to the state and a more adequate preparation of the prisoner to become a productive member in his own community.

The establishing of a Nevada Bureau of Criminal Identification and Investigation would facilitate better law enforcement practices state-wide. Considering the rapid growth in population in Nevada, this resource is vitally needed.

The contributing role of a strong mental health agency in community programs directed toward the prevention of crime, and the rehabilitation of emotionally maladjusted individuals is widely accepted. The strengthening of the mental health centers now operating in four counties by an expansion of services possible through the employment of additional professional staff offers a bulwark to the community in programs of treatment and social action.

The benefits to be gained through fiscal expenditures in salaries to competent personnel in institutional and departmental programs represents an overall economy in comparison with the enlargement of existing institutions and the construction and operation of additional institutions.

A review by the judiciary of current sentencing practices in relation to sex offenders in the district, justice and police courts throughout the state would be timely.

The desirability of enacting statutory qualifications of education and experience for justices of the peace, and police judges should be considered as having a direct bearing on the caliber of judicial decisions in criminal cases.

Consideration should be given to changing the procedures currently followed by the State Board of Parole Commissioners in their processing of applications for parole.

The deterioration of standards of ethical behavior in present-day society must be countered through every resource available in Nevada to the end that personal responsibilities are accepted more fully by all individuals. More compelling channels of communication should be developed to keep all citizens continuously aware of the extent of crime in Nevada, and the concrete efforts being made through prevention and rehabilitation programs.

A statutory provision is indicated to make mandatory a psychiatric evaluation of all sex offenders charged with a felony, such data to serve as a guide to the district court judge in determining the type of legal disposition and differential treatment which would be most beneficial to society and to the individual. As soon as psychiatric diagnostic facilities are expanded, the cases of sex offenders charged with a misdemeanor which involves bodily contact with a child under 14 years of age also should be referred for psychiatric evaluation prior to sentencing.

The importance of research is not under-estimated nor purposefully ignored; however, until specific rehabilitation programs have been operational for at least two years, a planned research effort related to the rehabilitation of Nevada sex offenders should be delayed.

<u>NRS</u>	
173.410	Exhibition, sale of lewd, obscene writings: Pleading lewdness or obscenity.
175.225	Rape; crime against nature: Proof necessary.
200.360	Rape: Definition; penalties
200.370	Essential of crime: Penetration sufficient
200.400	Assault with intent to commit a crime.
201.090	(Contributory Delinquency and Dependency of Children) "Dependent child," "delinquent child" defined.
201.110	Penalties.
201.180	Incest: Punishment
201.190	Crime against nature: Punishment
201.210	Open or gross lewdness.
201.220	Indecent or obscene exposure.
201.230	Lewdness with child under 14 years; penalty; conditions for parole, probation.
201.250	Obscene exhibitions, books, pictures, illustrated comic books: Punishment.
207.010	Habitual criminals: Definition; punishment; trial of primary offense.
207.030	Vagrants enumerated; punishment.
207.151	"Sex Offender" defined.
207.152	Registration with sheriff or police chief; duties upon change of address.
207.153	Registration consists of photograph, fingerprints and statement.
207.154	Duties of heads of institutions, judges prior to discharge, parole, or release of sex offender.
207.155	Inspection of statements, photographs, fingerprints only by law enforcement officers.
207.156	Court may relieve sex offender from duty of future registration; application, hearing and order.
207.157	Penalties.

NRS

- Chapt. 176 Judgment and Execution
- The Judgment
 176.180 Indeterminate sentence if imprisonment; duties of district
 attorney and warden.
 176.190 Board of parole commissioners to determine period of im-
 prisonment when minimum served.
- Suspension of Sentence and Probation
 176.220 through 176.350
- Chapt. 178 Miscellaneous Proceedings
 Examination By Sanity Commission of Mental Condition of Persons
 Charged with or Convicted of Public Offenses
 178.445 through 178.465
- Chapt. 209 Nevada State Prison
 209.010 through 209.500
- Chapt. 212 Offenses Relating to Prisons and Prisoners
 212.010 through 212.200
- Chapt. 213 Pardons and Paroles; Remissions of Fines and Commutations of Pun-
 ishments
 213.010 through 213.210

LOUISE V. FRISBIE

AB Pomona College, 1930.

MSS Smith College School for Social Work, 1931

1931-1933 Psychiatric Social Worker, U.S. Naval Hospital, Mare Island, California.

1934-1941 Supervisor, Field Representative, Social Auditor, Supervisor of Social Audits, Case Consultant, Administrative Supervisor, California State Relief Administration and Los Angeles County Bureau of Indigent Relief.

1941-1943 Administrative Assistant, Hospital Division, Eastern Area, American Red Cross, Alexandria, Virginia.

1943 Social Science Analyst, War Manpower Commission, Washington, D.C.

1943-1944 Project Director, Home Finding Project, Los Angeles Council of Social Agencies.

1949-1950 Medical Social Worker, San Luis Obispo County General Hospital, San Luis Obispo, California.

1950-1953 Director, USO-Travelers Aid, Paso Robles, California.

1954 Psychiatric Social Worker, California Department of Mental Hygiene, Atascadero, California.

1954-1955 Special Training Teacher of the Severely Retarded, City Board of Education, Santa Maria, California.

1955-1961 Psychiatric Social Worker, California Department of Mental Hygiene, Atascadero, California.

Member: National Association of Social Workers, Psychiatric Section.
Academy Certified Social Workers.

Author: "An Inquiry into the Significance of Nail Biting," Smith College Studies in Social Work, Vol. II, No. 2, December 1931.

"The Treated Sex Offender," Federal Probation, Vol. XXII, No. 1, March 1958.

"Treated Sex Offenders and What They Did," Mental Hygiene, Vol. 43, No. 2, April 1959.

"A Follow-up Study on Recidivism of Sex Offenders," to be published by the California Department of Mental Hygiene.

S T A T E O F N E V A D A
Department of Parole and Probation
Carson City, Nevada

August 1, 1962

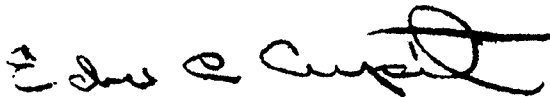
To: The State Board of Parole Commissioners
and
The Honorable District Judges
State of Nevada

Dear Sir:

Please find enclosed a report for the fiscal year 1961-1962, on matters pertaining to Probation in this department.

Any comments or questions will be appreciated and will be answered.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Edw. C. Cupit", with a stylized flourish at the end.

Edw. C. Cupit, Chief
Parole and Probation Officer

ECC/ba
Enc.

REPORT ON PROBATION MATTERS

TO

DISTRICT JUDGES

The following report has been prepared by this Department for the Fiscal Year beginning July 1, 1961 and ending June 30, 1962.

The report shows all probation investigations requested during the fiscal year by the Honorable Judges of the various District Courts within the State, the number granted probation and the number denied.

We have also compiled a report showing present status of the probation cases granted during this fiscal year.

Also we have made a breakdown by counties of the probation matters and types of crimes referred to this Department during the fiscal year.

A chart is included which shows a comparison of investigations conducted in the fiscal years 1959-1960, 1960-1961 and 1961-1962.

FIRST JUDICIAL DISTRICT COURT

Department No. One

Honorable Frank B. Gregory, District Judge

5 Investigations

5 Granted

Under Active Supervision	3
Discharged From Probation	2

Churchill County	1
Lyon County	2
Ormsby County	2

Page 2 - Report on Probation Matters to District Judges for Fiscal
Year 1961-1962.

FIRST JUDICIAL DISTRICT COURT

Department No. Two

Honorable Richard Waters, Jr., District Judge

32 Investigations

20 Granted

12 Denied

Under Active Supervision 9

Discharged From Probation 8

Violated Probation 1

County Jail Term 2

Churchill County 7

Douglas County 8

Lyon County 4

Ormsby County 13

SECOND JUDICIAL DISTRICT COURT

Department No. One

Honorable Grant Bowen, District Judge

30 Investigations

17 Granted

13 Denied

Under Active Supervision 14

Discharged From Probation 2

Violated Probation 1

Washoe County 118

Department No. Two

Honorable John Barrett, District Judge

29 Investigations

17 Granted

11 Denied

1 Pending

Under Active Supervision 11

Discharged From Probation 3

Violated Probation 3

Page 3 - Report on Probation Matters to District Judges for Fiscal
Year 1961-1962.

SECOND JUDICIAL DISTRICT COURT

Department No. Three

Honorable Clel Georgetta, District Judge

26 Investigations

22 Granted

4 Denied

Under Active Supervision 15

Discharged From Probation 5

Violated Probation 2

Department No. Four

Honorable Thomas O. Craven, District Judge

33 Investigations

26 Granted

6 Denied

1 Pending

Under Active Supervision 20

Discharged From Probation 3

Violated Probation 1

County Jail Term 1

Release to Federal Hold 1

THIRD JUDICIAL DISTRICT COURT

Honorable John F. Sexton, District Judge

4 Investigations

4 Granted

Under Active Supervision 3

Discharged From Probation 1

Lander County 4

Page 4 - Report on Probation Matters to District Judges for Fiscal
Year 1961-1962.

FOURTH JUDICIAL DISTRICT COURT

Honorable Taylor Wines, District Judge

14 Investigations

Elko County 14

9 Granted

5 Denied

Under Active Supervision 6

Discharged From Probation 2

County Jail Term 1

FIFTH JUDICIAL DISTRICT COURT

Honorable Peter Breen, District Judge

6 Investigations

5 Granted

1 Denied

Esmeralda County 1

Mineral County 1

Nye County 4

Under Active Supervision 3

Discharged From Probation 1

Violated Probation 1

SIXTH JUDICIAL DISTRICT COURT

Honorable Merwyn H. Brown, District Judge

8 Investigations

6 Granted

2 Denied

Humboldt County 6

Pershing County 2

Under Active Supervision 4

Violated Probation 2

SEVENTH JUDICIAL DISTRICT COURT

Honorable Jon R. Collins, District Judge

3 Investigations

3 Granted

Lincoln County 1

White Pine County 2

Under Active Supervision 3

Page 5 - Report on Probation Matters to District Judges for Fiscal
Year 1961-1962.

EIGHTH JUDICIAL DISTRICT COURT

Department No. One

Honorable David Zenoff, District Judge

45 Investigations

33 Granted

12 Denied

Clark County 161

Under Active Supervision 14

Discharged From Probation 14

Violated Probation 5

Department No. Two

Honorable William Compton, District Judge

46 Investigations

36 Granted

10 Denied

Under Active Supervision 25

Discharged From Probation 5

Violated Probation 5

County Jail Term 1

Department No. Three

Honorable John C. Mowbray, District Judge

45 Investigations

20 Granted

24 Denied

1 Pending

Under Active Supervision 17

Violated Probation 1

County Jail Term 2

Page 6 - Report on Probation Matters to District Judges for Fiscal
Year 1961-1962.

EIGHTH JUDICIAL DISTRICT COURT

Department No. Four

Honorable George E. Marshall, District Judge

22 Investigations

18 Granted

4 Denied

Under Active Supervision	11
Discharged From Probation	5
Violated Probation	2

Department No. Five

Honorable Richard Waters, Jr., Jon R. Collins, and John F. Sexton

3 Investigations

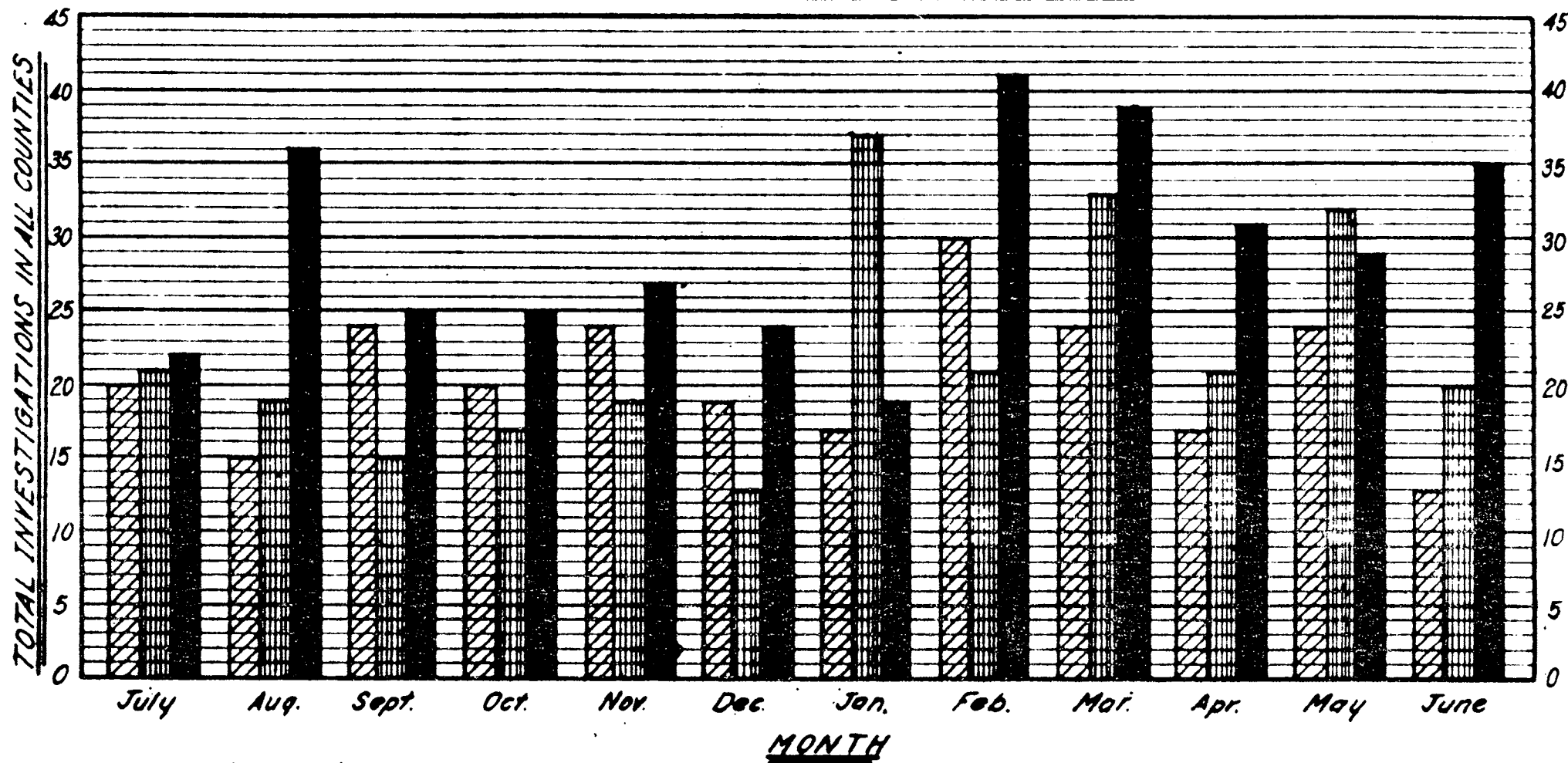
3 Granted

Under Active Supervision	3
--------------------------	---

RECAPITULATION OF THE ABOVE

Number of Pre Sentence Investigations	<u>351</u>
Number Granted	244
Number Denied	104
Number Pending	<u>3</u>
	<u>351</u>
Number of Active Cases	160
Number of Cases Discharged	52
Number of Cases Violated	25
County Jail Terms	6
Release to Federal Hold	<u>1</u>
	<u>244</u>

COMPARATIVE INVESTIGATIONS CONDUCTED



Legend
 1959-1960
 1960-1961
 1961-1962

Total Investigations
 1959-1960 = 247
 1960-1961 = 269
 1961-1962 = 351

Page 7 - Report on Probation Matters to District Judges for Fiscal
Year 1961-1962.

<u>COUNTY</u>	<u>NO. OF CASES</u>	<u>TYPES OF CRIMES</u>	<u>TOTAL</u>
Churchill	8	Embezzlement	1
		Burglary 2nd	1
		Inv. Manslaughter	1
		Grand Larceny	1
		Hit and Run	1
		Burglary 1st	3
			<u>8</u>
Clark	161	Attempted Larceny from a Person	1
		Burglary 1st	34
		Joy Riding	1
		Grand Larceny	22
		*Robbery	4
		Unlawful Coins in Slots	1
		Bigamy	3
		Larceny from a Person	16
		Robbery and Attempted Murder	1
		Forgery	14
		Taking a Vehicle Without Owners Consent	9
		Illegal Possession of Narcotics	10
		Embezzlement	4
		Attempted Robbery	1
		Possession of a Black Jack	1
		Burglary 2nd	6
		Carrying a Concealed Weapon	3
		Perjury	3
		Possession of a Weapon	1
		Assault with a Deadly Weapon	4
		Obtaining Money Under False Pretenses	7
		Inv. Manslaughter	2
		Ex. Felon in Possession of Firearms	1
		Attempted Grand Larceny	1
		Inv. Manslaughter and Driving Under Influence	1
		Receiving Stolen Property	3
		Drunk Driving	1
		Hit and Run	2
		Statutory Rape	1
		Assault and Battery	1
		Lewdness with a Minor	2
			<u>161</u>

*Robbery not probatable. Investigation requested by Judge.

Page 8 - Report on Probation Matters to District Judges for Fiscal
Year 1961-1962

<u>COUNTY</u>	<u>NO. OF CASES</u>	<u>TYPES OF CRIMES</u>	<u>TOTAL</u>
Douglas	8	Foreign Coins Cheating Slots	1
		Cheating at Gambling	3
		Burglary 1st	3
		Passing Bad Checks	1
			<u>8</u>
Elko	14	Forgery	3
		Statutory Rape	1
		Falsification of Accounts by Public Officer	1
		Grand Larceny	2
		Burglary 1st	2
		Assault With Intent to Commit Robbery	2
		Furnishing Liquor to Minors	1
		Burglary 2nd	2
			<u>14</u>
Esmeralda	1	Forgery	1
Eureka	0		<u>0</u>
Humboldt	6	Burglary 1st	2
		Grand Larceny	1
		Selling Liquor to Minors	1
		Forgery	2
			<u>6</u>
Lander	4	Obtaining Money Under False Pretenses	1
		Burglary 1st	1
		Forgery	1
		Grand Larceny	1
			<u>4</u>
Lincoln	1	Burglary 2nd	1
Lyon	6	Failure to Stop Vehicle After Accident	2
		Forgery	2
		Grand Larceny	2
			<u>6</u>
Mineral	1	Obtaining Money Under False Pretenses	1

Page 9 - Report on Probation Matters to District Judges for Fiscal
Year 1961-1962.

<u>COUNTY</u>	<u>NO. OF CASES</u>	<u>TYPES OF CRIMES</u>	<u>TOTAL</u>
Nye	4	Bigamy	1
		Destruction of Personal Property	1
		Grand Larceny	2
			<u>4</u>
Ormsby	15	Obtaining Money Under False Pretenses	3
		Carrying a Concealed Weapon	1
		Acting as a Real Estate Broker Without a License	1
		Grand Larceny	1
		Forgery	6
		Assault with a Deadly Weapon	1
		Larceny	1
		Embezzlement	1
			<u>15</u>
Pershing	2	Hit and Run	1
		Forgery	1
			<u>2</u>
Storey	0		<u>0</u>
Washoe	118	Incest	1
		Attempted Robbery	4
		Embezzlement	7
		Attempted Burglary	1
		Larceny From a Person Not Amounting to Robbery	5
		Statutory Rape	1
		*Rape	1
		Lewdness With a Minor	6
		Possession of Narcotics	1
		Attempted Infamous Crime Against Nature	1
		Being a User of Narcotics	1
		*Robbery	2
		Burglary 1st	22
		Hit and Run	1
		Accessory After the Fact of a Felon- Murder	2
		Inv. Manslaughter	4
		Forgery	13
		Grand Larceny	13

*Rape and Robbery not probatable. Investigations requested by Judge.

Page 10 - Report on Probation Matters to District Judges for Fiscal
Year 1961-1962.

<u>COUNTY</u>	<u>NO. OF CASES</u>	<u>TYPES OF CRIMES</u>	<u>TOTAL</u>
Washoe (Cont.)	118	Obtaining Narcotics by Use of a False Name	1
		Burglary 2nd	5
		Carrying a Concealed Weapon	1
		Accessory after the Fact - Burglary 1st	
		Burglary 1st	1
		Conspiracy to Commit Grand Larceny	1
		Possession of Stolen Property	1
		Obtaining Money Under False Pretenses	3
		Possession of Stolen Goods	1
		Sale of Narcotic Drugs	1
		Bigamy	2
		Attempted Grand Larceny	2
		Assault with a Deadly Weapon	3
		Assault with Intent to Commit Robbery	5
		Joy Riding	1
		Accessory to Robbery	3
		Perjury	1
			<u>118</u>
White Pine	2	Attempted Burglary 1st	1
		Extortion	1
			<u>2</u>
TOTAL NO. OF CASES:	<u>351</u>	TOTAL NO. OF CRIMES:	<u>351</u>