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Remarks of Dr. Burdett G. Lewis, Chief Prison Administrator, at Opening Session, National Conference all DYOPAR and DAOPAR Commissioners, 1100, 9 November 1950, Conference Room, ~~Japan Prison Association Building~~ Japan High Court, 4th Floor (former M/S Building)

Subject: Advantages of Effective Probation

Federal Probation Results in USA

Chief Probation Officer, Richard A. Chappel, Administrative Office, U.S. Courts, made an interesting report published in the June 1950 number of the magazine, "Federal Probation." He calls it, "The Federal Probation System Today." Among the many interested items, a few have been selected for presentation in this discussion.

1. First Yearly Cost Comparisons between Probation and Imprisonment

Service Rendered	Daily Costs Per Capita	Yearly Costs Per Capita
Imprisonment	$3.120	$1,138.80
Probation	.185	67.53
Savings of Probation	$2.935	$1,071.27

$4070 × 385,650

2. Earnings and Savings by Probationers in All USA, Federal Cases Only for Year 1949

a. Earnings	$26,231,604
b. Savings on 30,000 probationers in all USA on probation as against imprisonment as per costs in Table 1 above	$32,000,000
c. Social Savings from a and b above	$58,231,604

+ 20,963,377,440

3. Percentage of Total Probationers, Parolees, and Conditionally Released Violators of Agreements during Years 1948 and 1949 Reported by U. S. Board of Paroles

Percentage of Total Probationers who Violated Probation Agreements		Percentage of Total Parolees who Violated Parole Agreements		Percentage of Total Conditionally Released Individuals who Violated Agreements	
1948	1949	1948	1949	1948	1949
11.8	12.5	15.3	20.0	14.5	21.7

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3. Size of Staff and Case Loads from 1930 to 1950

Fiscal Year Ended June 30	Number of Probation Officers	Number Under Supervision: Total	Probationers	Parolees and Conditional Release Cases	Average Case Load Per Officer
1930	8	(2)	4,281	(2)	(2)
1931	62	(2)	13,321	(2)	(2)
1932	63	25,213	23,200	2,013	400
1933	92	34,109	30,870	3,239	371
1934	110	26,028	22,926	3,102	237
1935	119	20,133	17,233	2,900	169
1936	142	25,401	22,027	3,374	179
1937	171	29,862	25,526	4,336	175
1938	172	31,879	27,467	4,412	185
1939	206	33,060	28,325	4,735	160
1940	233	34,562	29,221	5,341	148
1941	239	35,187	29,454	5,733	147
1942	251	34,359	28,591	5,768	137
1943	265	30,974	24,521	6,453	117
1944	269	30,153	23,775	6,378	112
1945	274	30,194	23,866	6,328	110
1946	280	30,618	22,903	7,715	109
1947	280	32,321	22,278	10,042(3)	115
1948	285	32,613	21,882	10,731(4)	114
1949	287	29,726	21,557	8,169(5)	103
1950(7)	304	30,092	22,122	7,970(6)	98

(2) No figures available
(3) Includes 1,110 military parolees
(4) Includes 2,447 military parolees
(5) Includes 1,064 military parolees
(6) Includes 931 military prisoners
(7) Case load as a March 31, 1950

These tables make overwhelming arguments for amending the OPAR Law No. 142, May 23, 1949, to provide for probation of adult offenders. Then a continuous educational campaign should be conducted to persuade the Government to provide a sufficient number of paid probation and parole officers. An adequate number should reduce the size of all case loads to an average of not to exceed 150 cases per paid supervisor. It seems to be most difficult to find ways of persuading the Ministry of Finance and the Diet to provide adequately for these services. There is a sort of vague belief that paid supervisors can be dispensed with and that volunteer workers can provide adequate supervision during a few hours of their spare time each week. Nothing could be more erroneous.

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To perform work of this sort requires the overall supervision of exports to insure the kind of skillful many sided patient and coroful handling of each case. Caroful handling of cases calls for the giving of detailed advice to voluntoers concorning each case. Thoso discussions help each volunteer to perform the many sided and varied assistance to any person with whom such a voluntoer is asked to deal.

For example, in order to handle 30,000 cases, there should be employed by the respective eight DAOPAR Commissions a total of 200 paid case supervisors with the appropriate number of District and Chief Supervisors, the latter in the NOPAR Adult Supervision Section. In addition, there should be at least six times that number of voluntoer assistant case supervisors or 1,200. In the case of the present DYCPAR Commissions, the number of paid workers should be greatly increased. Such a program would be a measure of great economy and efficiency.

4. Qualifications of Probation and Parole Supervisors

There is no position in the public service which calls for more understanding of the factors of personality, environments, and association which influence human conduct than the position of probation or parole worker. The personal factors with which such a worker has to deal are so intangible and elusive that unless such a worker has had not only thorough training but also considerable experience, he is not likely to succeed. Generally unless one has had training in general education, psychology, and sociology, one is likely to have a hard time succedding in probation or parole supervision. There are, of course, certain individuals who have ability to understand what motivates individuals, so that they are by nature good leaders of widely different types of youthful individuals. Such men will succeed when they have had adequate experience. But probably we can call them very exceptional probation or parole workers.

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1649 words
13 mins

Remarks of Wm. F. Van Buskirk, Prison Administrator and Director of Juvenile Agencies for Correction and Rehabilitation at 3rd Annual Conference of Superintendents and Chief Officers of Shonen-In (Training Schools), Detention and Classification Houses, and Juvenile Correction and Rehabilitation Agencies of Japan, Tokyo, Japan, 24 October 1949

Subject: The Correction and Rehabilitation Institutional Program of Japan

Ladies and Gentlemen, it is an honor and a pleasure to meet with you as workers in the juvenile field, on this occasion, your annual conference.

Japan has made much progress from the days of poorly supervised care of boys and girls by institutions who were free to incarcerate or exploit their labor as they wished. Some were sincere but uniformity, supervision, and safe guarding the welfare of the inmates were almost non-existent. You have left the road of revenge and punishment for the enlightened highway to correction and rehabilitation by modern protection and understanding care of delinquent boys and girls.

You have the laws and regulations, a large part of the institutions have been reconstructed, and new ones built, and you are now emphasizing the most important phase of all, i.e., the selection, education, and training of proper personnel. Integrity and moral stamina with an understanding and love for juvenile work is a basic requirement. This plus education and training in guidance, vocational and academic education, health education, welfare and recreation is vitally needed.

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Training classes centralized, in the district and training in service are all in progress but must be intensified in some districts and standardized so that all employees have equal opportunity and uniform training. District supervisors need your help in centralizing the district and constantly improving the in-service and basic training.

The juvenile delinquency program is now a chain of treatment from Family Court to the Youth Parole and Rehabilitation Commission. The Detention and Classification Center, and Shonen-In are all links of the chain and no chain is stronger than its weakest link. So you and your co-workers must and will see that your institution is strong, progressive and working for the interests of youth. Society needs these boys and girls as assets, not liabilities, and with this sound program, you will be able to save for Japan many who otherwise would be lost.

Detention and Classification House Centers have been or are being set up in all Districts. These are vital points in the program as they are the first institutional contact with the juvenile. Here you can orient the youth before he comes in contact with other offenders. Here you get family history, neighborhood environment, work record, and entire case history. This is done directly or with cooperation and coordination of the courts and other agencies. Mental Tests, Achievement Tests, Mechanical Aptitude Tests, plus physical examination and correction of minor physical defects all help

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you to classify juveniles. This information plus a summary in readable non technical language is forwarded to the agency that is to take care of the individual.

The Shonen-In or Juvenile Prison, on reception of the individual inmate segregates him for reception period, adds any classification and medical examination necessary and then their placement committee places the boy in school, vocational or academic, work and recreation according to his needs. This placement and replacement, when necessary, is the real test of your program. All the classification in the world is useless unless you use the information to train the inmate. To do so, you must have complete vocational courses, try-out courses, pre-vocational work, as well as academic education and recreation.

Parole follows and should be based on the inmate's fitness to be accepted by society. Parole and Rehabilitation Commissions who follow and help the parolee to adjust himself depend on you for information and recommendations.

This is a big job but is being done. How about your institution? Is the boy or girl really offered vocational work? Is his classification and placement done for the inmate's good or the convenience of the institution? Is medical service prompt? Are the building and equipment clean and sanitary? Are personnel qualified or being trained? Are clothing and food up to standard? I am glad to say that Japan has all this, but a few localities are slow in catching up.

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Remember these are not gifts to bad boys but an investment in future citizens.

You have made great strides, don't slack your pace. The progress you make will prove to the people that you are right and that this practical sound program is economically sound and educationally progressive as well as being humanly necessary.

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Capt Dixon - File

Talk to Class of "Detention Home" Personnel in Orientation Course at Central Training School by W. F. Van Buskirk, 22 September 1949

Gentlemen, it is a pleasure to greet you at the opening of this orientation course for juvenile detention home personnel.

There is a growing need in the correctional and rehabilitation field for personnel who by experience and training are aware of the modern methods to be used in treatment of the delinquent. There is a great need for personnel who are sympathetic and also objective in dealing with the unadjusted individual delinquent as a problem to be solved. The solution resulting in a return to Japanese society of a self-supporting respectable person.

You as detention workers are in position to start correct thinking and attitudes on the part of individuals sent to your institutions, always remembering that they are innocent until proved guilty and that your influence may change their entire outlook on life. The contact they have at the Detention Home may either earn their respect or their hatred for the

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authorities. Softness or favoritism is not to be allowed by any personnel, but fair play and justice tempered with understanding and sympathy is a positive requirement.

The integration program must be positive, detention is an early start. While here these boys and girls offer you an opportunity to make comprehensive studies into their background. By good organization you can lead and teach them to respond to psychological discipline. Discipline by use of intelligence not the physical punishment formerly used by untrained personnel. We are of course talking of accepted normal procedure and not extreme cases where restraint is necessary to prevent the individual from doing bodily harm to himself or others.

Reception, orientation, and medical examination and care, and classification all start in the Detention Home. Selling the program to the youth, quieting their fears, transferring hatred to respect, and securing cooperation, are mandatory requirements of good detention. You can win these unfortunates over to the side of the correction and rehabilitation program

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before the adverse influence of the inmate society reaches them. The adult must have respect for the child and the child must have respect for the adult before there can be mutual understanding and growth of spirit. Upon the growth of spirit depends all that we hold sacred in our homes, in our communities, and our nations.

The importance of proper housing, immediate bathing, clean clothes, early medical examination and clean adequate food will be discussed in your course. Profit by discussing your problems with the authorities and your classmates. Remember you are builders, not destroyers of mankind's spirit.

We have seen penal institutions move from a penitentiary atmosphere (prison) where custody and production were first and last in the mind of the administration, to the attempt to discover the basis for delinquent action so that we may correct and try to rebuild these warped personalities and emotional upsets common in delinquency.

This talk has been largely on the personal approach which

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can and will function in a well organized, efficiently functioning detention home. If I have increased your thinking along constructive lines, then I feel well rewarded for my effort.

You can make your profession honored and respected by all by your attitude, loyalty, and willingness to work.

Please carry my best wishes with you during your work here and in your Home District.

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THE SHONEN-IN LAW IMPLEMENTATION
(National Correctional Training School)

REVISED

FOR PRESS CONFERENCE - ~~WEEK OF~~ 7 SEPT. 1949

by W. F. Van Buskirk

This release is under the auspices of the Public Safety Division, an operating agency of G-2 in the field of Prison, Police, Martime Safety (Coast Guard) and Fire reform.

The Japanese Law of 15 February 1949, an Act creating the Office of Attorney General, stated that after 31 March 1949, juvenile offenders should no longer be committed by courts to private Shonen-In institutions but should be committed to public Shonen-In (Nationnl Correctional Training Schools).

Right National Shonen-In had been established before 1934 as well as forty-seven Prefectural Shonen-In. In addition there were approximately 169 such institutions privately operated.

This allowed the Office of the Attorney General only 15 months to work out a program that would consider the individual offender as a problem individual who was in need of retraining so that he could return to society as an asset, not a broken disgraced liability.

To do this, all institutions of this type became government operated, and programs of education covering regular courses of study required in primary and middle schools of Japan plus pre-vocational, vocational, and special courses, where needed, for the Primary, Middle, and Advanced, and Medical Shonen-In.

Careful study of each offender will be made before the Court makes a decision. This classification study includes the physical, mental,

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and social abilities of the offender and is to be carried on by a qualified staff at a classification center in each District. In cases of conviction, the offender is placed in the institution best suited to his needs, and the case history will go with him to help the trained personnel in the institution to carry out the rehabilitation plan for each individual offender.

To do this work requires a staff of trained personnel in the Classification Office and also highly qualified personnel in the institutions who are able to apply techniques and understanding to carry out the program suited to the individual case. Such personnel become employees of the Office of the Attorney General, either in DYOPAR or DAOPAR Commissions or in offices and institutions of the Correction and Rehabilitation Bureau, by meeting standards for education and experience set up for their particular positions. Among the professionals employed are academic teachers, vocational teachers, psychiatrists, psychologists, physicians, various technicians, guards, or other employees of the uniform force. Personnel who are considered for employment will be required to successfully complete a basic training course given under supervision of the Attorney General's Office through District Correction and Rehabilitation Office. Those employed will also be required to carry on in-training and refresher courses of study as they are offered. Elections and promotions will be made on ability and performance. Thus the training of juveniles will be in the hands of career men and women who must be emotionally stable, qualified for the work, and definitely interested in the welfare of the juvenile offender.

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In any event, reconstitution of juvenile institutions placed directly under the Attorney General by Article 15 of the 1947 Act organizing that office and by the Reformatory Act, effective 1 January 1949, has become a pressing must of immediate concern. There has been virtually no government control over the 169 private reformatories exercised by the old Ministry of Justice. Meanwhile, such juvenile detention houses as existed were left to juvenile protection organizations associated with the old so-called juvenile courts. There were no classification centers at all until Article 17 of the Shonen-In Act, Law No. 169, 15 July 1948, effective 1 January 1949 established them under the Attorney General. The old Ministry of Justice administrative control and management of all types of juvenile institutions and agencies were more notable by reason of their non-existence, rather than because of the degree of their efficiency. The Attorney General, therefore, found himself confronted with a host of juvenile problems with few available facts and precious little practical administrative experience upon which to draw in establishing a coordinated and effective juvenile offender program.

Pressure of private reformatories to sell their plants, some at fancy prices, had to be resisted. Opportunities to secure confiscated and unused properties had to be pressed with vigor. The inadvisability of developing immediately new or extensive Juvenile Detention Homes in each of the 46 prefectures until the new Family Courts had a chance to function was apparent. Yet the pressures for immediate building arising in the various prefectures, in absence of available facts, were hard to resist.

Immediately the decision was made to interpret Article 16 and 17

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of the Shonen-In Act, Law No. 169, 1948, so as to have the proposed new Classification Centers and Detention Homes housed together. Arrangements were made to acquire, repair, and extend facilities permitting the eventual opening of some 50 odd new public reformatories. In the 1949 budget appropriation of ¥1,681,000,000 for construction, provision was made for the building of such new Juvenile Detention and Classification Homes, such additions to existing or newly acquired facilities for Shonen-In Training Schools as operations of the Family Court Act, Law No. 168, 1948, effective 1 January 1949, and of the Offenders Prevention and Rehabilitation System, Law No. 142, effective 1 July 1949, showed to be necessary.

Evidently the whole series of new laws and public administration of all facilities for juveniles over 14 years of age are going to call for evolutionary changes in the care and treatment of juvenile offenders. What changes in the respective numbers of Shonen-In Classification and Detention Homes remain to be found out from experiences gained under the new laws. The same must be said of the facilities to be used in each and every one of the respective juvenile institutions and agencies under the Attorney General.

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Remarks of Dr. Burdett G. Lewis, Chief Prison Administrator, PSD, G-2, at Opening of Special Tokyo District DYOPAR and DAOPAR Commissions Concerning Probation and Parole Procedures and Methods of Work under the new OPAR System of Japan, 28 November 1949 at Imperial Theatre

Subject: Adding Rehabilitation to Correction and to Probation and Parole in Japan.

Relative Inferior Position Training Schools for Youths in Japan.

When I arrived in Japan 24 September 1946 I was given widely different explanations for the inferior position of the public and private institutions and agencies for juveniles of Japan. The statement was made that Japan had thought so much of her children that she never waited to entrust youthful offenders to the care and custody of public institutions since all government was bad and should be avoided wherever possible especially in dealing with children. On the other hand I heard that the Japanese never gave over much thought to youthful offenders, who were regarded as disgraces to their own families who should be banished or exited from the home. They were turned over to private parasitic agencies to be exploited and worked, not to be nurtured, trained and rehabilitated as if they were the precious lambs of Japan. This was, in part, the explanation given me for the inadequate support which had been given to Shonen-In Training Schools in Japan. On the other hand Adult Prisons had been built up so as to exploit the labor of Adult prisoners and to make the prisoners the better tools of the notorious Criminal Societies of Japan. Another explanation for relative superiority of the Correctional Institutions for Adults was that the best brains and technology of Japan had gone into work for Adult offenders.

This was quite a different situation from the conditions and patterns of thought and action in my own country. There people

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are willing to forgive a child any wrong doing. But they never have been much interested in adult offenders. Generally speaking the adults are the lost sheep who should be put away and forgotten. However, as in Japan, the prisoner comes out of prison. He comes out a worse character than when he arrived at an institution, unless extraordinary care, treatment, training, pre parole consideration and parole supervision is given to each person according to his needs.

It was only in institutions and agencies for Juveniles that there was willing support for buildings, equipment, staffs of experts and after care work. We had to get the millions for the education, treatment and training of youth and then quietly draw upon all these in rebuilding our correctional institutions and agencies for adults. After developing and changing our training schools and Reformatories into the best special Educational institutions in our country, we then went to work to develope different but equally difficult a series of services for adult Offenders.

We do not do all these things for offenders because they deserve more than the uncaught so-called un offending youth and adults. The extra effort is made because society has control over offenders and can demonstrate in treating and training him how all human beings can become much better citizens of the modern world. Society also must keep the offender from becoming the victim of exploitation by Criminal Societies. These Criminal Societies exist in all nations all over the world. In part they have the most effective ~~best~~ international organization in existence. This has been true for a long time.

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We can say that but for them there would have been no World Wars One and Two. We can say that unless we defeat their efforts with prisoners and displaced persons we are destined to have another unnecessary World War, a third in this generation.

It is for good citizens such as you gathered here to enlist under the banners of the "Good Society", on the side of civilization. It is for you to oppose all the blandishments of the clever criminal societies and of the gangster and scheming underground leaders. It is for you to help keep the resourceful leaders of the Criminal gangs who offer their services equally to the Totalitarian Right or the totalitarian Left, which ever is the stronger for the moment, from subjugating all such gangsters and offenders. The fanatical nationalists and the frenzied racists do not hesitate to gang up upon the agencies and the citizens of the "Good Society".

As General MacArthur pointed out in his 3 May 1948 statement concerning the enforcement of the Japanese Constitution, the totalitarian Right and the totalitarian Left do not hesitate to make common cause of their basic and hateful hostility to the middle way of life. They expect to eliminate the middle way. Then they can turn upon each other with no danger that the middle way forces will give support either to the remaining totalitarians of the Right or the Left.

It is necessary for you to resist the clever efforts of these evil forces which would, if they could, infiltrate societies such as yours and subvert them to their own nefarious purposes.

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Your only means of escape is to give valiant support to your new public agencies. You can resist the evil forces in your private lives. There are the new public Shonen-In training schools and your new DYOPAR or DAOPAR Commissions. The Child Welfare forces are available for help, too.

I congratulate you upon your great opportunities and wish you good speed. I bring you good wishes from my associates in the Prison Branch and from the Commanding Officer of Public Safety Division. We all hope your social and educational programs, your dramas and music will give proper and legal support to the new Japan.

Do not let sinister forces have any help from the protective societies. Resist the blandishments of the worst elements of the Oyabun and Koban.

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Not Approved

Remarks of Dr. Burdett G. Lewis, Chief Prison Administrator, PSD, G-2, at Opening of Special Tokyo District DYOPAR and DAOPAR Commissions Concerning Probation and Parole Procedures and Methods of Work under the New OPAR System of Japan, 28 November 1949, at Imperial Theatre

Subject: Rehabilitation Not Exploitation is The Goal of all Efforts with Offenders

Rehabilitation and Resurgence of Old Boss System

I find many persons frankly worried lest there rise to power the worst elements in the old boss and racketeering system of Japan, which led Japan into the disasterous perversions of the fine program which the Liberals had for the harmonious development of internal and external affairs of Japan. In a word, some of the Japanese have told me of their fear that fine sounding programs, such as yours, are to be infiltrated and taken over by the cruel forces of the Totalitarian Right and the Totalitarian Left. This was what SCAP warned against in his 3 May 1948 First Anniversary Statement concerning the enforcement of the New Constitution.

The conduct of perverted USO type of Japanese entertainment at a big local prison around Christmas time, 1947, as reported in Miss Crockett's "Popcorn on the Ginza" showed plenty of dangers to be guarded against by such societies as yours in your justifiable enthusiasm and concern for the rehabilitation of the Offender. Those and several other episodes, exposed in later Provost Court trials, have been sufficient to point up the dangers of ultimate development, foreseen by SCAP, in the best statement of the chief

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political problem of the modern world. That statement will bear repeating here, briefly, because of its importance. The Totalitarians of the Left and the Right do not hesitate to make common cause of their great hostility to the forces of the Democratic Middle. I am going to call a spade a spade, and talk directly to the better forces in the old OYABUN and KOBAN Societies. I am issuing a solemn warning to the old exploitive, criminalistic elements to stay out of your ranks and not to try to kill the chances of these old societies ever being of any use in modern Japan, no matter how much money they spend on boat rides and elaborate propaganda for the Offender. There is no warrant for the old tactics, but plenty room for service in modern Japan.

Rehabilitation Approved as Best by Boss Murphy, New York, 1914

I commend to the careful consideration of all Japanese the following paraphrase of a statement of one of New York City's most notorious and powerful political bosses. In it Charles F. Murphy, leader of Tammany Hall, announced to me privately through a friend of his, the Architect for my new Greycourt Reformatory for Women and for the new Tombs Prison, which latter was actually built by one of my successors, Commissioner of Correction, Austin MacCormick and his Deputy, several years after my retirement from the Commissionership in 1917. In this message, and in his comments, which I was not supposed to hear, Murphy announced the sound political reasons for his change over from a program of exploiting the

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weaknesses and difficulties of offenders to that of working for their rehabilitation. This statement came to me directly from the "Good Ground," Long Island, estate of the Tammany Leader, where he entertained for the week-end Charles S. Meyers, who was one of the architects commended to me by the Engineering Bureau of the Board of Estimate and Apportionment, the supreme governing body at that time of the City of New York. It was November, 1914. I had been in Office as Deputy Commissioner of Correction for 8 months. I had conceived of, drafted personally, submitted to all the judges, prosecutors, and workers dealing with crime in the city of New York, the Parole Commission Bill which became a Law under the Titles of Law No. 579 of the State of New York in 1915 and as Law No. 287 of the same State in 1916.

In 1895 Murphy Ended Exploitation of Sick Poor But Continued It for Many Years in Dealing with Criminals

"In 1895 I was just a District Leader and Commissioner of the Department of Docks in the old City of New York, then consisting of New York and Bronx Counties. Our great leader of that day, Richard Crocker, entrusted to me the responsibility of making final decisions concerning the New York City Charter revisions which became a Law that year. When we came to the old Department of Charities and Correction then in existence, I found all sorts of views which made agreement impossible. Finally after I had listened to the arguments until my ears rang, I hit upon a solution. It came about this way. There were priests and doctors, also workers,

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whose views were backed up by their works wherein they did not spare themselves. They were united. They argued for charity hospitals and clinics, and also free treatment agencies of all sorts for the sick poor especially for mothers and children. They fairly shouted at me that it was foolishness to think of exploiting the families to which these mothers and children belonged. It was suicidal for me and my Party to expect to retain our political power by giving these a stone when they were asking for, and deserved, bread. They claimed that the Party which gave them the best medical treatment, the best educational and recreational opportunities would finally win and keep their loyalty.

"These good men and women, whom I admired so much, and who never had let me down in my old District of that time convinced me. They proved to me that the blind could be made to see, the deaf to hear, the weak hearts to be made much stronger, and the milder cases of T.B. and all cases of measles, mumps, and children's diseases could be cured, if taken in hand in time. Finally, I was convinced and made a very radical decision. It put it over with Dick Crocker, too, and I had it enacted into law by the New York State Legislature. I decided to make two Departments out of Charities and Correction. In the Charity Department I put the hospitals, clinics, and other free treatment agencies. I turned the jails, the work house, and the penitentiary over to a new Department named

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named Correction. My next move was of great importance. I got Crocker to issue an order to all Tammany Organization workers and I made it stick. It was very simple but very far reaching. We sacked any person regardless of his name or political or business station who did not carry out our new order. This is, in substance, is that order and how we worked under it.

"Hereafter our program will be to make friends for our Organization by getting first class treatment in Hospitals and Clinics for the people, whether children, mothers or fathers, vagrants, "bums" or old ladies and gentlemen. We are to get the votes of people by real, not fake service. There will be no false promises, no deception, no exploitation of misery just to get their votes in a single election. The idea of exploiting them, of fooling them with a dollar bill and a cup of coffee is out. It is old stuff!

"As for the jails, workhouses, and the penitentiary, we will have another policy. Since no one has argued that you can ever cure crime or change a pickpocket or a second story man into a good citizen, we may as well make what we can and get the votes of their families and friends the best way we can. We must get the votes, too, of the "sob sisters" and the sentimentalists, as well as the "higher-ups" and "mobsters," who are also interested in the crooks for various reasons. They are all urging that we give the criminals special favors, especially while they are in jail, where the crooks

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and their friends expect special consideration and help in getting out of prison as soon as possible. That's our chance. In fact, our job is made easier for use where we have these crooks all crowded together in big jails which are nearby "on the island," and not far from our political club houses. It is easy to get to them and to exploit their fears and their hopes, fatuous as they often are.

"Well, I can now say that the program which we adopted for the Department of Charities was the correct one. I have come to the conclusion that we have pursued the other one in the correctional field too long. While we have been cleaning up the police, we have utterly neglected the prisons. There have been cures, treatments, services, the best in the world for the charitable cases, but we never realized, in time, that we could carry on a modified charity program in the prisons. Now, Katherine B. Davis, Mitchel's Woman Commissioner of Correction, makes speeches and works to carry out what old Lyman Abbott calls the Christian Correction Program as opposed to what he called our "Pagan" one. I have studied closely the common sense, courageous, and effective work of her First Deputy, Burdett G. Lewis, in carrying those policies into effect in the correctional institutions of the Greater City. Lewis is putting into effect good programs for treating, training, and "rehabilitating," he calls it, the various kinds of offenders. I will go all out for the enactment and enforcement of the Parole Commission Law which Lewis has drafted, discussed

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with all the Judges, both ours and the Reformers. He has consulted all of the prosecutors. I have told ours to help him in every way. We will see to it that the Lower House of the State Ligislature, controlled by the State Democratic Organization and the New York City Board of Aldermen, which we control, support, with laws and appropriations, these programs.

"I am sure that the program is worthy of our support, even if it is being carried out by Mitchel's reform administration. Let them do it. We will carry the City at the end of this administration. Then Tammany Hall will have all of the new program to enforce."

Greedy Exploitation of Prisoners Renewed

Twenty-five years after the death of Charles Murphy, I am revealing for the first time these confidences which, in part, made possible the extent, width, and depth of the transformation in Correction and Rehabilitation after the "Christian model," to quote the characterization of Dr. Lyman, Abbott of the previous 1914 date. The bills establishing the Parole Commission of the City of New York, known as Chapter 579 of the Laws of the State of New York of 1915 and 287 of the Laws of 1916 respectively passed two consecutive Legislatures practically unanimously. We never lost a bill or an appropriation in the State Legislature or in the Tammany dominated Board of Eldermen in New York City. During my time as Commissioner, Murphy was leader of Tammany Hall and so no lack of support of the forces of the City bothered or hampered our efforts. After my retirement in 1915 and

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and the death of Murphy some years later, District Leaders, such as James J. Hines, who was a parasite upon the developing Numbers Racket and a few lower New York and Brooklyn minor Democratic Organization leaders, who gave Lucky Luciano, the international white slave traffic factor firm support, began to undermine the integrity of the former Murphy neutrality and to wreck the rehabilitative integrity of the penitentiary and work house administrations. These forays led to the successful and sensational prosecutions of District Attorney Thomas E. Dewey of New York County and those of Democratic District Attorney of Kings County, William O'Dwyer, now Governor of New York State and Mayor of New York City respectively. The debacle became complete under Mayor John F. O'Brien in 1932-1933, when Prosecutor O'Dwyer convicted the whole organization known as Murder, Incorporated.

Draft of ta[illegible]to OPARS Conference Group at I[illegible]rial Theatre

28 November, 1949 - Tokyo

by LESLIE A. WHITE

The five governmental agencies of a democratic Japan, whose responsibility it is to combat crime and the effects of crime are: The police, the Prosecutors, the Judiciary, the Correction and Rehabilitation Institutional Services and the pardon, probation and parole services.....

Support of internal law and order by adequate and efficient functioning of each of these five agencies is a minimum requisite to social order. If any one of them is inactive or non-existent as was OPARS prior to this year, the resultant shortcomings are reflected immediately in loss of public security or social unbalance at least.....

The absence of an integrated and effective pardon and parole organization in Japan prior to July, 1949 has contributed toward a crime recidivist rate which, if not lowered considerably within the next few years, might serve to destroy democracy and social order as you visualize them.....

And right there is your great challenge to determine what goal's you must set and to adjust your timing for the realization of those objectives, so that you will not one day be guilty of being "too little and too late" in your accomplishments.

As all five of Japan's agencies of social order must cooperate

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immediately in loss of public security or social unbalance at least.....

The absence of an integrated and effective pardon and parole organization in Japan prior to July, 1949 has contributed toward a crime recidivist rate which, if not lowered considerably within the next few years, might serve to destroy democracy and social order as you visualize them.....

And right there is your great challenge to determine what goal's you must set and to adjust your timing for the realization of those objectives, so that you will not one day be guilty of being "too little and too late" in your accomplishments.

As all five of Japan's agencies of social order must cooperate with each other understandingly and well toward a common objective, it is particularly important that the other four should lend all possible aid and encouragement to you of the newly constituted OPARS organization. In the interest of humanity and decency, it is logical to believe that cooperation and support will be an accomplished fact.....

The relationship between you of OPARS on the one hand, and the staffs of the Correction and Rehabilitation institution on the other, must be more than one of general cooperation and moral support.....It must be a "hand-in-glove" kind of cooperation; it is as if the Correction and Rehabilitation Institutions were a factory turning out automobiles, with you of OPARS being held responsible for steering them along the right road as you pick them up at the factory gates.....

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One of the ways in which you of NOPARS and the Correction and Rehabilitation Bureau can, and I hope, will cooperate fully and realistically is in the selection of sites and construction and/or repairs for District level offices. For reasons of adequate and proper liaison which must be constant, for reasons of economy and for reasons of common sense in avoiding unnecessary requisitioning of land areas which are so initically short in a heavily populated Japan, you should have the Correction and Rehabilitation DHQ offices, the DYOPARS offices and the DAOPARS offices all functioning in the same buildings.....This intelligent approach has been executed in a number of the Districts already; can you and the Correction and Rehabilitation Bureau work together to make it one hundred percent?

Your 1949 OPARS budget is, as we all recognize, an austerity budget.... Your proposed 1950 budget is still somewhat in the austerity category, but you will have a 30% increase in funds in 1950 over the money available during 1949 and you will be permitted a 15% increase approximately, in your 1950 working forces, over the personnel table of organization for the current fiscal year.....

You are deserving of the thanks and gratitude of the Japanese people as a whole, and the other agencies of internal security particularly, for the prompt manner in which you have harnessed your forces and undertaken your work.....

You are making the most of what you have, and in so doing you might

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You are deserving of the thanks and gratitude of the Japanese people as a whole, and the other agencies of internal security particularly, for the prompt manner in which you have harnessed your forces and undertaken your work.....

You are making the most of what you have, and in so doing you might well keep in mind that "the strongest trees grow where they are exposed to adverse minds".....

OK
B.G.H.

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Remarks of Burdett G. Lewis, Chief Prison Administrator, at 3rd Annual Conference, Superintendents and Chief Officers, Shonen In Training Schools, Houses of Classification, and Detention and Juvenile Agencies of all Japan, Tokyo, Japan, 24 October 1949

Subject: Problems of Shonen In Training Schools and Kindred Agencies

In the remarks of the Chief Prison Administrator on 11 October 1949 at the opening exercises of the Third Annual long course of study for Senior Prison Guards at the Central Training Institute the respective rates of correctional institutions for adults and juveniles in American and Japan were contrasted. The 43 picked senior guards from as many adult and juvenile prisons from all Japan were told that in America practically the whole of the advanced training, treatment, and rehabilitation programs were developed first in institutions and agencies for juveniles and then was later transplanted to correctional institutions for adults. An example of this was the early development of self-government and medium security administration at George Junior Republic, Freeville, New York, at the turn of the 20th century and Thomas Matt Osborne's attempt to apply the system fifteen years later at the old out-of-date Sing Sing Prison, Ossining, New York.

In Japan, by way of contrast, many of the prisons for adults, by Japanese standards, were well administered whereas

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the Shonen-In Training Schools have been badly equipped, seriously understaffed, and frequently had to achieve through the personalities of a few great leaders what the Japanese Prisons had ample numbers of officers to secure. For example, the late Father Flanagan, during his 1947 visit to Japan, said the schools at Fukuoka Prison were superior in organization and equipment, and operation to any which he had found in any of the orphanages or training schools of Japan. Since that visit was ended, many changes, mostly for the better, have come in Japanese Shonen-In Institutions and agencies throughout Japan. Let us briefly review what these are:

1. The Child Welfare Law No. 164, 12 December 1947, applying chiefly to youths under 14 years of age went into effect 1 April 1948.

2. Article 15 of Law of 15 December 1947 establishing the Office of Attorney General and abolishing the old Ministry of Justice, forbade the courts, on and after 31 March 1949, to commit convicted juveniles to any of the same 169 private reformatories throughout Japan.

3. A special item in the 1948 budget and items in the 1949 budget for new construction, equipment, materials, and supplies for Shonen-In Training Schools and houses of detention and classification give promise of lifting the juvenile institutions and agencies out of the slough of despondency with which they have been afflicted in the old Japan.

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4. Under the new program 44 new public Shonen-In added to the 8 former National ones are in course of development or are going into operation throughout Japan. Five of these new public Shonen-In are for the early segregation and medical care and treatment of young sadistic and constitutional defectives and would-be bluebeard murders. Nine of them are for girls and young women, thus expanding Wakayama Prison for Women to about a modern four divisional classification of C&R institutions for women offenders.

5. The new Reformatory Law No. 169 and the new Family Court Law No. 168, both of 18 May 1948 make the order and development of a system of Shonen-In Training Schools of four kinds to replace the former 8 National and 169 private catch-alls. These types are Primary for those 14-16, Middle for those 16-18, Advanced for those 18-20, and Medical for those 16-26. The Reformatory Law also established a system of Juvenile Detention and Classification Centers.

6. The Cabinet Orders, Ministerial, and Internal Regulations, Nos. 400, 113, 155, 190, 209, 281, 1778A, 1778B, and Attorney General's Order No. 5, all of which went into effect 1 January 1949 with the exception of the last item assured the organized development of a system of admihistration decentralized to Prison Districts. Policy making and planning is reserved to the Central Tokyo Offices of the Correction and Rehabilitation Bureau, which gradually is being built up to perform this task, whereas it never had administered, and with great difficulty would, in the future, conduct the management of

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local institutions and agencies for juveniles and adults.

7. Finally the new Offenders Prevention and Rehabilitation Law No. 142, 23 May 1949, effective 1 July 1949 rounds out and puts a capstone on the whole system of correctional and rehabilitation in New Japan.

In fact one can say that these laws and regulations, so far as laws can do so, effectively add rehabilitation to imprisonment throughout the New Japan. It now remains to have them implemented by enforcement so as to place in operation a complete local district and national separate Probation and Parole System for youthful offenders and a separate Adult Parole System without adult probation for the same three levels of government.

Now it give me pleasure to introduce my colleague, William F. Van Buskirk, Coordinator of Juvenile Institutions and Agency System of the Prison Branch, PSD, G-2, SCAP. Mr. Van Buskirk, after a long and varied career in juvenile training schools, went to Korea and China as an agricultural expert, for a period of two and one-half years. After that he came to the Prison Branch in Japan. He will now speak to you.

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Remarks of Dr. Burdett G. Lewis, Chief
Prison Administrator, PSD, G-2, SCAP,
Opening Session, Five Months' Refresher
and Advancement Course of Study, National
Training School, Correction and Rehabili-
tation Forces Office, Atttorney General,
Imperial Park, Tokyo, 11 October 1949

Subject: Adding Rehabilitation to Imprisonment in Japan

Thirty-one months ago today marked the formal re-opening of this training school in its present modernized form. Then the Minister of Justice, the District Supervisor of Prisons, the Chief of its Administrative Section of Justice Ministry, and the Chief Prison Administrator and his then associate Prison Administrator, Lloyd McCorkle of the Public Safety Division, G-2, SCAP, tried to forecast the future importance of in-service training to Correction and Rehabilitation work in Japan. That day was 11 February 1947.

As Chief Prison Administrator, I repeated on 11 February 1947 what I had said at my first Press Conference upon my arrival in Japan the previous September about the grave need for a big change in correctional work in all Japanese Shonen-In Training Schools, Prisons, and Correctional Agencies in all Japan. In order to add rehabilitation as the biggest purpose for which correctional institutions were conducted in the new Nippon, the Chief Prison Administrator said that the Shonen-In Training Schools would have to be the immediate chief reliance of the Prison Affairs Bureau of that time. I remember how these remarks of mine puzzled Bunhaku Nakao, the Chief of

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the Administration Section of the Prison Affairs Bureau of the old Ministry of Justice. I was speaking out of my American experience and because of many intimate contacts from 1912 to 1934 with Dr. Shugumi Motoji, Dr. Makino, and Dr. Masaki, three of the five or six great architects of the Japanese progressive prison system. Mr. Nakao was thinking of the importance and significance of progressive public responsibility for the conduct of Japanese Prisons as contrasted with the old Japanese idea that correction and rehabilitation of youth offenders had been largely of private and family concern even during the changeover to the progressive prison system. Our difference in viewpoints lay in emphasis which Mr. Nakao placed upon the smooth working of the prison system as a whole and the importance which the Chief Prison Administrator by way of contract attached to the role of education in the Corrective and Rehabilitative process. In America, I had played some part in transforming correction training schools into the chief bulwarks and demonstrators of special and socialized courses of study in public education. This transformation, as it rapidly became successful, pioneered the way for more complete and similar changes in American correctional institutions for adults. This is a development which, I regret to confess, is far from complete in my country today.

I remember how, on that re-opening day, of this National Training School back in February, 1947, Prison Administrator Lloyd McCorkle, emphasized the importance of on-the-job

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training as a basis for better performance of the current job held by any prison guard or other official. He urged each guard to learn how to be the best possible all-around guard. If each guard did that rather than to dream-up what he might do when he became a senior guard, all would be well with him and Japanese Correction and Rehabilitation. That very thought is what I want to emphasize here today. But in order for you candidates for advancement to profit from your good performance as guards it is going to be necessary to put much more emphasis upon your faithfulness in following the modernized and much simplified courses of study which are now available to you senior guards.

My associate, Mr. William F. Van Buskirk, and the Chiefs of the training schools and the Chiefs of Education of the Correction and Rehabilitation Bureau have been urging upon the Chief of Personnel the vast importance of applying its tried and true principles of good teaching in all fields of in-service training of personnel. That is a subject you will hear much about in the next months. We are all primarily teachers. We must help each other to make the most of each other while we are on this job. We must remember that our chief role is to teach each offender to become a good citizen of the New Japan. I congratulate you men upon your opportunities to add real rehabilitation to confinement in Japanese institutions and agencies.

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Talk to C. T. School Orientation
Class of Detention Home Personnel
at Close of Session, 29 Sept. 1949
by W. F. Van Buskirk

One week has passed since I saw you last and from where I stand you look as if the course prepared by this worthy Institute had left you with a new spirit to return to your work.

Orientation courses, refresher courses, and basic courses of instruction all help to give us a more up-to-date approach to our work. Your instructors did not anticipate that they were going to teach you a college course in this short time but they have given you an introduction and orientation course which will help you to lay out your work and to carry on self instruction on the job.

We are all alert to the need of practical up-to-date refresher and basic courses in the Districts, and you who are returning to your work can be of great help to your superiors in carrying out this program.

As I stated in the past, you stand at the door of a great

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advance in the humane treatment of institutional inmates. You will have to turn your back on the theory of revenge and keep your thoughts in the scope of rebuilding the mental, moral, and physical aspects of the prisoner. You have the advantage of being among the first to contact the prisoner. Your impression on him will be reflected in his later responses so I again caution you to be firm but fair and considerate in your treatment. Contribute to his classification record but above all, try to show him that the Shonen-In personnel are interested in his future and that he will be judged on the basis of what he does now and in future, not mistakes that have gone by.

Build spirit and hope, not fear, hatred, and hopelessness.

We of the Prison Branch stand ready to help in any way we can.

May your future be happy and fruitful.

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OK RAL
13 Sept 49

Remarks of Dr. Burdett G. Lewis, Chief
Prison Administrator, at Joint Conference
Chairmen and Secretariats of NOPAR and
DAOPAR Commissions, Called by NOPAR C
Commission, Attorney General's Conference
Room, Detached Palace, 16 September 1949

Subject: Opportunities and Duties of Offender Prevention and Rehabilitation

Special Education of Youth Basic to all Other Programs

At the close of World War One, the USA suddenly was compelled to revolutionize her whole educational program for all youth. Japan faces the same huge requirement. In Japan during 1949-54 the corrective institutions and agencies will have to bridge the gap between the existing and the required types of education for at least 40 per cent of all Japanese Youth. Otherwise, the Japanese Correctional and Rehabilitation Institutions and Agencies will fail to lead Japan into a new era of unparalleled opportunity for them and Japan as a Nation.

In anticipation of this program, Japan has the best set of unified or correlated Corrective and Rehabilitation Laws and Regulations of any modern Nation. She also is boldly in process of developing 52 Shonen-In Training Schools for juveniles. She has launched the beginnings of a most comprehensive Offenders Prevention and Rehabilitation Program. She may get these buildings but unless she quickly develops comprehensive and integrated special educational programs for the Primary, Middle, Advanced, and Medical Shonen-In Training

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Schools, Japan's high hopes for modernizing herself are going to be unnecessarily frustrated. Here you NOPAR, [redacted] DYOPAR and DAOPAR Commissioners and your respective official operating personnel, along with the C&R District Supervisors of the Attorney General's Office, face unparalleled duties and opportunities. I have been told by C&R District Supervisors that correctional institutions have been able to get money for correctional buildings and prison industries but never for Shonen In equipment and for Correction and Rehabilitation education. Some of your own officers have expressed concern because they fear that adequate funds will be lacking for education and adequate medical and behavior treatment and training in Shonen-In. They also wonder how can public funds be obtained for adequate study of probation and parole applications and for careful supervision of released prisoners.

Upon arrival in Japan in 1946, I read the remarkable Educational Regulations of 1939-1940 and 1941 and was amazed to find that practically nothing had happened by way of actual educational work in prisons and Shonen-In Training Schools. The reasons were perfectly obvious. The whole elaborate educational system of the old Ministry of Justice was pushed over upon the wardens and chaplains. There was no provision for teachers, for class room equipment, for school books, for vocational shop equipment, for materials and

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supplies. There was next to no provision of educational buildings in various prisons and in eight so-called new National Reformatories, and the 169 Private ones. In the whole history of education probably there never was such an attempt to make educational bricks without straw or clay dirt. No wonder that nothing happened. The failure to implement the former ambitious educational program cannot be charged to World War II.

Let us put the blame where it belongs. The Ministry of Justice, Prisons and Shonen-In utterly failed to produce the educational plans and programs with which to support this program. Your institutions in Japan jumped to make aircraft, boats, and some shell casings. You allowed this to be done, however, by companies having contracts who moved in and took over many of your prisons. They brought in and took out the men who taught the prisoners how to produce and moved the shops out of your prisons. As a result, when the Occupation began, your prisoners were dying at the unparalleled rate of 204 per 1,000 annually received, from starvation and disease. Your prisons and new National and Private Reformatories were left without teachers, materials, and supplies, even any real educational programs which the contractors previously had supplied for their special purpose. This is where Japanese Prisons and Shonen-In failed.

Here in Japan it was anticipated by Prison Branch in 1946 that a great need would appear for education in Shonen-In training schools and for special educational facilities in the

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public schools for those juveniles who would be recommended by DYOPAR Commissions for more training after leaving juvenile institutions. To facilitate the widest use of educational results to be achieved in courses of training developed for juvenile offenders, the Prison Branch, early in 1947, recommended that the Minister of Education be Chairman of a separate National Youth Offender and Rehabilitation Commission. Also it then urged that high officials in the Educational Ministry be placed upon each of the proposed 8 DYOPAR Commissions. But as you know, the Minister of Education said in early 1948 that he desired the Attorney General to be Chairman of the National Youth Commission so that a change was made in the 1948 preliminary Bill. This Bill was finally amended in the Diet to its present form providing one National Independent NOPAR Commission in the Department of the Attorney General.

It is clear then that this assumption of responsibility by the Attorney General in the 1949 NOPAR Law does not lessen the need for educational work in Shonen-In and in Juvenile Prisons. On the contrary, it only increases the responsibility of all Correction and Rehabilitation forces to obtaining maximum results in the training of youthful offenders whether on probation by order of Court or on parole from juvenile institutions by order of the DYOPAR Commissions.

Programs in Action Not Merely Paper Plans are Needed

In Japan in 1949 the Correction and Rehabilitation Bureau

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has the 51 Shonen-In under way. New Classification Programs are under way in all Institutions. Revised in-service training of personnel has been organized upon much more effective basis. The Correction and Rehabilitation Bureau has rebuilt correction industries to fill some of the gap left when the war contractors moved out. Much more can be done with industries in both adult and reformatories for older youth. There are demonstrations going on in many prisons and some Shonen-In Training Schools of how to modernize all of your prisons and Shonen-In. There are good prison farms and prison camps. In Hokkaido you have the great Honor Camp Program under way. There is a good budget for 1949. Prison industries are forging ahead under new requirements. Prison security needs are being met fairly well. Correction Educational Programs are under way, however, inadequately as yet. Correction and Rehabilitation Institutions and Agencies, also NOPAR, DYOPAR, and DAOPAR Commissions have the corrective laws and regulations which are needed. It is now the task of you District Commissions and your officials to get your Probation and Parole Regulations in operation, especially in Detention and Classification Centers, so as to meet the requirements of the 1949 Budget and related Table of Personnel. If you proceed practically, use what you have ingeniously, and stop waiting for an impossible budget to be voted for your needs, you will accomplish the impossible with the poor equipment and small sums available.

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Public Safety Division stands ready to do its best to help you develop your own already adapted and integrated Correction and Rehabilitation and also your NOPAR, DYOPAR, and DAOPAR Programs. My associates will give you every possible assistance. But the real task lies exactly where it belongs. It rests right upon the doorsteps of each one of you and upon District Supervisors and their institutions. It is at the doorstep of each Institution and each Agency, and each of your Commissions under the Attorney General of Japan. In fact, it lies at the door of each and every Japanese person. Public Safety Division does not believe you will muff these opportunities. If you all do your best, then the new Offender Prevention and Rehabilitation Commissions will go on to make Japan a leader in crime prevention and in constructive development of the Japanese people generally. I congratulate you upon your opportunities.

Japan cannot afford to create offenders by neglect. Your repeaters should be reduced to 30 and later to 20 per cent of offenders. Especially your Japanese youth should not be coming back in present numbers to your Shonen-In a second time. Neither should they be committing additional offenses as they do in Japan at present. Your rate of recidivism has been over 50 per cent. That is, at least one of each two prisoners comes back a second time. You should set as your goal that only one out of three comes back. Then eventually for youth, only one out of four should be expected to commit a second offense and come back.

(7) OIC RCS

Talk given to the "Society for Prevention of Repetition of Crime", 16 September 1949 by Mr. W. F. Van Buskirk.

Mr. Chairman, members of the Society for Prevention of Repetition of Crime, please allow me to congradulate you on this first anniversary of your organization. It is an honor and a pleasure to be here to take a small part in your meeting.

You are fortunate to have as your officers and committeemen, men and women who are actively interested in and acquainted with the field of rehabilitation. Volunteer organizations formed for the good of people, and on a humanitarian basis without selfish motive for individual interests are a worthy and much needed part of society. If they are allowed to degenerate into tools for selfish interests, then they are unworthy, have betrayed the sincere membership and become a hindrance to the Japanese nation. Your Chairman has explained that the purpose of your organization is to help ex-prisoners--that is to rebuild or rehabilitate them so they can take their place in the community. This is a praiseworthy cause. By cooperating with the proper authorities and giving your efforts to the welfare of these unfortunate men and women, you can educate the community so that they will see the value of giving these people every possible opportunity to succeed. You can help them to secure work so that they may provide for their families. By your interest, you can do much to interest them in a new life, new environment and desireable companion-

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to degenerate into tools for selfish interests, then they are unworthy, have betrayed the sincere membership and become a hindrance to the Japanese nation. Your Chairman has explained that the purpose of your organization is to help ex-prisoners--that is to rebuild or rehabilitate them so they can take their place in the community. This is a praise-worthy cause. By cooperating with the proper authorities and giving your efforts to the welfare of these unfortunate men and women, you can educate the community so that they will see the value of giving these people every possible opportunity to succeed. You can help them to secure work so that they may provide for their families. By your interest, you can do much to interest them in a new life, new environment and desireable companion-ship. All of which is not only humane; but also is economically sound.

Sincere effort will lower the number of recidivists, thus saving an individual for a worthy, productive, and useful life instead of being a liability to Japanese society.

Rehabilitation is a long word, the rebuilding of a man's life is a long, delicate process. Your courts, reformatories, prisons, correction and rehabilitation commissions are all now organized with this aim. Revenge is not a consideration; rebuilding is to be the achievement. The laws and the organization to give Japan one of the world's outstanding correction and rehabilitation systems are present. Success depends on the sincerity and integrity of these involved, and their support by an understanding public.

You can add to this process, and understanding, which the heart of the

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sincere ex-prisoners so hopefully looks for as he leaves the walls of the prison. These men and women have made mistakes like many others, they have paid their debt to society, and now society should use reason, not emotion alone to see that they have fair and equal opportunity to succeed. They do not want to be coddled, but ask for understanding and fair treatment. Equality and a helping hand to those who are sincere will not only prevent failure; but will bring an asset to Japanese society.

May your success bring happiness to those needing your help, and equal happiness to you as humanitarians.

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(16 Sept. 49 - 1:15 P.M.,

MEMO: Place of Meeting Yomiburi Shimbun Newspaper Hall
Mr. Paul M Sekiya - Chairman
14 executives of these (membership 80)
4 members on st. Committee
4 members in rehabilitation - Karo Kawa Council (Crime Prevention Soc. - Tokyo)
(experienced
1.- Chairman
2.- Mrs. Moriya - Soc. Worker
* 3.- Mr. Shimada, - Princ. Iyo Underprivileged Home
* 4. Mr. Kawaguchi - Head of Hoshisha Society
(* = ex prisoners) (Jobs to repatriates)

Organization is not in Community Chest
Sells flowers, etc., to raise funds.
Speakers - Mr Bsuzuki - Readers' Digest Jap. Repr.

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Pris Branch
File

REMARKS OF MAJOR CHARLES O. REED, PRISON ADMINISTRATOR, PSD, G-2, SCAP, AT OPENING OF CLASS OF CHIEFS OF CLASSIFICATION SECTION, CENTRAL TRAINING INSTITUTE, TOKYO C&R DISTRICT, TOKYO, JAPAN, 7 SEPTEMBER 1949, 1000 HOURS

CLASSIFICATION

From the very beginning of history, prison officials have been struggling with the problem of discipline. Many experiments have been tried and a number of them have failed and have had to be discarded. Experience in the later years has shown that, to obtain discipline and maintain the successful management of a prison, attention must be given to classification.

As we struggled and progressed with out system of classification, we have learned that many prisoners suffer from physical handicaps, that they differ mentally and in emotional reactions.

Therefore, a sound classification system must recognize and classify its inmates according to their physical condition, mental charactistics, educational and vocational achievement and aptitude.

You can divide your classification into two general classes.

a. Correctional classification which determines the proper disposition of prisoners on the basis of systematic individual study and investigation and

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b. Institutional Classification which classifies prisoners as to transfer, custody, employment, training, and special programs.

Upon arrival of prisoners at an institution, they should be segregated from the general population and placed in reception until initial processing and indoctrination has been completed. This period will be devoted primarily to individual study and processing of the prisoner and the Head of the Institution should assure himself that the daily schedule during reception allows ample time for interviews. Thereafter, upon clearance by the Medical Officer, prisoners may be released from reception and assigned to regular quarters and employed temporarily pending institutional classification.

A study of each prisoner should include the following:

1. Compiling the social, educational, and Occupational history.

2. Establishing any previous criminal history.

3. Determination of mental and emotional health, personality traits, intellectual level, academic achievement, and aptitudes and capabilities.

4. His adjustment, attitude, and conduct as a prisoner.

5. Determines his physical, history and health status.

6. Study of the religious background and the influence of religion in the prisoner's life.

Upon completion of the above study, which will probably take thirty days or more, the Classification Officer will prepare a summary of the results to be used by the Institution

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Classification Committee.

In all institutions there should be a Classification Committee of not less than five members under the chairmanship of the head of the institution, or his deputy, or some other senior staff member designated by the head of the institution. Regardless of who is Chairman, the Committee should consist of representatives of the Classification Section, Academic Educational Section, Vocational Section, Superintendent of Industries, Chief Medical Officer, and a psychiatrist or psychologist.

Custodial personnel should be encouraged or directed to attend meetings of the Committee as observers, and should be permitted to participate in the discussion of cases but not to note. The success or failure of the Classification Program will depend a great deal on whether or not it receives support and understanding from the custodial personnel.

The prisoner should appear personally before the Classification Committee and should be given an opportunity to discuss his proposed program before a final decision is made by the Committee.

Complete and carefully compiled records are an absolute essential to good classification. Duplicating machines should be used so that there will always be sufficient copies of material presented to the Classification Committee for all members and duplicate other material that a number of staff members should see.

You can readily see that you have an important and difficult task and I wish you speedy success.

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Remarks of Major Charles O. Reed, Prison Administrator, PSD, CIS, G-2, Quarterly Conference of C&R District Supervisors of Attorney General's Office, 29 August 1949, 1300, Attorney General's Conference Room, Tokyo, Japan

Subject: Parole Regulations

When the OPAR Bill was passed and became a law, it was necessary that we draft some type of regulations, in order that a uniform procedure be established throughout Japan to carry this law into effect.

Dr. Lewis, Chief, Prison Branch, PSD, assigned to me the task of assisting you with these regulations.

At the suggestion of Dr. Lewis, Fuchu Prison was selected as a pilot plant. With the cooperation of Dr. Ogawa, Chairman, Tokyo District, DAOPAR Commission and Warden Suzuki, Fuchu Prison, I made a survey of Fuchu to determine what administrative procedures were in effect and what changes would have to be made regarding reception, classification, and assignment of prisoners.

After a careful study, I found their system satisfactory. By satisfactory, I do not mean that classification and assignment are of the standards we want them to be. However, they are all right for the present.

The men who assisted you in drafting the OPAR Law very wisely saw to it that this law gave the DYOPAR and DAOPAR Commissions absolute power to administer parole. Therefore, in drafting Parole Regulations, we had to be careful that

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these regulations did not circumscribe the activities of the Commission.

With the help of Dr. Ogawa and Saito, Dir. Gen. of the NOPAR Commission, we have drafted an outline of the Parole Regulations. Let us examine these regulations step by step.

First: Parole defined. A conditional release under supervision.

Second: Eligibility for parole.

Third: Processing parole cases. Here we requested that prisoners be interviewed and allowed to make application for parole sixty days prior to their eligibility date in order that the Commission, through their own studies and through investigations by their staff, would have ample time to check on the background of each applicant.

In the paragraphs following, we have outlined in detail what the Classification Clerk, Head of the Institution, the Prisoner Section Heads, and the Commission should do.

Before a prisoner is released on parole, he must agree to the conditions of parole, and it is the duty of the supervisors under the direction of the Chief Supervision Office to see that the above agreement is kept.

No where in these regulations have we interfered with the Commission's activities.

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Remarks of Major Charles O. Reed, Prison Administrator, PSD, G-2, SCAP, at Meeting of DYOPAR and DAOPAR Commissioners of Tokyo District at C&R Headquarters, 25 August 1949, at 1000 hours

Subject: Parole

Parole as a method of release will soon become, here in Japan, an indispensable part of its present correctional system.

As early as 1704, the Pope placed the following inscription over the entrance to Saint Michael's Prison in Rome, "Clement XI, Supreme Pontiff, reared this prison for the reformation and education of criminal youths, to the end that those who, when idle, had been injurious to the state, might, when better instructed and trained, become useful to it."

The first approach to parole in actual practice was in Australia in 1837 when they used what was known as the "ticket of leave" system. Here we see the beginning of classification and of parole.

In the United States, the State of Massachusetts in 1845, was the first to provide care for discharged convicts. Later New York, Pennsylvania and eventually every State in the Union followed suit.

Before we go any further, let us define Probation and Parole.

Probation is the term used in connection with the released offender under suspended sentence and without imprisonment

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but under the guidance of a probation officer for a definite period of time and for the purpose of reclaiming him from evil courses.

Parole is the term used in connection with the conditional release from a penal or reformatory institution after a period of confinement therein.

You men here, as members of the ~~District Youth Offenders Prevention and Rehabilitation Commission and~~ District Adult Offenders Prevention and Rehabilitation Commissions are responsible not only for granting parole but also indirectly through personnel assigned to you responsible for supervising parolees.

In granting parole, you must definitely consider each applicant as an individual, weighing all the elements involved and rendering a decision on the basis of that individual case. This is the only way any farsighted parole program can succeed.

Let us examine some of the principles of parole you commissioners are going to have to consider in granting or refusing parole.

1. Careful Diagnosis of the Prisoner

It is most important that the man who has been sentenced to prison should have a careful examination of his physical condition, his mental states and attitudes, and his social history. It is even more important that this information be made available to the commission when it is considering the inmate for parole.

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2. Selection for Parole of only those Inmates the Study of whom shows that they will probably do well on release.

Most people who are unfamiliar with Criminology and Parole are inclined to believe that the parole law provides only for the parole of those prisoners who have not been guilty of the more serious crimes. Modern penology based upon the study of the experiments in parole has made the discovery that it is not the crime so much as the offender and his history, which should be the principle thing in considering parole.

3. Selection for Parole of only those whose release will not outrage the sense of justice of the community from which they come.

Another precaution to be taken is that, no matter what the facts about the offender himself show, if parole would outrage the community's sense of justice, it would be inadvisable to release the man because thus the whole system of parole might be endangered.

4. Proper Employment should always be arranged for before a prisoner is paroled.

Lack of employment is one of the most important causes of crime. Therefore, proper employment is a fundamental principle of parole unless the man is to be assured of failure from the beginning.

5. Placement in Proper Surroundings. Many of these men have come from sordid environments. If they are released and allowed to return to such surroundings, experience indicates that there is very great danger of relapse. Whether the parolee should be returned to his own home can be determined

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only on the basis of a careful study of the community and the home from which he came, by you and by properly experienced and trained personnel of your staff.

6. The institution must prepare for Parole.

The institution and parole with adequate supervision are parts of one whole for the correction of the prisoner. The work of the Classification Section, of the Psychopathic Section, of the prison officials, of you commissioners, and the supervision officers must be coordinated in the purpose of reforming the ideals and habits of the prisoner. Parole is only one phase of this plan.

7. Careful follow-up is absolutely necessary.

The growing tendency is to emphasize the importance of careful follow-up, by supervisors, with frequent contact, advice, friendliness, and careful efforts to help the man in his new relationships.

8. Unification of Parole Methods. In the United States we have a federal parole system and 48 state parole systems, ~~and in some cases we lack adequate personnel for proper supervision~~. Japan is more fortunate in that she has unification of parole methods and adequate supervisory personnel and a commission with the responsibility of properly administering parole.

9. The Commissioners should be composed not of political appointees but of men of intelligence and integrity having experience in such matters. On reason why parole has not been a greater success in the United States is the character of the parole officials, especially of the Board. Too frequently

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they have been political appointees selected with reference to their party regularity and usefulness rather than for their understanding of the work.

10. The responsibility for paroles rests upon the Commission. Too frequently legislation has circumscribed the activities of the parole board by laying down certain conditions under which parole may be granted such as limiting its operation to first offenders, or to those not convicted of serious crimes, or by other more detailed regulations of the methods to be employed. Experience in both the labor field and penology suggests that the Parole Board should be constituted and given practically absolute power under a very general law in order that its members may have free scope for all the ingenuity they may possess in administrating parole. Under the present law you Commissioners have been given the power, authority, and freedom of action and decision to successfully carry out the parole mission here in Japan.

11. Supervisors must be numerous enough and sufficiently trained to give adequate supervision. If the parole system is to be a success, there must be enough trained supervisors to properly guide the parolee during his rehabilitation period while on parole.

In the future you will come to think of subjecting a prisoner to parole rather than granting him parole. You will think of repeaters as unreformed inmates rather than failures.

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You will never consider abolishing parole any more than you would consider abolishing the police or abolishing discipline. Our late President Roosevelt said, "We know from experience that parole, when it is honestly and expertly managed, provides better protection for society than does any other method of release from prison."

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~~Statement of Dr. Burdett G. Lewis, Chief Prison Administrator, G-2, SCAP~~, for Publication in Japanese Prison Affairs Association Monthly Magazine, Published in Cooperation with the Attorney General

Subject: Importance of OPARS and Other Correctional Laws

~~With~~ 1077 ~~paid~~ commissioners, members of secretariats, probation and parole investigators and supervisors ~~plus~~ unpaid volunteers, the latter for specific work under direction of ~~paid~~ personnel, Japan on 1 July 1949 got off to a good start in initiation of its National Offenders Prevention and Rehabilitation Law providing a completely integrated and coordinated system of probation and parole on National, District, and Local levels. This comprehensive system also rounds out the new Correction and Rehabilitation System of which the new Family Court and Reformatory Acts, the Law ending commitments of offenders 14 years of age or over to private reformatories, and Cabinet Orders establishing eight Correction and Rehabilitation Districts, are the foundations.

~~Temporarily~~ the small staff of the new Correction and Rehabilitation District organizations will give aid to the 1077 officials and personnel in handling at least 15,000 of the total of some 32,000 cases annually released from correctional institutions and at least 5000 cases of juveniles who probably will be released by court order upon probation.

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Such initiation of so comprehensive a system with only a skeleton staff to manage and supervise the whole system, which has become the accepted initial procedure in the Occident, is something new to Japan. It is also an outstanding implementation of the skeletonized personnel table worked out by the Attorney General ~~with the aid of the Prison Branch of PSD~~ in cooperation with the Konda Commission and the streamlined budget worked out by the Attorney General, one Minister of Finance, ~~and ESB with the assistance of PSD and ESS~~. It is an advancement far beyond the requirements in initial compliance with the Nine-Point Program established with the aid of the Dodge Mission. This personnel table, tied as it is to a streamlined budget, has the effect of requiring no substantial reductions in the Attorney General's personnel to swell the ranks of the temporarily or permanently unemployed, a fact which all government personnel will appreciate.

The immediate relief to the Japanese taxpayer will be great. The prevention of mounting costs, and the relative and positive reduction in the net total budget of ¥7,352,000,000 for 1949 should keep pace with the decrease in the numbers of those theretofore held for long periods in detention houses before trial and for long sentences without the parole now available after corrective training. Here are avenues of increasing social and governmental efficiency and of providing timely economy, and general well being which have been much talked about in Japan but never put into practice since

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Not Used for Press Conference

ESTABLISHMENT OF NATIONAL OFFENDERS PREVENTION AND REHABILITATION SYSTEM

FOR PRESS CONFERENCE - 29 JULY 1949

By Dr. Burdett G. Lewis

The National Offenders Prevention and Rehabilitation Law which goes into effect 1 July 1949 provides the Japanese people with one of the most modern systems for the purpose of administering probation, special amnesty, commutation, and pardon to her rehabilitated criminal offenders. with special emphasis placed on the rehabilitation of the youthful offenders.

Early in the Occupation the Japanese proposed a revision of laws which failed (a) to recognize crime prevention as the chief function of correction and rehabilitation work; (b) to prevent reestablishment of principles of protective custody or supervision; (c) did not realise that revision of laws, courts, and bureaus was necessary before an efficient probation or parole system could be established; (d) and did not recognize the importance of nationalizing the juvenile and adult probation and parole systems, nor the importance of keeping the two systems separate.

As a result of the above Japanese proposal, there came about the all important OPARS Law which provides Japan with a thoroughly modern National, District, and Local Probation and Parole System. The Correction and Rehabilitation System is now functioning with modern facilities and under procedures which recognize that rehabilitation is being added to correction throughout Japan.

Some of the more important favorable conditions which now exist are: (a) a single coordinated Correction and Rehabilitation System for all offenders 14 years of age or over; (b) a well developed conception for a

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career service in Correction and Rehabilitation; (c) Probation and parole services for juvenile offenders are concentrated in eight District Youth Commissions well related to the Family and Districts Courts; (d) Although probation service is not provided by the OPARS Law for adults, parole services for such offenders are established in eight separate District Commissions; (e) Juvenile Code will provide a well integrated and coordinated system; (f) and provisions for new reformatories, juvenile detention and classification centers, and detention prisons for adults gives Japanese Correction and Rehabilitation forces advantages not heretofore enjoyed.

However, we face some handicaps such as: (a) In the past, the Japanese gave little or no thought to rehabilitation; (b) Japanese career service has not been based on training, selecting, and promoting men in accordance with their peculiar endowments; (c) and the inability of many Japanese people to use what they already have.

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Remarks of Burdett G. Lewis, Chief Prison Administrator, PSD, G-2, SCAP, at Dedication, Tokyo Observation Home for Mentally Retarded Juvenile Offenders at No. 1076 Yoyogi Oyama Shibuya-Ku (former Oyama Residence transferred from CPC) 30 July 1949, 1400 hours

Subject: Role of Tokyo Observation Home for Mentally Retarded Juvenile Offenders

Tokyo Observation Home for Mentally Retarded Juvenile Offenders is being dedicated today largely because of the patient, painstaking persistence of Sadanobu Tani, M. D. Dr. Tani, a widely known graduate of Tokyo University Medical School, has devoted many years of his active life in Japan to the identification and study of the mentally retarded.

His graduation essay at Tokyo University Medical School dealt with that subject. Since many of the mentally retarded were to be found among juvenile offenders, Dr. Tani did not hesitate to center much attention upon them. As a result, from the time of his graduation down to the present day, the Juvenile Court, the Clinics, and Hospitals, the Juvenile Institutions and Detention Houses have experienced Dr. Tani's patient and persistent influence. Since Dr. Tani is especially interested in research and in administration, he is a good type of person to conduct what must be more of an observation, study, classification, and clearance station than a diversified training school for mentally retarded juvenile offenders.

It is anticipated that on the 5 acres available for

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use there eventually may be built and operated study, classification, treatment, and clearance facilities having a total capacity of from 70 to 100 cases. That will mean more than doubling the present capacity for 30 inmates.

The initial plan of operation aims to discover among those particular cases committed to this Home, those which require prolonged training in a rural or farm village area. It is expected, also, that those cases requiring rural and farm experience will be sent from this Home to Ibaraki Training School for Mentally Retarded Offenders which is situated near Mito. It is expected that these mentally retarded cases who are hereafter identified in this Home as requiring training for life in cities will be handled in special industrial training classes to be organized in this Home. It is to be expected that as a result of a careful and patient study of all cases, that a workable practical program may be developed for the training, treatment, and care of mentally retarded, generally.

This Tokyo Observation Home, situated as it is, near the hospitals, medical schools, medical clinics, juvenile classification and detention homes, the Family Courts, and Tokyo DYOPAR and DAOPAR Headquarters should be encouraged to call upon each and any of the above organs, whether governmental or private in character, for advisory assistance. In turn Dr. Tani and his associates should be encouraged to feel their way so as to make this observation Home of the greatest usefulness to each and every one of the organs referred to and also to the Social Education Division of the Ministry of Education.

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The Public Safety Division of G-2 wishes for the small staff of the new Observation Home and for the medical, classification, scientific, and the educations sections of the Correction and Rehabilitation Bureau of the Attorney General's Office, much success. The good work, which has been accomplished heretofore when there was no such observation home as this available, can be and PSD believes it will be made many times more effective. The Prison Branch hopes that the new NOPAR Commission and Kanto District DYOPAR and DAOPAR Commissions and staff forces will watch carefully what Dr. Tani and his associates are able to accomplish by patient observation, study, and experimentation with different techniques in this new Observation Home for Juvenile Mentally Retarded Offenders.

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ESTABLISHMENT OF NATIONAL OFFENDERS PREVENTION AND REHABILITATION SYSTEM

FOR PRESS CONFERENCE - 29 JULY 1949

By Dr. Burdett G. Lewis

The National Offenders Prevention and Rehabilitation Law going into effect 1 July 1949 provides for a National Commission of three members. Sixteen separate District Commissions of three members each with individual secretariats, investigators, and supervisors under the Attorney General will operate the system as an independent National Commission. Under the latter are eight separate District Commissions employing skeletonized forces which are to receive Family Court orders to place individual juvenile offenders under 20 on probation. Each also is to receive applications for parole of individual inmates from reformatories and training schools operated by the Attorney General, investigate them, lay down the conditions of release, and supervise those so released. There are also eight District Adult Offenders Prevention and Rehabilitation Commissions which have no responsibility to supervise adult probation but will parole adult offenders substantially as juveniles are paroled. Applications for special amnesty, commutation, and pardon are to be processed by the respective Commissions.

The 51 top commissioners, plus secretaries, investigators, and supervisors added to personnel already employed by Juvenile and Adult Protection Agencies all together provide an unusually small skeletonized staff of only 1077 paid workers for initiating the big Probation and Parole system for all Japan involving at least 15,000 cases per year.

The new National, District, and Local Probation and Parole System for all Japan is a composition of the leading systems of the American

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States adapted to Japanese conditions. To an extent the law creating district youth commission draws upon recent experiences in California and Sweden. In beginning with a modest appropriation and a small staff of the new law, the new regulations, the table of personnel organization, and the integration of all elements with the 1949 budget follows rather closely the experiences of New York City in developing one of the first of modern Parole Commission systems. In that city in 1915 a comprehensive plan for handling annually 10,000 cases divided into various groups was undertaken with a tiny staff. It consisted of a Chief Parole Officer and five other Parole Officers. As in Japan the Commission had to draw heavily upon closely affiliated government departments for the part-time services of some 84 of their employees and to ask for volunteers from interested private groups. After a study of New York City's experiences, those Japanese who at first were reluctant to make a beginning in Japan with only 1077 paid personnel became convinced that, as in New York, Japan could build an effective modern integrated system, including probation, though that service still separately operated in New York.

From the standpoint of laws, cabinet orders, and other regulations and pilot plant demonstrations, the latter well designed to develop know-how among concerned Japanese officials, this combined Probation and Parole System has gotten off to a good start. The Child Welfare Act, which went into effect 1 April 1948, the new Family Court System, and the new Reformatory Act, which became effective 1 January 1949, the law ending 169 private reformatories and substituting 44 public reformatories for them which, together with the streamlined budget, became effective on or about 1 April 1949. When taken together they form a background supporting organization for the integrated Offenders Prevention and Rehabilitation System

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law. There then remains, among the questions of immediate concern, the problem of building up a competent staff of experts not alone for the handling of probation and parole. It is an ever present problem of problems everywhere throughout the whole Correction and Rehabilitation System which is set up by the above mentioned laws and by several others closely related to them. Herein we are concerned with the development of a career service for the Correction and Rehabilitation services of the Office of the Attorney General.

As the inheritor of the good organization developed over the years by the old Ministry of Justice, the Attorney General began work in February, 1948, with certain advantages over most of the other Japanese Ministries. In 1923, in his "The Caged Man," after visiting the leading prisons of the world, Dr. John L. Gillen pointed out that among all of them, Japan had gone farthest in developing professional prison personnel. That system, in the main, was enabled to surmount the difficulties thrown in its way by reason of the vicissitudes of World Wars One and Two, and since the Occupation began, has been making rapid strides forward.

For example, in correction and rehabilitation field of the Attorney General's Office, the new National Public Service Law system has been carried beyond the required stages for 1949. In that office promotion of men from within the ranks of the institutional service in accordance with job specifications and assignments to work and service on the basis of personal fitness for the particular job is slowly becoming a matter of course. As required as an ultimate by the National Public Service Law in the correctional and rehabilitation services, in-service training of guards was expanded in February, 1947, to include both initial and refresher training courses, not

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merely for guards but many of the other groups of positions in the custodial and professional services. In 1949 the courses are being expanded to include all personnel and to comprehend separate schools and training courses in each of the eight Correction and Rehabilitation Districts into which Japan is divided for Court and also for Correction and Rehabilitation administration.

In recent months more attention is being given to the provision of part-time training, as between the colleges and professional schools, both public and private, and the institutions of the Attorney General's office. For example, medical school students spend part of their time as employees in the medical departments of the institutions. Students of Social Work, Sociology, and Psychology work for stated periods in the correctional institutions and agencies. Just recently Tokyo Women's College announced that it intended to send its students from some of its departments to do practice teaching in Aiko Joshi Gakuen, Tokyo's new correctional training school for girls. Plans also are being worked out for enlisting the interest of career service students in all colleges, universities, and technical schools in the possibility of taking up correction institutional and agency work as an important field of service. It is the aim of the Office of the Attorney General to emphasize the many opportunities for work and experience which are opening now in the expanded institutional and in the new probation and parole services for all Japan. Keio University is exploring this field at length.

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Remarks of Major Charles O. Reed, Prison Administrator, PSD, G-2, SCAP, at Opening of Class of Fire Master of Correctional Institutions at Central Training Institute, Tokyo, 1000 hours, 6 July 1949

Subject: Fire Master's Plans

In order to accomplish anything worthwhile it is necessary to formulate plans and to put in long periods of training before you can become proficient. Before any group or groups of men can work together as a well coordinated team, it is necessary that they have a plan of what each individual or each group is to do and second, that each individual or group practice over and over again what they are to do until they can do it automatically. The best plans are of no value unless each person or group that is to accomplish such plans knows exactly what they are to do.

For example. On 21 April 1930 at the Ohio State Penitentiary, Columbus, Ohio, a prisoner confined in the old part of the prison set his mattress on fire. The Fire Brigade, probably through lack of practice, became confused and the fire spready rapidly engulfing other sections of the prison. Nobody seemed to know where the keys to the cell block were. As a result, 320 prisoners lost their lives into that fire. Let that be an example to you Prison Fire Marshals.

I repeat, no plan is any good unless everybody knows exactly what they are to do, and can do it quickly, efficiently, and without confusion.

Immediately upon the sounding of a fire alarm, the fire brigade should go into action and everybody else, prisoners and custodial

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personnel alike, should put into action a phase of a pre-arranged fire plan. The personnel that have no specific task assigned to them should report to a designated place and be available to carry out the orders of the warden or his representative. All personnel off duty who hear the fire alarm should report to the institution and make themselves available for duty.

Your plans should specify where the keys are to be and who is responsible for them. In case it is necessary to remove all prisoners from one or more cell blocks, your plans should have designated refuge areas where each cell block is to assemble, who is to act as guards and maintain security of the prisoners, keeping them orderly and under control and what weapons their guards are to be armed with.

In case of a large fire it might be necessary to remove the prisoners some distance from the prison. Here it would probably be necessary that the plans include an agreement with the local police and fire departments whereby they would give you assistance. For example, the local police might be assigned the task of traffic control outside and near the prison, controlling the civilian population that is always attracted by a fire, and to supplement the prison guards in maintaining control and security of the prisoners.

At night the problem of security is always more difficult. Therefore, it will be necessary that your plans contain provisions for an emergency lighting system.

As Fire Marshals it is your responsibility to furnish your warden with a detailed plan. It is the dual responsibility of the warden and the Fire Marshal to see that every person in that institution

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knowst Who is going to perform a certain task; when he will perform this task; where he will perform it; how he will do it and why that task is being performed by him in that particular manner and at that time.

Even in the best drilled fire teams and with the best coordinated groups, there is always confusion when they respond to a fire.

The hazard of a fire disaster hangs over every institution, but it can be minimized when you Fire Marshals have a complete and detailed plan that every person has practiced until he can do his part efficiently and automatically, regardless of confusion.

You have an important assignment. Let's hope, for the benefit of human life, that you perform it in a capable and efficient manner.

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Not Used for Press Conf.

ESTABLISHMENT OF NATIONAL OFFENDERS PREVENTION AND REHABILITATION SYSTEM

FOR PRESS CONFERENCE - 29 JULY 1949 - EXPANDED

By Dr. Burdett G. Lewis

The National Offenders Prevention and Rehabilitation Law going into effect 1 July 1949 provides for a National Commission of three members. Sixteen separate District Commissions of three members each with individual secretariats, investigators, and supervisors under the Attorney General will operate the system as an independent National Commission. Under the latter are eight separate District Commissions employing skeletonized forces which are to receive Family Court orders to place individual juvenile offenders under 20 on probation. Each also is to receive applications for parole of individual inmates from reformatories and training schools operated by the Attorney General, investigate them, lay down the conditions of release, and supervise those so released. There are also eight District Adult Offenders Prevention and Rehabilitation Commissions which have no responsibility to supervise adult probation but will parole adult offenders substantially as juveniles are paroled. Applications for special amnesty, commutation, and pardon are to be processed by the respective Commissions.

The 51 top commissioners, plus secretaries, investigators, and supervisors added to personnel already employed by Juvenile and Adult Protection Agencies all together provide an unusually small skeletonized staff of only 1077 paid workers for initiating the big Probation and Parole System for all Japan involving at least 15,000 cases per year.

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What Was Wrong about Former Suggestions

Early in the Occupation the Rehabilitation Secretariat of the old Ministry of Justice brought to the various sections of SCAP a proposed revision of some of the laws and regulations then in existence which had to do with rehabilitation of offenders, especially juvenile ones. From the viewpoint of the various sections of GHQ there were four things wrong with that proposed big bill. These wrong things were:

a. It did not recognize crime prevention as a chief function of all kinds of correction and rehabilitation, but only of some phases of the work among juvenile offenders.

b. Contrary to the new Constitution and SCAP Directives, it would re-establish the principles of protective custody or supervision, perhaps "thought control," of those who had not been convicted of crimes or found guilty of juvenile delinquency.

c. It did not recognize that the revision of the Codes of Criminal and Civil Procedure, the reorganization of the courts, the revision of the Juvenile Act, and of the Reformatory Act and the reorganization of the various Bureaus of the Justice Ministry would have to precede the establishment of any efficient probation or parole in Japan.

d. It did not recognize sufficiently that the modern tendency, whether in the United States, in the British Commonwealth, or in Sweden, is to combine juvenile probation and parole functions and place them under a National, District, and Local Juvenile Offender or similar Authority and to combine Adult Probation and Parole functions under a separate Adult Offender Authority which, though similar as to form, should be radically different in some of its treatment and training procedures.

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OPARS Initial Operations Full of Promise

It thus came about that this all important law which provides a thoroughly modern National, District, and Local Probation and Parole System for all Japan is the last one of the new laws to go into effect. As a result of effectuation of this new law, it is going to be a hundred times easier for all concerned to operate its new probation and parole system since all of the other changes already have been made in the Correction and Rehabilitation codes, laws, and regulations. Apart from this so called NOPARS Law, the new systems are either in operation or well on the way toward full implementing with the expectation that the NOPARS Law would be adopted, as it was, by the Fifth Diet. The men and women in the Correction and Rehabilitation System are now functioning with much more modern facilities and under procedures which recognize that rehabilitation is being added to correction throughout Japan. For the first time in Japan and in the first Ministry, the office of the Attorney General, there is a streamlined budget. In this budget tables of personnel and operating divisions and functions also are integrated, generally, for the first time in Japan.

It is a great opportunity which is offered to young and old alike who are willing to learn and to build future careers upon their participation in the OPARS System. They are to provide a well-functioning and a rounded out correlation of these Correction and Rehabilitation forces which are organized respectively into separate District Commissions for Juvenile and for Adult Offenders as has been stated already herein. Since the economy of Japan must have time to recover from a long period of overexpansion of the military at the expense of civilian functions, Japan has been required to begin this work in more modest fashion than many of the concerned Japanese felt to be

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wise or possible. As a result of some experience in the Occident and here in Japan, one may safely assure the concerned officials and peoples of Japan a good job of planning and of placing in operation the beginnings of the CPARS system can be made under the limitations placed upon the Attorney General by current budgetary appropriations.

In 1915 New York City had the experience of beginning in a small way the operations of such a system. The system began with a Chief Parole Officer and only five other Parole Officers who had to undertake the task of handling 10,000 cases during the first year. The new Commission was compelled, therefore to borrow the part-time services of personnel of some other governmental departments of the Greater City. The Secretariat also was compelled, as the NOPARS and DYOPARS and DACPARS Secretariats are, to seek the assistance of volunteer workers. The task in New York, just as in Japan, was not easy but by hard work and the exercise of much patience and plenty of common sense plus some ingenuity , the Japanese Commissions will be enabled to achieve what New York City succeeded in building, an effective organization, which has continued to grow and develop during the past thirty-four years. It is a flourishing organization in the thirty-fifth year of its existence.

In Japan the prevailing conditions are a hundred times more favorable than were those of greater New York in 1915. One could forecast for Japan the early development and rounding out of its much more comprehensive system.

Let us identify briefly some of these more important favorable conditions which now exist.

1. Japan now has one single coordinated Correction and Rehabilitation System with national, district, and locally integrated divisions for all offenders 14 years of age or older. Any duplication of paralleling of any

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part of this system by any other or any different system would put an unnecessary initial handicap upon what already is the best system of its kind, on paper, which any nation has in effect. Organization by the Diet of cooperating committees should be postponed for at least two years, so this system may have ample opportunity to function economically and efficiently as it must.

2. Japan has well developed conceptions for a career service in Correction and Rehabilitation. Its conception of a career service seems to have originated in the adult and juvenile prison service after the Sainju Ministry adopted the Prison Code of 1908. The operation and management of these two classes of prisons opened up a career for those graduates of Tokyo University Law School who did not go directly from Law School into the Foreign Affairs Service or into the practice of Law. This idea was strengthened, in the main, though retarded in some respects by the enactment and operation of the Juvenile Code of 1923. Insofar as the operation of this code brought in able persons interested in criminal law as a career or interested in welfare or social services as a life work, it strengthened the idea of a career service. Insofar as the Juvenile Code brought into service untrained or temporary workers, it tended to weaken the insistence upon training and promotion from within the service. These tendencies, to an extent, were counteracted by the Prison Regulations of 1927, 1931, and 1938.

3. Probation and parole services for juvenile offenders are concentrated in eight District Youth Commissions well related to the Family and District Courts, particularly the Family Courts, on the one hand, and all detention and classification centers and institutions for juvenile offenders, on the other hand are closely related to the entire correctional and rehabilitation services of the same ultimate controlling authority. In no other Nation in

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the world do such favorable organizational conditions exist.

4. While no probation service is provided in the OPARS Law for Adult Offenders, parole services for such offenders are established in eight separate District Commissions for adults on a basis similar to those for juvenile offenders. It is to be hoped that the new probation system for juveniles will be well administered and effective so as to cause an early amendment to the law restoring the original article of the bill when it was introduced into the Fifth Diet which made provision for probation for all offenders, both adult and juvenile.

5. The Juvenile Code, including the Child Welfare, Family Court, and Reformatory Law, plus the Offenders Prevention and Rehabilitation Law, when read together with the new codes of Criminal and of Civil Affairs, plus the new Constitution, as already stated, provide well integrated and coordinated systems, undoubtedly equal to and perhaps superior to the general level of those of any Nation.

6. The provision of forty-four new public reformatories and ultimately some 48 juvenile detention and classification centers, as well as many more new separate or rebuilt detention prisons for adult offenders give Japanese Correction and Rehabilitation forces advantages not heretofore even approximated in any way heretofore in modern Nippon.

Having recounted these advantages, let us face the handicaps which Japanese Correction and Rehabilitation forces must begin work. From my own experiences and observations in Japan and elsewhere I would list these as follows:

1. In Japan, until recently rehabilitation was not thought of as one of the most important of all purposes comprehended under the term, correction, but on the contrary in adult prisons for some time after the Occupation

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begun, imprisonment and the infliction of penalties were thought of as among the chief functions with little or no direct and ever present responsibility of the prison itself for reforming the characteristic attitudes of the adult prisoner toward Japanese society and culture.

2. The Japanese career service, fine, significant, and epoch making as it has been, nevertheless, adequately has not been based upon training selecting, and promoting men in accordance with their peculiar endowments, personal preferences, and demonstrated capacities for tasks in different fields of thought and action. On the contrary, the principle of rotation from fire to police, from police to all manner of services, and from procurators to prisons, and of officers and of under officials within the prison system has been about the only means of promoting men. Though the system of rotation has been cut loose from promotion, revivals of this merry-go-round of transfers keep reappearing even though all that is required is to select one man for one position and to replace him with one other qualified person.

It should be possible for colleges and universities of one area to train men for both public and private services of that general area, say a Correction and Rehabilitation District, as has the United States. If Japan is going to be compelled by the necessity of economizing in developing junior colleges and technical training schools for those who cannot go on for university and postgraduate work, then she will be compelled to train, select, and promote men and women in each District. Earn while you learn, educational effort must become more and more the chief means of recruiting personnel for all Social Education, Public Health, Correction and Rehabilitation and Welfare Services in Japan. The present dearth of professionally trained personnel must be overcome by concerted action in a number of different fields in a measurable number of years.

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3. One great weakness all too evident to all of the well wishers of the Japanese people is the apparent inability of so many Japanese people, including members of the Executive, Judicial, and Legislative Departments to evaluate and use what they already have. The tendency is to proceed headlong to add new personnel and equipment whenever a new job must be done, or an old task must be performed in a different manner. The proposals for developing the different parts of the NOPARS System have been in some respects fantastic. The rich imagination of the average Japanese, be he student, public official, or business executive, frequently seems to run wild. On the other hand, when that imagination is compelled to think of the thousand and one details which one of its great artisans masters more easily than the average occidental seems to be able to do, the average Japanese official or worker can think and act very practically. Let us hope that the Diet and the various ministries will not try to dabble in the work which NOPARS, DYOPARS, DAOPARS, and Correction and Rehabilitation forces have on hand to do. Let NOPARS and the Correction and Rehabilitation forces do their work unhampered. May the colleagues, the other Ministries, and the Diet give response reasonable for cooperation, as and when called upon by the forces associated with the Attorney General. May the latter cooperate as when requested by the same forces in giving assistance. In these ways the tendency in Japan of piling one organization upon another will be curbed. Streamlining of all government forces and departments will then have a chance to prove its superiorities.

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For Publication in Japanese Prison Affairs Association Monthly Magazine, Published in Cooperation with the Attorney General

SUBJECT: IMPORTANCE OF OPARS AND OTHER CORRECTIONAL LAWS

Japan on 1 July 1949 got off to a good start in initiation of its National Offenders Prevention and Rehabilitation Law which provides a completely integrated and coordinated system of probation and parole on National, District, and Local levels. This comprehensive system also rounds out the new Correction and Rehabilitation System of which the new Family Court and Reformatory Acts, the Law ending commitments of offenders 14 years of age or over to private reformatories, and Cabinet Orders establishing eight Correction and Rehabilitation Districts, are the foundations.

The paid personnel consists of a total of 1077 commissioners, members of secretariats, probation and parole investigators and supervisors. Unpaid volunteers, the latter for specific work under direction of official personnel, will serve whenever possible.

Temporarily the small staff of the new Correction and Rehabilitation District organizations will give aid to the above mentioned 1077 officials and personnel in handling at least 15,000 of the total of some 32,000 cases annually released from correctional institutions and at least 5000 cases of juveniles who probably will be released by court order upon probation.

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Such initiation of so comprehensive a system with only a skeleton staff to manage and supervise the whole system, which has become the accepted initial procedure in the Occident, is something new to Japan. It is also an outstanding implementation of the skeletonized personnel table worked out by the Attorney General in cooperation with the Konda Commission and the streamlined budget worked out by the Attorney General and Minister of Finance. It is an advancement far beyond the requirements in initial compliance with the Nine-Point Program established with the aid of the Dodge Mission. This personnel table, tied as it is to a streamlined budget, has the effect of requiring no substantial reductions in the Attorney General's personnel to swell the ranks of the temporarily or permanently unemployed, a fact which all government personnel will appreciate.

The immediate relief to the Japanese taxpayer will be great. The prevention of mounting costs, and the relative and positive reduction in the net total budget of ¥7,352,000,000 for 1949 should keep pace with the decrease in the numbers of those theretofore held for long periods in detention houses before trial and for long sentences without the parole now available after corrective training. Here are avenues of increasing social and governmental efficiency and of providing timely economy and general well being which have been much talked about in Japan but never put into practice since

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governments took over functions which, in historical eras, were supposed to have been carried out by families and clans, more or less privately. It is entirely fitting that the Attorney General's Department, one of the oldest in point of organization of the entire Japanese governmental structure, should be the first to make these important advances.

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Remarks of Burdett G. Lewis, Chief Prison Branch, PSD, G-2, SCAP, at Meeting of NOPARS Commissions and Staff, Conference Room, PSD,

Subject: Importance of OPARS Law

Necessary First Things Have Preceded OPARS

The significance to Japan of the respective Juvenile and Adult Branches of the Offenders Prevention and Rehabilitation hardly could be exaggerated. It is like the roof over two wings of this Detached Palace. Neither wing would be fully useful if either wing lacked a roof. If neither wing had a roof, there would just be the various walls and floors and the stairways leading from one floor to another. The codes of civil and criminal procedure, the Juvenile Code, the Family and District Courts, the Prison Law, and the Reformatory Act are the foundations, walls, floors, and stairways of the Correction and Rehabilitation System. The Attorney General's Office and the various regulations and orders interpreting, organizing, and supervising the parts of the system, which are not confined to the care of the courts, make it possible to have all the various parts of the whole Correction and Rehabilitation System function. But if there were no roof over the different wings of the building, one would say that the various parts of the building could hardly be used at all. However, with the roof in place, the whole system can be developed room by room. The passageways between the rooms and the stairs

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leading from one floor to another then can be used at all times, whether when storms are raging or in seasons of fair weather.

What Was Wrong about Former Suggestions

Early in the Occupation the Rehabilitation Secretariat of the old Ministry of Justice brought to the various sections of SCAP a proposed revision of some of the laws and regulations then in existence which had to do with rehabilitation of offenders, especially juvenile ones. From the viewpoint of the various sections of GHQ there were four things wrong with that proposed big bill. These wrong things were:

a. It did not recognize crime prevention as a chief function of all kinds of correction and rehabilitation, but only of some phases of the work among juvenile offenders.

b. Contrary to the new Constitution and SCAP Directives, it would re-establish the principles of protective custody or supervision, perhaps "thought control," of those who had not been convicted of crimes or found guilty of juvenile delinquency.

c. It did not recognize that the revision of the Codes of Criminal and Civil Procedure, the reorganization of the courts, the revision of the Juvenile Act, and of the Reformatory Act and the reorganization of the various Bureaus of the Justice Ministry would have to precede the establishment of any efficient probation or parole in Japan.

d. It did not recognize that the modern tendency, whether in the United States, in the British Commonwealth, or

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in Sweden, is to combine juvenile probation and parole functions and place them under a National, District, and Local Juvenile Offender authority and to combine Adult Probation and Parole functions under a separate Adult Offender Authority.

OPARS Initial Operations Full of Promise

It thus came about that this all important law which provides a thoroughly modern National, District, and Local Probation and Parole System for all Japan is the last one of the new laws to go into effect. That is a new roof is being provided on 1 July 1949. It is going to be a hundred times easier for all concerned to operate the new probation and parole system since all of the other changes below the roof line already have been made in the Correction and Rehabilitation edifice. The new systems are either in operation or well on the way toward full implementing. The men and women in the Correction and Rehabilitation System now are functioning with much more modern facilities and under procedures which recognize that rehabilitation is being added to correction throughout Japan. For the first time in Japan and in the first Ministry, the office of the Attorney General, there is a streamlined budget. In this budget personnel and operating functions also are integrated, generally, for the first time in Japan.

Therefore, I congratulate you men and women, most of you

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young and all of you willing to learn, upon your great opportunities to participate in the OPARS system. You are to provide a well-functioning and a rounding out of the correction and rehabilitation forces organized respectively in separate District Commissions for Juvenile and for Adult Offenders. Since the economy of Japan must have time to recover from a long period of overexpansion of the military at the expense of civilian functions, you have been required to begin this work in more modest fashion than many of you felt to be wise or possible. As a result of some experience in the Occident and here in Japan, I wish to assure you that you can do a good job of planning and of placing in operation the beginnings of the OPARS system.

In 1915 I had the experience of beginning in a small way the operations of such a system in New York City. We had a Chief Parole Officer and only five other Parole Officers with which to begin the task of handling 10,000 cases during the first year. We had to borrow the part-time services of personnel of some other governmental departments of the Greater City. We were compelled, as you are, to seek the assistance of volunteer workers. Our task, like yours, was not easy but by hard work and the exercise of much patience and plenty of common sense plus some ingenuity, we succeeded in building an organization which has continued to grow and develop during the past thirty-four years. It is a flourishing organization

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in the 35th year of its existence.

You here in Japan have circumstances a hundred times more favorable than we had in greater New York in 1915. I forecast for you the easier development of your much more comprehensive system.

Let us identify briefly some of these more important favorable conditions which now exist

1. Japan now has one single coordinated Correction and Rehabilitation System with national, district, and locally integrated divisions for all offenders 14 years of age or older. Any duplication of paralleling of any part of this system by any other or any different system would put an unnecessary initial handicap upon what already is the best system of its kind, on paper, which any nation has in effect. Organization by the Diet of cooperating committees should be postponed for at least two years, so this system may have ample opportunity to function economically and efficiently as it must.

2. Japan has well developed conceptions for a career service in Correction and Rehabilitation. Its conception of a career service seems to have originated in the adult and juvenile prison service after the Sainju Ministry adopted the Prison Code of 1908. The operation and management of these two classes of prisons opened up a career for those graduates of Tokyo University Law School who did not go directly from Law School into the Foreign Affairs Service or into the practice of Law. This idea was strengthened, in the main,

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though retarded in some respects by the enactment and operation of the Juvenile Code of 1923. Insofar as the operation of this code bought, in able persons interested in criminal law as a career or interested in welfare or social services as a life work, it strengthened the idea of a career service. Insofar as the Juvenile Code brought into service untrained or temporary workers, it tended to weaken the insistence upon training and promotion from within the service. These tendencies, to an extent, were counteracted by the Prison Regulations of 1927, 1931, and 1938.

3. Probation and parole services for juvenile offenders are concentrated in eight District Youth Commissions well related to the Family and District Courts, particularly the Family Courts on the one hand, and all detention and classification centers and institutions for juvenile offenders on the other hand.

4. While no probation service is provided in the OPARS Law for Adult Offenders, Parole services for such offenders are established in eight separate District Commissions for adults on a basis similar to those for juvenile offenders. It is to be hoped that the new probation system for juveniles will be well administered and effective so as to cause an early amendment to the law restoring the original provision of probation for all offenders, both adult and juvenile.

5. The Juvenile Code, including the Child Welfare, Family Court, and Reformatory Law, plus the Offenders Prevention and Rehabilitation Law, when read together with the new codes of

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Criminal and of Civil Affairs, plus the new Constitution, as already stated, provide well-integrated and coordinated systems, undoubtedly equal to and perhaps superior to the general level of those of any nation.

6. The provision of forty-four new public reformatories and ultimately some 48 juvenile detention and classification centers, as well as many more new separate or rebuilt detention prisons for adult offenders give Japanese Correction and Rehabilitation forces advantages not heretofore enjoyed.

Having recounted these advantages, let us face the handicaps which Japanese Correction and Rehabilitation forces must begin work. From my own experiences and observations in Japan and elsewhere I would list these as follows:

1. In Japan, until recently rehabilitation was not thought of as one of the most important of all purposes comprehended under the term, correction, but on the contrary in adult prisons for some time after the Occupation began, imprisonment and the infliction of penalties were thought of as among the chief functions with little or no direct and ever present responsibility of the prison itself for reforming the characteristic attitudes of the adult prisoner toward Japanese society and culture.

2. The Japanese career service, fine, significant, and epoch making, as it has been, nevertheless, adequately has not been based upon training, selecting, and promoting men in accordance with their peculiar endowments, personal preferences, and demonstrated capacities for tasks in different fields of thought

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and action. On the contrary, the principle of rotation from fire to police, from police to all manner of services, and from procurators to prisons, and of officers and of under officials within the prison system has been about the only means of promoting men. Though the system of rotation has been cut loose from promotion, revivals of this merry-go-round of transfers keep reappearing even though all that is required is to select one man for one position and to replace him with one other qualified person.

It should be possible for colleges and universities of one area to train men for both public and private services of that general area, say a Correction and Rehabilitation District, as has the United States. If Japan is going to be compelled by the necessity of economizing in developing junior colleges and technical training schools for those who cannot go on for university and postgraduate work, then she will be compelled to train, select, and promote men and women in each District. Earn while you learn, educational effort must become more and more the chief means of recruiting personnel for all Social Education, Public Health, Correction and Rehabilitation and Welfare Services in Japan. The present dearth of professionally trained personnel must be overcome by concerted action in a number of different fields in a measurable number of years.

3. One great weakness all too evident to all of the well wishers of the Japanese people is the apparent inability of so many Japanese people, including members of the Executive,