

Rehabilitation program, penal reform debated

By Deb Gray

Jake Jones (not his real name) sounded tired but mostly irritated as he talked on the phone.

Jones, a 24-year-old convicted felon, was talking about rehabilitation programs at the Nebraska Penal Complex. To him, it was a joke.

"All the penitentiary does is to teach someone how to be a better criminal," he said. "The inmates learn the rules of the game better so next time they won't get caught."

According to the Federal Bureau of Investigation, Nebraska's serious crime rate rose 8.1 percent in 1973. What should be society's attitude toward these offenders?

"My belief is that of U.S. Attorney General William Saxbe," Lincoln Police Chief Joe Carroll said. "Saxbe stated in Cleveland that society doesn't cause crime, criminals do. The sooner we start incarcerating criminals, the sooner we'll see a decline in the crime rate."

Carroll partially blamed the rising crime rate on the so-called trend to rehabilitate the criminal.

"The move recently has been to rehabilitate the criminal. Consequently less and less time is spent by the criminal in jail and penal institutions."

The fault doesn't rest with the courts, he said.

"The courts and judges fulfill their obligation only to have parole boards overrule them after the defendants were determined to have had a fair trial," Carroll said.

State Sen. Roland Luedtke, chairman of the Unicameral's Judiciary Committee, contested Carroll's view.

"Carroll looks at the problem from a chief of police standpoint," he said. "He believes if you put people in jail and throw away the key you're solving the problem. Out of sight, out of mind."

Luedtke said 95 percent of prison inmates eventually return to society.

"Depending upon their prison experience, they'll either come out rehabilitated citizens or return to the streets to commit another crime," Luedtke commented.

Both Luedtke and Carroll opposed abolishing the death penalty.

"I think it's very much a deterrent," Carroll said. It has not been used in Nebraska for 14 years, since Charles Starkweather's death in the electric chair in 1959.

Luedtke voiced qualified support of the death penalty.

"I have an ambivalent attitude toward capital punishment," he said. "There are some hard core criminals you never will be able to reach. About 15 to 20 percent will always remain in maximum security prisons. I don't believe in knocking down the walls and letting the prisoners out."

Luedtke said the key to curbing crime is through remodeling the first-time offender.

"The first time a person is picked up, he is not a hardened criminal," Luedtke said. "We need to get these persons diverted from criminal punishment."

A stumbling block toward rehabilitation, he said, is the revolving door concept, a vicious circle which breeds more crime.

"After a prisoner gets out into society, he's treated like an ex-con," Luedtke commented. "Immediately, he is searched, embarrassed and scorned. It's hard for him to find a job. Crime becomes the only thing he knows."

Carroll approved of probation for first offenders. But he said its role is overplayed in what Saxbe called "career criminals."

"I don't think probation should be given to habitual offenders," he said.

Luedtke said the penal complex doesn't break crim-

inals, it makes them.

"The penitentiary has generated highly sophisticated criminals," he commented.

Luedtke said there is a lack of rehabilitation programs at the penitentiary. The most progressive projects, he said, are the work and educational release programs. These projects allow the inmate time outside the penitentiary to work or attend school.

"It's difficult to say as yet how well it's working since it is a very experimental program," Luedtke said.

Carroll was hesitant about praising work release successes.

"It looks better outlined on paper than it actually does in practice," he said.

He mentioned Lincoln's rising number of rape cases.

"In many cases the perpetrators of the crime were individuals that should not have been on the street," he said. "They were sentenced to prison and were on the street through work release."

There are potentially successful rehabilitation programs, Carroll said. But he cautioned against going overboard.

"If an inmate has a desire to go to school, attention should be given for him to take correspondence courses instead of letting him intermingle on campus with law-abiding citizens," Carroll said.

Carroll's work release allegations were "ridiculous," Luedtke said.

"In an experimental program, you're bound to have some failures," Luedtke said. "But there are many more successes that no one finds out about."

The League of Women Voters, concerned over Nebraska's lack of rehabilitation programs, will lobby during the 1975 Unicameral session for reform legislation, according to Elaine Carpenter, corrections chairman.

"We hate to use the word rehabilitation," she said. "We'd rather call it resocialization. We try to rebuild these people's lives."

The league is working in two areas. They maintain victimless crimes, such as public intoxication or prostitution, shouldn't be labeled as criminal offenses.

The league is also lobbying for community-based rehabilitation programs, Carpenter said. These include structured residential settings for inmates, improved treatment facilities and halfway houses that work with offenders before imprisonment.

Carpenter said she believes next year's legislative session will be a good one for penal reform.

She also criticized local prison facilities, describing Lincoln's jail as "a well-lit dungeon."

"First off, it's in the basement," she said. "The lighting is bad. There isn't even a clock."

Back in the County-City Building, Chief Carroll said that criminals receive unwarranted publicity.

"I wish the people who are advocating rehabilitation would give equal time to the case of the victim of crime," he said. "Some individuals, like in rape cases, are affected the rest of their lives."

He mentioned Duane Pope, who was convicted of murdering three people in a Big Springs bank robbery.

"So much emphasis was placed on his life as a well-educated man before the robbery," Carroll said. "They should give more consideration to the manner in which he made the bank employees lie on the floor while he shot them."

One of the victims, Carroll said, was a widowed cashier.

"Because of her death, she left two orphaned children," Carroll said. "I think more thought should be given to taking care of these parentless tots instead of the perpetrator of the crime."



Lincoln Chief of Police, Joseph Carroll.

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