



ARCHIVED - Archiving Content

Archived Content

Information identified as archived is provided for reference, research or recordkeeping purposes. It is not subject to the Government of Canada Web Standards and has not been altered or updated since it was archived. Please contact us to request a format other than those available.

ARCHIVÉE - Contenu archivé

Contenu archivé

L'information dont il est indiqué qu'elle est archivée est fournie à des fins de référence, de recherche ou de tenue de documents. Elle n'est pas assujettie aux normes Web du gouvernement du Canada et elle n'a pas été modifiée ou mise à jour depuis son archivage. Pour obtenir cette information dans un autre format, veuillez communiquer avec nous.

This document is archival in nature and is intended for those who wish to consult archival documents made available from the collection of Public Safety Canada.

Some of these documents are available in only one official language. Translation, to be provided by Public Safety Canada, is available upon request.

Le présent document a une valeur archivistique et fait partie des documents d'archives rendus disponibles par Sécurité publique Canada à ceux qui souhaitent consulter ces documents issus de sa collection.

Certains de ces documents ne sont disponibles que dans une langue officielle. Sécurité publique Canada fournira une traduction sur demande.



NATIONAL PAROLE BOARD

PAROLE FOR RECIDIVISTS AS
EFFECTIVE SOCIAL DEFENCE

Three Illustrative Case Summaries

Frank P. Miller
Member

HV
6049
M5

HV
6049
M5



NATIONAL PAROLE BOARD

LIBRARY
MINISTRY OF THE SOLICITOR
GENERAL
MAY 23 1984
BIBLIOTHÈQUE
MINISTÈRE DU SOLICITEUR GÉNÉRAL

PAROLE FOR RECIDIVISTS AS
EFFECTIVE SOCIAL DEFENCE

Three Illustrative Case Summaries

Copyright of this document does not belong to the Crown.
Proper authorization must be obtained from the author for
any intended use.
Les droits d'auteur du présent document n'appartiennent
pas à l'État. Toute utilisation du contenu du présent
document doit être approuvée préalablement par l'auteur.

Copyright of this document does not belong to the Crown.
Proper authorization must be obtained from the author for
any intended use.
Les droits d'auteur du présent document n'appartiennent
pas à l'État. Toute utilisation du contenu du présent
document doit être approuvée préalablement par l'auteur.

Frank P. Miller
Member

Examples of Parole for Recidivists

as Effective Social Defence

The three case summaries which follow are illustrative of the problems presented in the consideration for parole of the cases of recidivists. They represent three distinctive types of problems of rehabilitation and the protection of society which sometimes can be solved by the judicious use of parole. These three cases are not extraordinary in their type and the three types exemplified are not exhaustive of the types of recidivists or other difficult cases with which the Parole Board deals. The cases were chosen because they came to hand with recent reports at the time it was decided to prepare this article.

The case of CHARLES is relatively simple. This is a "burnt out" criminal of the non-violent type. So long as he has the security of some authoritarian support and direction he is most unlikely to seek to solve his problems by the commission of property crimes. He is typical of the type of persistent offender frequently referred to in research surveys who constantly seeks to return to the institution as a haven.

One cannot predict with certainty how he will act once his parole is terminated next year. He may continue to seek the advice and support of his supervisor, as sometimes happens. If he does, then there is no reason why he cannot carry on adequately in the community.

The case of ALBERT is different. This man was a violent anti-social criminal with deep emotional problems. There was no opportunity in the institution for him to receive psychotherapy. Nevertheless when it came time to consider his case for parole there existed a complex of factors which taken together were indicative of successful parole. (In the absence of any one of these factors parole would have most likely been denied). These factors were:

- (1) he was highly motivated to improve himself and this he did along vocational lines;
- (2) he had an extraordinarily good opportunity for employment in his chosen vocation;
- (3) his wife remained a constant support;
- (4) facilities for psychiatric treatment existed in the community;
- (5) a competent supervisor who understood the case was available.

Capitalizing on this situation, The Board released this man on parole and his parole at its termination two years later can be rated as successful both as a means of protecting society and effecting his rehabilitation.

The case of WALTER is somewhat similar to that of ALBERT with this difference: that an important change in WALTER took place during his period of incarceration as a direct result of the psychotherapy facilities available in the institution. Because of this development of self understanding and improvement in motivation, the man was able to proceed on parole despite an unhappy marital situation and with no definite prospects of employment. Available of course were psychiatric services in the community as well as the presence of a competent trained supervisor.

These cases are representative also of three existing types of supervisory services. The case of CHARLES was handled by one of our own Parole Service Officers; ALBERT was supervised by a staff member of an after-care agency; a Provincial Probation Officer gave supervision in the case of WALTER. In the three cases the sentence range was from three to eight years. There was perhaps barely sufficient time in each case to permit institutional treatment (if any), proper inquiry and assessment, and yet allow for an effective period on parole.

Had parole not been granted in these three cases, the three men would at this point in time have been released from the prisons as free agents at the expiry of their sentences. One, as indicated above, has now satisfactorily completed his parole. The other two will continue on parole for periods of one year and two years respectively.

Certain changes and omissions have been made in the accounts below to preserve the anonymity of these former offenders who continue their efforts to strengthen their reestablishment as contributing citizens in the community.

THE CASE OF CHARLES

This man is what may be termed "an old lag". He has been in and out of prison all his life. Although he is only 57 years old, he seems to have prematurely aged.

His criminal record is non-violent. It started in 1924 with a breach of the Railway Act for which he received thirty days. This was followed by a period of detention in the Armed Services and later a sentence in a foreign prison. Since 1935 in Canada, he has served two reformatory terms and four penitentiary terms for breaking and entering, shopbreaking and one charge of obstructing a Peace Officer. He did receive two suspended sentences for what appear to have been relatively minor offences but until his last sentence he had never been released on parole.

The longest gap in his criminal record was from 1939 to 1945 during the greater part of which period he was in the Armed Services. He served nearly three years overseas in the United Kingdom and operational theatres.

He is a highly institutionalized and dependent person who did exceedingly well in prison.

During his current sentence, it was decided to capitalize on his dependency and apparent abatement of interest in criminal activity. Here are some extracts from the case summary at the time of consideration:

"The Classification Officer reports that since CHARLES has been transferred to X Institution he has been employed in the Industrial Shop. At this type of work he has demonstrated a superior ability and his instructor is quite positive that when the subject is released and, if work is available, he would be employed by the A.B. Company and is capable of holding down a position with them in most capacities, including that of ----- . The Classification Officer relates that when one looks at this inmate's criminal record it would frighten a person, however, subject's adjustment and attitude at the Institution suggest that he might have changed his ways and now have achieved the years of discretion where further criminal offences are unlikely. It seems obvious that incarcerations in penal institutions have served neither as a deterrent to nor a solution to preclude anti-social acts. Considering employability and army pension, supervision might resolve this inmate's problem."

"The Field Officer reports that subject was friendly and co-operative during interview and that the Field Officer has known subject for many years. Institutionally, he has always been the recipient of excellent reports insofar as conduct and industry are concerned. He seems

to be an inadequate person who experiences periods of loneliness outside, starts drinking heavily and while in this condition commits a rather stupid offence which returns him to prison. Subject was at liberty between one and two years between offences and it would seem that this inmate is thoroughly institutionalized. He makes a very good impression while in prison and, the Field Officer believes he would honour parole as he would have someone looking after him. One could describe CHARLES as a harmless old man who likes to please. He got along very well in the City of A.B. after his last release to this city in 1958. He left after being laid off work and having no success in finding another job. Mr. T. thinks it might be worthwhile experimenting with this type of offender to find out whether an inadequate type, such as he, is able to function under a supervised release. Mr. T. recommends examine."

"The National Employment Service in the City of A.B. have advised that employment prospects for CHARLES are quite favourable. As of April subject will have some \$40.00 in his account and if paroled to the Regional Representative in the City of A.B., commercial accommodation would be lined up and employment would be secured immediately without too much difficulty. There is Salvation Army clothing available to subject if he is released. Our Field Officer believes that CHARLES has a fairly good opportunity to reestablish himself in the City of A.B., if he should be released on parole, and that the Regional Office would be prepared to accept supervision."

This man was released on parole over a year ago and his parole will continue for approximately one more year.

Here are some excerpts from the diary of his supervisor:

"On May 10th subject visited me at the office at 8:30 A.M. He had been laid off the night before along with four others. Although CHARLES had at the beginning of the week felt he could manage with the little money he had, it was now evident that he would require a loan to see him through until he received his pay. He was loaned \$10.00 from the Parole Fund. I took subject around to the Department of Veterans' Affairs where arrangements had been made to have him interviewed by the Pension Doctor from the City of BX at 8:30 A.M., Wednesday May 15th. He is also required to see Dr. K. at the Hospital on Friday afternoon at 1:30. This is in connection with his disability pension. In view of this, CHARLES feels that it will not be worthwhile to look for a permanent job and will visit the National Employment Service to ascertain if any casual work is available for a few days until he is through with D.V.A."

"CHARLES is not too happy with his present living accommodation. He generally gets up at six in the morning and has to wait an hour or more to gain use of the single bathroom. In addition to this, he describes the area as very noisy -- the police were called next door to quieten things down on Saturday night. Across the street, a bootlegger has a thriving business. CHARLES does not want to become involved in any adverse situations".

"CHARLES is not lazy. He gets up at 6:00 A.M. each morning and hangs around the NES Office from 7:30 until 8:30 in the hope that employers needing someone in a hurry will hire him. (This is quite a common practice.) He has also visited several firms in the City of A.B. and filled out applications for employment.

He has visited the SPO of the MES who has promised to keep his eyes open for something he can do. Unfortunately, due to the strike over the past three weeks, jobs are very scarce. CHARLES reports everything he does to me and lately has been either phoning me at home or visiting the office every other day or so. He is being encouraged in his endeavours and counselled about his outspokenness which sometimes rubs people the wrong way".

"When CHARLES had secured the job, his spirits and general attitude improved very greatly. He likes the idea of employment in his field. I actually suspect that he is not as competent in the ----- trade as he has led us to believe. Because of this, he may have felt insecure in this line of work. This, coupled with loneliness, has made the going very rough for him. At least at N.'s he will be working in a lively, fast moving environment. His work will be repetitious. CHARLES feels that he is quite competent in this field and will not have difficulty in competing with younger men on the job. Incidentally, Mr. C. has previously considered older workers and has found them to be steady and reliable. CHARLES' age, therefore, was not a bar on this job."

"He is a lonely old man but in recent months has been very appreciative for anything done for him. He has been no bother lately and when he drops in the office, it is only for five or ten minutes. I hope he will continue to do this after his parole is over. He has never had anyone to take an interest in him and as indicated in previous reports he has reached the stage in the past where he probably had an unconscious desire to return to prison, and be with people he knew. I am quite satisfied with CHARLES' progress to date."

THE CASE OF ALBERT

This is the case of an aggressive criminal with a record of violence, the consideration of whose case posed serious problems for the Parole Board.

His record extended over a period of eighteen years. It involved such offences as shopbreaking, breaking and entering, assault occasioning bodily harm, armed robbery. At the time of his ultimate release on parole he was thirty-nine years old. At the time of his admission to the penitentiary he was assessed by the psychiatrist and classification staff to be a person with a deep psychological conflict centering around his immaturity, dependency, poor judgment, limited intelligence and desire for punishment. However, as time went on, there became noticeable improvement in his attitudes.

Here are quotations from some reports put before the Board.

The Regional Officer said:

"The writer believes that this man's plans for employment are realistic at the present time. He is quite willing to start at the bottom on any job and feels that within a relatively short time will be able to work his way up. A spring release would certainly place him in the labour market at a favourable time.

ALBERT does not appear to bear resentment of authority and did express sincere regrets for his past life.

Towards the end of the interview ALBERT pointed to another area where apparently he has gained insight. It seems in the past he was impatient to get ahead -- be an important person -- a big shot. He now realizes that he may again be impatient and believes that supervision within a parole situation would help to keep him on an even keel".

The Chief ----- of the institution reported:

"ALBERT has been in my employ as ----- since 22 March, 1961, to the present date. ALBERT came to this department on graduation from our school of ----- after completing an eighteen-month course in ----- with First Class Honours.

I have always found him to be a most courteous individual, of pleasant disposition, cooperative, and very easy to get along with. His work is of the highest quality, and he is exerting every effort to improve himself through taking additional training courses extramurally. This he does in preparation for his eventual release from this institution.

He is an asset to this department, and I recommend him very highly."

The Deputy Warden reported:

"This man has used his time to prepare himself for release. I believe that if employment was available and supervision were provided for a period of time he might well be on his way towards an honest life.

I had the opportunity of meeting his wife at the Graduation Ceremonies of the Course in ----- . She appears to be one who would be of great assistance to him in his rehabilitation.

I would recommend parole."

When the case was before the Board the problems were set out by a Board Member as follows:

"This man has a serious record of violence. He is in need of therapy. The Psychiatrist says, 'there is ample evidence to support the fact that his crimes are tied in with his psychopathology'. This, therefore, poses a problem for parole consideration.

The inmate seems to have made some considerable effort to try and understand himself. He certainly has made considerable effort with success to improve himself from a vocational point of view. He is willing and perhaps even anxious to have therapy on release. While it is not stated explicitly it is implicit in the Psychiatrist's report that therapy after release would be a good method of rehabilitating this man.

There is on record an extraordinary offer of employment. I say extraordinary because it is an opportunity in this line of work that is not easily obtained for an ex-inmate.

The relationship between the man and his wife seems to be sufficiently good to warrant consideration of the marriage to be a good anchor. Note the wife corresponds regularly and was present at the ----- Course graduation ceremonies.

I am not yet sure that parole is the answer in this case, but I am inclined to the view that if a suitable supervisor (by suitable I mean some one who can understand the dynamics of the case and will give close supervision) is found -

if the ZA. Mental Health Clinic guarantee to take the case on - if the employment situation is reconfirmed - if the wife is actually ready to stand by her husband and can be a help - then parole for this man would protect society and assist in his rehabilitation.

Therefore, I sign for Reserve Decision to permit community investigation to cover all the points mentioned above and any others that may seem necessary. The choice of supervising agency should be made on the basis of what is known about the people available in ZA".

From the community investigation report:

"The ZA. Representative of the ----- Society refers to Mrs. Albert as a fairly young looking, quite attractive, and well dressed woman, around 29 years of age; ten years younger than ALBERT. He suggests a very strong attachment to ALBERT and that yet she leaves the impression that she does not identify in the slightest with his criminal activities. She stated that when he was first convicted, after their marriage, she felt she would leave him, however, when he returned to the community, she found she could in fact not do this and simply says now that she knows she cannot leave him no matter what he has done. At the same time there does not seem to be the slightest hint that she condones the behaviour in which he has been involved. She attributes this behaviour to his desire for a white collar or perhaps one might say a prestige type of job. A second aspect of his behaviour she feels is his need to be the big shot with money to spend. She feels however that during this sentence she has noted a decided trend toward a more mature line of thinking and is confident he will make good use of the skills he has developed in the Institution."

Finally, in the early spring of 1962 this man was released on parole. Here are some excerpts from the post release reports:

"Within a few days of his release, ALBERT went to work with the ----- firm which was involved in the pre-release planning. From the reports which we have had, it would appear that they are quite satisfied with his work and have started him off at a rate of seventy-five dollars a week. In addition he has been working overtime and in the first week actually took home approximately \$90.

This man impresses as having a very great capacity to succeed and be a worthwhile individual. At the present time, he has every opportunity to succeed in achieving this goal and one gets the impression of a sincere desire on his part to do so. Certainly at the present time he is able to look at his past activities quite candidly and to recognize that the easy money made in the past really was not worth the hardship and the deprivations that he and his wife have suffered as a result. At the present time then, we see no reason to anticipate serious difficulties with the supervision of this man unless there are major changes in his circumstances.

"This man's behaviour has been extremely good with the exception of one occasion when he went to the local race track and lost a small sum of money betting on the races. He was extremely anxious about this situation, viewing it as a repetition of the pattern which his life had followed in the past, and after an extensive discussion of it with us we discussed it with Dr. R. of the Mental Health Clinic and arranged for interviews with ALBERT. We have not had

an opportunity to discuss the matter with Dr. R. since this, but we felt that the situation was very positive inasmuch as ALBERT recognized this as a problem area and came in to talk with us about it. We have continued to keep this in mind as a potential problem area although at the present time he indicates that it has not again caused him any difficulty.

In general then, this man's period of time under parole supervision to date has been most satisfactory and if he continues in this fashion he should make a very adequate adjustment to the community."

"ALBERT continues to work a considerable amount of overtime and as at the time of the last report has spent a good part of his leisure time working around the home. I feel that the basic change here has been his inclination to devote his leisure time to activities with his wife and family rather than independent activities such as he undertook prior to his conviction."

"ALBERT is doing very well, has had one or two raises in pay as well as a bonus at Christmas time. His employers seem entirely satisfied with his work according to reports which we have received, and we would feel ALBERT gains considerable satisfaction from it".

The parole concluded recently. The man was at liberty on parole a little over two years. Had he not been released on parole he would have been released at the expiration of his sentence early in 1962. He has thus been under control and in receipt of services and treatment for a much more extended period of time.

Here is the concluding paragraph of the supervisor's final report:

"It would appear then, that there is little reason why this man cannot continue to lead a most satisfactory life and it is our feeling that he will seek help if problems develop in the future. Since this man's parole has now terminated we are enclosing with this report the supervisor's copy of the parole agreement."

"I recently had occasion to discuss a matter with the Deputy Chief of Police in the city who has known ALBERT for some years. He commented with considerable surprise upon the totally different appearance and attitude of this man at the present time compared to the previous experience of the Police Department with him."

THE CASE OF WALTER

This is the case of a criminal addict whose first criminal behaviour preceded his addiction. His criminal record covers a period of ten years prior to his last committal to an institution in 1958. He had been convicted of such offences as shopbreaking, theft of auto and illegal possession of narcotics. Unlike most addicts, he did become involved in an armed robbery and his current sentence is one of eight years for armed robbery.

At the time of his admission to the penitentiary, he seemed to have some motivation for treatment and fortunately, at that time extensive treatment facilities were available.

Approximately two and one-half years after his admission to the penitentiary, the Senior Psychologist reported as follows:

"The above named inmate attended 26 sessions of Group Therapy. He was a member of the drug addict group.

His participation was active and constructive. He was very talkative and most interested in the discussions. He was one who got the most out of the therapy sessions.

It is the writer's impression that he gained a good insight into his problems. It is difficult to assess to which interest he has integrated these insights, but such an improvement has been noticed in his overt reactions that one can state that group therapy has performed marvels in his case.

Out of the discussions he has gained not only a better understanding about himself, but also a more realistic view toward the demands of reality. His attitude toward his wife is especially objective.

WALTER is now determined to prepare himself for his future release. He has still many years to serve but he wants to utilize them to his advantage. His main concern is to learn a trade which he might use on the outside. Because of a better understanding of his problems, or better acceptance of himself, he intends to try a trade which will suit his personality. As he is small, basically passive and cannot compete adequately with others, he finally chose the trade of

It was explained to him that the trade of ----- was not taught at X Penitentiary, but only at Y Penitentiary, and that generally drug addicts are not accepted in that institution.

However, as the learning of this trade will help this inmate in his rehabilitation efforts, as he has shown by his active participation in group sessions that he is eager to better himself and his decision of learning the trade are realistic, the writer strongly believes that an exception should be made in this man's case and that a transfer to Y Penitentiary should be seriously considered."

The transfer to the other institution took place and WALTER carried on with his plans for ----- . Approximately one and one-half year after his transfer, the Classification Officer of the second institution reported in part:

"Institutional conduct and work on the whole has been good and subject is attempting to learn a trade ---. Unfortunately, it will take at least another year of training before he can use the trade to any advantage on the outside and even then he would have to accept apprenticeship rates of pay. On the other hand, he is intelligent and has Grade 11 academic standing and should be able to locate employment of a semi-skilled nature. He has some experience as a clerk and has also worked in ----- and at -----.

On the surface, it appears that subject has made good progress and psychiatric reports indicate considerable improvement. However,

there are still strong attachments to the sub-culture group and some fringe activities within the prison. Although it appears that subject is desirous of adjusting to accepted standards, he is still concerned about approval from the inmate population. Some doubt could also exist as to his ability to handle frustrations to the degree necessary. He may be able to resist drugs but there is always the possibility of him using alcohol as a substitute. Supportive therapy on an out-patient basis might be the answer and WALTER has accepted this as part of his parole plan."

In the meantime, the relationship between this man and his wife deteriorated and the prospects of employment as a ----- became less attractive. Nevertheless, the man maintained his good motivation and concluded to set as his destination his home city. He gave as his reasons that he could not run away from his problems -- his sister wished to help him -- a member, (an official) had been writing to him and promised support on release. He has tried running away before and has never accomplished anything.

The Board finally granted parole after the inmate had served five years of his eight year sentence. He would have been released from the penitentiary as a free agent early in 1964 had he remained until expiry. Because of his release on parole, his sentence now continues on parole until sometime in 1966. During the two years he has been on parole, he has progressed steadily. Employment was achieved early in the sentence with a large industrial firm. He has continued with this firm throughout the period of his parole to date and has more recently been taking an active role in union affairs.

In line with arrangements made before his release, he has had continuing contact with a mental health clinic.

Here are some excerpts from the post-release reports supplied by his supervisor over the months that he has been at liberty:

"Appointment arranged to discuss psychiatric support with Dr. X. A clergy contact has been arranged. It looks from the initial interview that things are off to a good start and I am favourably impressed with the parolee's attitude, frankness and insight into his problems."

"Has kept all appointments made for him when possible and cancelled others with proper notice and good reasons. He was somewhat hostile towards the Psychiatrist on account of his rigid office hours, but after talking out his hostility with me, seemed prepared to resume attending the clinic. Our relationship remains healthily inter-dependant and I anticipate considerable movement by WALTER once he has settled at work."

"Receiving excellent treatment from X Company. Working long hours in preferred departments and has received intimation of being in line for advancement. Has purchased car with cash to be less dependant on sister."

"Coaching Baseball team. Has had one accidental contact with an addict known to R.C.M.P. but withdrew as soon as he became aware of danger of association and disclosed the occurrence to Detective L. who counselled him appropriately."

"WALTER's room was searched by City Police on November 12th following a hold-up at a store involving theft of \$8,000.00. No charges were laid and the indications are that WALTER was suspect only because of his status as a parolee, the sum of money involved and the victim giving a description of an assailant which tallied slightly. Needless to say the whole episode upset WALTER considerably, but he has more or less recovered emotionally on the surface. Progress continues to be encouraging."

"Through referral by Reverend B., is receiving counselling from Service Bureau in conjunction with supportive therapy from Dr. W. with view to resuming relationships with wife. Client is maintaining rational attitude and not expecting too much to transpire at this stage."

"The way in which WALTER has approached the problem of relationships with his wife is very encouraging. He has made use of the agencies suggested and is moving very circumspectly. Client is moving at his own speed and developing mature inter-dependant relationships with helping and authority figures."

"This continues to be a rewarding case. WALTER is resolving his conflicts with the aid of supportive therapy from the Provincial Clinic, our own interviews and by hard work. I did not regard the drinking episode as a permanent relapse. WALTER fully recognizes the situation in which he placed himself at law. He remained sufficiently aware of himself throughout the evening to reject suggestions to commit crimes. He sees his mistake and the danger to which he exposed himself and has probably profited from the experience."

"Has resumed contact with ----- who is married. This is giving him and his wife healthier social outlets, the two couples visiting frequently, etc. Relationships with family remain satisfactory."

"Last month WALTER wished to adopt a friend's baby son. Significantly his first move was to discuss this with me rather than present me with a fait accompli. Accordingly he was referred to the Children's Aid Society but his application was turned down. We had discussed the roots of the problem, his wife's supposed sterility and he is now engaged on the alternative plan I suggested, namely further medical investigation. He accepted rejection by the C.A.S. graciously and there were no emotional repercussions. In view of sustained progress, future reports will be on a quarterly basis."

O t t a w a,
October 16, 1964.

SOL.GEN CANADA LIB/BIBLIO



000022557

