

RESPONSIBILITY, LOVE, AND PRIVATIZATION

A Businessman's Guide to Criminal Rehabilitation

JACK ECKERD

America's prison population is increasing at an alarming rate, rising 15 times faster than the national population and more than doubling since 1974. In many states the prisons are operating under emergency conditions, with twice as many inmates as they were designed for; a growing number of prison systems are under court order to curtail overcrowding, even if that means early release of violent offenders. Citizens protest such releases loudly: they understandably do not want serious felons on the streets. At the same time they frequently balk at expenditures for new prisons, not to mention the \$20,000 annual cost of keeping an inmate in prison, twice the cost of keeping a student at a state university.

It's hard to think of an American social program with a worse track record than our prisons. Some 70 to 75 percent of former convicts return to lives of crime. The United States has one of the highest numbers of prisoners per capita in the non-Communist world. But it also has one of the highest crime rates of any advanced economy. Though the doubling of the prison population since the mid-1970s has been accompanied by an almost 25 percent decrease in the percentage of households victimized by crime, millions of Americans are still terrorized by criminals, and large sections of every American city are unsafe.

The biggest single reason for the explosion of crime is the deterioration and breakdown of the family, not only in the inner cities, but also among the ever-growing number of middle-class families where both parents work and children run loose without supervision. Child abuse, drug abuse, family violence are both symptoms and causes of a self-feeding cycle of despair. The growing materialism of our civilization has also contributed to an ethical decline, including a serious erosion of respect for the lives and property of other people.

But in the midst of this breakdown of family and community morality, it is also clear that prisons aren't doing their job. They are neither deterring crime nor rehabilitating criminals. Nor are they providing sufficient restitution to the victims who have suffered from crime. The taxpayers cannot afford the route we have been taking—of sim-

ply building new prisons in response to astronomic rates of murder, assault, robbery, burglary, and drug-related crimes. The time has come to rethink some of the principles of criminal justice.

The Torture of Idleness

Punishment of criminals is important, but it's inhumane and counterproductive to use prisons purely for punishment. The average inmate leaves prison more bitter than when he entered. He is no better educated. He has gained no experience holding a meaningful job where he has to show up on time, report to a boss, and learn responsibility by getting his work done. He has spent two, five, ten years in prison living mostly in idleness—one of the worst forms of torture you can give a man. The typical convict is given \$100 when he leaves and told to fend for himself. Then we wonder why we see recidivism rates of 70 to 75 percent.

Although I am not a criminal justice expert nor have I had training in correctional work, for more than 20 years I have worked with troubled youth through Eckerd Family Youth Alternatives, a private foundation that currently operates 14 year-round wilderness camps in five states, as well as two correctional facilities for serious juvenile offenders that we took over from the states of Florida in 1982 and Maryland in 1988. Since 1983, I have chaired the board of PRIDE, a state-sponsored private corporation that runs all of Florida's 46 prison industries, from furniture making to optical glass grinding—incidentally, at a \$4 million profit to state taxpayers last year. I serve on the national board of Charles Colson's Prison Fellowship Ministries. In addition, when I was chief executive of Jack Eckerd Corp., I encouraged our drugstore managers to hire former prisoners. I have, therefore, had the opportunity to observe firsthand how prisons and juvenile justice systems actually work, as well as the role that the private sector (nonprofit as well as

JACK ECKERD, founder and former chairman of the drugstore chain that bears his name, is chairman of Eckerd Family Youth Alternatives and chairman of PRIDE, Florida's prison industry program.

profit-making) can play in improving criminal justice.

My impression—and this is a guess, not a scientific calculation—is that it is impossible to rehabilitate about a third of the adults currently in prison. These are incorrigible repeat offenders whose characters are not going to change, and who will return to crime, in frequent cases to violent crime, whenever they are given the opportunity. For such criminals, particularly the violent ones, the primary obligation of society is simply to put them away so they cannot harm their fellow citizens. For the other two thirds, serious rehabilitation efforts are likely to be more cost-effective than lengthy and repeated stays in prison.

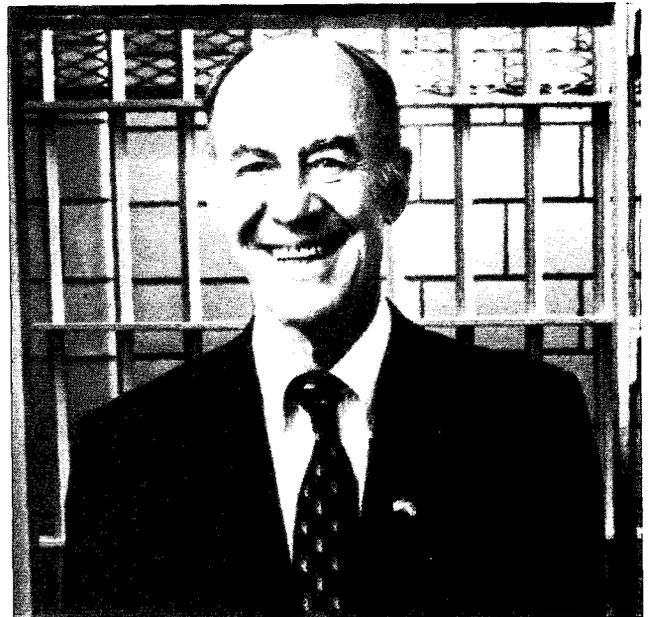
Putting all offenders behind bars, regardless of their crimes, is as senseless and expensive as putting a patient with a common cold in an intensive care unit. It is doubly foolish—bad for the offender and wasteful for the state. For about half of the current prison population—mostly nonviolent offenders, petty drug pushers, even some first-time violent offenders—supervised home detention would be preferable to prison, provided the average caseloads of parole officers were limited to 20 instead of the present 100. These detainees would receive some sentence. They would live under curfew and they would be unable to leave the county without permission. On weekends they would perform community service. When they got a job, some small part of their income would go to restitution. If they violated the terms of agreement, they would go to prison.

With a caseload of 20 convicts per parole officer, community-based punishment costs about \$2,500 per year per detainee, one-eighth the cost of prison. The release of nonviolent offenders would also free up prison capacity for the most dangerous criminals, some of whom are now being let go to relieve overcrowding. But perhaps most important, a shoplifter or petty drug pusher has a better chance of starting life over in these circumstances than in prison. He is more likely to get a meaningful job, to keep his family together and off welfare, if he is at home than if he is in prison.

A certain amount of rehabilitation is possible within prisons as well. Prisoners could keep in better touch with their families—an essential part of rehabilitation—if prisons were built in the cities, where most inmates come from, instead of out-of-the-way rural areas. Of course, that means maximum security against prison escapes, but most prisons have that already. I am also a strong supporter of prison industries as a way of preventing idleness, giving inmates vocational skills and working habits, and enabling them to pay some restitution to their victims while making a little money for themselves as well as for the taxpayers. Unfortunately, most prison industry programs amount to little more than punishment detail for unruly inmates. By contrast, PRIDE gives jobs as rewards to those with good behavior, and fires the prison employees who aren't productive workers.

Confidence and Love

It's much easier to turn around a child than an adult, of course; a 16-year-old is much more open than his 25-year-old brother to education and training, to learning reading, writing, and arithmetic. The best facilities for juvenile of-



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fenders have recidivism rates of only 25 percent, while the best adult facilities are happy with 60 percent. It is therefore cost-effective for proportionally more resources to go into juvenile programs, hopefully to reach children before they get caught up in the criminal system.

At the Eckerd camps, we provide yearlong therapy in a wilderness environment for emotionally troubled youngsters. Many of these kids have been in trouble with the law; most will get trapped in the criminal justice system if they aren't reached quickly. They've been abused by stepparents, kicked out of school, told they were never going to be any good. When we get them, they're at the bottom in the way they feel about themselves. We try to get them to

For two-thirds of offenders, serious rehabilitation efforts are likely to be more cost-effective than lengthy and repeated stays in prison.

do things they never thought they were capable of: build their own tents, cut their own firewood, cook for each other, prepare menus within a budget, write articles about trips they take. We want to give them some sense of control over their lives, some problem-solving ability, some responsibility, some self-confidence.

We also shower these kids with love, which probably does as much to give them a sense of values as anything we do. Our counselors have a tough job, but this kind of work attracts a peculiar breed of young men and women who want to do something for kids, who don't mind throwing their arms around a kid and telling him he did a great job. Often the kids have never been complimented before. The kids also learn to trust their counselors, which in turn leads



Prison industries give convicts skills and enable them to pay some restitution to their victims.

to their own recognition that they have to be trustworthy themselves. This trust cannot be built on a shift basis; it requires round-the-clock continuity that cannot be achieved in public systems with eight-hour-a-day contracts.

The same 24-hour-a-day approach characterizes our work at the training school for juvenile offenders, where our goal is to develop vocational skills as well as independent living skills like cooking, or working with a budget, waking up in the morning. The philosophy of Ron Stepanik, director of the school, is to bombard the troubled teen-ager with a host of services—we raise his reading level, teach math by computers, give drug rehabilitation treatment, teach golf course landscaping and other vocational skills—and hope that maybe we'll hook him onto something other than a life of crime. The training school makes two promises to entering juveniles: that it will guarantee their safety, and that it will trust them until they betray that trust. We find both promises to have a strong effect in building the offenders' self-confidence.

The Importance of After-Care

At both the wilderness camps and the training school, we have found follow-up after-care to be almost as important as what happens within the facility itself. We have one

counselor for every 10 kids who leave the training school; and the first month out, the counselor sees the child every day. Following up intensively for six months, the counselor is supposed to be a resource to the juvenile, to help him get a job he likes, help him get started in an environment less supportive than the training school.

One of the top priorities here is to make sure the teenagers and their parents talk with one another; since family breakdown is one of the major reasons the kids got involved in crime in the first place, improving family communications is one of the best ways to keep them out after their treatment. Our wilderness camps have a similar approach: Kids are sent home for short stays with their families every six weeks while in the camps, and after they leave, family case workers monitor the relationship between kids and their families for 18 months.

The adult criminal justice system should also focus proportionally more resources on parole and fewer on incarceration. By parole, I mean genuine follow-up attention, in which parole officers not only make sure the releasees stay away from crime, but also that they readjust to society. Companies can help by hiring ex-convicts, especially those who have shown their reliability in prison industries programs. At Eckerd drugstores, we found that ex-prisoners frequently made excellent employees; either they busted out within six months and were never heard from again, or they stayed a long time and did their jobs diligently.

Benefits of Privatization

I have long believed that 90 percent of the social services currently provided by government could be provided more effectively by the private sector. Private institutions have a flexibility public ones simply don't have; you can transfer funds easily from one program to another, and, if, for example, a building needs painting, you don't have to go to the legislature for approval. We helped get rid of drug-trafficking by guards at our training school by posting a \$10,000 reward for any information leading to the conviction of someone selling drugs on school grounds; a public institution wouldn't have the flexibility to make that offer.

Privatization also enables social service institutions to take some risks they would never take in the cautious

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political atmosphere of public funding. Our training school, for instance, allows 40 to 50 felons to work unsupervised in the community outside its electric-wire fence; the program has turned out to be a tremendous success both for the community, which needs laborers, and for the kids, who need work experience. But we didn't know how well it would work when we started it, and there was a

high down-side risk of escapes and crimes in the community. It would be hard to imagine a public institution embarking on such an experiment with a serious potential for failure.

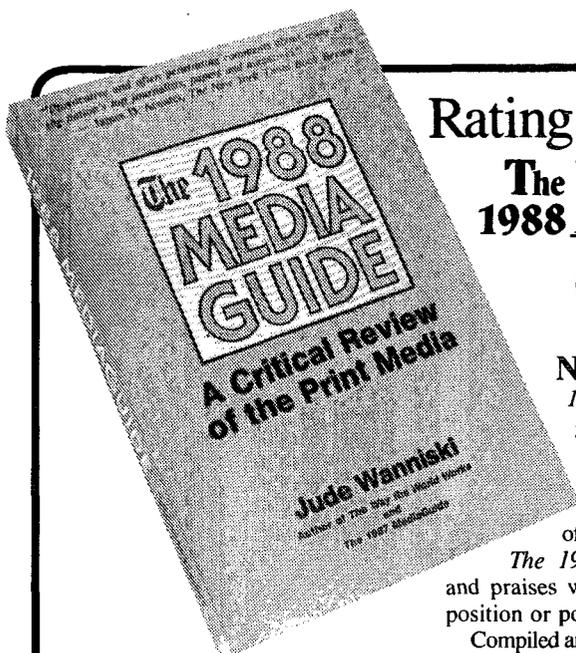
Perhaps the greatest advantage is that private organizations can purge people and programs that don't work more easily than government can. At PRIDE we have closed prison industries that were not meeting market needs; this is consistent with our philosophy that prisoners should do meaningful work that will help them integrate better into society, but it is hard to imagine government closing a particular workplace. One of the benefits of privatization at the training school was that we could get rid of staff members who physically abused kids. When the school was state-run, civil service grievance procedures made it nearly impossible to fire anyone, and sometimes abusers of kids were reinstated with back pay. When we took over the school, we wanted to make sure that no staff member ever hit or slapped a student; privatization gave us the flexibility to enforce and dramatize this message by firing those who did.

Whether a criminal can be rehabilitated depends above

all on his own character. What a convict most needs when he gets out of prison is an anchor to windward, a standard for right and wrong, a set of values that will give him stability through difficult times. He is more likely to find this stability through religion, or through some other kind

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of organization that teaches morals and ethics, such as Alcoholics Anonymous. The Prison Fellowship Ministries estimates that recidivism rates for those who have enjoyed a spiritual awakening decline from 70 percent to 5-7 percent. Only when we have more spiritual, more family-centered people will crime rates truly fall. 



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THE CONTRAS' VALLEY FORGE

How I View the Nicaragua Crisis

ENRIQUE BERMUDEZ

I watched the Sandinista revolution of 1979 from the sidelines in Washington, D.C., where I was President Anastasio Somoza's military attache. Though I was proud to be an officer with 27 years' service in the National Guard, I can't say I was sorry to see President Somoza step down. In fact, his departure was at least a year overdue. There was too much political favoritism and corruption within the Somoza dynasty, and I thought Nicaragua could do better.

But though I wanted Somoza to leave, my major concern in the late 1970s was that Somoza's departure might pave the way for a Communist victory, which neither the moderate opposition nor the United States were determined or strong enough to prevent. Many good people in Nicaragua were taken in by the Sandinista front, seemingly pluralistic with its many political factions. It was clear to me, though, that the leadership of the three main factions, the Prolonged War group, the *terceristas*, and the Proletarians, were all solidly in the Marxist-Leninist camp, aligned with Fidel Castro, and likely to turn toward totalitarianism when they achieved victory. Most of the Sandinista leaders were trained in Cuba or the Communist bloc and almost every published document of the Sandinista front throughout the 1960s and 1970s demonstrated its Marxist-Leninist inclinations.

By 1978, as Sandinista gangs were using intimidation tactics to confiscate arms and collect money in the countryside, I was convinced that Somoza's departure was inevitable, and the Communists were likely to steal the revolution. President Somoza simply did not have the resources to combat an insurgency liberally funded from Havana, and both his domestic and international support was dwindling quickly. In fact, many of the weapons sent to Somoza in his final year of power were sent with restrictions that they not be used domestically. As a result, thousands of M-16s were left idle as the Sandinistas rampaged through the country. When the depots in which these weapons were stored were overrun, the Sandinistas sent most of the weapons to the Communist insurgency in El Salvador.

Looking back on the Sandinista revolution, it is clear that the Carter administration holds an immense responsibility for the current predicament in Nicaragua. The zealotry demonstrated by the Carter administration and its

ambassador to Nicaragua, Lawrence Pezzullo, in bringing down the Somoza government was never reapplied to ensuring that democracy prevailed after President Somoza fled the country. With Somoza out of the way, the Carter administration placed blind faith in a group of well-known Marxist-Leninists when other options were readily available.

Carter's Biggest Mistake

The biggest mistake the Carter administration made in Somoza's final days was allowing the Nicaraguan National Guard to fall apart. Though the National Guard was never a very large force (in 1979 there were only 7,000 members), it was a professional force not subject to Sandinista party control, and was thus the only force capable of ensuring that the Sandinistas abided by the promises of democracy and political pluralism they made to the Organization of American States (OAS). Instead, the Sandinistas created their own party-controlled militia and monopolized the force of arms. Had the National Guard stayed intact, the Sandinistas could never have achieved their totalitarian ambitions.

In 1950, I joined the National Guard as a 17-year-old just out of high school. The National Guard offered me opportunity to develop leadership and military skills, and to this day I am proud to have been a member. It was among the best opportunities a young Nicaraguan could hope for. However, some members of the National Guard were very close to President Somoza, and some used their position of influence to get special business privileges. During Somoza's last year, the National Guard also carried out indiscriminate bombings of urban areas under his orders. These bombings, which I strongly opposed, resulted in many civilian fatalities.

History has not recorded the Nicaraguan National Guard accurately, though. The National Guard that I knew was an institution composed of some of the best and the brightest Nicaragua had to offer. Episodes of corruption were generally individual, not institutional, abuses,

ENRIQUE BERMUDEZ is military commander of the Nicaraguan Resistance. His article is based on a set of interviews in April and May by assistant editor Michael Johns.