

We do not take that individual and seek to thrust him in the paths of righteousness, if you can use an old Biblical term which I strongly believe in.

We let him run in the streets. We let him associate with "bad boys." He gets in trouble and it is one case of trouble after another, until he is a dyed-in-the-wool criminal, and what people call a "recidivist" and too often we are confronted with that situation, and I do not think that you answer the problem by simply locking him up and throwing the key away.

I think you have to deal with each individual case and exercise our greatest imagination to rehabilitate these people before it is too late.

The CHAIRMAN. The Director of your institutions in the District of Columbia, Mr. Clemmer, was in complete agreement with what you are saying.

He said we do have, as you well know, several statutes in which there is a mandatory minimum sentence prescribed. In a conviction of that particular type of crime, where there is a mandatory minimum sentence, say, of 5 years, and the defendant knows that he has to remain in an institution for a period of a minimum of 5 years, Mr. Clemmer testified that he has more problems with that type of convicted person than almost any other type because the man has almost no hope and he is incorrigible and he shows very little chance of rehabilitation.

Now, I was amazed to learn from him of the high degree of recidivism in the District of Columbia.

I do not know how many are two-, three-, or four-time losers; I do not know whether that is a great pattern.

Mr. GASCH. I am afraid it is, sir.

I have talked to Jim Bennett about this on many occasions. He is much concerned about it.

Of course, Don Clemmer, and I worked together closely very many years, but I cannot emphasize too strongly the importance of emphasizing probation and parole as safeguarding instrumentalities of justice in the community.

In short, a prison is like a barrel of apples. If you have some bad apples in that prison those bad apples do not become good apples because some of the good apples have been sent down there.

They tend to rot the whole barrel, and when those people come out they are marked men, they have criminal records, they have difficulty getting jobs and very easily they turn to another incident of crime.

We have licked that problem but the difficulty is, both in the case of probation and in the case of parole, the number of persons that the probation officers and the parole officers have to supervise, which is unrealistically high.

It is about 80 individuals a month. Now, you cannot give meaningful supervision to 80 individuals a month.

If it were cut down to the point where it were no more than 20, perhaps, they could give good supervision to them.

I think it is much more important that those two aspects of our system be liberally utilized, and they have not been in the past.

The CHAIRMAN. In any event, is it your opinion that the writing in of a mandatory minimum sentence is not going to strengthen law enforcement in the District?