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ACHIEVEMENTS AND ACTIVITIES OF THE LEGISLATIVE  
INTERIM COMMISSION ON JUVENILE DELINQUENCY,  
ADULT CRIME, AND CORRECTIONS, 1955 TO 1960.

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This Commission was first created by the 1955 Legislature, and recreated in 1957 and 1959. From the beginning, the Commission's mandates have authorized it to "cover the waterfront" in the fields of delinquency and crime — laws, institutions, procedures, correction and prevention.

### Revision of the Criminal Law

As one of its first steps, the 1955 Commission consulted with all district judges and all county attorneys of the state, with officers of the State Bar Association, with members of the Supreme Court, with the Attorney General, and with the faculty of the Law School of the University of Minnesota, concerning the desirability of revising Minnesota's criminal law. A considerable majority of the individuals and all the groups consulted urged revision of the criminal law and generously offered their cooperation.

Why revise the criminal laws? Minnesota statutes concerning the law of crimes have not been thoroughly revised since they were taken over from Wisconsin when Minnesota became a territory in 1849. In the main they have accumulated over the decades by piecemeal legislative additions and amendments. To these have been added the powerful force of court interpretations hidden in many decisions. These need to be integrated with the statutes so that lawyer and layman alike may know exactly what is the law on any forbidden action.

Typical of the inconsistencies that have inevitably crept in is the following: Under Section 621.10 (Minnesota Statutes, 1957), burglary in the third degree carries a sentence of 0-5 years. Under Sections 621.13 and 610.16, mere possession of burglary tools carries a sentence of 0-7 years.

Criminal statutes that build up piece by piece over the decades, as the growing complexity of economic life creates constantly new possibilities for crimes against property, are subject to two drawbacks. First, since they deal with each possible form of an offense rather than the basic offense, whatever its application, they always fail to foresee some new possibility for malfeasance. Secondly, they become hopelessly wordy. Thus the sections on Forgery in three degrees in Chapter 620 now cover four closely printed pages. In the revision these sections have been reduced to one page, with no loss in effectiveness. If the law is weak, confused, or obsolete, enforcement is to that extent handicapped.

To carry out the work, the Commission set up an Advisory Committee of some twenty members, including representatives appointed by the Supreme Court, the Attorney General, the District Judges' Association, the County Attorneys' Association, and the State Bar Association. Chairman Pritchard designated State Senator Harold W. Schultz as chairman of the Advisory Committee, and Professor Myward E. Pirsig, former Dean of the Law School, was appointed Reporter in June 1957. With the aid of law student assistants, the Reporter breaks down the origin and history of the existing criminal laws, including all supreme court cases, pertinent laws in cases in other jurisdictions, particularly New York and Wisconsin, and pertinent law Review articles. In the light of this information, the Reporter drafts a suggested revision aimed at clarification, simplification, and the elimination of the many duplications in the existing statutes. Suggested revisions, with supporting material and commentary, are submitted to the Drafting Subcommittee for word-by-word scrutiny. Finally, the product of the Subcommittee's screening is submitted to the Advisory Committee at periodic day-long meetings.

After three years of anxious and painstaking work, the revision is nearing completion, and it is hoped to have it ready for submission to the 1961 session of the Legislature. Many legal authorities have expressed the opinion that the new Criminal Code sets a standard for the modernization of many parts of the State statutes that have "grown like Topsy" over the decades. It cannot but contribute to insuring equal justice for all.

### Creation of a Department of Corrections

Up to 1959, state responsibility for juveniles, adolescents, and adult offenders was scattered among three independent agencies. The Youth Conservation Commission had responsibility for all delinquent children under 18 committed to the state, for youthful offenders aged 18 to 21 committed by district courts, and for aiding communities to prevent delinquency. The Department of Public Welfare administered the state prison and the two state reformatories for adults. The Board of Parole was responsible not only for paroling offenders over 21 from the adult institutions, but for their supervision in the community. It also provided probation services to all district courts outside the three metropolitan counties.

This division of responsibility inevitably led to some duplication and inefficiency but, more seriously, especially on the adult side, it blocked more effective protection of the public through aggressive improvement in treatment procedures and imaginative development of new services, such as regional workhouses for short term offenders. Accordingly, this Commission took the lead in sponsoring the creation by the 1959 Legislature of a Department of Corrections, bringing under one roof all state services for offenders of all ages. At the same time the Commission's bill preserved the integrity of the Youth Conservation Commission as a treatment agency for delinquents and offenders under 21, and extended similarly integrated services to adult offenders. Finally, to insure the success of this new Department, the Commission played a major role in bringing back to the state a native son as the new Commissioner of Corrections, a nationally recognized leader in the correctional field and former director of the National Probation and Parole Association, Mr. Will Turnblad.

### Probation Services for All Juvenile Courts

In 1950 Minnesota's juvenile courts committed 255 boys to the State Training School at Red Wing; in 1958 they committed 494. Commitments rose about three times as fast as the growth in the teen-age population. For the same years, the number of boys returned to Red Wing for violation of Youth Conservation

Commission probation or parole jumped from 140 in 1950 to 295 in 1958. There exists ample evidence that one certain way to cut back this soaring volume of commitments and returns is to provide enough qualified probation and parole officers. Thus, of the first 2,000 children and adolescents committed to the YCC, 558 were released on probation after diagnosis at the reception centers. This meant that in the opinion of the Commission, after study, these children did not need institutionalization. The significant fact is that of the children committed from the seven counties that up to that time had local probation services, only 18 percent were returned by the YCC on probation. Of the children from the 80 other counties without local probation services 37 percent were returned by the YCC on probation, and from 24 of these counties 59 percent were returned.

Accordingly, this Commission began in 1957 the search for a method of insuring adequate probation and parole services for youngsters released by all juvenile courts in the 84 non-metropolitan counties, and for children returned to the community by the YCC, either on probation or on parole. In 1959 it submitted to the Legislature a bill which had the support of the Juvenile Court Judges' Association and other interested agencies, to insure the following ends: (1) that every county should have sufficient probation services to serve the children requiring such services; (2) that probation officers should be qualified by State Civil Service examinations, oral and written; (3) that the YCC must provide one qualified supervisor for every six probation officers; (4) that all travel duplication and waste should be eliminated by requiring every court probation officer to supervise also YCC probationers and parolees living in his district.

The state shares with the counties the costs of this operation, in a proportion of roughly two and one-half to one.

The Department of Corrections and its Youth Conservation Division in administering the Act report that as of August 1, 1960, all but three counties have the required probation services for their juvenile courts, and the three remaining counties will have the required services by October 1st. The State now has,

exclusive of the officers serving the juvenile courts in the three metropolitan counties, a total of 59 full-time juvenile probation and parole agents, compared to a maximum of 42 agents prior to the passage of this Act. This means that, for the first time in Minnesota's history, every youngster in trouble anywhere in the state has the benefit of qualified probation services to help solve his problems and keep him out of conflict with the law. It means also that, for the first time in the state's history, every juvenile court judge has trained help to investigate the cases that come before him and to help him find constructive dispositions.

The new system has already demonstrated its capacity to arouse communities to an awareness of their children's behavior problems and to stimulate the development of local resources to handle these problems, instead of automatically committing them to the state. Thus, the new probation officer serving the seven counties in Minnesota's northwest corner has persuaded the seven juvenile court judges to make a two-day trip to the State Training School at Red Wing and thus to discover for the first time what commitment means to a juvenile. These judges and the probation officer have enlisted the support of community agencies in the seven counties to work with youngsters in trouble, so that out of a total population of 65,000 in the seven counties, the probation officer has an active case load of only 33 youngsters.

As the program develops and qualified professional supervisors are found for the seven probation districts into which the Department of Corrections has organized the state, it is bound to cut into the commitment rate and to reduce the pressure on the state's institutions.

#### Minnesota's "Huber" Act

In 1956 this Commission undertook an investigation of Wisconsin's experience with its so-called "Huber" Act, under which short-term prisoners are allowed to work at their regular jobs during the day but return to the jail at night. Members of the Commission personally visited several Wisconsin jails that used the plan. As a result, the Commission incorporated the plan in a bill which was adopted by the 1957 Legislature.

A survey of the operation of the Act in 1959 revealed that at least 600 offenders were sentenced under Minnesota's "Huber" law in 1959. Of this number, the Minneapolis workhouse accounted for 466 offenders. The rapid growth in the use of the plan was illustrated by the experience of this Workhouse, which had 20 "Huber" commitments in 1957, 72 in 1958, and 466 in 1959. Drunken driving and driving after revocation of license accounted for over 80 percent of the offenses from which "Huber" commitments resulted, with non-support, check writing, and miscellaneous offenses accounting for the remainder.

Based upon reports from the Minneapolis Workhouse and eight others of the 25 reporting jails, total earnings by Huber prisoners in 1959 exceeded \$206,456. At least 16 jails charged prisoners for their maintenance, collecting a total of at least \$36,257, which was obviously a new step in removing from the taxpayers the cost of supporting committed prisoners. In addition to the substantial sum collected from prisoners for board, the superintendent of the Minneapolis Workhouse reports that extensive use of the "Huber" plan has relieved population pressure on the Workhouse to such an extent as to obviate the need to add a new million-dollar building, which would otherwise have been necessary.

What this Act means to many offenders is revealed by the words of one professional man who was sentenced under it to 90 days for drunken driving. He said: "The 'Huber' Act saved my career. If I had had to be out of my office and neglect my responsibilities for 90 days, I'd have been ruined."

#### A Diagnostic and Reception Center for Children and Youth Committed to the Division of Youth Conservation

Since its inception in 1948, the YCC has been forced to operate temporary reception and diagnostic centers in the state's two training schools and at the St. Cloud reformatory. These are makeshift arrangements, inadequately staffed or equipped for prompt and thorough diagnosis, and stamping the institutional stigma on many young people proved by the diagnosis not to need institutional care. Consequently, this Commission took the lead in the 1957 Legislature in urging funds for a central reception and diagnostic center for the YCC. The Commission also

supported a plan to build a psychiatric hospital for children sufficiently close to the reception center so as to use common heating and other facilities. In 1957 the Legislature appropriated funds for land acquisition and architect's plans for these two institutions. The 1959 Legislature appropriated funds to build these new facilities, which are now under construction.

To insure maximum cooperation with the professional services available at the University of Minnesota, the Commission had a hand in locating the new unit at Circle Pines, within 1 1/2 miles of the University. The Commissioner of Corrections has already established a University advisory committee on staffing the new institution.

#### A Forestry Camp and a Vocational Training Center

With peak populations running up to 562 and physical facilities for no more than 400 boys, Red Wing Training School required emergency relief. Accordingly, this Commission took the lead in 1957 in obtaining funds for the construction of a 60-boy school-work camp in St. Croix State Forest. In 1958 the Commission aided the YCC to obtain the Air Force Radar Installation near Rochester, which has been adapted for the training of 60 older boys in automobile mechanics.

#### Regional Mental Hygiene Clinics

Next to the need for probation services, juvenile court judges told the Commission in 1956, the need for diagnostic services was most pressing. Accordingly, this Commission joined with the Interim Commission on Public Welfare Study and the Commission on Handicapped Children in urging state matching funds to communities in setting up regional mental hygiene clinics. The 1957 Legislature acted favorably, and the 1959 Session substantially increased the state funds available, again with the support of this Commission. Fourteen clinics are now operating, compared with four in 1957.

### Special Services for Emotionally Disturbed and Behavior Problem Children in Schools

Students of behavior problems have long pointed out that the schools first come in contact with children exhibiting such problems at an age when help can most readily be given them and their families. Accordingly, this Commission actively supported a plan requiring every school district to provide specially trained personnel to work with such children, and providing state contributions to the salary of such personnel. This bill was proposed by the Interim Commission on Handicapped Children in 1957 and was adopted by the Legislature. Unfortunately, trained personnel have not been available. To help provide them, the University has now a plan to train 25 teachers a year for this service.

### Foster Homes for Delinquent Children

This Commission's investigations brought forth evidence that carefully selected foster homes could treat certain types of delinquent children more successfully than can training schools. Accordingly, this Commission gave active support to a Welfare Department bill introduced in 1959 which, for the first time, requires county welfare departments to provide and finance foster homes for delinquent children referred by the juvenile court, just as they have done for years for dependent and neglected children. The bill was passed and has proved a substantial help in many counties.

### The Juvenile Court Code

Cooperating with the Juvenile Court Judges' Association in 1956, this Commission stimulated the first revision of the Juvenile Court Code since 1917. Largely as a result of its recommendations, the 1957 Legislature created an Interim Commission on Public Welfare Laws, which did a thorough job of revising the Juvenile Court Code. This revision was adopted in 1959.

### Juvenile Traffic Offenders

By agreement with the Commission on Public Welfare Laws, this Commission in 1957 and 1958 took responsibility for an intensive study of the juvenile traffic

offender and what to do by way of preventing such offenses and handling those who offend. This study resulted in the major report made by the Commission to the 1959 Legislature, called "Safer Driving by Juveniles in Minnesota". Among its recommendations the Commission submitted sections to be incorporated in the Juvenile Court Code creating a new category of offender, called "juvenile traffic offender". This corrected an injustice of many years' standing, which automatically stamped as a juvenile delinquent a youngster under 18 guilty of a minor traffic violation.

### The Commission's Reports

The 1959 Report referred to on juvenile traffic offenders has been distributed by the Highway Department to Highway Departments in all other states. Several of these departments have reported making extensive use of the report for educational purposes. The Commission's 1957 Report to the Legislature, "Anti-Social Behavior and Its Control in Minnesota" has had a total printing of 8,000 copies, of which not over 250 remain undistributed. Copies have been requested by every state in the Union and several foreign countries. They are used as texts or side reading by several Minnesota colleges, including the University of Minnesota, and by institutions as far distant as the University of North Carolina. In writing for a copy in January 1959, the District Attorney of New York said: "It has come to our attention that in 1957 your Commission issued a report on juvenile delinquency that many persons consider a contemporary classic."

### CURRENT ACTIVITIES

In addition to continuing work on the revision of the criminal law, the Commission currently has under way six major projects. First, it is continuing with the Department of Corrections work begun six years ago with the YCC to aid in strengthening correctional services, particularly in helping to obtain the professional staff needed for treatment and rehabilitation in the correctional institutions, juvenile and adult. The Commission is exploring with the Department future institutional needs, particularly for a medium security institution for older boys and girls who need more security and more intensive treatment than the training

schools at Red Wing and Sauk Centre can provide. Finally, in this area, the Commission is working on amendments to perfect the major pieces of legislation enacted in the 1959 session -- the Juvenile Probation Act, the Department of Corrections Act, and the Juvenile Court Code.

#### Financing Driver Training for All Youth Under 18

As a result of its studies in 1957 and 1958, the Commission submitted to the 1959 Legislature a bill to require all public high schools to provide behind-the-wheel and classroom driver training to all persons under 18, and making such education a requirement for a driver's license for persons under 18. While otherwise acceptable, the bill stumbled on the hurdle of financing. Following the session, the Commission appointed in 1959 an Advisory Committee on the Financing of Driver Training for Youth. This Committee has drafted a proposal which is now being discussed with the business interests primarily affected.

#### A Uniform Traffic Ticket

Traffic specialists have long agreed, and an Interim Commission on Lower Courts recommended to the 1959 Legislature, that a uniform traffic ticket for the state is one of the essential steps toward uniformity of sentencing for traffic offenders. A uniform ticket with proper details can help both law enforcement officers and violators to understand the comparative seriousness of different types of violations. Accordingly, this Commission in 1959 established an Advisory Committee on the Uniform Traffic Ticket, representing all the major interests concerned. The Committee's labors have procured a uniform traffic ticket which this Commission will submit to the 1961 Legislature.

#### Uniform Recording and Reporting of Delinquencies

Juvenile delinquency will remain an ogre of the headlines effective only in whipping up public antagonism toward all teen-agers generally, unless and until each specific act constituting delinquency is clearly defined and clearly understood by all law enforcement officers and juvenile courts, uniformly recorded by police

and courts, and uniformly reported to a central state agency. Only with such uniform recording and reporting can each community compare its juvenile behavior problem year by year, or compare its problem with the delinquency problem of similar communities in the state.

Again, this Commission set up in 1959 a representative Advisory Committee which is developing a uniform recording and reporting system for law enforcement officers and for juvenile courts. The work of this Committee is being facilitated by the joint appointment of a Research Director by the Department of Corrections, the probation offices of Hennepin and Ramsey Counties, and a University Committee on Delinquency Research.

### Jobs for Youth

Today's culture makes it harder for youth to grow up than ever before in our history. For this there are many reasons. One is the deprivation of work experience, which chores used to give, and the scarcity of part-time and full-time jobs for the young. To the young person out of school the inability to get a job tells him that he is not wanted and so, worthless. Think what this does to a boy. In Minnesota, school drop-outs, who constitute by no means the whole of the problem, number over a fifth of the total high school enrollment, or 8,000 to 10,000 a year. Of these, 25 percent are unemployed.

There is no easy or piecemeal solution to this problem of jobs for youth. Any effective solution must see the problem whole. It will certainly involve the schools, the flexibility of their curriculum, the quality of their counselling, their relationship with labor and employers; it will obviously involve industry, commerce, agriculture, unions, employment agencies, welfare agencies, parents and youth themselves, as well as the various levels of government.

To get on with the study of and solution to this complicated problem, this Commission has set up an Advisory Committee on Jobs For Youth, with representatives appointed from all parts of the state and from all groups sharing a particular responsibility. To facilitate the work of the Advisory Committee, this Commission is preparing an analysis of the entire problem. It is hoped that this analysis

amended by the Advisory Committee will furnish the agenda for a state-wide conference to be held in November.

In this connection, it should be pointed out that this Commission from its inception in 1955 established the practice of enlisting systematically the cooperation of the public in reaching an understanding of and finding solutions to the complicated problem of juvenile delinquency. In addition to its many hearings at the State Capitol, the Commission in 1956 held 14 all-day public hearings which systematically covered the state and specifically enlisted the participation of all agencies and groups working with children and youth. In 1958, in connection with its study of the juvenile traffic offender, this Commission held another six public hearings around the state. The widespread understanding and support developed by these public hearings undoubtedly contributed substantially to the achievements listed above.