

House Panel Schedules Hearings on

By LESLEY OELSNER

WASHINGTON, Feb. 25 — A Congressional subcommittee has summoned the director of the Bureau of Prisons to a hearing on Wednesday in an attempt to discover the extent and the acceptability of behavior modification in Federal prisons.

"The subject of Federal involvement in the modification of an individual's personal behavior patterns raises serious legal and ethical problems," Republican Robert W. Kastenmeier, the chairman of the House Subcommittee on Courts, Civil Liberties and the Administration of Justice, said in a statement today giving the details of plans for the hearing.

"We expect to learn where behavior modification programs still exist in the Federal prison system," the Wisconsin Democrat said, "and whether or not their continuation is justified."

The hearing will take place amid increasing concern and debate—inside the Bureau of Prisons as well as outside—over the propriety of using behavior modification in the criminal justice system.

Behavioral programs, involving the systematic manipulation of behavior along psychological principles, such as the so-called "Skinner" system of "rewarding" good behavior, have become increasingly significant law enforcement tools in recent years on both the state and Federal levels.

B.F. Skinner, the psychologist, is often cited as the originator of some of the current penological practices because of work he did years ago involving "reinforcers," the psychological term popularly translated as "reward."

The basic idea, according to a pamphlet on the subject put out by the National Institute of Mental Health, is that a reinforcer "is given to a subject after he produces the required behavior once or several times."

"In terms of operant conditioning, it is said that the reinforcer is made contingent upon the emission of the correct response," the pamphlet continues.

The Bureau of Prisons now operates or plans to operate at least five programs that according to Dr. Robert Levinson, the bureau's administrator for Mental Health Services, "use principles" of behavior modification. Two of these five are for juveniles.

Programs Opposed

At the same time, however, prisoners rights groups such as The National Prison Project of the American Civil Liberties Foundation are attacking Federal prison programs in the courts.

Groups such as the Commission for Racial Justice are attacking the bureau's plans to open a research center in Butner, N. C., this year.

And some Federal wardens, including Dr. Martin Groder, the warden-designate of the

Butner facility who was been a target of critics of behavioral programs, are saying publicly that prisons should not use "Skinner-type" programs on inmates.

"Behavior modification theory as worked out in prison is almost always a management system," Dr. Groder said in an interview last week. "Goals of management or staff are imposed on inmates."

"That skinner stuff," said Virginia McLoughlin, warden of the Federal Prison for Women in Alderson, W. V.A., "I don't think there are enough people who are available who know how to do it."

"I wouldn't want to be involved in anything like that," she added.

The subcommittee hearing is scheduled to last only one day. The two witnesses, Mr. Kastenmeier said today, are to be Norman A. Carlson, the bureau director, and Dr. Groder. The Butner facility is to be a major topic of the hearing.

Position Is Unclear

The subcommittee, a unit of the House Judiciary Committee, has been interested in the general subject for some time and has been looking into several prison programs. According to William Dixon, a sub-

THE NEW YORK TIMES, TUESDAY, FEBRUARY 26, 1974

Behavior Modification in Federal Prisons

committee staff member, additional hearings may be held at a later date.

For at the moment, the bureau's stance on behavior modification is somewhat unclear.

One of the most controversial bureau programs, for instance, was the START program—an acronym for special treatment and rehabilitation training—for inmates at the bureau's medical center at Springfield, Mo.

Based on the principle of "reinforcing" good behavior by rewarding it, the project placed inmates in almost round-the-clock isolation in individual cells without radios or reading

material and then, if the inmates met certain behavioral goals, moved them progressively to one after another "level," each with more "privileges" than the level before.

Inmates sued in Federal court, calling the program unconstitutional under the Eighth Amendment, and two of the three experts appointed by the court to examine the program found it studded with flaws. The bureau then announced that it was disbanding the program.

Dr. Levinson still defends the program. Beyond that, while he and other officials now contend that START was never

meant to be a model or a prototype, the bureau still provides copies of its 1972 annual report, which states that "START may become a prototype" for other institutions.

Prison officials often react to inquiries about behavior modification with two stock responses — first, that daily life is filled with practices that could be described as behavioral control, the weekly pay check, for example. And second, they use public "hysteria" and misinterpretation of behavior modification that has exaggerated the types of behavioral programs that prison officials operate.