

THE CORRECTIONAL ASSOCIATION
OF
NEW YORK

134TH ANNUAL REPORT TO THE LEGISLATURE

1979

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This is an official report of The Correctional Association of New York to the Legislature of the State of New York, which has been made annually since 1845, and constitutes the one hundred and thirty-fourth of the series.

Paragraph 6 of Article XI of the Act incorporating The Correctional Association of New York (as amended by Chapter 398 of the Laws of 1973) provides that "The said executive committee [of The Correctional Association of New York] by such committees as they shall from time to time appoint shall have power to visit all the prisons in the state, and annually report to the legislature their state and condition, and all such other things in regard to them as may enable the legislature to perfect their government and discipline."

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THE CORRECTIONAL ASSOCIATION OF NEW YORK
 135 East 15th Street
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October 30, 1980

Hon. Hugh L. Carey
 Governor of the State of New York

Hon. Mario M. Cuomo
 Lieutenant Governor and President of the Senate

Hon. Stanley Fink
 Speaker of the Assembly

Dear Governor Carey, Mr. President, and Mr. Speaker:

Pursuant to Chapter 163 of the Laws of 1846, as amended by Chapter 398 of the Laws of 1973, this One Hundred and Thirty-Fourth Annual Report is presented to you on behalf of the Board of Directors with the request that you lay the same before the Legislature.

Respectfully,

George G. Walker *Dan Pochoda*
 George G. Walker Dan Pochoda
 Chairman President

LETTER FROM THE CHAIRMAN AND PRESIDENT

For the Correctional Association 1979 was a year of transition during which groundwork was laid to expand its focus on broad problems of the criminal justice system of both city and state.

Major accomplishments during the year included:

- *Criminal Justice Cost Study*

After a year and a half of intensive work, in conjunction with the Citizens' Inquiry on Parole and Criminal Justice, a study was completed which revealed what New York State taxpayers actually pay for the post-conviction stages of the criminal

justice system, i.e., prison, parole, and probation. The findings and recommendations were published by Westview Press under the title, *The Price of Punishment: Public Spending for Corrections in New York*. A companion volume, *Calculating Criminal Justice Costs: A Manual for Citizens*, printed as a public service by Chemical Bank, is a handbook for those doing similar cost studies.* The project was funded by grants from the North Shore Unitarian Veatch Program, the Mary Reynolds Babcock Foundation, Chemical Bank, and several individual donors.

The study found that citizens of New York State are spending \$15,000 to keep a single prisoner in a state prison for one year (more than \$30,000 in many cases) and over \$25,000 in New York City and in county jails. The total price tag for criminal justice activities during 1978 was \$2.8 billion, or 10 percent of all state and local government spending in New York that year. Almost all of the money spent to operate the state prison system is used to keep prisoners under guard and provide them with basic necessities. Although most prisoners are uneducated, unskilled, unemployed, and drug-addicted before coming to prison, only 10 percent of the total cost is spent on programs to alleviate these handicaps.

Despite the great number of criminal justice agencies and their high cost, there is no single state office that monitors their spending. Indeed, the current inadequate fiscal reporting practices obscure from both taxpayers and public officials how much is being spent. Informed judgments about the policies of these agencies are not possible without regular and accurate breakdowns of revenues and expenses.

Among its recommendations the report proposes publication of annual stewardship reports by each agency which accurately reflect all costs attributable to its operation, and the creation of a centralized mechanism to collect, evaluate, and report on expenditures of the more than 3,000 criminal justice agencies operating at all levels of government in New York.

The importance of this work has been recognized by public officials and leading citizens throughout the state; its findings are discussed further on page 8.

- Proposed Transfer of Rikers Island from the City to the State

A major problem had been the lack of available information which created serious problems of acceptance of the move. In light of the importance of the plan, the Association took upon itself the gathering of necessary information, met with involved city and state officials as well as other concerned groups

* *The Price of Punishment* is available from Westview Press, 5500 Central Avenue, Boulder, Colorado 80301. Price: \$16.50. *Calculating Criminal Justice Costs* may be ordered from The Correctional Association of New York for \$3.75. For both publications, please include payment with your order.

and criminal justice community organizations, and presented testimony before several public bodies. Although the original transfer plan has been rejected, the positions developed by the Association, as set out on page 20, remain relevant and must be considered if New York City is to improve an admittedly inadequate correctional system.

- Access to Prisons

With the debate on the Rikers Island transfer stressing the problem of communication with and access to prisoners by persons from the outside, the Visiting Committee of the Association focused its attention on these issues. A comprehensive study was made concerning the difficulties involved with access to Rikers Island. In its report the Visiting Committee concluded that the use of Rikers Island to house persons awaiting trial is a "logistical and financial nightmare" and should be discontinued. Additional findings and recommendations are discussed on page 24.

- Direct Services

Although the Direct Services program of the Association is a small one, it accomplishes a great deal. In 1979 there were 192 individuals seen in 707 social service interviews. This included fifty-six members of thirty-nine prisoner families, 121 ex-offenders, and fifteen inmates in five prison visits. Our social worker appeared in court on twelve occasions on behalf of clients on matters such as sentencing, violation of probation, bail hearings, and arraignments. Thirty-one children in nine families were sent to sleep-away and day camps during the summer. Further details and examples of direct service work begin on page 29.

Board of Directors

Early in 1979 five new members were elected to the Board: Amalia V. Betanzos, President of the Wildcat Service Corporation; Frederick T. Davis, an attorney with Patterson, Belknap, Webb & Tyler; Barbara D. Florito, a Vice President of Chemical Bank; Dennis E. Mulvihill, a partner in Touche Ross & Co.; and Peter Swords, Associate Dean of the Columbia Law School. At the end of the year the Board elected a sixth new director, Robert Endler, President of Robert Endler, Ltd. Mr. Endler received his BA from Long Island University in 1936, earned graduate credits from the Columbia University School of Social Work between 1971 and 1974, and a master's degree in Urban Studies from Queens College of CUNY in 1976. He has long been active in community affairs, and in 1977 was appointed to the Visiting Committee of the Association. His membership on the Board and the Committee adds to the effectiveness of both.

In June 1980, Joanna Underwood was elected to the Board of

Directors. Ms. Underwood is a graduate of Bryn Mawr (BA '62) and received a Semestrial Diploma from the Sorbonne in 1965. In 1973 she founded, and is executive director of, INFORM, Inc., a non-profit organization for research and education on corporate responsibility which studies the impact of American industries on the environment, employees, and consumers. Ms. Underwood's knowledge and experience in bringing such issues before government officials, public interest groups, and concerned citizens will be most valuable to the Association in its efforts to do the same for criminal justice issues.

In 1979 the Association was saddened by the death--within weeks of each other--of two men whose knowledge and commitment enabled the Association to contribute to progress in criminal justice reform: Archibald S. Alexander, a Board member for forty-six years, and Donald H. Goff, General Secretary of the Association from 1962 to 1973. A tribute to these two men appears on page 31.

Resources

A Committee on Resources was formed, chaired by Barbara Fiorito, which is addressing the entire problem of funding of the Association. The Law Enforcement Assistance Administration (LEAA), a federal agency which funded crime prevention and criminal justice programs, is being phased out because of the government's budget cuts. Concentration will therefore be on private sources--individuals, foundations, and corporations.

The Association had to utilize \$20,000 from its endowment capital in 1979, and has dipped further into capital during 1980. The 1979 financial report appears on page 34.

Goals for the Future

The Correctional Association seeks constructive and practical changes in both the corrections and criminal justice systems in our state. We believe that:

- Overcrowding should be eased not by new prison construction but by safely reducing the number of prisoners through comprehensive, long-term planning, and a review of bail, sentencing and parole practices.
- Tension and frustration in prisons can be ameliorated by improving the quality of legal defense for pretrial detainees, and the living and working conditions inside pretrial detention institutions, as well as by increasing access to prisoners by friends and families.

- Bringing the community into the process of planning for change, and educating the citizen about problems facing the criminal justice system will lead to constructive change.

We wish to thank the members of the Correctional Association whose loyal support helped make progress in 1979.

We are also deeply grateful for and appreciative of the dedication of Board and committee members who gave so generously of their time, energy, and financial support.

On behalf of the Board,

George G. Walker

George G. Walker
Chairman

Dan Pochoda

Dan Pochoda
President

CRIMINAL JUSTICE COST STUDY

During 1979 the Correctional Association spent much time and effort on studying the actual costs involved in operating the post-conviction stages of the criminal justice system in New York. The need for this effort was dramatized by the announcement of proposals to greatly expand the state prison system at a stated cost of \$275 million, as well as plans for the construction of several new local jails.

The cost study revealed that proposed new prisons would cost taxpayers up to \$100,000 per bed, and that financing costs could quadruple this figure, resulting in debt for years to come. The report recommended the increased use of alternatives to incarceration and a reduction on the reliance of mandatory prison sentences rather than further prison construction.

The Association believes it is irrational to continue to expand the extremely costly prison system without thoroughly examining its effectiveness and the possible use of less costly alternatives. The study found that during 1977 alone, over 400,000 persons were admitted to New York's correctional agencies, and on any given day 90,000 adults--or one out of every fifty-six male New Yorkers over age fifteen--were confined in prison or jail, or were under probation or parole supervision. Moreover, the state prison population has grown from 12,000 to the present 21,000 in just eight years, with little demonstrated impact on the crime rate.

Recent developments in prison systems throughout the country underscore the importance and immediacy of this study:

The Bureau of Justice Statistics in Washington, D.C. reported that at the end of 1979 there were 314,083 prisoners under federal and state jurisdiction, a record high for the fifth year in a row, and a 2.3 percent increase over the total at the end of 1978. State prison population increased by 3.8 percent to 288,000 with forty states reporting increases for 1979.

The National Moratorium on Prison Construction reports that 307 new prisons and jails are either being constructed or are being seriously considered throughout the country. They include ten federal institutions, 239 state prisons, and 658 local facilities, at a total cost of \$6.62 billion. This is an average of \$8 million for each new federal facility, \$14.7 million for each state prison, and \$4.6 million for the local jails.

Publication of the report was announced at a press conference on June 3, 1980. It received wide coverage, including

WNBC-TV and WNEW-TV news, and on news broadcasts on eight local radio stations. In New York articles appeared in the *Knickersbocker News*, *Daily News*, *New York Law Journal*, *Middletown Record*, *Poughkeepsie Journal* and *Buffalo Evening News*. The release was carried on both AP and UPI wire services and appeared in media throughout the country.

The report has been widely disseminated to public officials, citizens' organizations, and criminal justice planners. Robert B. McKay, Director of the Aspen Institute for Humanistic Studies and a former Dean of the New York University School of Law, called it an "extraordinary document." He stated:

Advocates of law and order (and who is not?) often support increased severity of sentences to imprisonment as a means of reducing crime. There is much evidence that more and longer sentences are not likely to achieve that desirable result. Whatever the merit of those contending claims, this study provides for the first time reliable information about the high cost of prisons and jails. All persons interested in this vital public policy issue must be grateful for this remarkable compilation of data that has never before been available.

Ken Schoen, Criminal Justice Program Officer of the Edna McConnell Clark Foundation and formerly the Commissioner of the Minnesota Department of Correction, commented:

This richly detailed and extensively researched study gathers in one place specific dollar costs for the myriad correctional activities throughout New York State. It represents a giant first step toward making available heretofore inaccessible information about basic governmental expenditures and operations, and toward developing a much-needed mechanism in New York for monitoring and coordinating criminal justice operations. It should be required reading for all public officials and concerned citizens.

A summary of the findings and recommendations of this study is set out below:

Criminal justice in New York State is a very costly enterprise. During fiscal 1977-78 all levels of government in the state spent approximately \$2.8 billion of the taxpayers' dollars in the hope of protecting the public. This sum amounted to approximately 10 percent of all government spending that year. Only public education and social services cost the taxpayer more.*

*Social services include home relief, old age assistance, medical assistance, aid to dependent children, foster and hospital care, burials, adult care in private institutions, juvenile delinquent care and payments to state-operated training schools, assistance to the blind and disabled, children's shelters, infirmaries, and public homes.

Most of this money went to police our communities, but over \$600 million was spent on operating what have been generously called "correctional" agencies: prisons, jails, probation, and parole. During 1977 alone they admitted more than 400,000 persons charged with or convicted of crimes. The number of people under some form of custody for criminal charges is astoundingly high. On any given day during 1977 about 90,000 adults, or one out of every fifty-six male New Yorkers over the age of fifteen, were confined in prison or jail, or were under probation or parole supervision.

Almost 90 percent of all admissions during 1977 were to the most expensive correctional agencies: jails and prisons. The cost of this heavy reliance on these institutions is enormous. For example, the average cost of locking one person in a New York City jail during 1977-78 was \$68 per day, or \$24,855 per year. During the same period, the average cost for a year in the State prisons was \$15,050 per prisoner. The average length of stay in New York City jails was thirty-eight days, and in state prisons after conviction, twenty-seven months. Thus taxpayers spent approximately \$36,000 to incarcerate a single person in these penal facilities. This sum did not include the costs of arrest, prosecution, defense, and other courtroom costs.

Despite the large amounts involved in maintaining our present correctional agencies, the specific dollar costs are difficult to obtain. Indeed, current government reporting practices obscure from both taxpayers and public officials how much is being spent for criminal justice and corrections. One corrections agency which spends over \$100 million a year has not issued an annual report in over a decade.

Even when agency reports are issued, they do not accurately reflect the true costs of operations, for some costs are borne by other government accounts. For example, the high cost of employee benefits are in many cases not paid by the individual agencies but are instead buried in the "miscellaneous" section of the general government accounts. In other instances costs chargeable to a particular agency are paid by other public agencies and are excluded from the fiscal reports of the primary agency. In New York City, Department of Correction spending for jails during fiscal 1978 reflected no more than 64 percent of the actual jail costs. Similarly, expenditures for state prisons in the State Department of Correctional Services accounted for only 77 percent of total prison costs during the same fiscal year.

Reporting is especially inadequate at the county and municipal levels, where approximately 80 percent of the criminal justice dollar in our state is spent. A recent survey by the Ways and Means Committee of the State Assembly reported that these "government accounts are not kept in accordance with generally accepted standards and, with the exception of school districts, the data are not subject to an annual audit meeting generally accepted standards."

A comprehensive portrayal of criminal justice and corrections costs is further frustrated by the extreme fragmentation of public spending. What is generously called the criminal justice "system" is in reality a crazy quilt of more than 3,000 public agencies supported by more than 1,600 governing units at the state, county, and municipal levels. No single agency effectively coordinates or even monitors spending by all these scattered agencies.

For example, the State Commission of Correction reviews only partial costs of the local jails and penitentiaries outside New York City. The State Division of Criminal Justice Services reports only the expenditures of federal monies in the state. The State Department of Audit and Control collects statewide fiscal data on localities but, in the words of a recent Ways and Means Committee study, "the problems inherent in dealing with so many local governments with differing fiscal years render the data obsolete by the time they are made available." Department of Audit and Control reports are also too general to reveal specific criminal justice and correction costs.

The absence of adequate fiscal monitoring and reporting is especially troublesome given current trends in public spending. The increasing cost of operating our penal institutions has risen dramatically during the past decade. This is not a simple consequence of having more criminal offenders than 200 percent between 1971 and 1979, whereas the prison population grew by only 60 percent during the same period. The operating budget of the New York City jail system has likewise grown rapidly (106 percent between 1970 and 1979) even though the average daily prisoner population has declined.

These costs will continue to rise if current sentencing practices and recent statutory revisions which require lengthy prison terms for many offenders are not significantly changed. State prison managers are anticipating that between 5,000 and 7,000 new cells will be needed before 1983. To make room for this expanding prisoner population, the state is planning to lease New York City jails on Rikers Island and build new maximum-security prisons from the ground up. This will cost the taxpayer between \$55,000 and \$70,000 per cell simply for construction or purchase. If this expansion is to be financed by issuing bonds, the ultimate cost to the taxpayer will approach or even exceed \$200,000 per cell. New York City is planning to build seven or eight new jails, with an estimated price tag of \$400 million; the cost of financing could quadruple this figure.

This higher level of spending for corrections will not guarantee a safer community. It has yet to be established that the threat of lengthy prison sentences deters would-be offenders from committing crimes. Taking criminals off the streets and locking them up does restrain them from committing further crimes against the community while they are incarcerated, but this has a relatively insignificant impact on overall rates of crime.

Rather than rely more heavily upon expensive institutions, we could make more frequent use of the less costly alternatives that are available. Lowering corrections costs is a particularly important goal because New Yorkers are already among the most highly taxed in the nation, second only to Alaskans. Government spending for all programs has grown much faster in New York than elsewhere in the nation, but the taxpayers' incomes are not keeping pace. Quite simply, taxpayers are less and less able to afford higher rates of spending by government.

SUMMARY OF EXPENDITURES IN FIVE CORRECTIONAL DOMAINS

State Prisons

During fiscal 1978 taxpayers spent \$285.5 million, or \$15,050 per person to keep an average of 18,968 convicted felons behind bars for a

single year. This average cost masks a wide range of costs from one prison to another: from \$9,539 in the least expensive prison to \$39,018 in the most expensive.

Much of the difference in cost is explained by how heavily the prison is staffed. This is because about 80 percent of the total spending for state prisons was for salaries and fringe benefits. On the average, there were two staff persons for every three prisoners during fiscal 1978. In the less expensive prisons the ratio of staff to prisoners was much lower, while the reverse was true in the more expensive.

Despite these high costs, life in state prison is far from luxurious. Only \$1.83 was spent each day, or \$666 annually, on food for each prisoner. Health care cost \$532 per prisoner per year, mostly for medical staff salaries. In contrast, an annual average of \$7,525 per prisoner was spent on security costs (mostly guards' salaries and benefits). Another \$3,311 per prisoner was spent on administration and processing convicts through the system. In total: about 87 percent or \$13,090 of the total annual cost per prisoner was spent simply to keep inmates alive, fed, and under guard.

Even though most prisoners are uneducated, unskilled, and were unemployed before coming to prison, proportionately little money (\$1,505 per prisoner, or 10 percent of the total) is spent on programs to alleviate these handicaps. For example, 11,400 prisoners were reported to be addicted to narcotics at the time of their arrest, but only 562 were receiving treatment for their drug abuse during fiscal 1978. Moreover, these few that were getting treatment were in a program operated and funded not by the prisons but by an outside private organization.

Many of the prison programs that are ostensibly aimed at providing opportunities for self-betterment are poorly designed or badly managed. Several vocational training shops are teaching prisoners skills in trades which are shrinking and promise little chance of work after release. Vocational training is not effectively linked to work programs in the prison. The industries which do exist behind the walls require little training and give prisoners few skills which can be used in the outside world. These industries are not only poor training centers; they are also costing money rather than making it. During fiscal 1978 industries spent \$13.6 million and earned only \$9.6 million from the sale of products. In short: the pattern of spending in state prisons shows that the first priority is securely isolating criminal offenders rather than assisting their self-improvement.

Parole

During fiscal 1978 New York taxpayers spent approximately \$21 million for parole activities: about two-thirds of that sum was paid for supervision in home communities, and the remaining third was spent on the administration and Parole Board decision making. From a fiscal point of view, the more important impact of parole was on state prison costs. Had the State Parole Board required all those paroled during 1976 to serve another three months before being released, the prisons would have been forced to handle an estimated 1,100 additional convict-years of sentenced prisoners, enough to fill a medium-sized prison.

Even though prison costs are directly affected by parole decisions, the Parole Board maintains that the concerns of prison management are ignored in making release decisions. The outcome is an absence of effective control over these prison costs. To be sure, prison administrators do retain control over some cost factors in their domain, but the crucial decisions regulating admission and release remain outside their control.

Many reformers argue that the Parole Board's power to release prisoners be abolished, thereby requiring sentencing judges (or the legislatures) to fix the exact amount of time to be served behind bars. However, these reforms risk an enormous increase in spending for prisons, for the present-day political climate puts legislators and judges under great pressure to keep prisoners in for even longer periods than they now serve. During fiscal 1978 the average annual cost per state prisoner was \$15,050 compared to an annual average of \$1,090 for each parolee under supervision in the community. If parole supervision is eliminated or shortened while prison sentences become longer, the cost will be enormous. For example, had all those paroled in 1976 been required to serve their maximum sentences without parole (minus "good time"), the annual operating cost of the state prison system would have increased by \$60 to \$75 million. Building thousands of new prison cells would have been necessary, for the number of prisoners under custody at the end of 1976 would have increased approximately 25 percent.

Probation

During 1977-78 annual spending for probation amounted to an estimated \$63 to \$78 million. A more precise determination of total costs is impossible given the state of the current reporting systems. Unlike prisons and parole, probation departments are agencies of local governments except in three small counties, where the State Division of Probation directly operates the agencies. No central organization, including the Division of Probation, collects accurate information on all probation costs at the local level.*

Determining the precise cost of probation supervision in a single local agency is also impossible because the accounting systems in most departments do not separate the expenditures for each of the different probation services. (Probation departments offer a wide range of other services, including, for example, investigating persons awaiting sentencing, assisting the Family Court, collecting support payments and the like.) Only in New York City could expenditures for probation supervision be distinguished from other costs. During fiscal 1978 taxpayers spent an estimated average of \$260 and \$285 respectively to supervise for one year a single probationer sentenced by Criminal and Supreme Courts. Presentence investigations cost an estimated \$141 and \$343 each.

New York City probation costs are generally lower than elsewhere in the state because the agency budget was severely cut during the recent fiscal crisis. Case loads have soared to the point where each probation officer supervised an average of 126 to 129 offenders at any one time during fiscal 1978. This meant that only 55 minutes per month of the officers' time were

*Since this writing the Division of Probation completed a survey of statewide probation budgets for fiscal 1979.

available for each probationer. Probation was about four times less costly per supervision case than parole during the same period, largely because parole officers had smaller caseloads and more clerical support staff.

The Executive Law authorizes the state government to provide financial assistance to local probation departments so that services can meet minimum standards of sufficiency. Determining the ratio of state aid to total local costs could not be established. However, an examination of four probation departments found that the rate of state subsidy ranged from 17.8 to 38.1 percent. On the basis of this sample, it is estimated that the state pays only 25 to 35 percent of all local probation costs.

Local Jails and Penitentiaries

In addition to probation agencies, the local governments also operate jails and, in four counties, penitentiaries. In contrast to probation, however, these local jails and penitentiaries are supported entirely by the counties, except in New York City where they are a municipal expense. During calendar year 1977 the total expenditure for these dispersed county jails and penitentiaries outside New York City amounted to approximately \$69 million. The cost of jailing a single prisoner that year ranged from an estimated \$14,065 to \$24,855 annually, or \$30.50 to \$68 per day, depending upon the county.

These statewide figures are only approximations, however, for the reporting systems do not allow a precise determination of jail costs. Jails in all counties except for Westchester and New York City's five counties are run by their sheriffs, and some accounts mix correction costs with other unrelated expenses such as spending for highway patrol. The accounts also omit some jail-related costs which are borne by other government agencies and accounts.

For a more exact analysis of local spending for jails, expenditures were examined in three counties* and New York City. (New York City jail costs are analyzed separately because of their magnitude and complexity.) The average costs of jailing a single prisoner in these three counties ranged from \$16,400 to \$29,700 per year, or \$45 to \$81 per day. In Westchester County alone, the cost ranged from \$20,600 to \$29,700 per year, depending upon which building the prisoners were locked in.

The variation in cost is due primarily to differences in the costs of staffing and medical care. Salary levels vary dramatically from one county to another. Medical costs in the three sample counties ranged from \$3.25 per prisoner day in one county to \$12.87 in another.

New York City's Jails

The largest local corrections system in the state (and the largest municipal system in the country) is the New York City network of jails, court pens, and prison health services. During fiscal 1978 taxpayers spent \$171.2 million to operate this correctional system. The average cost of keeping one prisoner behind bars during that period was \$24,855 per year, or \$68 per day.

*Rensselaer, Rockland and Westchester Counties.

The cost per prisoner varied widely among the twelve different facilities which separate detention from sentenced prisoners, men from women and adolescents, and the healthy from the ill. The expenditure information available does not allow us to establish the total cost of each institution, but the relative costs were estimated. The institution for sentenced men was the least expensive to operate, the facility for sentenced and detained women was approximately 160 percent more expensive. In general, detention facilities were more expensive to operate than facilities for sentenced prisoners, and the hospital wards even more expensive. Differences in the cost of each facility reflect differences in staffing levels.

The costs of various services throughout the New York City jail system were estimated using a survey of work assignments within the Department of Correction. For each prisoner during fiscal 1978 the department spent, on an average, \$8,923 for security, \$3,480 for administration, \$2,510 for transportation and prisoner processing costs, \$6,661 for various prisoner necessities, \$373 for prison industries, and only \$1,094 for education, religious, social, and recreational programs.

New York City is currently designing a new jail system which will involve construction of seven new jails in four of the five boroughs. This will cost at least \$400 million, \$200 million of which is expected to be earned by leasing Rikers Island to the state. The remainder will be paid out of New York City capital funds. The capacity of this new jail network has not yet been determined, although it is not expected to exceed current levels.* Renovation of "The Tombs," a Manhattan jail for detained prisoners, is planned at a cost of approximately \$75,000 per bed. Construction costs of new jails could run as high as \$90,000 per bed, exclusive of financing costs.

In the wake of the jail riots of 1970, a coordinated effort was undertaken to reduce the city prisoner population. By 1977 the average number of pretrial prisoners under custody had declined to about 4,500, or 3,000 below the 1969 level. This reduction was achieved by devoting more resources to the earlier stages of prosecution and court processing, and by more frequent release of pretrial prisoners on their own recognizance.

RECOMMENDATIONS

Require All Public Criminal Justice Agencies To Issue Comprehensive Annual Reports

Annual reports should integrate into a single statement all costs incurred by the reporting agency's operations, including direct costs, costs absorbed by other agencies (e.g., the cost of public hospital care of prisoners), and costs billed to other government accounts (e.g., fringe benefits, retirement fund contributions). Current agency reports do not reflect these different costs.

Annual reports should also describe what kinds of services were provided by the expenditure of public monies. Moreover the unit costs of each of these discrete services should be reported. These would include, for example,

*Since this writing the plan to lease Rikers Island has been abandoned.

the average annual or daily cost of incarcerating a single prisoner, the cost of a year's probation supervision, of a completed pretrial sentence report, of a completed medical examination, etc. This will require improved management information systems in many agencies. Without accurate unit cost information, the advantages and disadvantages of alternative approaches cannot be effectively evaluated.

Annual reports should reveal past trends in spending for a particular agency service. To anticipate accurately the future costs of one or another criminal justice program, it is necessary to know how these costs have changed in the past.

Establish An Agency On The State Level To Collect, Evaluate, And Report Costs Of Criminal Justice And Corrections At All Levels Of Government

Even with improved agency reporting, a comprehensive accounting of corrections and criminal justice costs will continue to be frustrated by the proliferation of more than 3,000 public agencies, most of which are at the local levels of government.

An administrative unit at the state government level should be created with the power to collect fiscal data for criminal justice and corrections activities throughout the state. The unit should require all jurisdictions to follow uniform and generally accepted accounting principles. This state unit should report annually to the legislature and the public on statewide spending for criminal justice and corrections at all levels of government. Without such reporting neither legislators nor the public can learn how monies are being spent.

The intelligent allocation of scarce public resources requires that criminal justice costs at all levels of government be visible. Without understanding what these costs are and how they are related, decision making will remain poorly coordinated. To enhance the ability of public administrators to plan effectively (and to improve reports to the taxpaying public), the proposed central state agency should report the marginal costs of various criminal justice services. This is the cost of servicing one more (or conversely, one less) person in each of the criminal justice agencies across the state. A better understanding of fixed, variable, and marginal costs is essential if the fiscal impacts of different sentencing and criminal justice reforms are to be anticipated.

Require All Corrections Agencies To Justify Their Budgets By Demonstrating The Benefits Of Their Services

In most agencies financing is done through incremental budgeting; the next year's request is based on the current year's spending. This method provides little incentive to analyze program effectiveness.

State and local governments must require all public corrections agencies to adopt financing procedures which tie re-funding to ongoing evaluation of

service delivery and overall effectiveness. Without such evaluations, legislators and the public have no way of knowing if monies are being wasted. Current evaluation practices are woefully inadequate.

Maximize The Use Of Alternatives To Expensive Pretrial Detention

Control over the cost of jails is fragmented because the decisions made by many different actors and agencies have an impact on jail admission rates and length of stay. Costs are affected, for example, by police arrest policies, court bail policies, and the speed of probation departments in completing presentence investigations. Despite this fragmentation, officials in two of the three counties sampled indicated that a coordinated reduction in jail population is made when overcrowding becomes severe. Faced with a ballooning prisoner population and several jail riots in the late 1960s, New York City authorities undertook reforms which successfully reduced the numbers of persons in detention. Similar reforms could be made elsewhere in the state not only to relieve overcrowding but also to lower the pretrial detention population in the jails over the long term, thereby easing the fiscal drain on local taxpayers.

Significant reduction in pretrial detention costs can be made without significantly increasing the risk to the public. For example, a very high percentage of those admitted to jail ultimately have their charges dismissed, or are found guilty of offenses not deemed serious enough to warrant jail or prison sentences. Many of these should never have been jailed in the first place while they awaited disposition of their cases.

Detention costs can be averted in many localities by expanded use of several alternatives to expensive jailing. These include:

Court Summons: New York City police are now authorized to issue an order to appear in court on an appointed day rather than taking the non-dangerous offender into custody.

Release on Recognizance: The experience of New York City shows that judges can release many defendants without bail, on their own recognizance, while they await disposition of their cases.

Third Party Custody and Other Nonmonetary Assurances: Procedures should be created which allow the release of defendants to a third party, whether an individual, a community organization, or another government agency, including counseling and job placement services, and drug treatment centers. For those who have weak ties to the community but do not require expensive pretrial detention, England has successfully used bail hostels instead of jails.

Maximize The Use Of Less Costly Alternatives To Prison Sentences For Convicted Offenders

Sentencing offenders to jail or prison is remarkably costly. Lawmakers and much of the general public are calling for increased use of imprisonment without recognizing that this very expensive policy has a relatively slight impact on the overall crime rate. The past decade has witnessed a rapid

expansion of the state prisoner population which has not yielded a substantial reduction in crime.

Other jurisdictions have developed alternative sanctions which are less expensive and do not appreciably increase the risk to the public. The alternatives currently available to sentencing judges in New York include probation, discharge, and a fine. An increased and more creative use of probation is a priority. Not only is probation supervision less costly to the taxpayer than a prison or jail term, but there is also evidence that it is no less effective in preventing recidivism. Some studies show that first offenders placed on probation are even less likely to commit future crimes than similar persons released from jail or prison. However, if the offender is not in need of the social services and surveillance which probation at least attempts to provide, few other choices exist. Expanding the range of penalties would give sentencing judges additional low-cost alternatives, including:

Day Fine: Money penalties are often the most appropriate sanction. New York must establish a procedure to scale fines to the offender's ability to pay. Several European countries have done this, calculating the fine on the basis of the offender's daily wage.

Restitution: New York State laws should be revised to allow judges to order restitution payments by offenders to the victims in all appropriate cases and not only as a condition of probation as currently required. If the offender has no financial resources, or if it is feared that demanding restitution would push the offender into further criminal activity, services instead of monetary payments could be ordered.

Community Service Orders: Sentencing judges should be empowered to order felons to perform some public service in cases where restitution to the victim is not appropriate. New York Criminal Procedure Law was recently amended to allow community service orders as a condition of probation or conditional discharge, but only for persons convicted of misdemeanors or violations.

Reduce Reliance Upon Mandatory Prison Sentences

Between 1973 and 1978 the state prisoner population increased approximately 60 percent, partly as a consequence of legislation passed in 1973 mandating prison terms for repeat offenders and persons convicted of drug trafficking. Again, in 1978, laws were revised to extend mandatory prison sentences to a wider variety of criminal offenders. Despite a cost of many millions of dollars, there is little evidence that crime rates have been affected significantly.

As long ago as 1932 the Lewisohn Commission termed mandatory imprisonment laws a failure. Four decades later, a joint study by the Bar Association of the City of New York and the Drug Abuse Council found that the so-called "Rockefeller Drug Laws" requiring mandatory life sentences for drug offenders were ineffective in deterring drug traffic and abuse. More than 70 percent of those incarcerated for drug law convictions in 1979 are first offenders, many arrested for selling very small amounts.

Lengthening prison sentences and mandating them for all persons convicted of broad classes of offenses is a costly attempt to control crime which reaps insignificant benefits. Lawmakers must temper their hopes with realism and abandon the effort to combat crime in this ineffective fashion. Serious consideration should be given to repealing the existing laws requiring mandatory imprisonment.

Evaluate State Takeover Of Local Services

Some of the deficiencies in the local corrections systems (jails, penitentiaries, and probation departments) stem from the fact that they are supported primarily or entirely by local governments. Counties with larger tax bases are able to afford better jails and probation services; many of the less wealthy counties are saddled with antiquated and substandard facilities. To remedy this wide variation in services, it has been proposed that the state government assume responsibility for local probation services, a proposal which has generated much support from hard-pressed local governments. Advocates argue that overall probation costs will be reduced or stabilized by centralizing fiscal control and other administrative and support services such as training, finance, planning, and research. Critics argue that centralization will decrease the efficiency of probation administration by adding another level of red tape. Moreover, wealthier counties fear that state assumption will homogenize services throughout the state.

Planners should closely evaluate the experience of centralizing probation departments and other criminal justice agencies in other states. The recent court centralization in New York State must also be analyzed in order to better understand the consequences of state assumption of a previously local responsibility.

Evaluate Use Of Partial State Subsidies As Fiscal Incentives

In some jurisdictions partial state subsidies to localities have been found to be appropriate instruments for upgrading local services and achieving greater statewide coordination. Requiring localities to meet specified performance standards as a requisite to receiving state aid provides a fiscal incentive for compliance with a central plan.

The current New York law authorizing partial reimbursement for probation services requires localities to meet state minimum standards, but monitoring and compliance efforts have been haphazard. The operation of this subsidy should be carefully examined to insure that its stated goals are achieved.

Subsidies can be better designed to equalize local services without causing a reduction of services in already adequate counties. Rather than a fixed percentage ratio (as now exists for probation subsidies), the rate of reimbursement could be calculated according to localities' differing needs and ability to pay. Minnesota has successfully followed this strategy and the experience there deserves close study by New York's criminal justice planners.

New York should also examine the feasibility of a Community Corrections

Act which links local subsidies to the reduction of incarceration, both in state and local prisons/jails. California's probation subsidy program was designed to reduce state prisoner population by providing fiscal incentives to localities. There is some evidence that the unforeseen consequence was increased imprisonment at the local level instead of expanded use of alternatives to incarceration. The lessons of this experiment should be analyzed and alternative designs developed that are better adapted to reducing incarceration in New York State without increasing the risk to the public.

RIKERS ISLAND TRANSFER

In July 1978 the corrections commissioners of New York City and New York State issued a preliminary plan for the leasing of the city's prison complex at Rikers Island to the state. The plan promised hope for positive change in city and state corrections for generations to come, and both the mayor and the governor hailed it as a progressive move. It was supported by the Correctional Association and other groups and individuals concerned with improving our jails. On May 22, 1980, the hope was ended when Mayor Koch declared the transfer dead.

Background

In June 1978, after many months of intensive negotiations, the city agreed to lease Rikers Island to the state for 99 years in exchange for payment of \$200 million. The state would move 4,000 prisoners (persons from the New York City area nearing the end of their sentences) to Rikers Island from the upstate prisons over a five-year period. The city, faced with Rikers' poor accessibility, its lack of security, and the need to upgrade not only the Rikers prisons but its other houses of detention, would build eight new detention facilities in the boroughs, except for Staten Island. These would be small, 400-bed institutions that would enable compliance with minimum standards and court decrees; their locations would bring inmates close to courts and lawyers, and nearer their families.

The Association's Role

The Association monitored the progress of the transfer closely. The Visiting Committee, chaired by William J. Dean, was responsible for analyzing the proposal and preparing recommendations to the Board. Meetings were held with former city Commissioner of Correction William Ciuross, Benjamin Ward, the present commissioner, Kenneth Schoen, project director for the transfer plan, other city officials, prisoner groups, the Correction Officers' Benevolent Association, and citizen organizations.

In 1979, in view of the serious problems involved in the use of Rikers Island for persons awaiting trial, the Association took a position in support of the transfer. Dan Pochoda, the Association's president, presented testimony before the New York City Board of Correction (10/9/79), the New York City Council Committee on Public Safety (10/12/79), the New York City Planning Commission (2/13/80), and the New York City Board of Estimate (4/24/80). The following are major points in his testimony:

Support of the transfer plan

...we support the city's plan to vacate Rikers Island and to move to facilities on the mainland that are accessible to the courts, to lawyers, and to families. We support the utilization of Rikers Island for state prisoners, the great majority of whom are from, and will be returning to, New York City.

Inadequacy of existing facilities

It is immediately apparent that the existing city facilities are inadequate by any standard, particularly the prisons located on Rikers Island. Despite much activity in recent years in terms of litigation and the setting of standards, there has been little change in the basic quality of life of either prisoners or correctional personnel.... Indeed, there cannot be any meaningful change given the existing situation, specifically their location on Rikers Island and their basic construction.

Deficiencies in basic construction

First, they (existing facilities) are much too large by any correctional standards and from anyone's point of view. This creates a dangerous situation for both prisoners and officers. Second, the programmatic, recreational, and housing areas within these institutions are inadequate. The most glaring deficiency is the cell size. Despite the fact that all recent standards require a minimum of seventy to eighty square feet per cell, a majority of prisoners in the city system live in cells that are less than fifty square feet. It is difficult even to imagine what it means to spend many hours each day locked in an 8'x6' space—including bed and toilet--and these are persons who have not been convicted of any crime, and are not supposed to be receiving any "punishment." These inadequate cells, as well as other serious design problems of existing institutions, cannot be altered absent massive renovation and expenditures of money.

The public obligation

The city cannot perpetuate a system that fails to meet constitutional mandates and minimal standards of adequate care, that leads to physical and mental deterioration of individuals and break-up of families, and makes a mockery of the words "due process of law," "presumption of innocence," and "adequate legal representation" for large numbers of poor and non-white citizens of our city.

The need for alternatives to pretrial detention

There is an obligation to keep to a minimum the numbers of persons subjected to the city's correctional system.... Pretrial incarceration is an experience that will remain forever with the persons subjected to it, many of whom will not be found guilty of any crime or found to be in need of incarceration even after conviction.

We are confident that with planning and changes in present practices there can be a reduction in the percentage of those arrested that are incarcerated prior to trial. During 1978 some 55,000 detainees were admitted to the system, plus 18,000 convicted misdemeanants.... There is little question that with increased attention to this situation many of those 55,000 detainees could have been diverted from the New York City correctional system. There is no doubt that significant numbers of those persons did not require pretrial incarceration, either to insure their presence at trial or to insure public safety. Evidence of this is the fact that some 50 percent of all pretrial detainees remanded to the New York City system after arraignment are released within one week. Similarly, 18,000 misdemeanants, many of whom spend only a matter of weeks incarcerated, is an unnecessarily high figure.

Rejection of expansion of the state system

We must end the practice of literally exiling predominantly poor and non-white prisoners from New York City to distant rural, all-white counties. Acquisition of the Rikers facilities should be accompanied by plans to vacate some of the massive and outdated, distant, upstate institutions.... With even minimal planning there can be a reduction in the projected population in the state prisons, some 25,000 by 1984, without increase in risk to society. For example, all studies indicate that the mandatory provisions in our sentencing laws have been ineffective in reducing crime, have clogged our courts, and have led to

longer sentences with no benefit to the citizen in the street. Further, even slight changes in parole policies, temporary release programs, additional use of local facilities and community resources, would greatly reduce the pressure for additional bed space in the state system.

Once again the tremendous financial burden must be considered. While not as expensive as the city system, we still spend over \$15,000 per person per year to incarcerate in our state prisons. Further, construction and debt service costs will place a tremendous burden on taxpayers for years to come.

Mr. Pochoda spoke also of the difficulty of access to Rikers prisoners by their lawyers and families, and cited the problems in moving detainees to and from the courts, an inefficient procedure with prisoners not available in court when they are supposed to be, or courts not ready for prisoners waiting in the pens (see "Access to Prisons," beginning on page 24).

The testimony was quoted in a concurring statement by the vice-chairman of the City Planning Commission which approved the transfer, and was cited in the report of the New York City Council Committee on Public Safety. The position presented by the Association in this testimony, particularly the Association's understanding of the systemic, long-term implications of the proposal, was commended by numerous public officials.

Why the plan failed

The reason given was dollars. Mayor Koch said the city's original projected cost of \$351 million to build the local jails had grown to a current estimate of \$400 million, requiring \$200 million of city money as opposed to the earlier figure of \$151 million. This view was supported by City Council President Carol Bellamy and Comptroller Harrison J. Goldin.

There was, however, other opposition. Residents in the boroughs objected vociferously to the prospect of construction of jails in their neighborhoods, although these would have been located close to the courts in generally commercial areas. Residents of Queens who live near Rikers protested strongly at having "dangerous, hard-core felons" incarcerated near their homes, citing escapes from the Island, and objected to visitors to these prisoners traveling on buses through their communities to reach Rikers. The Correction Officers Benevolent Association objected on grounds that the new facilities would not be secure and would be dangerous for their officers; they were also fearful that jobs would be lost.

These objections were based for the most part on false assumptions and inaccurate information. Further, analyses of

costs conducted by the Comptroller's Office and the City Council generally confirmed that the original estimates were reasonable, and that while capital construction costs are always subject to some uncertainty, there was no reason to believe that the catchphrase, "Yankee Stadium Syndrome," was a serious fear here.

The future

Governor Carey has asked the legislature for a \$275 million bond issue to build or obtain new facilities for the state prison system. The city has again come under fire from Federal Judge Morris Lasker to bring its facilities up to constitutional standards. Mayor Koch has proposed that the city spend \$25 million to upgrade the Rikers facilities to comply with Board of Correction minimum standards and another \$15 million to upgrade detention facilities in the boroughs. In the view of the Association and others, this would not be enough to deal with problems of security, and working and living conditions.

The Correctional Association will monitor the city's institutions closely and continue to work for and assist with long-term planning to end the use of inadequate facilities. We will continue to press the city and state for alternatives to incarceration for the great number of prisoners who do not require this most expensive and often counterproductive penal sanction. We have undertaken an extensive educational effort aimed at every state legislator in an attempt to avoid massive expenditures for new prisons before a comprehensive, state-wide planning effort is completed.

ACCESS TO PRISONS

The Correctional Association was disappointed by the sudden decision of the city to abandon the Rikers transfer plan. However, the cancellation of this proposal increased the importance of our efforts to correct the problems resulting from the use of Rikers Island.

Members of the Visiting Committee, all of whom serve voluntarily, and Association staff spent many days interviewing relevant persons, including correctional administrators and line personnel, the leadership of the correction officers' union, prisoners and their representatives, including inmate council members and lawyers, prisoners' families and visitors, and various city officials. A large number of reports and studies were tracked down and analyzed, and several site visits made to Rikers Island and the borough institutions. The following is a summary of the Visiting Committee report:

Rikers Island is a 400-acre expanse of landfill located in the East River near the western end of Long Island Sound. Situated

between the Bronx and Queens Counties, the sole connection to the New York city "mainland" is a bridge originating in Astoria, Queens.

Located on Rikers Island is the largest correctional complex in the country. There are seven separate institutions, with a total capacity of 7,000 prisoners, operated by the New York City Department of Correction. On a given day over 3,000 person awaiting trial and 2,000 sentenced prisoners are housed on Rikers.

Persons awaiting trial must make frequent appearances in court. However, there are no permanent courtrooms on Rikers Island. All of the detainees based there must be transported to a courthouse in one of the boroughs when a court appearance is scheduled. The result is a logistical--and financial--nightmare.

For the detainees the result is that even a ten-minute court appearance becomes a twelve-to-eighteen-hour ordeal. Persons on Rikers scheduled for a court appearance are awakened at 5:00 a.m. and taken from their cells at 6:30 a.m. to begin the journey. They will not arrive back in their housing areas until between 6:00 and 10:00 that evening.

In the period between leaving and returning to the cell, detainees will spend two or three hours in department vans, perhaps fifteen minutes in court--provided that the appearance is not adjourned--and perhaps fifteen minutes consulting with a lawyer. The remaining eight to twelve hours are spent waiting in the receiving areas in the jails and in the holding cells, or "bull pens," in the courts.

Predictably, many prisoners expressed their dissatisfaction with these procedures. As one put it, it is as if "we're being punished extra because we want to be in court to defend ourselves." Another told his lawyer not to insist on his presence in court unless it was absolutely necessary.

The major complaint amongst detainees is the lack of adequate consultation with their lawyers. Despite the importance of the decisions facing them, including whether to plead guilty or go to trial, or whether to accept a possible prison term, many of the detainees we spoke to had never met with their lawyer at Rikers. Their only opportunity to discuss their case occurred before or after a court appearance in the overcrowded court pens.

The lack of adequate consultation makes the active and knowledgeable participation of the defendant more difficult. Understandably, it leads to a widespread feeling amongst the detainees we spoke with of being "railroaded," of not being afforded proper representation. Further, correction officials in both the city jails and state prisons cite prisoner dissatisfaction with their legal representation as a primary cause of tension and hostility, and even violence in the institutions.

As opposed to the Rikers institutions, the so-called mainland jails are all located within short walking distance of the courthouses. Their proximity permits visits by lawyers whenever they find an open thirty or sixty minutes. Because of their isolation, detainees on Rikers Island receive substantially fewer attorney-client visits than those in the mainland facilities. For example, after the transfer of prisoners from the Tombs to the

House of Detention for Men (HDM) on Rikers, the likelihood of their receiving a legal visit was *four times less* than when they were housed in Manhattan.

Personal visitors also have great difficulty getting to Rikers. The only access is a narrow vehicular bridge originating in Astoria, Queens. Since the great majority of persons visiting Rikers do not own cars, they must rely on the Q101 bus, the only public transport that crosses the bridge to Rikers. Originating at 59th Street and Second Avenue in Manhattan, with local stops in Queens, or the lower east side of Manhattan, or the South Bronx, or Brooklyn, must make one--and often two--connections just to reach 59th Street. As a result, a visitor spends between an hour and twenty minutes and two hours merely to get to the Rikers Island "bridge control."

As a result, the rate of visiting at HDM, for example, is significantly lower than at the mainland jails. Figures provided by the Department of Correction concerning HDM revealed that detainees in the Queens and Bronx Houses of Detention are more than four times as likely to receive a visitor as a detainee at HDM, while those at the Brooklyn House of Detention and at the Tombs before it was closed were three times as likely.

A visitor's journey does not end upon arrival at Rikers bridge control. For then the lengthy and uncomfortable "processing" begins. The various steps involved, plus waiting time, add an additional two to five hours before the visit with the prisoner actually begins; the visit itself lasts only one hour. Detainees are permitted only three of these visits per week, and only on certain days and at specified hours.

RECOMMENDATIONS

Persons awaiting trial on pending criminal charges should not be housed on Rikers Island. Rikers' location and inaccessibility add to the trauma and isolation experienced by recently arrested persons, and make it unsuitable for a population that makes frequent court appearances and requires regular consultations with lawyers and legal assistants. Detainees housed on Rikers are less able to prepare a defense or maintain contact with persons on the outside than are those housed in the borough institutions.

All short-term correctional planning must be consistent with the goal of removing detainees from Rikers. Thus, for example, no additional cells or new institutions should be constructed on Rikers by or for the city Department of Correction. The focus must always be on moving detainees to the boroughs, close to the courts, lawyers, and families.

In the short run, pending transfer from Rikers Island, steps must be taken to reduce the negative impact on detainees. A task force should be convened to increase the efficiency of court appearances by detainees. The logistical problems of transporting large numbers of persons every day from Rikers to court require special measures, including the possibility of scheduling such court appearances for the afternoon, staggering them throughout the day, or specifying a particular court part for these cases. This would also improve court operations. As one judge stated, "I have more problems of lateness and failure to appear with defendants housed at Rikers than with those on the street."

Detainees requiring the most frequent court appearances should be kept in the borough jails. These include those on trial and those recently arraigned; this would also facilitate the posting of bail.

Department vans, institutional receiving areas and court pens must provide sufficient space, privacy, and seats, and be properly cleaned and ventilated. The city should operate or subsidize direct shuttle buses between Rikers and the courthouses. Making numerous round trips each day, such buses would greatly increase the ability of lawyers, as well as personal visitors, to consult with persons on Rikers.

The difficulties encountered by personal visitors to Rikers are increased by the department's insistence that all visitors leave their buses upon arrival at bridge control, take a number, sign in, be searched, and wait for transportation to the institution itself to begin the processing all over. There is no need for this procedure. The jails on Rikers should be treated as separate, individual facilities, and not as mere components of one large complex.

Practices and procedures concerning visiting at HDM, for example, should be no different from those at the Bronx House of Detention; those at the Women's House at Rikers should be comparable to those in Brooklyn or Queens. Just as public buses stop in front of the borough facilities, so too should the Q101 be allowed to stop in front of each of the Rikers jails. Just as people drive directly to the borough jails, so too should parking spaces be provided on Rikers Island. Visitors to Rikers Island should be processed and searched only once upon arrival at the institution, as are visitors to the borough facilities.

The department is already planning for the building of security fencing around each institution. This is a prerequisite for the recommended changes. The bridge-control building on Rikers might have to be utilized on an interim basis. At most, it should serve as a point of transfer from one bus to another, with no processing in between and no separate requirements such as check-in by 1:00 p.m., and as a waiting area for any overflow.

Additional bus routes should be utilized to increase access to Rikers. Bus lines which depart from areas where most detainees live, including the South Bronx and Harlem, should have their routes extended to terminate at Rikers Island. At a minimum, present service to Rikers should be improved so that there is less waiting time, with some express routes during peak hours.

Visiting rooms should be operated all day on the weekends, and all weekday evenings. This is particularly important because of the distance to Rikers; people cannot use a lunch break to visit. Spreading visits out over additional days and hours will reduce congestion at any one time. Further, detainees should be permitted more than three hours of visits per week to reduce the dislocation involved in pretrial incarceration. Finally, the visiting areas must be made larger.

Some of this will involve additional expenditures and personnel. However, if an unconvicted person is confined while awaiting trial, and the city decides to use Rikers Island for this purpose, it is obligated to take all

necessary steps to provide basic amenities inside the jails and to facilitate regular contact with family and friends on the outside.

Members of the Visiting Committee

- *William J. Dean, Chairman
- *Frederick T. Davis
- *Robert Endler
- *Michael J. Ginsberg
Attorney, *Winer Hueberger & Sive*
- *Elizabeth B. Hubbard
Maryanna J. Kline
Real Estate Associate
Daniel Gale Agency
- *Dennis Mulvihill, Ph.D.
Dennis Paget
Vice President, *Comart Aniforms*
- Mary Ellen Perry
Attorney
- Tamara Robinson
Program Planning, *WNET/13*
- *Peter Swords
Joseph L. Torres
Assistant Professor of Law
Baruch College, *CUNY*
- *William H. Vanderbilt
*George G. Walker

*Member of the Correctional Association Board of Directors

PRISON VISITS

During the period covered by this Annual Report the Visiting Committee and Association staff members visited the following institutions:

<u>Local</u>	<u>State</u>
<u>New York City</u>	<u>Correctional</u>
<u>County</u>	<u>Facilities</u>
House of Detention for Men	Arthur Kill
Correctional Institution	Bedford Hills
for Women	Ossining
Correctional Institution	Fishkill
for Men	Green Haven
Adolescent Reception and	Great Meadow
Detention Center	
Bronx House of Detention	
Queens House of Detention	
Brooklyn House of Detention	
Metropolitan Correctional	
Center (Federal)	

DIRECT SERVICES

The Association has a small fund to provide emergency financial assistance to ex-offenders and to families of those in prison; in 1979 this assistance amounted to \$2,393. We contributed \$357 toward summer camp costs for children, with the balance coming from camp scholarships. Twenty needy families received an average holiday gift of \$84.24 from contributions raised by our Christmas appeal. Ninety-seven children from thirty-one families of men in prison attended the Association's annual Christmas party at the Employees' Cafeteria of our neighbor, Con Edison.

The social service division helps ex-offenders to reintegrate into the community, and assists the families of those in prison to deal with the enormous problems they face when a spouse/parent is incarcerated--an occurrence which changes their lives radically in a very short time.

The following are two cases from our files:

Charles L.

Although financial assistance is the answer to an ex-offender's immediate problem of providing for food and shelter until a first paycheck is received, there are often other serious problems with which an individual can cope if there is only someone who will listen.

Charles L. is such an individual, a twenty-eight-year-old man who has spent nearly half his life in correctional facilities. He is bright and eager, a willing worker, but possessed of a hairtrigger temper. He learned early in his ghetto upbringing that to maintain one's "macho" reputation, one must respond immediately and violently to all insults. As a result he came to us with a multiple manslaughter record.

Mr. L.'s parole release required strict supervision and was granted with the proviso that he receive regular psychiatric treatment. Unfortunately, he regarded the latter as an aspersion on his sanity, and he bitterly resented both his psychiatrist and his parole officer. On the recommendation of a friend he came to the Association, expecting that we could intercede and amend his parole conditions. Using our social worker as a substitute for the mother to whom he could not relate (he had been raised by a now-deceased grandmother), Mr. L. was able to dissipate his anger by talking about it and the circumstances which aroused it. He was thus enabled to handle rationally those situations in which he would formerly have reacted with violence.

After quitting a job as a salesman because his boss "yelled" at him, Mr. L. took a temporary job as a messenger. The generally unsupervised atmosphere freed him from pressure and he demonstrated his very real abilities to his employer. He was promoted rapidly and is currently the supervising dispatcher for one of the city's largest private delivery services.

Out of prison for more than a year--the longest period he has remained

out of trouble since he was thirteen--Mr. L. was arrested. He had been near the scene of a street robbery and, despite the victim's protestations that he was not the assailant, the police nevertheless arrested him. He admitted freely to having a record, and as soon as this was checked Mr. L. was charged, booked, and detained in jail. He notified his employer (who reassured him that his job would not be in jeopardy), and called the Association's social worker (saying "I did what you said, I didn't get mad."). At arraignment the charge was dismissed and Mr. L. was released. He came to the Association for emergency financial help, since he had lost several days' pay, and returned to his job.

The ongoing support from the Association's social worker enabled Mr. W. to "do everything right." Instead of losing his temper, resorting to violence in attitude if not action, Mr. L. "kept his cool" and was able to get through this crisis safely. Because of the arrest he had to report to his parole officer weekly for three to six months, instead of monthly as he had been doing. Since he had developed a good relationship with his parole officer, he was able to accept the explanation that "this is the rule," and complied without hostility. The prognosis for success is excellent.

Gladys S.

A woman whose husband is incarcerated must deal not only with the effects of his enforced absence on herself and her children, but also with the bewildering rules and regulations of the criminal justice system which suddenly dominate her life. If she already has difficulty coping with everyday problems, her situation is exacerbated.

Mrs. S. was referred by a psychiatric social worker at the New York Psychiatric Institute where she and two of her four children were receiving treatment. Her therapy had hit a snag when her common-law husband was incarcerated. She was beset by fears and doubts, and had serious questions about how his imprisonment would affect the family. These were problems with which the therapist could help her deal. Beyond that was the wall of prison and departmental regulations of which the therapist had no knowledge. She was unable to answer the flood of questions poured out by Mrs. S.: Would she, as a common-law wife, be able to visit her husband? Would the children be allowed to visit? If they were, should she expose them to the visiting situation? When could she expect her husband home, and how could she help him gain his parole? Would he be able to live with her in a common-law relationship when he was on parole?

The therapist called the Association for information and accompanied Mrs. S. on a visit to discuss her problems. Our social worker talked with Mrs. S. about how important it was to her husband for the family relationship to be maintained. Visiting procedures and conditions were described, and she was encouraged to take her children to visit so contact with their father would not be broken. She was advised of procedures to follow so that her husband could again live with her on his parole. During her visit Mrs. S. mentioned that she was depressed because Christmas was approaching and she could not afford gifts for the children. Her fears of a joyless holiday were alleviated when she was told we would help her provide a happy Christmas for her family.

IN MEMORIAM

Archibald S. Alexander
1902-1979

Archibald S. Alexander was elected to the then Executive Committee of the Correctional Association in 1933, and served faithfully and well until his retirement in the spring of 1979. He continued to participate actively as a Director Emeritus.

The Association, its Board of Directors, and the community we serve suffered a great loss with his death.

We will miss the benefit of his wisdom and concern which for so many years helped guide our work to achieve a fair and humane criminal justice system. We can no longer draw on the clarity of his thinking which cut through to the heart of troublesome issues. And we have lost a friend whose warmth reached out to touch us all, whose wit and gentle humor helped lighten those moments when the tasks we faced became onerous.

We are grateful for the forty-six years he gave to us as a Board member and mentor. He will continue to serve as an inspiration for all of us. We dedicate our efforts in the years to come to his memory.

Donald H. Goff
1919-1979

Donald Goff joined the staff of the Association in 1960 as Associate General Secretary. On the retirement of Edward Cass in 1962, he became the Association's General Secretary, a position he held until 1973.

Throughout his career Donald Goff made valuable contributions to the field of criminal justice, and had a deep concern for the civil and human rights of his fellow citizens, whatever their status in society. He set an example of insight, sensitivity, and integrity for all who continue the work to achieve true justice and equality under the law.

OFFICERS AND DIRECTORS

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Elizabeth B. Hubbard
President, League
of Women Voters
of New York State

Sherman A. Patrick^a
Director, Community Programs,
Esquiville Hospital and
Rehabilitation Center

a. On leave of absence

Honorable Eve M. Preminger
Acting Supreme Court Justice
City of New York

Peter Swords
Associate Dean
Columbia Law School

David Rudenstine
Professor of Law
Cardozo School of Law

Joanna Underwood^a
Executive Director
INFORM, Inc.

David A. Schulte
Member, New York City
Board of Correction

William H. Vanderbilt
Chairman of the Board
South Forty Corporation

Directors Emeriti

Donald Agnew
Limited Partner
Fahnestock & Co.

Harry W. Fowler
Chairman of the Board
Fiduciary Trust Co. of N.Y.

Archibald S. Alexander^b

Harold K. Hochschild

Mrs. Stevens Baird
Member, Advisory Board
The Osborne Association

Henry L. Pierson
Attorney-at-Law

Malbor Chambers
Attorney-at-Law
Sage Gray Todd & Sims

R. Brinkley Smithers
The Christopher D.
Smithers Foundation

Louis B. Warren
Attorney-at-Law
Kelley Drye Warren

Staff

Dan Pochoda
President and Chief
Executive Officer
Marna Walsh
Secretary and
Administrative Assistant
Shelley Friedlander
Director of Social Services
Doraen Reel
Office Assistant

Committees
of the Board

Finance
Law
Nominations
Resources
Visiting

a. Elected 1980
b. Deceased 1979