

STATE OF NEW YORK

THE ONE HUNDRED AND TWENTIETH
ANNUAL REPORT

OF

The Correctional Association of New York

135 East 15th Street, New York

1964



**ONE HUNDRED AND TWENTIETH ANNUAL REPORT
OF THE CORRECTIONAL ASSOCIATION
OF NEW YORK***

February 10, 1965

Hon. Malcolm Wilson

Lieutenant Governor and President of the Senate:

Hon. Anthony J. Travia, Speaker of the Assembly:

Sirs—In accordance with Chapter 163 of the Laws of 1846, we have the honor to present the One Hundred and Twentieth Annual Report of The Correctional Association of New York, and to request that you will lay the same before the Legislature.

Respectfully,

THE CORRECTIONAL ASSOCIATION OF NEW YORK

By Melber Chambers, President

Donald H. Goff, General Secretary

* The name of the Association was changed from The Prison Association of New York to The Correctional Association of New York on February 16, 1961 at a special meeting of the members.

PREFACE

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 twentieth of the series.

Paragraph 6 of Article XI of the act incorporating The Correctional Association of New York provides that "the said executive committee" (of The Correctional Association) "by such committees as they shall from time to time appoint, shall have power, and it shall be their duty to visit, inspect and examine all the prisons of 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 profile of the penitentiary prisoner is one of failure. By and large he is the under-educated, the illiterate, the high school drop out; the unemployed or the sporadically employed; the unskilled laborer; he is the unattached. He is the man on the periphery . . . "

From—"The Man on the Periphery"

A Study of the Monroe County (N.Y.) Penitentiary by the Rochester Bureau of Municipal Research, Inc.

A TRIBUTE

WHEREAS, the long and glorious history of The American Correctional Association dates back to its founding in 1870, and

WHEREAS, The Association was conceived in the minds of those then responsible for the Administration of The Prison Association of New York, now known as The Correctional Association of New York, and itself with now more than one hundred and twenty years of dedicated service and brilliant achievement in the correctional field, and

WHEREAS, from the year 1870 until 1963, the two associations progressed hand in hand, with staff services and physical facilities made available to the national body by the local New York association, and

WHEREAS, The Correctional Association of New York is graciously providing facilities for certain of the daily business operations of the American Correctional Association,

NOW BE IT THEREFORE RESOLVED THAT The American Correctional Association, by unanimous vote of its Officers and Board of Directors, in meeting assembled in the City of New York, this fourteenth day of February, 1964, expresses its profound thanks and gratitude through these meager and humble words to The Correctional Association of New York for the long and intimate affiliation of more than ninety-three years, and

BE IT FURTHER RESOLVED THAT The American Correctional Association further expresses its deep appreciation to The Correctional Association of New York for the privilege of continuing to use certain of its physical facilities in order to better facilitate its business operations, and

BE IT ALSO RESOLVED THAT copies of this Resolution be forwarded to the President and General Secretary of The Correctional Association of New York with grateful expressions of gratitude for the affiliation of the past and with hope and expectation that the years ahead will result in still further mutual achievements in the interests of society and the transgressor of the law.

Dated this 14th day of February, 1964, in the City of New York.

HARRY C. TINSLEY, President

JOHN M. WILSON, General Secretary

**THE CORRECTIONAL ASSOCIATION'S
RECOMMENDATIONS
TO THE 1965 LEGISLATURE
STATE OF NEW YORK**

LET'S COMPLETE THE JOB

There are three sides to the administration of justice: sound laws, efficient courts and progressive correction. In two out of these three main areas in the administration of justice, the past half decade has been one of great progress for the Empire State. This five year span had seen a major revision in the court system of the State, resulting from the constitutional amendment overwhelmingly voted by the people of the State. This same period has seen the creation of the Temporary Commission on the Revision of the Penal Law and Criminal Code, with a mandate to prepare for submission to the Legislature a revised, simplified body of the substantive laws relating to crime and offenses. The Commission's major assignments are to revise in a thorough going fashion both the Penal Law and the Code of Criminal Procedure.

One would have to be a criticaster not to recognize and acknowledge the fundamental efforts being made to improve the administration of justice in New York. However, one would be completely hiding his head in the sand not to recognize that the third main area in the administration of justice, namely correction—the treatment of the individuals who have been arrested and convicted of violating the law—has not received the attention and support it needs and merits.

The reorganization of the courts in 1962 was a horrendous undertaking and forward step. Reports from various courts indicate that the back log of cases awaiting trial has been markedly reduced. The State Supreme Court in Brooklyn, for example, announced that the court reorganization program, in effect since September 1, 1962, has greatly increased the efficiency of that Court. Between June 30, 1963 and July 3, 1964 the number of persons awaiting trial or Grand jury action was reduced from 1,067 to 561—a reduction of almost 50%. The effect of this reduction on over-crowded detention facilities, fairness to the defendants and witnesses, and fairness to the complainants is readily obvious.

Further, the efforts being made by the Judicial Conference to standardize titles, job specifications, and the classification of court personnel in the State is commendable. In spite of the fact that additional improvements are indicated, principally on the matter of judicial selection, COURT REFORM IS DEFINITELY ON THE WAY.

In 1961 the Legislature created a commission to review and simplify the Penal Law and Code of Criminal Procedure. This was to be the first complete overhaul of the Penal Law and Code of Criminal Procedure in 80 years. The Commission, under the able

leadership of Assemblyman Bartlett, and with such distinguished individuals on its membership as Mr. Timothy N. Pfeiffer and Professor Herbert Wechsler, has undertaken its task with enthusiasm and zeal. Only the staff, directed by Chief Counsel Richard Denzer, and ably assisted by Peter J. McQuillan, Chief Assistant Counsel and Peter Preiser Associate Counsel knows the amount of detailed research involved. It has been tremendous. The Commission held hearings throughout the State on a Proposed New York Penal Law introduced in the last session of the Legislature for study purposes. As a result of suggestions for further improvements made at the hearings and as a result of even further study by the Commission, some minor revisions may be made and a Proposed Revised New York Penal Law again introduced in the 1965 Legislature for enactment into Law.

This, then, is the second of the three main areas in the administration of justice where the State should and can be proud of its efforts.

But improving the laws and increasing the efficiency of the courts is meaningless unless progress is made in the treatment available for those individuals convicted and sentenced—unless the third main area in the administration of justice, namely correction, receives the attention it merits. **WE WOULD URGE THAT THE STATE'S NEXT MAJOR EFFORT BE MADE IN CORRECTION.**

It is discouraging to see the reorganized court system and the efforts for improvements in the penal laws in the State, and then to note that out of all of the inmates discharged from New York State correctional institutions in 1963, almost 60% had not received any vocational training while in the institution, and 72% had no experience whatsoever in the correction industries. This is not of the inmates own choosing or the desire of the State's Correctional Administration. The cold hard facts are that sufficient support has not been given to this particular aspect of the administration of justice in New York State.

Those charged with the responsibility of operating correctional departments and institutions have been expected to work on the very involved phenomena of human attitudes and behavior supplied with little in the way of modern facilities and expert personnel. They have been expected to take offenders with little or no vocational skills and train them to become employable after their release. Yet the institutions are not provided the number of trained vocational teachers they need.

To see inmates held in enforced idleness or engaged in grossly overmanned job assignments or being given "made work" is very disturbing when one realizes that, because of the lack of employment possibilities within the correctional institution, inmates do not

have instilled in them proper work habits and tend to become employment problems upon their release. A serious problem recognized by correctional administrators is the attempts by vested interested groups to curtail even those few employment opportunities now available within the institutions. **TO THESE EFFORTS THE LEGISLATURE MUST REMAIN ALERT.**

Of those tested and released from New York State institutions in 1963, the median scholastic grade achievement fell in the upper half of the sixth grade. This was after the Department of Correction had been able to provide for those who participated in educational programs, a median 761 hours of education. In spite of efforts of the Department, 2,507, or 35% of all inmates released from New York State correctional institutions in 1963, had received no academic education in the institutions whatsoever. The need for additional staff for academic education is obvious.

New York has been hampered in its correction work by a lack of variety of housing and programming for offenders. Many individuals, with safety to the community, could benefit greatly from a camp program staffed by qualified personnel working toward character development, rehabilitation in general, and providing skills which upon release would equip the individuals for construction work.

The four existing youth camps house only a small percentage of all the inmates in the Department. Expansion of the camp program could provide a way of draining off many of the individuals who do not require maximum security now housed in maximum security institutions at great cost, for whom there is not sufficient employment. Experience in many other states and the Federal Government points out the many benefits of an expanded program, not only in the treatment of offenders, but also to the State's public works and conservation programs.

These are but a few of the areas where the wholehearted support of the Legislature is indicated, if the State Department of Correction is to be permitted to function up to its capability.

SHORT-TERM CORRECTIONAL INSTITUTIONS

The study of the Monroe County Penitentiary, made by the Rochester Bureau of Municipal Research in 1964, shows the heterogeneous population of socially, mentally, and emotionally inadequate individuals who make up, by and large, the population of the jails and penitentiaries throughout the State. The typical penitentiary and jail inmate in New York State is succinctly described in this study, "Man on the Periphery," of the Rochester Bureau of Municipal Research.

" . . . The profile of the penitentiary prisoner is one of failure. By and large he is the under-educated, the illiterate, the high school drop out; the unemployed or the sporadically employed; the unskilled laborer; he is the unattached. He is the man on the periphery . . ."

Yet communities throughout the State, in their shortsightedness, are willing to pay the cost of maintaining individuals "serving a life sentence on the installment plan" because of a reluctance to provide the funds, personnel and programs so sorely needed. New York State's short-term correctional institutions—the penitentiaries and jails—provide, little of anything, in the way of work experience, training, treatment, or education.

—The very large percentage of alcoholics committed for public intoxication or disorderly conduct need treatment for their disease, which they are not obtaining in the local county jails.

—The large number of addicts committed to the institutions of the Department of Correction of New York City need hospitalization and long-term authoritarian aftercare, but the bulk receive correctional commitments, are released, and become re-addicted within a few days.

—Elderly individuals are committed to jails and penitentiaries because there are no other community resources available. This is a blot on the State's humanitarianism.

All of these points are recognized by the State Department of Correction, under the efficient direction of Commissioner Paul D. McGinnis, and the Department of Correction of the City of New York, under the imaginative leadership of Commissioner Anna M. Kross. They are recognized as well by many county correctional authorities. To the best of their ability, these public servants attempt to meet the problems squarely, but are continuously thwarted and frustrated by a general lack of concern and interest in their problems.

The Empire State has made major improvements in two out of the three major areas in the administration of justice. IT IS NOW UP TO THOSE IN THE POSITION OF AUTHORITY TO PROVIDE THE LEADERSHIP AND MAKE AVAILABLE FUNDS AND SUPPORT TO THE THIRD MAIN AREA—CORRECTION.

RECOMMENDATION TO THE 1965 LEGISLATURE of the STATE OF NEW YORK

RECOMMENDATION No. I. A NEW PENAL LAW

That the Legislature study seriously the Proposed Penal Law of the Temporary Commission on the Revision of the Penal Law and Criminal Code and enact a new Penal Law which revises and updates the provisions of the present Penal Law.

COMMENT: In 1961 the State Commission on the Revision of the Penal Law and Criminal Code was created. It was presented with the monumental mandate of preparing "for submission to the Legislature, a revised, simplified body of substantive law relating to crimes and offenses in the State, as well as a revised, simplified code of rules and procedures relating to criminal and quasi-criminal actions and proceedings. . ." This was to be the first overall study and revision of the Penal law and Code of Criminal Procedure since 1881—80 years.

With diligence and energy, the Commission and staff undertook its assigned task of bringing order to and eliminating much extraneous material from the Penal Law of the State. The Commission's Proposed Penal Law deserves the full consideration and support of the Legislature, which, in spite of the overwhelming problems facing it, has an obligation to the people of the State of New York to enact into legislation a revised Penal Law this year.

Further, a continuation of this Commission's activity to allow it to complete the second part of its assignment, namely the revision of the Code of Criminal Procedure is definitely indicated. (Our testimony presented to the Temporary Commission is included as Appendix A).

RECOMMENDATION No. II. NARCOTIC ADDICTION

The the Legislature provide the funds necessary to create, on an experimental basis, a complete program for the treatment of narcotic addicts; and also provide the funds to increase the number of beds presently available for addicts in facilities under the State Department of Mental Hygiene. Specific legislation increasing the State's jurisdiction over narcotic addicts on civil certification to 7 years is indicated, as is legislation to require narcotic addicts on aftercare supervision to submit to chemical testing to determine

whether or not the individual has reverted to the use of drugs.
COMMENT: With the passage of the Metcalf-Volker legislation, selected narcotic addicts can be certified to the Department of Mental Hygiene for treatment rather than committed to correctional institutions on a criminal conviction. Continuation and expansion of this program coupled with an increase in objective research into the highly complexed and serious medical-social problem of addiction is urgently indicated.

Because of the importance of this problem, we are including as Appendix B of this report the program for the treatment of narcotic addiction proposed by this Association presented to the Joint Committee on Health Insurance Plans.

New York has already assumed a leadership role attempting to cope with narcotic addiction. It must continue to take bold forward steps if any inroad is to be made toward the solution.

RECOMMENDATION No. III. NON-RESIDENTIAL PROGRAMS FOR YOUTH IN TROUBLE

That the Legislature consider seriously the advisability and desirability of creating non-residential group treatment programs for youth who have been in difficulty with the law.

COMMENT: A diversification of programs and facilities to deal with the many different types of youth who have committed offenses is of fundamental importance. The creation of non-residential treatment programs, patterned after highly successive projects in other states, would fill an existing void in the treatment continuum presently available for young offenders now either committed to programs of the New York State Division for Youth or placed on probation.

Experience has shown that not every young offender needs residential institutionalization. Many can profit by spending their waking hours in a program of work, specialized education, and counseling, returning to their homes in the evenings; and at a cost which is much less than that of commitment to a residential institution. We would propose, therefore, that the funds and the authority be provided to allow for the commitment of youth in trouble to non-residential treatment programs, on an experimental basis.

RECOMMENDATION No. IV. IDENTIFICATION AND INTELLIGENCE SYSTEM

That the Legislature continue its interest in the New York State Identification and Intelligence System presently being developed in the Executive branch of the Government. That sufficient funds

be appropriated to allow for the completion of the design, and this unit be made a permanent state agency by statute.

COMMENT: In an electronic age, those given the responsibility of combating crime and administering justice must have readily available to them a modern system of identification and intelligence, no less effective than that used by large industry. The number of public agencies involved in the administration of justice and the number of offenders in the State, coupled with a high degree of mobility, dictates the need for the rapid interchange of information among law enforcement and correctional agencies.

A number of departments involved, ranging from police through parole, presently maintain of files and records, which in many cases duplicate the information in other agencies. With an efficient, central identification and intelligence system, these mountains of paper records could be reduced with resulting substantial savings and greater efficiency.

RECOMMENDATION No. V. SELECTION OF JUDGES

That the Legislature consider seriously modifying the present procedure whereby judges are selected, to insure the highest level of civil and criminal justice in the State. That the deliberations of the Citizens Conference on the Courts, sponsored by the Committee or Modern Courts and the Joint Committee for the Effective Administration of Justice in New York City, December 1st and 2nd, 1964, be considered as they relate to the judicial selection processed in the State.

COMMENT: The New York Citizens Conference on the Courts in its summary made the following statement:

NEW YORK TODAY

The crisis in the courts of New York demands immediate and sweeping changes in the administration of justice. While the citizens of this state can take justifiable pride in the improvements of the recent past, these gains will be diluted or lost unless further steps are now taken to complete the task so well begun.

Election of judges should be abolished. Judges should be freed from all political obligations and removed from any political pressures.

A system should be devised and promptly adopted to appoint all judges from carefully selected candidates with some means of protecting the appointing authority from political and other considerations. Such a system should be statewide, but if initial action only can be taken promptly in a limited area or specific courts, then this should be undertaken as a first step. The people will not rest until all of their judges are taken out of politics.

The above statement cannot be overlooked. It represents the thinking of this Conference which included the participation of such notable individuals as: Mr. John J. McCloy, Chairman, Committee for Modern Courts; the Honorable William J. Brennan, Jr., Associate Justice, Supreme Court of the United States; Mr. Glenn R. Winters, Executive Director, American Judicature Society, and General Edward S. Greenbaum, former Vice-President of the Association of the Bar of New York City, long a driving force behind the effort to reorganize and reform the court system.

RECOMMENDATION No. VI QUALIFICATIONS OF PERSONNEL IN COUNTY CORRECTIONAL INSTITUTIONS

That legislative support be provided to improve the efficiency and quality of persons employed in county correctional institutions by requiring pre-service training and in-service training.

COMMENT: Repeatedly, at national, regional, and state gatherings of professional correctional administrators, the need to improve the quality and training of personnel, particularly in county jails, is sounded. Without a trained, competent staff, security is breached and the very safety of the community is threatened. Each year incidents occur in local county correctional institutions which point directly to the "inescapable conclusion of the ineptness, poor hiring techniques, lack of proper qualifications and the general danger to the public health and safety of the people of the county" in the jails, as cited by one newspaper article reporting on an investigation of one such untoward incident.

A giant forward step would be taken if, prior to actual appointment, new employees were required to successfully complete a training program of a minimum of at least two weeks. Such a program, containing instruction in security measures, searching, fire-

arms, public health matters, food service, and the fundamental philosophy of correction, should bring about great improvement, and the forgotten institutions—the county jails—could become an important constructive step in the rehabilitation and reclamation of the many thousands of offenders who pass through these local institutions in the State of New York each year.

Local county correctional institutions are an extremely important cog in the administration of justice. Not only is the county jail the first place of incarceration of more than an overnight's stay for all offenders, and therefore shapes the individuals attitude toward imprisonment and the administration of justice in general, but it is also the place of confinement for many thousands of individuals who are subsequently placed on probation or given short sentences of less than a year. In addition, the jails house individuals who have not yet been indicted or convicted of a crime and may not be guilty. The task of operating a county correctional facility efficiently, effectively, and safely directs that the positions from correction officer to the administrator responsible to the elected official be filled by persons who are objectively recruited, appointed, and trained.

RECOMMENDATION No. VII. PRE-PAROLE CAMPS

That there be established state operated pre-parole units near large industrial hiring areas for the preliminary adjustment and as an initial step to approaching parole.

COMMENT: For the long term inmate, who because of the nature of institutional life has had the range of his decisions greatly narrowed, release to the community, while eagerly sought can be a bewildering and frightening experience. There is a trend in some areas, including the Federal Government, to make a gradual change in prisoner housing and privileges shortly before release, not as a reward, but as a kind of steadying influence. In these pre-parole facilities prospective parolees are relieved somewhat of the rigidity and the monotony of institutional regimentation as an easing off or a balancing influence.

Through a cooperative arrangement with the Federal Government an experimental program of releasing a very small number of men from New York State correctional institutions to the Springfield Guidance Pre-Release Center in New York City has been extremely successful. Here men have an opportunity to receive counselling, a place to live, and the opportunity to look for work while still in a supervised residential situation.

RECOMMENDATION No. VIII. ELDERLY OFFENDERS

That the Legislature direct an examination into the present procedure of handling elderly offenders both by the courts and the dispositions available to determine more humane, economic, and generally desirable means of coping with this growing population.

COMMENT: The increasing number of individuals over the age of 65 in the State and the unique problems of this age group point up the need to pay increasing attention to the way the anti-social behavior of this elderly population is met. The State should examine the desirability of creating a specialized court to handle the problems unique to older individuals who become involved in anti-social behavior. As unusual as it may sound, it is highly possible that the unusual problem of this older segment of the population of New York State, which, because of lack of other agencies must be handled in the regular courts, might be more effectively and humanely dealt with by a specialized court dealing exclusively with elderly offenders. Such a court, similar to the specialized court for handling the problems of juveniles, could work in close cooperation with various community agencies, both public and private, concerned with the aged.

RECOMMENDATION No. IX. POLICE COURT ALCOHOLIC

We would propose that a study be made to determine the effectiveness of the present practice of committing alcoholics to institutions under the control of the New York City Department of Correction or county correctional institutions within the State, and that alternative measures be considered.

COMMENT: The commitment of alcoholics to jails and penitentiaries is "an exercise in futility." A talk with anyone even slightly knowledgeable on jails, not only in this State, but other states in the United States, will quickly disclose the complete ineffectiveness of jail commitments for alcoholics. A visit to any institution for the lesser offender quickly points out even to the casual observer the scope of the problem. It is estimated that well over 50% of the population of local jails consists of individuals for whom alcohol is a problem.

Alcoholism is a disease, so designated by the American Medical Association. It is as useless to expect a "cure" of this disease through the "punishing" of the individual alcoholic as it would be to expect to cure any disease through punishing the affected person.

Because of the scope of the problem, one cannot realistically ex-

pect an overnight shift in the handling of the chronic police court alcoholic from correction to mental hygiene. Such a move would completely overwhelm the Department of Mental Hygiene both in terms of personnel and facilities. This is not to say that the ultimate goal should not be the shifting of responsibility for these type cases from correctional to mental hygiene facilities.

As a step toward the ultimate objective we would propose that serious consideration be given to legislation similar to the Metcalf-Volker legislation, adequately financed, dealing with narcotic addicts, which would permit selected alcoholics to be committed on a civil basis to specialized facilities and programs under the jurisdiction of the Department of Mental Hygiene, for an indeterminate period not exceeding one year including aftercare. Coterminous with such a civil commitment to the Department of Mental Hygiene, the individual might be placed on probation for a period not exceeding two years after determination of compulsory detention.

By such a procedure we believe that greater flexibility would allow for the constructive treatment of alcoholics as public health problems rather than correctional problems who now receive repeated jail commitments. At the same time, persons who do require correctional treatment might be committed to a correctional facility for the protection of the community.

RECOMMENDATION No. X. ADDITIONAL PERSONNEL TRAINED IN EDUCATION AND BEHAVIOR SCIENCES FOR STATE CORRECTIONAL INSTITUTIONS

That legislative support be given and funds provided to the State Department of Correction to allow the State correctional institutions to employ a sufficient number of personnel trained in education and the behavior sciences to work more vigorously toward protecting the community.

COMMENT: Correction requires the accumulated skills and knowledge of many disciplines such as education, psychology, sociology, psychiatry, and social work in addition to custodial specialists. To assume that incarceration of an individual without adequate training and treatment is ample protection for the State, is an extremely shortsighted view. Individuals do not learn to be self-sufficient and develop educational skills without adequate vocational training, nor do individuals develop work habits by being held in enforced idleness because of lack of work available in institutions. Inmates do not become educated, except along criminal

lines, unless a sufficient number of teachers are employed both to motivate them toward education goals and to conduct the instruction.

Inmates with serious psychiatric problems do not have their problems solved and their mental illness cured simply by incarceration. They require the diagnosis and treatment by both psychiatric and psychological personnel.

The State Department of Correction, as its name implies, is expected to correct individuals who in every instance have failed in the community. The State Department of Correction is dealing with a population of 100 per cent failures. Yet, to accomplish this monumental task of correcting, the Department is not provided with sufficient professional staff.

Only after a serious and concerted effort has been made, applying the knowledge of human behavior which has been gained in the past few decades, with a sufficiently intensive treatment program conducted by trained psychiatrists, educators, psychologists and social workers, will the State be able to unsmear the very knotty and serious problem of a dangerous and costly crime rate.

RECOMMENDATION No. XI. HANDLING THE LESSER OFFENDER

That the Legislature direct an examination into the effectiveness of the present methods available to handle the lesser offender, particularly as they relate to short commitments to local jails and penitentiaries.

COMMENT: The county jails and penitentiaries of the State and the institutions under the jurisdiction of the New York City Department of Correction have committed to them annually upwards of 40,000 persons to short sentences ranging from one day. By and large these individuals constitute a heterogeneous group of socially, mentally, and emotionally inadequate people for whom the commitment is often completely ineffective. The jails, as a repository for the social ills of the community, have failed to keep abreast of the progress being made in the general field of correction, providing little in the way of psychological, educational and spiritual training and, in so doing, have failed to provide the community with the protection it deserves.

A. WORK-FURLOUGH PLAN

We would suggest that such an examination of effectiveness of the present method avail-

able to handle the lesser offender should consider the possibilities and desirability of legislation enabling the courts to permit selected individuals to leave the institutions to which they have been sentenced during necessary and reasonable hours to work at their employment or to seek employment.

The sentencing of an individual to a jail imposes many hardships in addition to the loss of liberty to the individual, not only upon the individual, but upon the community. During the period of incarceration, the community is required to maintain this person, providing food, clothing and shelter; and the family of the individual incarcerated often becomes a public welfare charge. In addition, during the incarceration the state and community lose the taxes paid by this individual on the income he was earning.

We feel that in selected cases, the court should be enabled and encouraged to extend to the person sentenced to incarceration of more than 60 days (present statute #2188a of the Penal Laws, allows such a procedure up to 60 days) in a jail the privilege of continuing his outside work, returning to the jail in the evenings and on weekends. From earnings the county could deduct the cost of maintaining the individual in a jail, installments on fines and if he had any dependents, toward their support.

The American Law Institute in its Model Penal Code adopted in May of 1962 after years of work by an impressive staff and Criminal Law Advisory Committee, on which a number of outstanding New York jurists served, contains such a provision.

The work-furlough commitment would, we feel, not only relieve the community of the economic burden of maintaining the individual during his incarceration and relieve it of the support of his dependents during the same period, but would also be a step forward in the rehabilitation of the individual, thereby contributing directly to the protection of society.

B. INSTALLMENT PAYMENT OF FINES AND DISPARITY IN FINES IMPOSED

We would propose that such an examination of present methods available to handle the lesser offender should consider the means of reducing the disparity in the commitment in days for each specific unit of dollars of fine in the instance of fine non-payment, and con-

sider the feasibility of the installment payment of fines where indicated.

Examination of cases committed to the Workhouse of New York City for non-payment of traffic violation fines reveals a marked disparity among cases in the amount of fine worked off for each day of incarceration. The incarceration period ranged from individuals who were working their fine off at the rate of \$3.00 per day to those who were working their fine off at the rate of \$24.00 per day. Such marked disparity creates feelings of favoritism and a general disrespect for equality in the administration of justice.

We would propose further that consideration be given to the practicality of allowing individuals to pay their fines on an installment basis over a period of time. As odd as the installment payment of fines may seem, this procedure might be the solution to the problem confronting many individuals in a low income category who do not have sufficient money to pay the entire fine at the time of imposition, and might reduce the incidents of individuals required to serve time in lieu of fine payment or forced to borrow money from loan sharks in order to remain out of jail.

RECOMMENDATION No. XII. EXPANSION OF CAMP PROGRAM FOR OFFENDERS

That legislature support be given to the expansion of correction camps for both young and adult offenders.

COMMENT: It is now recognized that a good correctional program dictates that a variety of housing and programs are available for the treatment of offenders. Flexibility of facilities and programs is a cardinal principle in correction. Many individuals committed because of the violation of the laws of the state do not require maximum security. They could benefit greatly from a properly staffed camp program. Camps can provide the necessary labor to supplement work presently being carried on in the State's parks and on conservation projects. Camps can provide better individualization of treatment because of the smaller number of individuals in each separate unit.

While emphasis has been on youth with the renewal of the camp idea in this State (to a great extent due to the leadership of the State Division for Youth) it is well to think of camps for other age groups. Good work is being done for all ages in the camp operations of innumerable states as well as in the four youth camps in the State of New York. This recommendation does not relate to the use of camps as a means for housing and treatment of younger

offenders alone, but also for adults, Diversified housing, especially in a State as large as New York, is a necessary part of the Correctional Department's organization.

Other states have found it extremely valuable to establish camps on the grounds of other non-correctional institutions in the state, using the inmates so assigned to do some of the maintenance and menial work of that institution. The operation of laundries, ground maintenance, garbage and refuse disposal by inmates from a camp on the grounds of institutions of other departments, not only saves the State money, but also provides meaningful employment for inmates who, because of the lack of work in maximum security correctional institutions, may be held in enforced idleness.

RECOMMENDATION No. XIII. BAIL BONDS

That an examination in depth be made and means developed to combat the abuses and limitations of the bail bond procedure and system.

COMMENT: Irrespective of any abuses of bondsmen or others, there is the broad question of the extent to which the bail bond system is used, its underlying rationale, and its chief beneficiaries. The enlightened research project on the administration of the bail system in New York City, begun in 1961 by the Vera Foundation with the cooperation of the New York University School of Law, revealed the "defendants are severely handicapped in preparing their defenses. They are unable to earn money to hire a lawyer and pay for investigation. They cannot help locate witnesses. They must consult court appointed counsel not in the privacy or convenience of an office, but in the jail. The defendant enters the court in the company of a guard, a fact not lost on jurors. If convicted he is unable to point to employment and good conduct while in jail as grounds for probation; if found not guilty he has needlessly suffered the degradation of jail and his family has been punished as well. There are good grounds for suspecting that the outcome of his case, as to both judgment and sentence, is materially influenced by whether he is in jail or on bail."

The New York Times, in an editorial lauding the experiment project initiated by the Vera Foundation, stated "justice is cheated when a man of means or the well healed gangster is freed on bail while the accused poor person goes to jail for lack of money to pay his bail bondsmen. Each year thousands of the indigent are held behind bars, serving time before trial, because of the inability to raise even the nominal amount of \$500.00 bail for which the bond premium is \$25.00."

Not only has this experimental project attracted nation wide attention (a national conference on bail bonds was held during 1964) but also the function has been picked up in part by Probation in the City of New York by public funds.

The bail project might well be placed on a state wide basis.

RECOMMENDATION No. XIV. CORRECTIONAL ACADEMY

That the facilities and funds be provided for the establishment of an Academy of Correctional Training in the State Department of Correction.

COMMENT: To develop a better understanding and closer relationship among the various levels in the administration of justice, and to respond to the shifting role expected of correctional agencies to operate programs and maintain facilities of rehabilitation rather than simply places of containment, requires a high quality of personnel and a program of training. It is becoming increasingly recognized that qualified personnel are essential for progress in the administration of institutions, probation, and parole departments as well as other agencies involved in crime control and the prevention of delinquency. Such personnel must be adequately trained through pre-service, in-service training programs, and refresher courses. The Police Department of the City of New York has long maintained a police academy which has been further developed through the establishment in 1958 of the Baruch School as part of the City College of New York. The Federal Bureau of Prisons and the State of California have made substantial demonstrations along the line of improving the quality and functioning of personnel through courses, and supplementary schooling, and inspired leadership.

The New York City Department of Correction, which in 1957 established an Academy for training correctional personnel on Rikers Island, in 1964 cooperatively with the newly created Borough of Manhattan Community College, furthered its training by introducing an Associate of Arts degree program in correction.

The steps already taken by the State Department of Correction with the Institute at St. Lawrence University and in various community colleges could be even further aided by such an academy, which could serve not only as a training area for personnel in institutions, but also for those in community crime prevention programs, probation, and parole—all in the correctional and prevention of crime process—through collaboration with schools of higher learning of the State.

THE CORRECTIONAL ASSOCIATION'S GENERAL ACTIVITIES

GENERAL ACTIVITIES

As with the past generations, the distinguished persons who gave of their time and talents to The Correctional Association in 1964, all had a sense of moral duty and social conscience. As a union of citizens without regard to political party, The Correctional Association of New York continued its efforts to secure for the people of the State the most efficient and effective administration of justice. Recognizing, as it has since 1844 that governmental responsibility for handling offenders does not absolve private citizens from their obligation to pursue crime prevention and correctional improvement, by means of study and treatment, the Association, through its various citizen committees and professional staff, was involved in a multitude of projects in 1964.

Much of the credit for the Association's progress in two areas of interest, namely narcotic addiction and the alcoholic offender, rests with the chairmen and the members of the two Ad Hoc Committees on these two topics.

Because of their particular importance and interest to the safety of the community, a brief review of the committees' work is outlined below:

NARCOTIC ADDICTION

The Correctional Association of New York, through its Ad Hoc Committee on Narcotic Addiction, chaired by Mr. William B. Meyer, continued its efforts toward ameliorating the very involved and complicated problem of narcotic addiction which is so widespread among the youth of many sections of the City and State. After innumerable meetings with representatives of the Department of Mental Hygiene, the New York City Department of Health, the Federal Bureau of Narcotics, the State Department of Correction, the State Commission of Parole, and others interested in this very serious problem, the Committee devoted its energies toward developing the position of the Association and preparing a model program directed toward its solution.

This paper was referred to a number of agencies, both public and private with an interest in the problem of narcotic addiction, and comments and observations received from the New York Academy of Medicine, the State Bar Association, the State Department of Mental Hygiene, the Federal Bureau of Narcotics, the Mayor and City Council, the Administrative Judge of the Courts of New York City, plus others. Additional drafts were prepared

as a result of suggestions and observations that were made.

On June 4th the Association released to the press a statement and our position and program on narcotic addiction. As a result, the Association received innumerable requests from individuals and organizations for full copies. The New York City Department of Correction sent 25 copies to the members of the Board of Correction, top administrative personnel, and wardens; Grand Jury Association of New York County sent copies to its Board of Directors; the East Harlem Protestant Parish, chaired by the Reverend Norman Eddy, asked for 18 copies for distribution; NAPAN and the Narcotic Council of New York City both showed a great deal of interest and asked for copies.

Following the news release, the Journal American on June 14, 1964 carried an editorial stating: "The proposal (of The Correctional Association of New York) compiled after 18 months of investigation, contemplates hospital confinement for not less than 60 days, supervision in work camps, continued care 'halfway houses' in the addicts neighborhood.

These measures are sound."

The Association was encouraged by the response it had received.

Because of the concern being shown and proposals being made to ameliorate the "glue sniffing" by youngsters, the Association developed a simple statement and proposal.

A PROPOSAL RELATED TO "GLUE SNIFFING"

Recently there has been a wave of sensational newspaper accounts about youngsters "sniffing glue" and an ensuing wave of punitive panaceas offered. The most common proposal would restrict the sale of "airplane glue" to individuals under 18 years of age.

While the concern over the use of glues by youngsters to create a state of intoxicated euphoria is understandable, legislation to ban the sale would in our estimation be both ineffective in solving the problem and have detrimental effects far beyond any possible favorable results. Our experience with individuals who, because of an emotional instability, seek means of artificially creating a euphoric state leads us to recognize the many common household articles that are used and can be used for such purposes. The banning

of the sale of one substance would simply shift the fad to other substances. Many other common household materials have been, can be, and are used.

We would propose in lieu of banning the sale that youngsters under the influence of any intoxicant be considered in need of the Family Court's protection and psychiatric evaluation. By this process, the substance used to create the escape is unimportant, while, at the same time, the detrimental effect upon youth of the use of any intoxicant would allow for the intervention of the state for his own and the state's protection.

The banning of one substance,, "airplane glue" or any restriction in its legitimate sale for hobby purposes would also, in our estimation, seriously affect the constructive hobby work of many hundreds of thousands of American youth, who do not abuse the substance. Such restriction would not only be unwise, but detrimental. The ban of the sale of glues, we feel, is unwarranted.

To date, this proposal has been forwarded to 115 newspapers who have shown concern over "fume sniffing" in the United States. On the matter of "fume sniffing," the Association has proposed to a number of people and agencies that the film "The Scent of Danger," produced by the Hobby Industry Association of America, was an excellent constructive way to approach the problem locally. The position of the Hobby Industry is that of The Correctional Association with regard to local ordinances.

The Ad Hoc Committee on Narcotic Addiction, in view of conflicting points of view as to the best means of handling narcotic addicts and the general lack of leadership within the State, has attempted to bring together various authorities in the field of narcotic addiction, striving to develop some uniformity of thinking. Small, informal meetings involving representatives of the State Department of Mental Hygiene and the Federal Bureau of Narcotics were arranged. Members of the Committee also met with the Narcotics Coordinator of the City of New York.

Nor did the Committee overlook public education by the use of radio. The Committee arranged for a panel discussion on narcotic addiction for: Senator George R. Metcalf, author of the bill allow-

ing for the civil certification of certain narcotic addicts to facilities under the control of the Department of Mental Hygiene; Mr. George M. Belk, District Supervisor of the Bureau of Narcotics for New York; Dr. Henry Brill, Medical Director, Pilgrim State Hospital, Department of Mental Hygiene and Mr. Donald Goff, General Secretary of The Correctional Association of New York. At the very last minute because of a roll call vote, Senator Metcalf was not able to appear on the program and expressed deepest regrets. The two, one-half hour programs over WNBC were extremely well received.

At the request of Senator Metcalf, the Association presented its evaluation of the effect of the Metcalf-Volker legislation at a public hearing of the Joint Committee on Medical Health Plans, chaired by Senator Metcalf. At this time, the Association pointed out that, while a relatively small number of individuals arrested on a narcotic charge had been transferred to facilities under the Department of Mental Hygiene, the program should not be severely criticized or looked at as being a failure. It must be looked at as an experiment, and the anxiety to find a quick, permanent solution to narcotic addiction should not cause an inundation of cases to overwhelm both the personnel and the facilities of the Department of Mental Hygiene.

THE ALCOHOLIC OFFENDER

The futility of committing the chronic police court alcoholic to correctional institutions to serve short sentences for public intoxication or disorderly conduct has long been recognized by The Correctional Association of New York. In view of the seriousness of the problem throughout the State, and the United States as well, an Ad Hoc Committee on the Alcoholic Offender was created by The Correctional Association. This Committee is chaired by Mr. R. Brinkley Smithers, member of the Governor's Advisory Committee on Alcoholism and President of the National Council on Alcoholism.

It was the consensus of the Committee that its focus should be primarily on public education, with particular emphasis upon the education of personnel involved in the administration of justice. As its project the Committee agreed that it should develop a Handbook on Alcoholism for law enforcement personnel.

Contact was made with the International Association of Chiefs of Police by Mr. Goff, who proposed that that organization might want to co-sponsor, with The Correctional Association, such a Handbook. We were most encouraged by the response we received, which assured us that the International Association of Chiefs of Police

would definitely favor such a project, since that organization was certain that such a Handbook would be very useful to the police throughout the United States.

The original proposal for educational material for persons involved in the administration of justice came from the Technical Assistance Program on the alcoholic offender, which was sponsored during the year by The Correctional Association, together with several other state and federal agencies. It was further recommended by the Empire State Health Council's Conference on Alcoholism, and subsequently agreed upon by our newly formed Committee on Alcoholism as one of its projects.

As a result, the Committee prepared a draft of a Handbook on Alcoholism, which was circulated among the Committee members and to specialists in the fields of both law enforcement and alcoholism. Work on the Handbook continued for six months, through five separate drafts. Critical evaluation was made of each draft by medical specialists, the International Association of Chiefs of Police, representative from alcoholism treatment and educational units, as well as the Editor of the Quarterly Journal of Studies on Alcohol, a Journal with an international reputation in the field. By the end of the year, the final draft was ready for printing.

It is anticipated that the initial printing will be 50,000, which will be distributed by The Correctional Association of New York and the International Association of Chiefs of Police in March of 1965. This Handbook will be used as part of the training program of the International Association of Chiefs of Police.

In view of its distribution throughout the United States and Canada, it was not possible to include a section on specific referral sources. A proposal will be made to the North American Association of Alcoholism Programs that each state alcoholism director provide the police in their state with a list of local state resources.

Among those to whom The Correctional Association will be circulating the Handbook will be the sheriffs, since they are the ones responsible for the operation of the jails to which many alcoholics are committed, and who bear the brunt of the chronic police court alcoholic problem.

As part of its general program on the alcoholic offender, the Ad Hoc Committee scheduled a series of speakers on the various aspects of the police court alcoholic for the monthly meetings of the Executive Committee.

Mrs. Hortense Mound, Chairman, Sub-Committee on Alcoholism, State Bar Association was one such speaker, who explained that the State Bar Association is concerned with the impact of the law on the control of alcoholism, recognizing that this is only one small

way of approaching the entire problem. She stated further that it was the underlying principle of the Sub-Committee on Alcoholism of the State Bar Association that (1) alcoholism is an illness, not a crime and, (2) persons with alcoholism do not belong in jail.

Another speaker, The Honorable John M. Murtagh, Administrative Judge, New York City Criminal Court, pointed out that there is little or no agreement as to the proper way of handling the very difficult problem of the chronic police court offender who is assumed to be a victim of alcoholism. He raised several fundamental questions. Are we dealing with the phenomena of alcoholics when we are dealing with the chronic police court case? What is alcoholism? To Judge Murtagh alcoholism is a pathology, the essential part of which is a compulsion to drink. Using this definition, he wondered how many individuals on skid-row fall into this category. There is a growing feeling that the court in dealing with the chronic police court offender, is primarily dealing with human inadequacies more than it is dealing with alcoholism. To Judge Murtagh, the chronic police court case is basically one of human inadequacy and, as such, the penal approach is entirely wrong. These individuals are "sick" in the broadest sense of the term and their use of alcohol is simply a symptom. They are fundamentally under-socialized people who emerge to adulthood and attempt to adjust to an adult life, and the use of alcohol in excess is one of the ways in which they attempt adjustment.

A third speaker, Dr. Ruth Fox, Medical Director of the National Council on Alcoholism raised a similar question as to exactly how many skid-row habitues are addicted to alcohol and would properly fall into the category of alcoholics. Many are not, she believes, in spite of the fact that they may use alcohol to dull the sharpness of their problems from time to time. The skid-row individuals are generally older transients who fall into several categories. Operation Bowery, a broad action and research demonstration project dealing with the human problem of the Bowery's homeless men, divided them into three main groups.

1. Those with income or pensions sufficient to enable maintenance at the prevailing low prices. This group includes full-time employed unskilled workers and elderly pensioners.
2. Those who worked intermittently at casual jobs and support themselves by working but need help when not working. This group includes men employed irregularly and on the most menial jobs.
3. Those who worked or "panhandle" to buy alcohol. This group includes the alcoholics for whom drinking has become a way of life.

To Dr. Fox, each group on the Bowery requires different treatment and requires the cooperation of Missions, religious leaders, social workers, police, and the medical profession.

As part of its work on the alcoholic offender, representatives of the Committee participated in the Empire State Health Council's Conference on Alcoholism—a community problem. Mr. Goff and Mr. Smithers both were on the program.

Further, as part of its work on the alcoholic offender, the Association testified before a Joint Committee on Medical Health Plans in Albany, supporting a bill introduced by Senator George R. Metcalf which would allow for the civil certification of certain alcoholics to facilities under the control and jurisdiction of the Department of Mental Hygiene. The Association was disappointed when this bill was not passed. It will continue to work for its passage as we believe that the alcoholic should not be treated as a criminal but should receive treatment as a medical case.

The following are indicative of the breadth of the various interests and activities of the Association within the State of New York, nationwide, and internationally.

TEMPORARY COMMISSION ON REVISION OF THE PENAL LAW AND CRIMINAL CODE

A Commission on Revision of the Penal Law and Criminal Code was created by the Legislature in 1961, for the purpose of studying "existing provisions of the Penal Law, the Code of Criminal Procedure, the Correction Law and other related statutes" and of preparing "for submission to the Legislature, a revised, simplified body of substantive laws relating to crime and offenses in this State, as well as a revised, simplified code of rules and procedures relating to criminal and quasi-criminal actions and proceedings. . ." In short, the Commission's two main major assignments are to revise in thorough going fashion the Penal Law and the Code of Criminal Procedure, neither of which has received any overall revisional treatment during the past 83 years.

At the time of the creation of this Commission, the Association proposed the names of two individuals for the Commission, who were subsequently named. Since the creation of this Commission, the Association has maintained an active interest in its work and reports, receiving advanced copies of its proposals.

A copy of the Proposed New York Penal Law, introduced for the purpose of study, was forwarded to each member of the Law Committee of the Association, who studied it in preparation for the public hearings.

Of major concern to the City Parole Commission is a major pro-

posal that the permissive, present, separate sentencing laws for cities of the first class be eliminated. More specifically, in New York City under the special sentencing law (Article 7A of the Correction Law) any person who is convicted within the City of a crime or an offense, and sentenced to an institution under the jurisdiction of the City's Department of Correction, must be sentenced to the penitentiary, workhouse or the reformatory. If the court sentences the offender to the penitentiary or the reformatory, the sentence is for a reformatory (indeterminate) term. But if the court sentences the offender to the workhouse (certain charges are excluded), the sentence must be for a fixed period not to exceed six months.

The court in imposing a reformatory type sentence cannot fix a minimum. However, an indeterminate sentence to the penitentiary cannot exceed 3 years and under the old New York City Reformatory law, sentences for misdemeanors could not exceed 3 years.

Since New York City is the only city of the first class in the State that has adopted the provisions of 7A, a marked disparity exists between the City of New York and the other 57 counties of the State, in that an individual convicted of a specific misdemeanor can in New York City receive a sentence with a maximum up to 3 years and in the other counties of the State a maximum up to only one year.

There are, however, a number of advantages to the New York City law, one of which allows for parole supervision up to 3 years for serious offenders who, as a result of the downgrading of their offenses, have been convicted of a simple misdemeanor.

The General Secretary spent many hours in discussion with the Chairman of the New York City Parole Commission and the Associate Counsel of the Temporary State Commission on the Revision of the Penal Law and Criminal Code in an effort to reconcile the vastly divergent points of view on Section 7A of the Correction Law. The proposals of the Commission would abolish this particular section which allows for the 3-year indeterminate sentencing of individuals convicted of misdemeanors to the New York City Reformatory or the New York City Penitentiary. The Commission would substitute legislation permitting a maximum sentence of only one year for misdemeanants with a subsequent 2-year parole supervision period. This would bring about an equalization of the maximum sentence allowed in the City of New York and in the other counties of the State for adults convicted of a misdemeanor. It would likewise restrict commitments to the New York City Reformatory for a period not to exceed one year.

The Parole Commission, on the other hand, feels strongly that 7A, which has been in existence for 49 years should remain intact.

As a result of a great deal of study and effort on our part, we prepared an alternative proposal which is a compromise between the two divergent points of view, and also makes meaningful revisions in existing 7A while maintaining a number of its good features.

Our proposal is to maintain the existing section of Section 7A which allows for the sentencing of juveniles 16 to 21 years of age to the City Reformatory for a period not to exceed four years. It would also allow for the use of the existing statute for those individuals convicted of a Class D or E felony. Proposals of the Temporary Commission allow for the commitment of young offenders 12 to 21 years of age, convicted of a misdemeanor or felony, to the State Reformatory at Elmira for four years. Our proposal would allow the courts the alternative of either committing to the State Reformatory or the City Reformatory. In the instance of the Class D or E felony, both of these offenses carry in the proposed draft a maximum of four or more years, we would be allowing for the commitment of individuals convicted of a Class D or E felony either to a State institution or to the City Penitentiary.

Several other areas in the Proposed Penal Law are of interest to the Association. Among these is a proposal not to allow good time credits against the minimum sentence. This proposal, we feel, takes away the incentive of an individual to improve himself through diligent work and good behavior in the institution. We feel that the good-time credits should be applied to the minimum as well as to the maximum sentence. The Association also believes that some of the terminology used in the proposed law is ambiguous and misleading, in need of clarification. An example of this is the use of the term "definite sentence parole." We believe that the use of the word "definite" is entirely misleading.

All in all, we feel that the Temporary Commission has done a monumental job in their proposal in simplifying and bringing order to the Penal Law of the State and should be highly commended.

In addition to the Penal Law revision, the Commission began to work on a revision of the Code of Criminal Procedure, and the Association spent several hours with the Consultant to this Commission on various proposals relating to parole, probation, and correction in the State.

MONROE COUNTY PENITENTIARY PROJECT

The initial phase of the Monroe County Penitentiary Project was completed March 2, 1964 when the 154 page study of the Monroe County Penitentiary was formally presented to the Board of Supervisors of the County. This study, "The Man on the Periphery,"

conducted by the Rochester Bureau of Municipal Research, is to our knowledge the first detailed analysis of every individual committed to a penitentiary in a year that has ever been made. The proposed program and much of the study itself, on which proposals were based, resulted from The Correctional Association of New York's deep involvement with the Bureau of Municipal Research as well as with the other public and private agencies in the community. To a very great extent, the Association wrote the Plan for Rehabilitation and Treatment, the perspective and research design now under consideration by the National Institute of Mental Health.

A tribute was paid to The Correctional Association in the introduction which states:

"Donald H. Goff, General Secretary of The Correctional Association of New York brought a national background of experience and knowledge in the field of correction and rehabilitation that proved beneficial in every aspect of the report."

Phase two, the implementation of the treatment program, has begun. Specifications for a rehabilitation director drawn up by the Association are being processed through the Civil Service machinery of the County, and the director's position should be ready for filling within two months. Coupled with the actual rehabilitation program is research which will evaluate its effectiveness.

The Association continued its active role in the Monroe County Penitentiary Project when we met with Dr. Carl Anderson of the National Institute of Mental Health and Dr. Earl Huyck of the Department of Health, Education and Welfare to review the proposed program of placing the non-security risk chronic alcoholics in a facility separate from the security penitentiary population and instituting an intensive rehabilitation program for the former group. The effectiveness of this program will be evaluated by an independent agency based on a research design developed by The Correctional Association of New York.

Both Dr. Anderson and Dr. Huyck were most enthusiastic over the program and research design. They indicated their support to a request by Monroe County for a grant from the National Institute of Mental Health.

Already \$100,000 has been pledged by the Division of Alcoholism of the State covering a 5-year period toward personnel to staff the special program. The remaining funds, over those being provided by the State and County, are being sought from the Federal Government.

NEW YORK CITY DEPARTMENT OF CORRECTION— C76 PROJECT

The General Secretary met with the rehabilitation and research personnel of the City Department of Correction to assist in developing a reception program for individuals committed to the institutions under the control of the Department of Correction with a sentence in excess of 30 days. The purpose of this Reception and Classification program is to allow for an immediate evaluation of all individuals committed to the correctional institutions of the City, and to select those who would benefit most from rehabilitative efforts. Such a program should allow for concentration of professional staff's time on approximately 10% of those committed—those who have the greatest prognosis—rather than diffuse the efforts on those not showing as much promise.

It should be recognized that the evaluation made of all individuals sentenced will of necessity be extremely superficial, but should prove effective in isolating those with gross psychopathology and those with the greatest prognosis from the run-of-the-mill commitments. It is estimated that out of approximately 50 new commitments received a day, four will fall into the latter category.

ONONDAGA PENITENTIARY

The Director of Research of the Board of Supervisors of Onondaga County spent several hours with the General Secretary attempting to formulate a research plan and program similar to that conducted by the Bureau of Municipal Research in Monroe County, projecting plans for a future correctional complex in Onondaga County. That County is confronted with a relatively large budget request to replace the existing locking devices in the penitentiary for which estimates have been made ranging upward to \$250,000. The cost of replacing the locking devices plus the annual maintenance and improvement costs have caused some concern to the authorities of the County; and the possibility of developing a program similar to that proposed in Monroe County is being considered by the Director of Research of the Board of Supervisors.

NEW YORK STATE IDENTIFICATION AND INTELLIGENCE SYSTEM

The General Secretary met Eliot H. Lombard, Special Assistant Counsel to the Governor for Law Enforcement, and Mr. Robert R. J. Gallati, Director, New York State Identification and Intelligence System on the question of the possibility of including "dangerous juveniles" in the proposed New York State Identification and In-

telligence System. Realizing that much controversy centers around the question of recording names in a central criminal identification system of juveniles who get into difficulty, Mr. Goff proposed that consideration be given by the State Identification and Intelligence System to the inclusion of a category of "dangerous juveniles." While adhering to the fundamental principle of not stigmatizing a youngster with criminal identification, the General Secretary pointed out that in certain instances data should be available immediately, through central registration, on the few juveniles who might be a very serious immediate threat to the community. With Mr. Lumbard and Mr. Gallati we explored the possibility of developing a definition which would amply protect most juvenile offenders from being stigmatized, yet would provide for the immediate "red flagging" of the few delinquents with juvenile histories indicating them to be dangerous, seriously disturbed, assaultive, psychiatric cases.

The Special Assistant Counsel to the Governor for Law Enforcement was most interested in our ideas. He further stated that he has been using a number of statements from our 1962 and 1963 Annual Reports in his reports and speeches.

UNIFORMITY OF DATA REGARDING JUVENILE DELINQUENCY

The State Division for Youth, in attempting to obtain more uniformed data regarding juveniles being handled by the various juvenile aid bureaus in the State, directed Dr. Albert Tricomi, Assistant Professor of Fordham University, to The Correctional Association of New York for advice and counsel in preparing such a uniform reporting procedure.

This uniform procedure is to be used by the Division for Youth in obtaining information about juvenile delinquency in the municipalities receiving State funds for the operation of their juvenile aid bureaus.

Mr. Goff advised Dr. Tricomi of several types of reporting forms and systems, one of which has been developed by the Federal Bureau of Investigation in recent months and another has been developed by the Institute of Delinquency Control in the University of Pennsylvania. In addition, the program developed in the State of New Jersey for reporting children in the juvenile courts, which Mr. Goff supervised prior to his move to The Correctional Association of New York, was given to Dr. Tricomi as a guide.

EMPIRE STATE HEALTH COUNCIL

At the request of Senator George Metcalf, the General Secretary

acted as the discussion leader for the group concerned with correctional services at the Empire State Health Conference on Alcoholism held in New York City during the latter part of May.

While the number of alcoholics in the county jails and penitentiaries is estimated to be only 3% of the total alcoholics in the State, they constitute well over 50% of the inmate population of these institutions for lesser offenders. Our long-range goal is to work for the development of other procedures for handling the chronic police court offender. But since the jails and penitentiaries of the State presently handle these individuals, our intermediate goal is the development of more meaningful programs of rehabilitation for the alcoholic within correctional settings.

It is interesting to note that our last previous personal contact with Senator Metcalf was in Albany, when we appeared before the Joint Committee on Health Insurance Plans, chaired by Senator Metcalf, to present the Association's position on legislation to allow for a civil certification of alcoholics to facilities under the jurisdiction of the Department of Mental Hygiene.

GRAND JURY ASSOCIATION

The Grand Jury Association, desirous of acquainting itself with the provisions of the Proposed Penal Law, had its counsel meet with Mr. Goff at the office of The Correctional Association of New York. The Counsel, Mr. Manuel Robbins, and Mr. Goff discussed the many positive aspects of the Proposed Penal Law, as well as several modifications the Correctional Association intended to propose. We were pleased when Mr. Robbins asked that on certain items we advise the Commission in our testimony that the Grand Jury Association concurred. As a result of this meeting with Counsel of the Grand Jury Association, additional support was obtained for the Association's position.

NEW YORK CITY ADMINISTRATOR

The Office of the City Administrator asked the Association to provide it with background material on the indeterminate sentence and parole. We were also asked informally for the Association's viewpoint on the proposals in the Penal Law of the Temporary Commission relating to the 3-year indeterminate sentence available to the courts for misdemeanants in the City of New York.

We spent several hours with a representative from the City Administrator's Office reviewing the background of the indeterminate sentence and parole, pointing out the role The Correctional Association played in 1915 in the passage of this legislation, which allows

cities of the first class to create parole commissions and a 3-year indeterminate sentence to the New York City Penitentiary for misdemeanants who can be rehabilitated. We emphasized the value of supervision after release from an institution and the desirability and value of flexibility of sentencing.

"THE REPORTER"

Mr. Robert Gallagher, Copy Editor of "The Reporter," consulted with the General Secretary on the jail situation specifically as it related to the programs and activities carried on in the various jails. Mr. Gallagher had become dismayed in visiting some jails, noting the deleterious effects upon the inmates being held in enforced idleness with a lack of constructive programs.

Mr. Gallagher was desirous of doing more than simply pointing out the weaknesses and bad aspects of the county jails, and was interested in delving more deeply into the extremely knotty problem of the social values and effectiveness of short-term incarceration.

BILLY SANDS—CELLMATE OF CARYL CHESSMAN

During his short stay in New York City, when he was involved in several national television programs, Billy Sands, a reformed cellmate of Caryl Chessman, met with Mr. Goff and Mr. MacCormick prior to his television appearances to test some of his ideas for penal and legal reform. It was his original intention to propose that all sentences in felony cases be life sentences, with parole dependent entirely on the extent of attitudinal modification of the individual during incarceration. He planned to propose that parole commissions have available to them not only the most knowledgeable psychiatric services, but also individuals who themselves had reformed and who would be able to make an assessment as to whether the prospective parolee had reformed. Both Mr. MacCormick and Mr. Goff pointed out to Mr. Sands the dangers of such a proposal and suggested instead that Mr. Sands emphasize the fact that hardened offenders can change and that his (Billy Sands) personal example would do much to encourage more work with so-called hardened offenders.

AWARD TO E. R. CASS CAMP

The Association noted with great pleasure and pride the award made by the State Department of Conservation to the boys of the E. R. Cass Camp of the Division for Youth for the outstanding work these lads had done since the camp opened in 1962 fighting forest fires, clearing trials, building firebreaks, and in general im-

proving many areas of State-owned recreational land.

Mr. Cass, a member of the Executive Committee and General Secretary of the Correctional Association of New York for 40 years prior to his retirement in 1962, in whose honor the camp was named, stated at the presentation, "The beliefs, confidence, and hopes I have had in those of today's youth who need moral training and character building, not harsh punishment, has been justified here today."

ANNUAL REPORT

On January 30, 1964, the 119th Annual Report of the Association for the year 1963 and our Recommendations to the 1964 Legislature were formally presented to both the Senate and the Assembly. This year's report, somewhat smaller in size than previous years, contains, in addition to thirteen Recommendations and a detailed report of the activities of the Association, statewide, national, and international, an overview of correction in the United States prepared by the Association for the Council of State Governments.

TESTIMONY BEFORE SENATE COMMITTEE

Working in concert with the State Bar Association, the National Council on Alcoholism, and the Governor's Council on Alcoholism, the General Secretary testified before the Joint Committee on Health Insurance Plans on Senate Intro. 841, Senate Intro. 888, and a joint resolution regarding alcoholism. Our interest in this legislation focused on the chronic police court alcoholic who is generally repeatedly committed to local jails and is, in effect, "serving a life sentence on the installment plan."

Senate Intro. 888 included a procedure proposed by the Association to allow for the civil certification of alcoholics and their commitment to facilities under the jurisdiction of the Department of Mental Hygiene. We were most pleased that our point of view was warmly received not only by the Joint Committee, but also newspapers throughout the State. Because of the fiscal position of the State, however, and as the bills introduced include new programs which would require additional appropriation for the Department of Mental Hygiene, without which these programs could not be operated, the possibility of their being passed this legislative session was dim. We continue, however, the press for passage.

COLUMBIA-PRESBYTERIAN HOSPITAL

The Director of Social Services of the Columbia-Presbyterian Hospital contacted the Association and asked if it would be pos-

sible for two medical students to visit and learn more of the work of The Correctional Association. As part of their medical training, the hospital instituted a program of having medical students visit selected agencies in New York City, so that they might have a better understanding of the background of some of their patients. Since a number of patients in the hospital have relatives in correctional institutions, it was felt desirable that the work of The Correctional Association become more known to the medical students. The two young students who spent an afternoon with Mr. Goff and Mrs. Lovejoy were to report to their class on the direct service functions of The Correctional Association. They were most fascinated with the work of the Family Service Bureau and somewhat appalled at the very heavy and complicated lives most of the clients of the Family Service Bureau were leading. We feel that the time was well spent with these medical students.

ST. LAWRENCE INSTITUTE—CANTON, NEW YORK

We were pleased to note that the Institute on Crime and Delinquency, held at St. Lawrence this year, had over 500 individuals in attendance. Their earnestness, concern, and interest in self-improvement should be commended. Dean Romoda, because of his pioneering work in this field, received the recognition he deserves. In addition to Mr. Cass, who has been faithful in his attendance over the years, Professor Curtis, Dr. Brancale, Dr. Shaloo were on the staff.

GRAND JURY ASSOCIATIONS OF NEW YORK

Joining with representatives of the five Grand Jury Associations of the Boroughs of New York City, the Correctional Association, represented by Mrs. Ballantine, Chairman of the Committee on Detention, will study and review a number of aspects of the handling of lesser offenders in New York City related to the record high populations the institutions of the City Department of Correction have been forced to handle. The tremendous number of individuals being held in the detention and sentence institutions of the City has created marked overcrowding. A few weeks ago, the Tombs was forced to have three men to a cell with the third person sleeping on the concrete floor.

At a preliminary meeting with Mr. Gordon E. Hyde, President of the Grand Jury Association of New York County, Mr. Goff pointed out a number of the complicated legal and financial problems involved. We were most pleased that the President of the Grand Jury Association did not believe that the solution to the present overcrowded situation rests entirely upon new construction. The inter-

relationships of the statutes, judicial practices, probation usage, Parole Commission, and the down-grading of offenses were discussed, and the importance of recognizing the effect of this interrelationship on the population of the City Department of Correction's institutions was agreed upon.

This preliminary meeting with Mr. Hyde would lead us to believe that the Grand Jury Associations are interested in a serious study and examination, and not in snap solutions to a difficult, involved problem.

THE FIRST TWENTY YEARS OF THE CORRECTIONAL ASSOCIATION 1844-1864

For his doctoral dissertation, Michael Heale, an Oxford student from England on a one-year fellowship at Columbia University, is examining the first twenty years of the Prison Association of New York. Mr. Heale spent several weeks in the offices of the Association studying copies of the original minutes of the meetings. He had previously reviewed the Annual Reports of the Association which he obtained in England. Mr. Heale's hypothesis is that the founders of the then Prison Association were basically motivated by a desire for social reform in the administration of justice, and were not solely interested in providing direct assistance to people in need. We were informed that this particular era in the social history of the United States is generally looked upon by historians as a period of great concern for individual, downtrodden, and unfortunate people—not an interest in the conditions which caused the suffering of people.

The Association looks forward with a great deal of interest in receiving a copy of Mr. Heale's dissertation when it is completed in approximately a year.

RADIO PROGRAM

Motivated by the publicity surrounding a rape-murder case, Barry Gray of WMCA contacted The Correctional Association and proposed a program on the processes and principles of parole. At Mr. Goff's suggestion, Commissioner John Quinn, Chairman of the New York City Parole Commission, was also invited to participate. For approximately an hour, Commissioner Quinn and Mr. Goff discussed on the show, the underlying principles of parole, its weaknesses and strengths. Both Mr. Goff and Mr. Quinn stressed the desirability and need for supervising individuals during the readjustment period after release from correctional institutions. Toward the end of the program, because of the reference by Commissioner Quinn to the high percentage of narcotic addicts being

supervised by the City Parole Commission, and in response to questions raised by Barry Gray, Mr. Goff presented the position and program developed by our Ad Hoc Committee on Narcotic Addiction, emphasizing the Association's concern for the protection of the community.

Reactions to this radio program were most favorable.

RECEPTION AND CLASSIFICATION CENTER, RIKERS ISLAND

The Association continues to work closely with the Director of Operations and the Director of Rehabilitation of the City Department of Correction in the development of a plan for the operation of the Reception and Classification Center, Rikers Island. This unit will receive and classify all male inmates sentenced for over 30 days to the Department of Correction, except Family Court and Traffic Court cases. It will permit a much more thorough classification practice than the present procedure. Coupled with this reception and classification program for all inmates sentenced to over 30 days, is a Special Study Project which will select 20 inmates per week; for more intensive study and treatment. The criteria for admission to this Special Study Project is:

1. The individual comes from a relatively intact family
2. Has a gainful employment history
3. Appears to be susceptible to the program
4. Is of average intelligence
5. Has no serious pathological problems
6. Has no warrants against him
7. Has over 6 months to serve

The original plan called for a classification of all male inmates in a 3-day period to which the Association took serious exception, pointing out that the number of cases with the small staff would quickly convert the process into a routinized, non-evaluative procedure of little worth.

Under the final proposal the amount of time for an evaluation has been increased to five days, which is much more realistic. With the Special Study group, a more intensive evaluation will be made involving a number of additional psychological tests and interviews taking a total of ten days.

HONORARY DECREE—MR. R. BRINKLEY SMITHERS

At the dedication of Smithers Hall at the Rutgers Center of Alcohol Studies, attended by Mrs. Ballantine, Mr. Agnew, Dr. Mac-

Donald, and Mr. Goff of The Correctional Association of New York, Mr. R. Brinkley Smithers was awarded the honorary degree of Doctor of Laws for his work as "a major architect in the development of education and therapeutic services to bring understanding and hope to this enormous, dark and guilt-ridden area of public health and social maladjustment (alcoholism)".

The Correctional Association of New York was most pleased and proud with this honor bestowed upon Mr. Smithers.

HAVENS RELIEF SOCIETY

As an almoner representing The Correctional Association of New York, the General Secretary was invited to attend the Annual Meeting of the Board of Managers of the Havens Relief Society. This philanthropic organization has contributed to the work of the Correctional Association for many decades, selecting the General Secretary as an almoner. Prior to Mr. Goff, Mr. Cass for forty years, and his predecessor, Dr. Lewis, had been almoners for the Havens Relief Society.

GOVERNOR'S MESSAGE

Of marked interest to the members of the Association was the emphasis Governor Rockefeller placed in his State of the State message in 1964 upon the prevention of crime and treatment of offenders.

One section of his message stated:

"There is need in this State for systematic improvement in the administration of criminal justice if we are better to deal with the widespread and deep seeded disease of crime.

"Each of the professional disciplines—police, prosecutors, courts, probation, correction and parole—beset with its own immediate concerns, now tends to function without adequate relationship to the others. The work of any single agency can be most effective only if it relates, in theory and in practice, to the common task.

"With this in mind: in a special message to your Honorable Bodies in 1962, I noted that I had called upon the trustees of the State University to study the feasibility of establishing a school of criminal justice within the State University. Envisioned was a small full time faculty of experts from relative disciplines to address itself:

- A. to the problems of training administrators and those requiring specialized knowledge, and,
- B. to the need for searching inquiries into crime causation,

juvenile delinquency, law enforcement procedures, criminal rehabilitation and judicial doctrine relating to criminal cases."

It should be noted that in our recommendations to the Legislature for the past years we have proposed such a school of criminal justice which became one of the principal points in Governor Rockefeller's program for the State this year, and that much of the impetus for the present summer Institute held at St. Lawrence University, came from the Correctional Association.

CITIZENS CONFERENCE ON THE COURTS

On December 1st and 2nd, 1964, approximately 150 individuals met in a Citizens Conference on the Courts sponsored by the Committee for Modern Courts and the Joint Committee for the Effective Administration of Justice, focusing on judicial selection and tenure, court organization, and court congestion. Approximately two-thirds of the individuals in attendance were non-legally oriented, major community leaders throughout the State. The Correctional Association of New York was represented by Mr. Goff. The result of this two-day Conference was best summarized by the following conclusion presented by Mr. John J. McCloy, Chairman for the Committee for Modern Courts:

NEW YORK TODAY. The crisis in the courts of New York demands immediate and sweeping changes in the administration of justice. While the citizens of this State can take justifiable pride in the improvements of the recent past, these gains will be diluted or lost unless further steps are now taken to complete the task so well begun.

SELECTION OF JUDGES. Election of judges should be abolished. Judges should be freed from all political obligations and removed from any political pressures.

A system should be devised and promptly adopted to appoint all judges from carefully selected candidates with some means of protecting the appointing authority from political and other considerations. Such a system should be statewide, but if initial action only can be taken promptly in a limited area or specific courts, then this should be undertaken as a first step. The people will not rest until all of their judges are taken out of politics.

COURT ORGANIZATION AND ADMINISTRATION. The unification and consolidation of courts should be continued and the existing Surrogates Courts and the Court of Claims should

be merged into the Supreme Court. The District Court system should be expanded into as many courts as feasible. The Civil and Criminal Courts of New York City should be merged into a single court. The Family Court should be continued as organized on a statewide basis, and jurisdiction over adoption of children should be removed from the Surrogate Court and vested solely in the Family Court.

Administrative controls should be strengthened throughout the system and additional power granted to the administrative judges. The court budget should be organized on a single businesslike basis under statewide administrative control.

COURT CONGESTION AND DELAY. All possible devices should be explored and utilized with particular emphasis on those which will bring about increased settlements of cases before trial and with a minimum expenditure of judicial time. Increased administrative controls should be employed toward that end. Continued study of possible changes in the procedural and substantive law, particularly to expedite the trial of personal injury cases, should be carried forward.

In addition to Mr. McCloy, the principal speakers were: The Honorable Associate Justice William J. Brennan, Jr., U. S. Supreme Court; Orison S. Marden, President, New York State Bar Association; Harrison Tweed, Chairman, New York Temporary Commission on the Courts; General Edward S. Greenbaum, Chairman, Citizens Conference Committee; and the Honorable Frederick van Pelt Bryan, Judge, District Court of the Southern District of New York. The purpose of the conference was to broaden the interest of such organizations as the League of Women Voters, the Federation of Women's Clubs of New York, the City Club, and other citizens' movements in the need for a revision in the judicial selection process—an area which has been of great concern to The Correctional Association for many years and which the Association has called to the attention of the Legislature in its recommendations in the past.

TRINITY CHURCH

The General Secretary met with the Reverend Canon Bernard C. Newman, Vicar of Trinity Church, and Father Reed, Vicar in charge of two missions of Trinity Church in the lower east side, at Canon Newman's suggestion, to consider a project of intensive aftercare for a highly selected group of ex-workhouse inmates who are extremely vulnerable to drifting into a skid-row life on the Bowery. The possibility of using the individual presently the keystone for

the Wall Street AA group at Trinity Church for this project is being considered.

JUVENILE TERM, FAMILY COURT VISITS

Members of the Ad Hoc Committee on Juvenile Offenders spent a morning in Juvenile Court attending delinquency hearings being conducted by Judge Justine Wise Polier and Judge Philip B. Thurston of the Juvenile Term of the Family Court, obtaining first hand information on the operation of this court in the City of New York. The Committee members also visited the temporary detention areas of the children who were appearing before the court.

The complexities and difficulties involved in handling youthful offenders were readily obvious, as was the very heavy work load of the individual judges. Judge Thurston during the morning of the visit handled about sixty individual cases.

The Committee also had an opportunity to see first hand the operation of Law Guardians, a recently created position to protect the constitutional rights of juveniles appearing before the courts. The question of the Law Guardian position is one which the Ad Hoc Committee on Juvenile Offenders may be considering in the future.

MEETING WITH DEPUTY DIRECTOR OF PROBATION, CRIMINAL COURT AND FAMILY COURT OF NEW YORK CITY

Continuing to seek out first hand information on the handling of juvenile offenders, members of the Ad Hoc Committee on Juvenile Offenders met with Miss Marian M. Brennan, Deputy Director of Probation for the City of New York. Miss Brennan was most forthright with the members of the Committee in responding to questions raised about the intake procedure of the Juvenile Court. As to specific questions asked about the confidential nature of juvenile court records, Miss Brennan stated that information on juveniles who had been before the Family Court was available to any other member of the judiciary upon request, and that some of the statements in the newspaper articles on a much publicized case contained factual errors.

MEETING WITH COUNSEL OF THE JUDICIAL CONFERENCE

Mr. Schulte and Mr. Goff, representing the Ad Hoc Committee on the Juvenile Offender, met with Mr. Lawrence Marcus, Counsel of the Judicial Conference, to explore with him the reaction of the

Judicial Conference to the possibility of developing a "dangerous juvenile category" which might be included in the State's Central Identification and Intelligence System. Mr. Marcus stated that the Judicial Conference was working on a procedure to speed up the transmission of information among the various courts of the State. He pointed out further that the present statute on juvenile delinquency histories is ambiguous.

On a general "dangerous juvenile" category which would provide information to the State's Identification and Intelligence System, Mr. Marcus expressed the belief that the system being developed by the courts could dovetail with that being developed in the Governor's Office.

COLUMBIA BROADCASTING SYSTEM

The local CBS TV affiliate in New York City, at the suggestion of Senator Metcalf's Committee on Joint Health Insurance Plans, asked the Association for background material on narcotic addiction together with the Correctional Association's Position Paper on this topic. CBS is contemplating a program on narcotic addiction and had contacted Senator Metcalf's Committee in an effort to obtain knowledgeable people who could provide them with objective, factual background information. We gave them our testimony before the Metcalf Committee, the Position Paper of the Association, the Background Paper on Narcotic Addiction prepared for the National Council of Churches, and several copies of the Annual Report of the Association which the network specifically requested.

COLUMBIA UNIVERSITY STUDENT

A junior high school teacher in a parochial school on the lower east side, working part time on an academic degree, in preparation for a paper to be presented at a Columbia University course in Criminology being taught by Dr. McCarthy, formerly of the Mobilization for Youth, spent several hours in the library of the Correctional Association and with the General Secretary on the philosophy of correction and various alternatives to the use of maximum security prisons. As is the case of many young students studying the field, this individual tended to oversimplify the handling of offenders. His primary concern focused on the development of the conservation-correction camps without regard to the overall picture of dispositions available to the courts and for the three reasons for the administration of justice, namely, deterrence, containment, and rehabilitation.

The young student became so interested in the problem that he

offered to work for the Association in order to obtain a more balanced point of view.

Members of the Committee on Detention met with representatives of the Grand Jury Association of the City of New York in Commissioner Kross' office. Commissioner Kross had requested the Grand Jury Association and The Correctional Association of New York to combine in an Ad Hoc Committee to examine into the overcrowding in the institutions of the Department of Correction.

Mrs. Ballantine reported that Commissioner Kross had asked The Correctional Association to act as the hub for this Ad Hoc Committee. It was the consensus that The Correctional Association of New York should work together with the other members of this committee and the Detention Committee was authorized to give assistance but not to assume the leadership role.

TESTIMONY AT JOINT COMMITTEE ON HEALTH INSURANCE PLANS—NARCOTIC ADDICTION

The Correctional Association of New York was asked to testify at hearings of the Joint Committee on Health Insurance Plans under the chairmanship of Senator Metcalf. Testimony was sought on:

1. An evaluation of the effectiveness of the Metcalf-Volker legislation allowing for alternative handling of narcotic addicts, and,
2. The general problem of narcotic addiction and programs directed towards its amelioration.

Using data from the New York City Department of Correction and the New York City Parole Commission, information obtained as a result of the visit of members of the Narcotic Committee to the Tombs, as well as the Committee's discussion with addicts who had gone through civil commitment proceedings in the past, and the Position Paper of the Association, Mr. Goff appeared on behalf of the organization before this Committee.

ARTICLE IN NEW YORK TIMES

Of major interest to the New York Times was one of our recommendations to the 1964 Legislature urging a Work-Furlough Plan for selected individuals committed for offenses.

The article stated in part:

A proposal that some persons jailed for minor offenses be allowed to keep up their outside job—returning to jail only in the evenings and on weekends—has been urged by The Correc-

tional Association of New York.

This privately supported group acted under an 1846 law which requires it to make annual recommendations to the Legislature. Its proposal would apply the Work-Furlough Plan to selected cases among the 40,000 persons committed annually in the city and upstate for terms up to one year.

JUVENILE OFFENDERS

As a result of a sensational rape-murder case, the Association received a number of calls both from individuals and mass media on the question of the confidentiality of the records of juvenile delinquents. This particular case also raised a number of other questioning relating to the Family Court Law and procedure. An Ad Hoc Committee on Juvenile Offenders of The Correctional Association of New York was created to consider among others such items as:

1. Should a list of juveniles who have committed "dangerous acts" be maintained and be presented to the court when a 16-21 year old is being considered for bail for an offense?
2. Should the press be permitted to sit in on juvenile court proceedings and be allowed to publicize cases without disclosing the name of the juvenile involved?
3. Should the newly created "Law Guardian" position be re-examined?

Members of the Committee attended delinquency hearings in the Juvenile Term of the Family Court of the City of New York; met with the Deputy Director of Probation of the City of New York in charge of juvenile matters and met with the Counsel of the Judicial Conference.

WNBC PROGRAM ON PROPOSED PENAL LAW

At the suggestion of Mr. Schulte, Mr. Gary Stradling, Producer of a Public Affairs Program for WNBC asked the Association for assistance in setting up a panel on the Proposed Penal Law with particular emphasis upon the supporting position taken by the Association of the Bar of the City of New York and the Episcopal Church as they relate to the deletion of the homosexual behavior between consulting competent adults and adultery from the new Criminal Law. In addition, this Public Affairs Program was desirous of a discussion of the various insanity defense criteria.

Since the Association had not taken a position on any of the above issues, the General Secretary was unable to speak for the Association but was prevailed upon by Mr. Stradling to appear as a private citizen on a panel together with Commission Chairman Assemblyman Bartlett and Mr. Jacob Fuchsberg, Immediate Past President of the American Trial Lawyers Association.

Mr. Goff supported the Commission's proposals on all three of these issues while Mr. Fuchsberg expressed the opinion that the Commission had not gone far enough in any of these areas, arguing in particular in favor of the "irresistible impulse" criteria brought back into the public's eye as a result of the Durham Decision in 1954. Mr. Goff took the position favoring the American Law Institute's criteria which had been drafted principally by the Chief Reporter of the American Law Institute, Professor Herbert Wechsler. Professor Wechsler was also the draftsman of this particular section of the New York Proposed Penal Law. The two, one-half hour programs did not allow for an in-depth analysis of these topics but did present differing points of view with regard to the insanity criteria.

As a result of this program the producer asked Mr. Goff to develop a panel of knowledgeable people in the field of narcotic addiction which he is considering for a future broadcast.

NATIONAL

A PILOT COURSE FOR POLICE TRAINING OFFICERS — THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

The International Association of Chiefs of Police, which received a grant from the President's Committee on Juvenile Delinquency and Youth Crime, requested assistance from The Correctional Association of New York in developing the course content for a pilot course for police training officers so that they might train their men in handling juvenile offenders intelligently and constructively. The purpose of the project was to assist police training officers in preparing training courses for recruit schools, in-service training, juvenile aid bureau specialist schools, command level and supervisory courses.

Further, it is to broaden the horizon of law enforcement personnel, giving them a better understanding of the behavior sciences. Specifically, the Association was asked to aid in setting up the

pilot training program, a residential course to be considered at an eastern state university.

The International Association of Chiefs of Police indicated the desire to consider Rutgers University in New Brunswick, New Jersey as the locale of this pilot course, principally because of its central location. The General Secretary and Special Projects Director of the International Association of Chiefs of Police met with the Dean of University College, Rutgers University, presented the project but because the facilities were not available for the time scheduled, it was necessary to consider other colleges.

Through contact with the Chief of Police in Easton, arrangements were made to hold the training program at Lafayette College.

During the two weeks course, which was attended by training officers representing most eastern states, the General Secretary served as a faculty member focusing principally on a relationship of police with the correctional process.

CONSULTATION—FIVE NATIONAL WOMEN'S ORGANIZATIONS

Because of the mistreatment female demonstrators in the Civil Rights Movement had received in the jails and lockups of certain areas in the South, five national women's organizations—the National Board of the Y.W.C.A., the National Council of Catholic Women, the National Council of Jewish Women, the National Council of Negro Women and the United Church Women—joined together to study the situation and develop an action program to stop the mistreatment of these female Civil Rights demonstrators.

These national organizations approached The Correctional Association of New York seeking counsel and information on the operation of correctional institutions and help in setting up a consultation of the representatives of these organizations in Atlanta, Georgia.

The General Secretary drew up a series of questions to be answered by the women on the operation of their local lockups and jails. The questions were designed primarily to bring to light fundamental inadequacies in procedures and facilities.

As a basis for comparison, the General Secretary as the principal speaker on the program at Atlanta, Georgia, presented proper correctional practices and procedures. This was also given to the participants in mimeographed form.

The General Secretary was accompanied by Mr. Norman Am-maker, Counsel for the Education and Legal Fund of the NAACP who answered questions on the constitutionality of certain practices being carried on by the police and sheriffs in certain cities and counties as they related to incarceration.

T.A.P.—NATIONAL INSTITUTE OF MENTAL HEALTH

The Correctional Association of New York together with the New York State Department of Mental Hygiene, the New York State Department of Correction, the New York State Commission of Correction, and the National Institute of Mental Health co-sponsored a three-day Technical Assistance Program on "Priorities in Developing Services for the Alcoholic Offender". This conference, attended by approximately 50 selected individuals representing the courts, law enforcement, mental hygiene, public health, and the correctional institutions of the State, had its genesis in the offices of the Association when the then Director of the Division of Alcoholism spent a morning with the General Secretary discussing the interest in alcoholism among people in correction. It was pointed out that correctional people had long known the futility of attempting to "punish away" the alcoholic. It is estimated that over 50 per cent of the population of the jails not only in New York but throughout the nation consists of individuals with whom alcohol is a problem and who receive repeated commitments to no avail.

A conference committee consisting of The Division of Alcoholism, The Correctional Association of New York, United States Department of Health, Education and Welfare, New York State Department of Correction, the State Commission of Correction, the Bureau of Municipal Research and the State Department of Social Welfare was set up to organize this statewide conference.

At the Conference The Correctional Association of New York was well represented. Mr. Cass keynoted the Conference with an opening address on "The Alcoholic Offender—A Major Social Problem for the State and Nation". Mr. Goff summarized and presented the following recommendations of the Conference at the final session.

1. A strong basic rehabilitation program should be carried on in all jails and penitentiaries which would include:
 - (a) Medical diagnosis and corrective treatment
 - (b) Constructive work combined with vocational training
 - (c) Remedial education
 - (d) Religious guidance
 - (e) Physical fitness and recreation
 - (f) Alcoholics Anonymous program
 - (g) Personal and group counseling therapy
 - (h) Community placement of prisoners
 - (i) Follow-up of selected prisoners
2. The Department of Mental Hygiene, and the Department of Correction should lend their support to an experimental regional project on the handling of the chronic police court

offender. Such a program should be flexible and geared toward experimentation. It should have built within it the necessary research to determine the success or failure of various aspects of the program.

3. A legislative program cognizant of the dangers of infringing upon the civil liberties of citizens of the State. Specific legislation proposed included:
 - (a) A work-furlough statute to allow for the daily release of individuals committed to a county correctional facility.
 - (b) A parole procedure for individuals released from county correctional institutions.
 - (c) The enactment of Senate Intro. 888 to allow for the civil certification of alcoholics to facilities under the control of the Department of Mental Hygiene.
4. A greater coordination of the existing facilities and agencies presently treating the alcoholic offender.
5. The development of special programs on all levels of the administration of justice for handling the alcoholics ranging from the police through the courts. A booklet on alcoholism prepared for distribution by the Judicial Conference on the treatment of the alcoholic who appears in court was strongly proposed.

Of great interest to those in attendance was the work being done in Monroe County (particularly the study "Man on the Periphery") and the program developed by the Police Department in the City of Syracuse. The latter program is the direct result of the condemnation by Mr. Cass in 1948 of a procedure in which the police in Syracuse were holding individuals for a number of days without arraignment. A night inspection of the detention facilities at police headquarters in Syracuse in October of 1948, revealed a "forgotten man" in one of the cells. He was a drinker, an old man, homeless and a typical drifter but still a human being and was being illegally detained, held in filth and oversight. The conditions under which he was suffering were unpardonable and an item that figured in the mayoralty election campaign, helping to defeat the incumbent. Growing out of this condemnation and revelation was the present police program for handling alcoholics which appears to have great merit.

NATIONAL COUNCIL OF CHURCHES

The Correctional Association has been instrumental in reviving

the interest of the National Council of Churches in the offender and correction.

Initially the National Council of Churches was active in the area of institutional chaplaincies and in the 1930s was instrumental in organizing the present Federal Bureau of Prison Chaplains' Service. During this same period the National Council of Churches was the prime moving force in developing clinical training programs for clergy who served in correctional institutions, mental hospitals and general hospitals. During the past 30 years, interest in the area of crime, delinquency and correction waned on the part of that national body. The Correctional Association of New York has been most active in reviving this interest.

As *Chairman of the Committee on the Offender of the Department of Ministry, Education and Pastoral Services of the National Council of Churches*, Mr. Coff has created two sub-committees which are actively working on two specific projects. The first is a national consultation planned for May of 1965 at Lansing, Michigan on "The Pastoral Care Function of the Congregation to the Offender and His Family". Approximately 100 church leaders from the various denominations of the Protestant churches in the United States will attend. The principal purpose of this consultation is to delineate the needs of probationers, institutionalized offenders, parolees, and other releases, as well as the existing penal and correctional institutions and to determine what the churches are doing and can do to meet the problems. Participation will be limited to the national denominational social welfare and social action directors, editors of national denominational publications, seminary professors, regional denomination representatives, together with a selected group of persons knowledgeable in the field of correction.

A second sub-committee is preparing material for denominational usage on narcotic addiction and the churches role.

Already some positive constructive results have been seen in the short time the committees have existed. The National Board of Methodist Church has selected delinquency and correction as its major social action topic for the years 1966 and 1967. This is most encouraging when one realizes that the Methodist Church is the largest single Protestant denomination in the United States with a membership of over 12 million people.

The Committee on the Offender consists of, among others, Myrl Alexander, Director, Federal Bureau of Prisons; Reverend Earl-Clayton Grandstaff, Former President of the American Chaplains Association; Dr. Dale White, Director of Social Health of the Methodist Church, Washington, D. C.; Dr. Henry Casler, Director, Chaplaincy Services for the National Board of Lutheran Welfare,

former Chief Chaplain of the United States Bureau of Prisons; Mr. Edmond Goerke and Mr. G. Richard Bacon representing the Society of Friends; and Commissioner Roberts P. Wright, former Assistant General Secretary of the Prison Association, presently a member of the Parole Commission, State of New York.

SYNANON FOUNDER

The Association was advised by Mr. David A. Schulte, Jr., that Mr. Charles Dederich, Founder of the Synanon movement was interested in meeting Dr. Henry Brill of the State Department of Mental Hygiene. We arranged for both Dr. Brill and Mr. Coff to meet with Mr. Dederich during his short stay in New York City.

Synanon, a residential program for narcotic addicts begun by Mr. Dederich in Santa Monica, California, about five years ago, is based on a philosophy and approach somewhat similar to A.A.

It is Mr. Dederich's plan to develop a "Synanon City" of approximately 3,000 individuals. Such a city would contain industries, a form of government, as well as housing for ex-addicts. Listening to Mr. Dederich reminded one of some of the past "Utopias" that were proposed or actually operated for a period of time such as the Oneida Colony here in New York State. The principal effort in the existing Synanon houses and that which would apply in the "city" would be that of maintaining a "therapeutic community" similar to that operated for mental patients by Dr. Jones in England a few years ago.

Mr. Dederich's interest in meeting with Dr. Brill and The Correctional Association was to obtain support in having public funds directed towards Synanon to develop such a therapeutic community. To date, Synanon has not been successful in obtaining such public funds either from state governments or from the national government.

THE PRESIDENT'S COMMITTEE ON EQUAL EMPLOYMENT OPPORTUNITY

The Association was most pleased to note the appointment of Mr. David A. Schulte, Jr., a member of the Executive Committee, as Co-Chairman of a Philadelphia Regional Conference of the President's Committee on Equal Employment Opportunity held on June 10th. This Committee has jurisdiction in all matters concerned with the elimination of discrimination in employment practices of all federal agencies, government contractors, and plans for progress companies—i.e. those who voluntarily join this program.

Mr. Schulte was appointed by President Kennedy in 1962 to this

Committee which consists of 30 individuals including the Secretaries of Army, Air Force, Health Education and Welfare, etc., and is chaired by President Lyndon B. Johnson.

CENTRAL LABOR COUNCIL, AFL-CIO

The Association was represented by Mr. Harry Friedman, our Employment Secretary at a rehabilitation conference sponsored by the New York Central Labor Council of the AFL-CIO on Labor Rehabilitation. In April 1963, a 3-year joint project was started with a grant of approximately \$250,000 from the United States Vocational Rehabilitation Administration and \$148,000 from the Central Labor Council, AFL-CIO to undertake the rehabilitation of the disabled worker to the extent that he may be placed in some form of gainful employment.

This type of program in the past has emphasized the physically handicapped and physically disabled person and has not generally considered a person released from prison as being "disabled". Whether or not this specific project will be of assistance in vocationally rehabilitating individuals released from correctional institutions remains to be seen.

RUTGERS UNIVERSITY CITATION

In April Rutgers University presented Mr. Goff with a citation for his work in training law enforcement and correctional personnel actively engaged in the field. The first series of courses at Rutgers University on crime and delinquency for these individuals was started by Mr. Goff in 1956 and during the past eight years over 750 individuals from probation departments, police departments, correction institutions and parole departments have been presented certificates for the successful completion of one or more of the four courses presented.

The University is now in the throes of developing a separate degree program under public administration in the field of the administration of justice and has asked the General Secretary for assistance in finding a qualified person in either political science or sociology to administer the expanded program.

CONVOCAATION—THE HON. THURGOOD MARSHALL

The General Secretary with Mr. Chambers and Mr. Isaacs of the Executive Committee attended the 25th Anniversary of the NAACP Legal Defense and Educational Fund representing The Correctional Association of New York. At this Convocation Judge Thurgood Marshall was presented with an award for his outstanding work in

the Civil Rights movement. An impressive array of jurists, academicians, Civil Rights leaders and public officials including Mayor Wagner, Harrison Tweed, Samuel Rosenman, Herbert Brownell, Dean Eugene V. Rostow, Roy Wilkins, James Farmer and Dr. Ralph Bunche participated in the Convocation honoring Judge Marshall.

It should be noted that Judge Marshall was a guest speaker at the Association some time ago.

DEPARTMENT OF MINISTRY AND PASTORAL SERVICES— NATIONAL COUNCIL OF CHURCHES

As Chairman of the Committee on the Probationers, Parolees and Ex-Offenders, the General Secretary attended the semi-annual meeting of the Department of Ministry and Pastoral Services of the National Council of Churches.

The National Council of Churches has in the past tended not to interest itself in such matters as drug addiction, alcoholism, and emotionally disturbed children. It is gradually recognizing a void in its operation and considering such topics. The Background Paper prepared some time ago by the Association for the National Council on narcotic addiction and the most recent indications of a willingness to consider the problems of homosexuality are but two examples of the shift that is occurring.

Of great interest to The Correctional Association is a development of a pastoral counselling committee within the National Council of Churches which, at an exploratory consultation will address itself to the question: "What is the responsibility of the National Council and cooperating denominations for the emerging concerns in the area of pastoral counselling and the standards for counselling centers and men who serve the specialized ministry for counselling?" Such matters as the role of the chaplain in institutions for emotionally disturbed children and for delinquent children has already moved to the stage of developing a suggested job description for the Protestant chaplain in institutions for emotionally disturbed and delinquent children.

COMMITTEE ON THE PREVENTION AND TREATMENT OF JUVENILE DELINQUENCY — THE AMERICAN CORRECTIONAL ASSOCIATION

As Chairman of the Program Committee on the Prevention and Treatment of Juvenile Delinquency of The American Correctional Association, the General Secretary met with the Program Committee of The American Correctional Association to develop the 94th Annual Congress of Correction held in Kansas City, Missouri. As its

part in this annual national gathering of both professional and lay people interested in the problems of crime and delinquency, the Committee on the Prevention and Treatment of Juvenile Delinquency sponsored six separate sessions which encompassed the total aspect of juvenile misconduct from the early identification of delinquency prone youngsters through the role of the police in juvenile delinquency (this session involving the International Association of Chiefs of Police), to residential facilities of the treatment of delinquent youth. Since 1956, when the General Secretary was responsible for the delinquency prevention and treatment program of the State of New Jersey, he has represented the Committee on the Prevention and Treatment of Juvenile Delinquency of The American Correctional Association at the Annual Congresses.

MID-WINTER BOARD MEETINGS

As a member of the Board, the General Secretary attended the Board Meeting of the Correctional Service Federation, U.S.A., the International Prisoners Aid Association and The American Correctional Association, all held in New York City during the week of February 10th. The 2nd organization, the IPAA has applied for membership as a non-governmental organization with the United Nations and correspondence from the NGO section of the United Nations indicates that the Secretariat will support the petition of the International Prisoners Aid Association in the Social and Economic Council.

AMERICAN CORRECTIONAL CHAPLAINS ASSOCIATION NATIONAL COUNCIL OF CHURCHES

As the Chairman of the Committee on Probationers, Parolees and Ex-Offenders of the National Council of Churches, the General Secretary met with the Executive Director of the National Council of Churches and the President of the American Correctional Chaplains Associations to seek ways the National Council of Churches can support the many chaplains in the correctional institutions throughout the United States who find themselves isolated from their own parent religious body. While the chaplains of some correctional institutions have been relieved from many ancillary tasks such as conducting recreation, maintaining the library, and acting as a social worker, in a number of states, they are still burdened down with administrative and ancillary tasks which prevent them from functioning in their true role to the greatest extent.

Mr. James V. Bennett, Director of the Federal Bureau of Prisons in his progress report stated "The Chaplain is a potent and influen-

tial force in the rehabilitation of inmates, and above all other persons he should be freed as much as possible from those tasks that rob him of the time he might otherwise be spending with inmates." In strengthening the chaplains relationship with their own denomination or faith group, we feel that they will be supported in efforts to be truly the spiritual leader of inmates.

94th ANNUAL CONGRESS OF CORRECTION

Continuing to maintain close contact with the national body, the General Secretary attended the 94th Annual Congress of Correction of The American Correctional Association held in Kansas City. This annual forum which brings together over 1,000 administrators and professionals in the field of correction founded in 1870 by The Correctional Association of New York, was until 1962 administratively inter-related with The Correctional Association of New York.

As Program Chairman for the Committee on the Prevention and Treatment of Juvenile Delinquency of The American Correctional Association, Mr. Goff organized three separate programs for the Congress focusing on the Police Role in Juvenile Delinquency, Governor's Committees for Children and Youth and Research on Pre-Delinquency Youth.

Because of the liaison established with the International Association of Chiefs of Police through the Committee on the Prevention and Treatment of Juvenile Delinquency of The American Correctional Association, the Committee on the Alcoholic Offender of The Correctional Association of New York has been able to jointly undertake with the International Association of Chiefs of Police a Handbook on Alcoholism for the police in the United States.

MODEL ACT FOR STATE CORRECTIONAL SERVICES

The General Secretary and Mr. Cass, members of a small drafting committee on a Model Act for State Correctional Services being prepared by The American Correctional Association and the National Council on Crime and Delinquency, met with the committee for a day and a half on the final draft. This Model Act will serve as a guide to legislators and others interested in state departments of correction. It attempts, through legislative language and departmental organization, to present modern philosophy regarding the treatment of offenders including all aspects of correction—probation, parole, short-term institutions and institutions for serious offenders. It is the result of the efforts over a three-year period of a knowledgeable group of individuals.

WORK CAMPS FOR OUT-OF-SCHOOL- OUT-OF-WORK YOUTH

In setting up the program for the work camps under the Anti-poverty Bill, Dr. Gilbert Krulce consulted with The Correctional Association of New York and spent several hours discussing job specifications and functions of various personnel positions in these camps. Dr. Krulce came to The Correctional Association as a result of the Guidelines for Work Camps for Youth in Trouble prepared by the Association for the National Social Welfare Assembly in 1962. Dr. Krulce, Professor at Northwestern University, was appointed by the Department of Health, Education and Welfare to plan and structure the non-forestry aspect of the work camps created by the Anti-poverty Bill.

INTERNATIONAL

UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND TREATMENT OF OFFENDERS- STOCKHOLM, 1965

We are most pleased that the Association has been invited by Dr. Edward J. Galway, Chief, Section of Social Defense of the United Nations to send representatives to the Third United Nations Congress on the Prevention of Crime and Treatment of Offenders in Stockholm.

The program of the Congress will center around the theme of the prevention of crime and included the following items:

Subtheme A. Prevention in the pre-delinquent stage

1. Social change and the prevention of criminality
2. The role of the public, the family, education and occupational opportunity in the prevention of delinquency
3. Community preventive programs, including medical, social and police services.

Subtheme B. Prevention of recidivism

4. Measures to control criminogenic factors conducive to recidivism, including especially detention pending trial and inequality in the administration of justice.
5. Adult probation and other non-institutional measures.
6. Special preventive and treatment measures for young adults.

For the past 35 years The Correctional Association of New York has been represented at each of the Quinquennial International Congress. At the 1960 Congress, in addition to Mr. Cass, who was faithful in his attendance at all meetings from 1925 on, The Correctional Association of New York was represented by Mr. David A. Schulte and Mrs. John W. Ballantine. Mr. Goff was in attendance at the 1960 London Conference as Chief of the Bureau of Correction of the State of New Jersey and also representing Rutgers University.

The Association has worked very closely with the Social Defense Section supplying material for the relevant documentation which is transmitted to the participants well in advance of the meetings which will be convened at Folkets Hus, Stockholm, August 9 to 18, 1965.

MINISTRY OF JUSTICE, COLUMBIA

At the request of the Social Defense Section of the United Nations, Mr. Goff met with Major Bernardo Echeverro, Chief of the Division of Penitentiaries, Ministry of Justice of Columbia, South America. Major Echeverro was seeking information on training correctional personnel. We were pleased to provide Major Echeverro with a copy of the Correction Officers Training Guide edited by Mr. Cass and Mr. Goff several years ago plus other training materials. Major Echeverro upon seeing our Annual report and other documents prepared by the Association asked to be added to our list of foreign correspondents and that we arrange a reciprocal exchange of data and information.

Through the years of its history, the Association has maintained contacts throughout the world with innumerable individuals with interests in the administration of justice. We presently correspond with individuals in over 20 different countries out of which the governments of 14 countries are represented.

As in the past, The Correctional Association is often asked by the United Nations, our own State Department, the Federal Bureau of Prisons and by governments of foreign countries to meet with and arrange programs of visitation for visitors, many official government representatives from outside the United States who are interested in crime and delinquency.

An indication of the far reaching effects of the work of The Correctional Association of New York can be gleaned from correspondence received from two opposite parts of the world in one week. One comes from the Secretary of Justice, New Zealand to whom we had sent, at his request, a copy of the Proposed Metcalf Law in New York State dealing with the Alcoholic Offender, who stated: "We

find in it useful hints for dealing with the problem in this country."

The second came from England where a member of The Interdepartmental Committee on Drug Addiction is using our Position Statement on Narcotics which he stated he found most helpful in preparing his memorandum for the Interdepartmental Committee on Drug Addiction.

FOREIGN VISITOR—FRANK FOSTER, DIRECTOR OF BORSTAL AND YOUNG PRISONERS AFTERCARE, UNITED KINGDOM

On his return trip to England from the University of Jamaica, where he has been working on a correction project, Mr. Frank Foster, Director of Borstal and Young Prisoners Aftercare, stopped in New York to consult with The Correctional Association of New York on the feasibility of applying the Glueck's Prediction Tables to juvenile delinquents in Jamaica. He was also interested in obtaining material on the training of correctional personnel. We were able to have the Social Defense Section of the United Nations send him a copy of a background paper dealing with training prepared for the 1965 Quinquennial Congress on Crime and Delinquency of the United Nations, to be held in Stockholm, Sweden. We also provided him with another copy of the Correction Officers Training Guide of The American Correctional Association which was edited by Mr. Cass and Mr. Goff.

UNIVERSITY OF SYDNEY LAW SCHOOL

At the request of Professor Kenneth Shatwell, Dean of the Faculty of Law, Sydney University Law School, Australia, the Association prepared a program of visitation and meetings for Robert Roulston, Assistant Dean of the Sydney University Law School. Dean Roulston visited this country as part of a trip around the world to obtain information and ideas to set up an Institute of Criminology within the Law School in Sydney, Australia.

Among other meetings arranged for him, Mr. Roulston spent time with Commissioner John Quinn, Chairman, New York City Parole Commission; Mr. Milton Rector, Director, National Council on Crime and Delinquency; Dr. Milton Helsen, New York City Chief Medical Examiner. He also visited the Division for Youth Home in New York City, the Social Defense Section of the United Nations, and the Institute of Judicial Administration of New York University.

OVERSEAS CORRESPONDENTS

Requests were received from three different countries overseas for

copies of our Annual Report. This is in addition to the 50 copies routinely sent. One came from Western Australia from a court employee who stated he had seen a copy of our 1962 report and wanted one to study in greater detail. We are presently corresponding with only four individuals in Australia, Dean Kenneth Shatwell of the Law School, University of Sydney, Mr. John Marony, Ministry of Justice, Sir John Barry, Justice of the Supreme Court of Melbourne, Australia and Mr. A. Whatmore, likewise of the Australian government and were quite surprised at this request from Western Australia.

The second individual asking for specific copies of past reports was, Professor Manuel Lopez-Rey, former Chief, Social Defense Section of the United Nations, who is presently Consultant to the government of Turkey on crime and delinquency. Mr. Paul Cornil, Secretary General of the Ministry of Justice of Belgium, also wanted copies to complete his file. Both Mr. Cornil and Mr. Lopez-Rey have been known to the Correctional Association for many years. Mr. Cass, during his tenure as General Secretary of the Association, worked intimately with Professor Lopez-Rey and Mr. Paul Cornil at a number of International Quinquennial Congresses on Crime and Delinquency.

UNITED NATIONS—N.G.O. REPRESENTATIVE

The Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa of the United Nations, asked the General Secretary in his capacity as an N.G.O. representative to the United Nations to:

"Exert all influence to induce the Government of South Africa:

1. To refrain from executing the condemned political prisoners and to spare the lives of persons threatened with a death penalty in South Africa;
2. To put an end to the tortures and the various humiliations inflicted on the opponents of Apartheid in South Africa;
3. To liberate the political prisoners whose only crime is their opposition to the South African government's policy of Apartheid;
4. To abandon its policy of Apartheid which is contrary to the United Nations' charter and the Universal Declaration of Human Right."

In that it is the policy of the Howard League for Penal Reform in England, which Mr. Goff represents, not to become involved with

political prisoners and since it has never been the policy of The Correctional Association to be concerned with political prisoners as such, Mr. Goff advised the Special Committee chaired by Diallo Telli from Guinea accordingly.

**FAREWELL PARTY FOR DR. FRANCO FERRACUTI—
SOCIAL AFFAIRS OFFICER, SOCIAL DEFENSE SECTION,
UNITED NATIONS**

Through the kindness of Mr. David A. Schulte, Jr., a small cocktail party was held in honor of Dr. Franco Ferracuti, who after an 18-month period of service left the United Nations. In addition to Dr. Ferracuti, the visit of Mrs. F. M. McNeille from the United Kingdom was socially acknowledged at this time. Among those in attendance were Commissioner Anna Kross, a representative from the British Consulate, a representative from the Italian Consulate, a representative from the Federal Bureau of Narcotics, the District Attorney's Office, representative from the Social Defense Section of the United Nations, plus a number of members of the Executive Committee of The Correctional Association of New York.

Dr. Ferracuti expressed his deep appreciation to The Correctional Association of New York for the work it was doing in the field of crime prevention and correction and for the personal assistance it had been to him and to the Social Defense Section of the United Nations.

UNITED KINGDOM VISITOR

The Association arranged a program of visitation and a series of meetings for Mrs. F. M. McNeille, Honorary Secretary of the Margery Fry Memorial Fund in England. This organization is operating a half-way house for women releasees. Mrs. McNeille, a number of years ago, organized the educational programs in correctional institutions of England and Wales. In recent years she has been most active in developing half-way houses for individuals released from the prisons and borstals in the United Kingdom.

Arrangements were made for Mrs. McNeille to visit Rikers Island, the Division for Youth Home and to meet with the Social Defense Unit of the United Nations.

**ALFONS WAHL, MINISTERIALRAT—
DIRECTOR OF PROBATION, WEST GERMANY**

Several months before his arrival in the United States, Mr. Alfons Wahl, Director of Probation for the Federal Government of West

Germany asked the Association to set up a program of visitation for him in the New York area. Because of his interest in probation and new projects, we arranged for Mr. Wahl to meet with Chief Probation Officer Shelley and his staff and to visit the experimental project of the Kings County Probation Department at Daytop Lodge, the residential treatment program of narcotic addicts placed on probation. In addition, arrangements were made for Mr. Wahl to visit the Springfield College Pre-Release Guidance Center of the Federal Bureau of Prisons here in the City and Mr. John Wallace, Director of Probation for the Criminal Courts of the City of New York. Mr. Wahl was also introduced to Dr. Paiva, Acting Social Affairs Officer of the Social Defense Section of the United Nations who was preparing material on probation for the Quinquennial Congress on the Prevention of Crime and Treatment of Offenders of the United Nations to be held in Stockholm in 1965.

**EUROPEAN INSTITUTE ON ALCOHOLISM
AND SCIENTIFIC SEMINAR**

At the request of the International Bureau Against Alcoholism, whose main office is in Geneva, Switzerland, the General Secretary presented a paper on "Alcoholism and the Administration of Justice" at the European Institute on Alcoholism in London the early part of August. Alcoholism is a major day by day problem which confronts the administrators of local county jails as well as the wardens and correction officers of the state and federal institutions. Probation and parole officers are also confronted daily with the problems of the alcoholics in their case loads. Organizations specializing in the problems of alcoholism have, in the past, been extremely reluctant to become involved in the area of the alcoholic offender and our participation in this Conference was an attempt to increase the interest and help specialists in alcoholism can provide on this correctional problem. Copies of this paper were circulated to about 50 organizations and government agencies.

At this same Institute, Mr. R. Brinkley Smithers, Chairman of the Committee on the Alcoholic Offender presented an extremely interesting paper on alcoholism education which was extremely well received both by the participants and the press. The Correctional Association is indeed fortunate to have a man as active and with such wide interests as Mr. Smithers on its Executive Committee.

JOHN HOWARD SOCIETY OF ONTARIO

Mr. Ferdinand Ewald, Supervisor of Case Work Services for the John Howard Society of Ontario met together with Mr. Goff and

Mr. Harris, Senior Parole Officer of the State Division of Parole on the problems of aftercare of offenders. Mr. Ewald's visit to New York was motivated by the consideration now being given by the John Howard Society of Ontario to setting up a half-way house for released felons. As part of his New York trip, Mr. Ewald visited Daytop Lodge, Staten Island, a probation residence for narcotic addicts and the Springfield College Pre-Release Guidance Center in Brooklyn for Federal Bureau of Prison releasees.

UNITED KINGDOM MEETING—HOME OFFICE

While in the United Kingdom at the Alcoholism Institute, Mr. Goff met with the Law Enforcement Planning and Policy Unit, a newly created section in the Home Office. While our interest in meeting with Chief Superintendent Cutmoor, in charge of this unit, focused principally on narcotic addiction, our reactions to a number of law enforcement policies were elicited.

CANADIAN VISITOR—MR. A. M. KIRKPATRICK

Prior to visiting New York, Mr. Kirkpatrick, Director of the John Howard Society of Ontario, Canada asked for the Association to arrange for him to meet with the Director and visit the Springfield Pre-Release Guidance Center of the Federal Bureau of Prisons. Mr. Kirkpatrick spent several hours in the offices of the Association discussing problems in areas of mutual interest.

DR. GEORG STURUP, DIRECTOR, THE INSTITUTION FOR PSYCHOPATHIC OFFENDERS, HERSTADVESTER (DENMARK)

The Correctional Association through the courtesy of a member of the Executive Committee held a reception for Dr. Georg Sturup, world renowned criminal psychiatrist, and his wife during their very brief stay in New York City. Among others who attended with an interest in crime and delinquency were Dr. Elizabeth Fabricant, Officer in Charge, Social Defense Section of the United Nations; Dr. Franco Ferracuti, Social Affairs Officer, United Nations (Dr. Ferracuti was on leave from the Institute on Crime in Rome); Mrs. Nonny Wright, Counsel of Embassy, Permanent Mission of Denmark to the United Nations; Mr. Lawrence Evans, British Consul; Dr. Ralph Banay, former Psychiatrist, Sing Sing Prison; Commissioner Anna M. Kross, New York City Department of Correc-

tion and Assistant Dean Robert Roulston, Law School, University of Sydney, Australia.

At the reception, Dr. Sturup described briefly the psychiatric basis of the treatment in the Institution for Psychopathic Offenders, (a large percentage of whom are sex offenders) and Dr. Banay, Commissioner Kross and Dr. Ferracuti added to Dr. Sturup's remarks.

**THE CORRECTIONAL ASSOCIATION'S
DIRECT SERVICE ACTIVITIES**

DIRECT SERVICES

An extremely important part of the work of The Correctional Association of New York is its direct assistance and services to the families of men incarcerated and to persons released from correctional institutions. The Family Service Bureau sees several hundred women and even a greater number of children in the course of a year, many of whom are confused and befuddled and some on the utter edge of complete despair. The innocent families and children of offenders are often subjected to extremely severe and trying conditions requiring helpful and kindly guidance and in many instances money for shoes, clothing and food.

Releasees from correctional institutions often arrive in our office friendless, without work, a place to live or any funds. While some improvement has occurred which allows some inmates of the New York City Department of Correction's institutions to earn money while incarcerated, many individuals are released with 25 cents in their pockets and jobless. Approximately half of the releasees we help are from institutions of the New York City Department of Correction.

A significant portion of the Association's funds are expended providing both material assistance and counsel in the "support and encouragement of reformed offenders after their release by affording them the means of obtaining an honest livelihood and maintaining them in their efforts to reform," and to ameliorate the destitution to which innocent families of offenders are often subjected while the breadwinner is incarcerated.

FAMILY SERVICE BUREAU

The offender's family has a special problem in its relationship with society—a problem vastly different from those families who are deprived of the father through sickness, death or divorce. Overwhelmed by disgrace, the mother often finds a much more appalling situation than the mere securing of physical necessities of life. She and the children must remain in the same neighborhood with relatives and friends, and face society with a stigma on the family name. As one mother explained: "It is not as hard on James as it is for us. I know he is miserable away from his home and children but his associates for the next few years are those who do not sit in judgment on him, as they are as guilty as he. But what can I do to save

my children from the taunts of their playmates? How can I explain to the neighbors the reason for my husband's absence?"

The offender is removed from society to protect that same society, and yet in his segregation the offender is afforded a protection which does not apply to his family.

This anxiety is a real problem to most of the mothers and of necessity they have turned to subterfuge and deceit in order to explain the father's absence from the home.

Many mothers have told the children and neighbors that the father is in the Army, in a hospital or working away from home. These explanations soon led to difficulties. The neighbors soon began to question this story because of the visits from the Department of Welfare investigators—a person well known in the neighborhood.

Explaining the father's absence by telling the children he is working a long distance away from the city also present difficulties. The children wonder why their generous father does not send the bicycle he promised for their birthday or the roller skates or doll carriage.

Another explanation clients frequently use, is that the husband is in a hospital. This presents no difficulty as far as the Welfare worker is concerned, but it leads to embarrassing questions as to the nature of the illness, and when he will be well enough to come home.

All these desperate attempts on the part of the family indicate how complicated and disturbed its relationship with friends and acquaintances become, how difficult it is for family members to face life with a modicum of self-respect and pride.

These complications, resulting from the imprisonment of the father or husband, make the work of the Correctional Association's Family Service Bureau so needed in the community. The far-reaching effects can be illustrated by the case of the nine year old boy whose father had been sent to prison. The mother came to our office, disturbed by her son's school record. His teacher had complained of the child's lack of attention in which, previous to his father's incarceration, he had received high grades. In discussing this with the mother, the question was raised as to how much the son knew of the real situation of the father. He had been present in the home when the detectives came to the house to take his father away in handcuffs. The mother felt as long as he was young he might forget this incident and tried by silence and prevarication to have him from knowing the true story. It was suggested that the mother give her son an opportunity to show how much he really remembered. When the mother opened the way for the boy to express himself, he recalled vividly the entire story, adding many details which the

mother had forgotten. The child went on to say that when he was called on to read, to recite, or to take an examination, all he could think of was that night when the men came and took his father away in handcuffs. The son had never wanted to speak of this to his mother. His mother wanted him to believe that his father was ill but he knew that he was in prison. By talking this over with his mother, the youngster was relieved of some of the anxieties and fright associated with this experience. As the tension and repressed feelings were released through a better relationship with the mother, there was a gradual improvement in the boy's school work and in his eating and sleeping habits.

Occasionally mothers on their first visit to our Family Service Bureau are so torn emotionally by the events following their husband's arrest and commitment that they cannot face the reality of the situation. They are exerting every effort to forget their problem, spending all their energy denying or hiding from themselves the problem with which they are confronted. Hoping by this means to escape the suffering and guilt, they are unable to plan constructively and deal with the many problems which require their earnest and thoughtful consideration.

In cases of this type it often takes many counseling sessions with our Family Service Bureau worker before a relationship is established which will lead the mother to a more realistic approach to the problem.

Constructive steps can be taken only when the emotional conflict has lessened and time has partially healed the wound.

There is also the more independent type of mother, well able to face facts and to plan for herself and the children. She is determined not only to make the best adjustment possible for her family, but seizes the opportunity to develop her own resources. In the years of her marriage she has counted on her husband's earnings. She feels that she was leaning on a weak reed. She would like to get back into employment where she had been successful before her marriage. She will become the bread winner for the family and turn her husband's tragedy into her triumph. She needs help in securing retraining or employment, and in making arrangements for the children's care during her absence from the home. She needs to be provided with adequate clothing to apply for a job or a pair of glasses to be able to work. She needs emergency financial assistance.

There is also the family where the father before imprisonment contributed little to the family. The husband, described by his wife as the selfish type, always used his earnings for his own selfish interests first. After he had purchased his clothes, his automobiles, and taken care of his own recreation and pleasure, the remainder

of income goes to the home to be used for the care of the mother and the children. This woman feels that she and the children have been living on "crumbs." How she welcomes an opportunity to make herself financially independent from her husband.

She will provide for herself and the children many of the small luxuries they have been deprived of in the past. She will consider taking her husband back into the home when the time comes for his release, since the children are fond of him, but she intends never again to be entirely dependent upon him.

In just what way is the Family Service Bureau aiding these families? The emotionally distraught mother is led to feel that the situation is not completely hopeless and that life still has meaning. Feeling so often ostracized by her family and friends, she finds through this contact release for her pent up emotions. Here she can speak freely of her husband, with no need to hide the real situation. Following the first dreaded visit, she finds great solace and help through expressing her sorrow and finding sympathy and understanding. The loss of her husband in some measure is compensated for, a compensation through friendly contact with an agency which symbolically represents him.

The more independent type finds encouragement and help toward the realization of her plans. She will turn a catastrophe into a blessing. These mothers with courage and determination remind one of soldiers who have lost the use of limbs or sight as a result of war. Many of these veterans have found a new purpose in life. A physical tragedy has become a spiritual victory and they have found within themselves the capacity to create a new way of living.

One young mother who was eligible for Welfare assistance, requested only temporary funds until she could secure employment. The amount of her salary would not be as much as the Department of Welfare allowances for herself and three children would have been, but to live on "relief" would have shattered her self-confidence. She maintains her own home and provides for her children. She is up until midnight, washing, ironing school clothes, mending and doing housework. She is always cheerful, never complains and is an inspiration to all whom she meets.

The summer is a particularly busy time for the Family Service Bureau. In addition to all the usual services provided for the families of offenders, the Bureau Director, in cooperation with child care agencies, arranges for vacations and camp placements for many children.

With the Christmas holidays, the agency brings cheer and laughter to many homes darkened by the father's absence. There are

presents for all the children with additional funds to provide a real Christmas dinner.

So often the question is raised whether the Director of the Family Service Bureau does not find the work with prisoner's families depressing and futile. It is true that the picture in the beginning is dark and tragic, presenting as it does the failure of an individual to live up to responsibilities. In an overall evaluation, however, it is not the degree to which the family has fallen, but the struggle and the striving to develop and grow that marks the real progress and the positive accomplishments.

The Family Service Bureau also assists women parolees who are not taken care of by other agencies. These constitute instances where a woman parolee has no place to sleep, needs funds for transportation to her job, or for food and clothing until her first pay which may not occur until two weeks after working. In some instances employees hold out one week's pay. Landlords want one week's pay in advance.

The Family Service Bureau wishes at this time to extend sincere appreciation and gratitude to all those whose support has allowed it to help these families in time of distress.

The following are a few samples of the many gratitude letters we receive from our families:

"This is a letter of grateful appreciation for all you have done for me in the past year or so.

As you know my son was sent to Grammar School for Boys at West Coxsackie and he'll be coming home soon. You know how bad things were at home my husband Steve had a tumor on his brain beside his epileptic. My children spent a very bad winter in fact my daughter Patricia slipped and broke her ankle.

I'm sick myself with high blood pressure up to 200 some days. All in all we've really had a very bad time, if it wasn't for your kindness in helping us out, I don't know what I would have done.

I thank God in his goodness sent you to us for all the trouble we've had. I'll be forever eternally thankful to you and the Prison Association for your help, kindness and understanding of all our problems.

I'll never cease forgetting you and praying for you. That our Lady will look down on you with the fine work you are doing helping others as you helped me.

Thanks again and may God Bless you and take care of you always.

(signature of client)

"I want to take this time out to thank you and your staff for all that you have done for my children and myself. I really don't know if thanks is enough to say for the inspiration that you have given me all these months that my husband was away. I especially appreciate your gentle kindness and understanding of my individual problems. I know all the words are not here, but the gratitude will always remain in my heart. I'm praying that my husband will continue to do as well as he has in the past two weeks. He got a job yesterday. I realize adjusting is not easy but with the help of God he can surely make it. I remain.

(signature of client)

STATISTICS FOR FAMILY SERVICE BUREAU FOR 1964

Families in active category January 1, 1964	98
New cases accepted	28
Cases reopened	6
<hr/>	<hr/>
Total number of cases during year	132
Cases closed	70
<hr/>	<hr/>
Families in active category December 31, 1964	62
Total amount of financial assistance	\$6,066.15
Families provided with Christmas dinner and toys (total 104 persons)	36
Families visited in the home	86
Office interviews	418
Agency visits	164

EMPLOYMENT AND RELIEF BUREAU

In the course of a year, many releasees pass through our doors seeking assistance with their varied problems. Each man is a highly complex human who for one of several reasons has failed to abide by the accepted codes of behavior. His plea was heard and the court convicted.

Considering present knowledge of human behavior, we believe that certain factors within the individual and the community are to blame, at least to some degree, for the difficult plight of the releasees. Perhaps some form of chemical in-balance within the individual has acted as a launching pad for a reckless and dangerous

criminal impulse or compulsion, perhaps a birth-defect, emotional trauma, exposure to harmful psychological conditions or even hap-
penstance, among other things, could have influenced the individual to think along lines detrimental or opposed to law and order.

We cannot attempt to focus the full light of scientific research on each individual who calls upon us for guidance, counsel and assistance because this would obviously necessitate an intensive diagnosis by a large staff. Nor is it the function of this voluntary, private agency to second-guess the judiciary or carry on the intensive treatment which is the responsibility of the public correctional agencies.

Confronted with these facts, we must be practical and make use of the means available to us to assist in the solution or alleviation of the varied and pressing problems. Among other things, many individuals arrive in our office in desperate need of financial assistance—without shelter, food let alone tools of his trade or employment.

In many instances the faith and morale of the man has been badly battered and weakened. Through experienced counselling we strive to instill within the individual the spiritual strength and confidence needed to effect a rehabilitation, recognizing that there are those within the very society which brought the individual to task for transgressions who are ever ready and willing to grant another opportunity to change a way of life and become a respected member of the community.

... Mr. A. B. appeared at our office one day last summer. He had just been released from one of the state correctional institutions housing those afflicted with an emotional or mental disturbance. This man had served his maximum time of more than six years, and was declared able to function by himself and qualified, ready for gainful employment. He was experienced in a phase of maintenance work where a municipal license and union membership were mandatory. This man was financially unable to pay the license fee and his union dues. Our Employment and Relief Bureau ascertained the facts in this case were true, and consequently loaned Mr. A. B. the cash needed to secure both a union member's card and the required license. Within two days this releasee returned to our office, produced the necessary documents, and joyfully told us he had secured a well paying job.

... Mr. S. E. a releasee no longer on parole came to our Employment and Relief Bureau pleading for employment. He had difficulty explaining his pitiful plight because of a language barrier. Through patient questioning his sad story was put together. A long period of unemployment had brought him, his wife and two very young children to the point of panic. They all lived in one room, the food supply was depleted and he had no way of replenishing it. We

verified the fact the family had filed an application for Welfare assistance about a week or so prior to calling upon us. Our Employment and Relief Bureau contacted the local office of the Welfare Department by telephone and after a lengthy discussion of this particular case, the Welfare representative agreed to give this releasee a check immediately to take care of the food requirements of the family until they were placed on the regular Welfare assistance rolls. We sent this man to the Welfare office to get his check; at the same time advising him to return to our office if he encountered any difficulty. He left our office and did not return.

STATISTICS FOR EMPLOYMENT AND RELIEF BUREAU

Different men interviewed	1,497
New York City applicants	575
New York State applicants	650
Probation applicants	53
Out of state institution applicants	29
Relatives of inmates	8
Others interviewed	1,865
Jobs provided	524
Total nights lodgings provided	339
Applicants given cash for carfare, shelter, food and tools	933
Total relief given for food, shelter, cash and employment	\$11,706.65

THE CORRECTIONAL ASSOCIATION'S LEGISLATIVE ACTIVITIES

LEGISLATION

Analyzing and evaluating various bills relating to the administration of justice introduced into the Legislature is one of the purposes for which The Correctional Association of New York was originally organized. Following the study of all bills embracing our field of interest, the Association may register support or opposition with the chairmen of the various committees to which the bills have been referred and individual members of the Legislature. When a bill has been passed and forwarded to the Governor, the Association continues with written approval or protest.

From time to time we elicit the support of other organizations with a legislative interest or may join with them in a concerted effort of support or opposition.

This the Association has done throughout its 120 years of existence. 1964 was no exception.

On January 8, 1964 the 157th Annual Session of the State Legislature was convened. The legislative work of the Association had started a number of weeks before the Legislature was convened, examined the many pre-filed bills which for the 1964 session had increased almost by 500 over the 1963 session (2,850 pre-filed bills in 1964 as compared to 2,353). For several months we devoted much of our time studying the bills in our area of interest, supporting or opposing the more important ones.

The bills of specific interest to us fell into three general categories. The first dealing with narcotics, the second with parole and the third with probation. In the area of narcotics there were approximately 60 separate bills introduced, approximately half of which increased the penalty for selling narcotics. The remainder of the narcotic bills generally dealt with such matters as the creation of camps or other facilities for the rehabilitation of addicts in keeping with the Association's program. Related to narcotic usage is the practice among certain juveniles of sniffing glue. The position of the Association presented to the New York City Department of Health on this matter was made known to the legislative committees to which the "glue sniffing" bills had been referred.

In the second area, namely parole, the bills generally dealt with the authority of the Parole Board. There were two bills of marked interest to the Association. The first extended the jurisdiction of the Parole Board over certain institutions which it had not had in the past. This we favored. The second required the concurrence of

three psychiatrists before individuals could be released on parole. This bill we opposed. Not only would the latter bill emasculate the Parole Board but the very practical problem of having three psychiatrists available to examine individuals in the State correctional institutions, since they are just not available, would almost stop parole entirely.

The third general area, namely that of probation, saw the introduction of legislation which would shift the administrative supervision of probation from the State Department of Correction to the Judicial Conference. The Association opposed this bill as we felt that sufficient study and consideration had not been given to all facets of such a change. In addition to the question as to whether probation is properly the function of the Executive Branch of government (The Department of Correction) or the Judicial Branch of government (The Judicial Conference), the matter of the agency best able administratively to handle the function of probation had not been given ample scrutiny and consideration.

APPENDIX "A"

THE CORRECTIONAL ASSOCIATION OF NEW YORK

PROPOSED NEW YORK PENAL LAW*

Donald H. Goff
General Secretary

In 1961 the State Commission on the Revision of the Penal Law and Criminal Code was created and presented with a monumental mandate to prepare for submission to the Legislature a revised, simplified body of substantive laws relating to crime and offenses in the State, as well as a revised simplified code of rules and procedures relating to criminal and quasi-criminal actions and proceedings. This was to be the first overall study and revision of the Penal Law and the Code of Criminal Procedures since 1881-80 years.

The Correctional Association of New York was a moving force in the 1881 codification of the Penal Code and Code of Criminal Procedure. In its report, in 1880 to the Legislative, the Association stated the following:

"The body of evidence in this report shows that as regards the local prisons and jails and in this State, and as regards our laws relating to them, there is urgent necessity for greater improvements and more radical changes than have hitherto been attempted by the Legislature.

As the great reforms now most urgently needed are twofold: First and most obviously, because the common jails and their inmates are in a deplorable condition, and are literally the common schools of crime and vice; and second, because the laws and administration of them relating to crime and the movements of public justice are in an unsatisfactory state, this report will present fresh evidence of the former, and also submit a carefully prepared digest of the laws which show the latter, fact. The design is to facilitate any necessary legislation, and at the same time prevent needless and injurious laws from being enacted, while offering the means of ready reference to,

*Prepared for presentation before the
Temporary Commission on Review of the Penal Law and Criminal Code
November 25, 1964

and consultation of, the existing laws relating to jails and prison and their inmates. This compilation of the prison laws has been prepared under the supervision of Mr. Carleton T. Lewis, the present Chairman of the Executive Committee of the Association, for uses of this body, and as a means of serving the Legislature, and all public authorities who are concerned for this Association's faithful discharge of its obligations. By the act of incorporation the Association is required annually to report to the Legislature the state of all prisons, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline."

As it was with the first codification in 1881, The Correctional Association of New York was most pleased at the mandate presented in 1961 to your Commission.

The diligence and energy with which the Commission and staff have undertaken the assigned task is commendable and laudable. The Association feels that the Commission has done a monumental task in bringing order to and eliminating much extraneous material from the Penal Law of the State.

The Association is pleased to have this opportunity to testify before the Commission and of publicly acknowledging its commendation to the Commission and staff.

The scope and details of the Proposed New York Penal Law are so vast that we will be testifying only on selected sections and those important areas which we feel the Commission might reconsider.

Staff notes dealing with Article 30 in the Proposed Penal Law—sentences of imprisonment—succinctly state the three basic objectives of modern correction and criminal law, namely, deterrence, incapacitation and rehabilitation.

1. Deterrence. In its effort to control the behavior of individuals, the sovereign state through laws prescribe acceptable and unacceptable behavior. Any deviation places the individual in conflict with the law and lables him to prosecution and punishment. The underlying philosophy of the criminal code is that through the use of penalties, individuals will be deterred from acting in an undesirable way and the community be protected from undesirable behavior or behavior deviating from the accepted.
2. Incapacitation. The use of penal sanctions, primarily that of incarceration, protects the community from affronts during the time that the individual is "incapacitated"—that is removed from the community in a secure correctional institution, and,

3. The rehabilitation of those individuals as a result of the sanction imposed be it probation, institutionalization, or parole so that the community is safeguarded from future affronts.

Maintaining the proper balance among these three, one must take into consideration the act of the individual, the situation in which the act occurred as well as the actor or offender—his potential, his understanding, and his reason. It is fundamental in the American way of life to emphasize the importance and value of the individual.

MANDATORY SENTENCES

We recognize that in determining the maximum sentence to be allowed by law for specific offenses, the more intractable and dangerous offender must be considered as well as the average offender who commits the particular crime. In general, we feel that the maxima prescribed for the various felony classifications in the Proposed Penal Law are too severe for the average offender and would, in many cases, be excessive. However, in that there are a number of factors entering into the length of sentence of incarceration which, in a few cases, might indicate the need for these high maxima, we concur with the Commission's proposals. We would propose, however, that in the imposition of all sentences greater than two-thirds of the maximum authorized by the Proposed Law, the court be required to state on the record the reason for the exercise of its discretion in imposing such a long sentence. By this procedure we believe that the courts will retain their discretionary power and at the same time individual defendants will be protected from unduly excessive punishments. I have been asked to state that the Grand Jurors Association concurs fully with our thinking on this proposal.

MINIMUM SENTENCES

The Association continues its long time position in opposition to the mandating of excessively high minima for particular offenses. In our estimation high minima mandated by statute tend to work in opposition to the true protection of the community. With extremely high minima, just as with prohibitions against probation and parole in specific cases, the necessary sentencing flexibility is so markedly reduced that the disposition cannot be geared properly to the offender-offense-situation. We would therefore like to commend the Commission for its proposal to abolish high minima.

MANDATORY 2nd and 3rd FELONY SENTENCES

Just as the Association is opposed to high mandatory minima so

does it feel that the courts are not permitted proper latitude in sentencing the offender-offense-situation when mandatory sentences for second and third offenses exist. The high maxima for the various felony classes allowed in the Proposed Law mentioned above together with the efficient State Parole Commission can, without the rigidity imposed by mandatory sentences for second and third felony offenses, provide sufficient safeguards to the community as well as consider the circumstances surrounding the particular crime, the nature and circumstances of previous crimes, as well as the history, character, and condition of the offender.

We would disagree with that section of the Proposed Law (30.10) dealing with the persistent felony offender to the extent that we feel that a persistent felony offender should be defined as a person who stands convicted of a felony after having previously been convicted of three or more felonies rather than the proposed two or more felonies.

The specific act, the situation in which the act occurred, and the individual we have referred to as the offender-offense-situation. The Correctional Association of New York, an impartial objective organization, whose primary concern is the protection of the community has attempted to evaluate the complex phenomena of crime and punishment weighing all three factors realizing the great difficulty of evaluating the impact imprisonment will have upon a particular offender, as well as the difficulty of making an honest assessment of threatened punishment upon potential offenders. The Association is cognizant that "failure to impose a sentence of imprisonment may involve a risk to the community and the use of imprisonment may involve a risk of destroying an individual indeed many times a family" to quote from the Commission's staff notes. When the latter occurs we do not believe that the community is truly protected from future efforts.

With the increase in knowledge about human behavior and motivation with improvements in the predictability of human behavior, we continue to maintain that flexibility in the handling of offenders is imperative in any penal code. This is the basic philosophy underlying our observations today.

GOOD BEHAVIOR TIME

Under the Proposed Penal Law, time allowances earned for good behavior are applied only to the maximum sentence and do not apply against the minimum. This we believe to be unrealistic. The incentive of an inmate towards self-improvement, good behavior and diligent work in an institution, would, in our estimation, be markedly reduced if his conduct in the institution could in no

way affect his parole eligibility date. I emphasize the word eligibility as good time credits applied to the minimum would simply affect eligibility for parole consideration and not dictate release from the institution.

We would therefore propose that the Commission reconsider 30.40 to permit the application of good behavior time credits to the minimum sentence, establishing parole eligibility, as well as to the maximum sentence.

SPECIFIC OFFENSES

The Association would like to comment on two specific "violations" in the Proposed Penal Law.

Article 250.10 (harassment) classifies "jostling" as a "violation" and as such authorizes a sentence of 15 days. Since the individuals generally involved in jostling or pickpocketing are professional offenders, we feel that sufficient latitude is not permitted the court by classifying this particular offense as a violation. We would propose instead that sub sections 6 and 7 of Section 250.10 be changed to a misdemeanor category.

The Commission and staff should be complimented on the revision to the State's Public Intoxication Statute (old 1221). The substitute proposal (250.20—Public Intoxication) overcomes two of the objections the Association has had to the existing public intoxication law. First, the new section requires that an individual, because of intoxication, "may endanger himself or other persons or property." This is not in the present statute. Secondly, the substance which caused the intoxication is broadened to include narcotics and other drugs. As an aside, it is interesting to note that under present law it is an offense for an individual to be publicly intoxicated in all counties outside New York City from a substance which can be purchased legally at any bar or package store—namely alcohol, while at the same time it is not an offense to be publicly intoxicated as a result of the use of a substance banned even for medical usage in the United States—namely heroin.

Proposed Section 250.20 makes public intoxication a violation with the period of incarceration being 15 days. The Association wonders about the effect such a 15 day incarceration would have on some of the longer term programs being developed to treat alcoholics in county correctional institutions. While we do not believe that the alcoholic, who is defined by the American Medical Association as being an ill individual, should be handled in a correctional setting, we also recognize that the mere presence of a statute which reflects a generally accepted mode of behavior, when enforced, does affect the actions of healthy normal people. A fundamental dilemma

exists on the matter of public intoxication. Questions are raised even about the constitutionality of such laws. On the one hand the condition of repeated public intoxication which can evoke penal institution commitment is the very symptom which would lead one to suspect alcoholism—a disease. Repeatedly, studies of success or failure of cases of alcoholism committed to local correctional institutions, have shown an excessively high recidivism rate. So much so the term the "revolving door" has been applied to the jail because of the number of individuals addicted to alcohol who have been committed, released, re-committed, again released, committed and again released. These individuals constitute the "in and out" or the perennial jail habitue, they are the individuals "who are serving a life sentence on the installment plan."

On the other hand in our zealotness to treat a disease we must not overlook the fact that the public intoxication of those not addicted to alcohol may be, and undoubtedly is, affected because of the existence of state sanctions, yet should such state sanctions exist?

We would propose that the Commission staff discuss that sections of Article 250.20, dealing with public intoxication, with the Governor's Advisory Committee on Alcoholism, as well as the State Division of Alcoholism within the Department of Mental Hygiene, as we feel that this particular article requires the best thinking not only in the field of law and correction but also in the field of alcoholism.

For the record I am submitting a paper in this dilemma of Alcoholism and the Administration of Justice prepared for presentation before the European Institute on the Prevention and Treatment of Alcoholism in August of 1964, London, England, which attempts to more clearly define this problem.

MISDEMEANANT PAROLE

A constant striving for flexibility in dealing with the offender-offense-situation unit has been a guiding principle of the Correctional Association throughout the years. The Association has also recognized the short-sightedness of releasing individuals to the community without parole supervision. Work many years ago by The Correctional Association of New York brought about the use of the indeterminate sentence and parole in New York.

For the two reasons stated above we are in favor of the principle of misdemeanor parole expressed in the Proposed Penal Law. The proposals would allow the desired flexibility in the amount of time an individual would be incarcerated and would also bring about the parole supervision of individuals who have been sentenced to from 60 days to one year.

The community protection value of parole is well established in the instance of more serious offenses and we believe that the experience of the New York City Parole Commission attests to the desirability of the application of the parole concept to lesser offenders.

There is some confusion, however, over the terminology used in this particular section. We feel that the term "definite sentence parole" is not only ambiguous but also contains conflicting concepts. Some other phrase such as "misdemeanor parole" or "lesser offender parole" might be used instead.

The term "institution parole board" is likewise a misnomer and we would propose that it be changed either to "misdemeanor parole board" or "lesser offender parole board." Either we feel would be a more descriptive and accurate title.

We are not, at the present time, in the position to make any observations on the constitutionality of the proposal which might allow for a two-year period of parole supervision in the event the individual has completed the full maximum of his incarceration. We would wonder, however, about the effectiveness of parole supervision in the event no sanction could be imposed in such an instance.

While it is assumed that every individual would be released to parole supervision prior to completing the maximum of his full sentence, thereby interrupting his sentence, the above possibility must be considered and we would strongly urge that the Commission in drafting the administrative procedures make it clear that the above situation could not occur.

PROPOSALS RELATING TO EXISTING ARTICLE 7A OF THE CORRECTION LAW

In 1915 legislation was enacted authorizing cities of the first class to create a parole commission and allowing for the commitment of misdemeanants on an indeterminate sentence with a maximum of three years, or in certain cases two years, to institutions under the City Department of Correction. This enabling legislation represented the most advanced thinking in its time and was the City's effort to bring rehabilitation, training and individualization of treatment to the many thousands of individuals committed to the New York City's correctional institutions. The Commission's proposal to completely abolish this Article of the Correction Law would, in our estimation, be a mistake.

The desirability of equalizing the maximum sentence allowed in the City of New York and that of other counties of the State for individuals convicted of a misdemeanor is readily seen. We feel that this can be done in such a way as to maintain those parts of

Section 7A which are desirable, yet at the same time overcome the disparity between authorized maximum sentences for misdemeanors in the City of New York and other counties of the State.

We would propose an alternative in lieu of the abolition of existing Section 7A of the Correction Law which has been in operation for 49 years.

We believe that the proposed misdemeanor parole statute and certain sections of existing Article 7A of the Correction Law can co-exist and would submit the following proposal.

1. Maintain the existing section of 7A which allows for sentencing to the City Reformatory, restricting the age to 16 to 21 years. At the same time extend the period from the existing three to a four year maximum. Also modify Section 35.05 of the Proposed Penal Law referring to reformatory sentences of imprisonment for young adults to read as follows:

"When reformatory sentence of imprisonment is imposed the court shall commit the young adult to the custody of the State Department of Correction or a reformatory under Article 7A of the Correction Law of the City Department of Correction for reformatory period and until released in accordance with law." Such changes in both the existing section of 7A dealing with reformatory sentences and the Proposed Penal Law would allow the courts in the City of New York either to sentence a young adult age 16 to 21 to the custody of the State Department of Correction or to the New York City Department of Correction.

2. Modify Section 30.05 which allows alternative definite sentences for Class D and E Felonies where "the court having regard to the nature of circumstances of the crime and to the history and character of the defendant and is of the opinion that the sentence of imprisonment is necessary that it would be unduly harsh, etc." to include an indeterminate sentence to the City penitentiary under the existing section of Article 7A as well as authorizing a definite sentence of one year or less.

In the instance of New York City this would allow three alternatives to the court in sentencing Class D or E Felony cases.

- (a) The imposition of the sentence to the State Department of Correction for a Class D or E Felony, the maximum term of the Class D felony being 7 years, maximum for Class E Felony four years.
- (b) Impose a penitentiary indefinite sentence with a three year

maximum to an institution under the New York City Department of Correction, or,

- (c) Impose a definite sentence of imprisonment fixing a term of one year or less.

There have been a substantial number of court appellate decisions upholding the existing 3-year indeterminate sentence possible in the City of New York based upon Article 7A of the Correction Law. These have been predicated on the reformation and rehabilitation of the individual. While we realize that the Commission is fully cognizant of these many decisions on the constitutionality of existing Article 7A, we feel that it is appropriate to include several in this testimony.

We cite the decisions to point out not only the court decisions upholding existing Article 7A of the Correction Law, but also to express the confidence of the Association in the efforts presently being made and the program now in operation for young adults committed to the City Department of Correction. The special education program being conducted for adolescents at Rikers Island as part of the 600 school system of the New York City Board of Education, the vocational training efforts are being made in that institution to prepare young adults for socially acceptable vocations coupled with the supervision, guidance and counsel provided by the New York City Parole Commission upon their release is in complete keeping with the original intent of those, including the Correctional Association of New York, who established this enabling legislation in 1915 and fully substantiates the many court decisions on the constitutionality of this law.

Arguments in opposition to this section of the existing law have been predicated upon the disparity between the maximum sentence for a misdemeanor committed in New York City and the same offense committed in one of the other counties of the State. We believe that our proposals mentioned above would obviate this criticism since in New York City because of its size and number of problems, the facilities available and the existence of the Department of Correction and City Parole Commission, the courts would be given, and should have an additional set of facilities to utilize, yet the maximum time the individual might be incarcerated would not be greater than that in the Proposed Penal Law. For a young adult age 16 to 21 the individual could receive a reformatory sentence of imprisonment not to exceed four years in the custody of the State Department of Correction. The same would apply in our proposal of a reformatory sentence of imprisonment to the City Department of Correction.

The same would apply in the instance of the alternatives pro-

posed for Class D or E Felony. Here the courts of the City of New York would have three dispositions available to them.

The sentencing of the individual to the State Department of Correction in the instance of a Class D Felony to imprisonment not exceeding 7 years and in the instance of a Class E Felony to a sentence not to exceed four years, or, imposing a definite sentence of imprisonment with a term of one year or less; or, utilizing that part of existing 7A relating to the indeterminate three-year maximum sentence to the City Penitentiary. The other counties of the State would have 2 of the 3 alternatives available to them, namely, either imposing a sentence in the instance of a Class D Felony not exceeding 7 years or Class E Felony not exceeding 4 years; or, imposing a definite sentence of imprisonment not exceeding one year.

The Correctional Association is most appreciative of this opportunity to present its view on the Proposed New York Penal Law. We are certain that the Commission with the assistance of its staff will consider the observations that have been made, not only by the Correctional Association of New York, but also by the others who have testified at various hearings throughout the State.

May we again commend the Commission and staff for the work they have done in simplifying the Penal Law of the State of New York and personally thank Mr. Denzer and Mr. Preiser for their ready willingness to help the members of The Correctional Association of New York understand not only the Commission's thinking, but also their unbiased sincere evaluations of the improvements sorely needed in the Penal Law of the State of New York.

APPENDIX "B"

THE CORRECTIONAL ASSOCIATION OF NEW YORK

NARCOTIC ADDICTION*

Donald H. Goff
General Secretary

Senator Metcalf: The Correctional Association of New York is most pleased to have this opportunity to present to the Joint Legislative Committee on Health Insurance Plans under your able chairmanship its views on narcotic addiction in the State of New York and more specifically on the legislation enabling the civil commitment to the Department of Mental Hygiene of selected narcotic addicts, Chapter 204, Laws of 1962.

At the onset the Association would like to commend the Legislature for the progressive step it took when it voted favorably for what is now known as the Metcalf-Volker Law, allowing for flexibility in the treatment of narcotic addicts. We are completely in accord with both the philosophy and intent of this bill.

The interest of The Correctional Association in narcotic addiction is not new. Fifty years ago the Association in its Annual Report to the Legislature expressed concern over the traffic and use of habit forming drugs. The report states:

"In its crusade against traffic in habit-forming drugs in its institutions, the Department (of Correction of the City of New York) has had great success. The use of such drugs has been increasing generally throughout the country, and particularly in its largest cities, to an alarming extent. Their use in the various prisons has been common knowledge, and it is known that there was collusion between prisoners and their friends on the one hand, and some officers of institutions on the other hand, in furthering the use and sale of such drugs in the institutions. Both from the standard of the personal welfare of the prisoners and from that of the administration, the concealed use of habit-forming drugs in the penal institutions is a serious menace, and its

*Prepared for presentation before the
Joint Committee on Health Insurance Plans
November 13, 1964

abolition one of the most difficult problems for executives. The Department of Correction carried on an extensive examination into the extent of the existence of this condition in its institutions and applied vigorous methods for its discontinuance. The services of detectives of the police department, of reliable prison officials, of specially committed inmates, of physicians, and of executive heads of institutions were utilized. As a result, some 34 persons were convicted of implication in the sale of drugs to prisoners. Of these, 9 were employees of the Department of Correction."

I cite the above not only as a demonstration of the Association's long time interest and concern in the narcotic addiction problem in the City and State, but also in an effort to place the drug addiction problem in its proper historic prospective. Fifty years ago estimates placed the number of addicts as high as ten times more than the number estimated for the present and in a total population about half the size of that of today. This is not to imply that all of our efforts should not be directed towards its solution but rather that continued study and objective research are needed, not proposals for panaceas.

Perhaps it would be helpful to review briefly the history of correction—since the past is prologue for the future—and the law allowing for alternate means of handling selected narcotic addicts is, in our estimation, the logical, constructive forward continuation of a movement that began about 150 years ago.

Prior to the accumulation of modern knowledge of behavior and the development of the behavior sciences, any individual who violated the accepted standards of behavior as expressed by the existing laws was committed to a jail or prison. These bridewells, jails or prisons were the repositories not only for hardened offenders but also for psychotics and the mentally retarded. When the futility, inhumaneness and true lack of protection to the community of the commitment to jails or what we now know to be mentally ill and severely retarded individuals was recognized, separate institutions for the mentally retarded and the mentally ill were created. These individuals were removed from the jails to receive the proper treatment based on existing medical knowledge. Today when an individual requires institutionalization because of anti-social or bizarre behavior caused by gross mental retardation or mental disease, we do not commit him to jail or penitentiary but rather to a mental hospital or a training institution specially created to deal with the problem.

In the instance of drug addiction we feel that eventually imprisonment of addicts in a correctional setting will be viewed as inappropriate as would be the commitment of psychotics to prisons.

By the same token it is our firm conviction that from a social policy point of view the State must intervene in an authoritarian way for the sake of the family and relatives who are directly affected financially, aesthetically and emotionally; for the sake of the community whose public morals, health, safety, and welfare are in danger and for the sake of the addict himself who has lost all sense of personal respectability and worth. This civil intervention we believe to be a strength of Chapter 204.

While we do not have data from the Department of Mental Hygiene, we do have it from the City Department of Correction and the City Parole Commission.

Data from the New York City Department of Correction reveals that in the calendar year of 1963, a total of 6,432 narcotic offenders were received on various narcotic charges. I am informed that the majority fell into the offense category of "drugs, other than sale." This corresponds with 5,730 "drugs, other than sale" cases reported by the City Department of Correction for the calendar year of 1962. Data from the Department of Correction also indicates that out of the total number of narcotic offenders received in 1963, 6,432, 1,096 were processed by court order for civil certification, of whom 702 were accepted by the Department of Mental Hygiene and 434 transferred to Mental Hygiene facilities.

At first examination it would appear that with only one out of every 16 drug cases received by the City Department of Correction moved to the jurisdiction of the Department of Mental Hygiene, the program is ineffective. This we do not believe is necessarily true. It is possible that in attempting to deal with the complex problem of narcotic addiction anxieties may force people to expect massive, successful results immediately, numerically overwhelm the program, and destroy any objective research knowledge that might have been forthcoming from what must be realistically viewed as an experimental effort at the solution to an age old enigma.

The need for authoritarian state control over addicts seems to be borne out by data from the Special Narcotics unit project of the New York City Parole Commission. This is a special narcotic unit of the City Parole Commission handling male addicts 16 to 25 years of age. It had an active case load on November 1, 1964 of 151 individuals. Out of the 151, 109 or 70% were employed while only 27 or 17% were unemployed. Fifteen individuals were hospitalized. Since its inception on October 1, 1962, the unit has dealt with a total of 436 cases. 259 cases have violated while 177 either successfully completed parole or are still on active parole status. This would give an apparent success rate of about 40%. Individuals knowledgeable in the field of narcotic addiction recognize that suc-

cess rates at this high level are not usual.

Similar success is reported by the New York State Parole Commission of its Special Narcotics Unit which has been operative since 1956.

After several years of studying voluminous data on the problem of narcotic addiction in New York State and in other areas of the United States; as well as meeting in England with individuals involved in the narcotics problem in that country; contacts with authorities in Hong Kong, The Correctional Association of New York based upon these studies and meetings and direct contact with narcotic addicts, governmental officials, physicians, law enforcement, correctional and parole personnel, agreed on the following principles necessary to reduce the existing problem of narcotic addiction:

- I. The Correctional Association of New York believes that a clear separation must be made between the wholesalers or those members of organized crime who obtain their livelihood dealing illegally with narcotics and dangerous drugs and those individuals who have become addicted and may in order to maintain their own addiction sell or attempt to sell small quantities to other individuals on a retail basis.

The Correctional Association of New York believes the former are major offenders and should be handled by the criminal courts in a manner realizing the great seriousness of the offense. We believe, however, that arbitrary prohibitions against probation and parole or mandatory life sentences are not in the best interest of justice because of the difficulty in getting the courts to mete out these severe sentences.

- II. For those addicted individuals who in order to maintain their own addiction may sell or attempt to sell small quantities of narcotics we believe the best interest of the community is served only when the addict is placed under medical jurisdiction with efforts to treat the addiction. The best hope for ultimate rehabilitation rests upon combined medical, psychiatric and sociological treatment under the jurisdiction of the appropriate profession. This type of narcotic addict is not primarily a correctional responsibility. He falls between the existing traditional disciplines and present knowledge. Addiction is a special problem.

The Correctional Association of New York believes addicts are the principal spreaders of narcotic addiction. When an addict has failed to benefit after multiple judicial certifica-

tions for treatment, a more intensive form of treatment with legal support is indicated for the protection of the community.

- III. The Correctional Association of New York accepts the fact that in general narcotic addicts can be classified into two main categories.

- (a) The first category consists of those individuals who inadvertently through medical treatment become addicted to narcotic drugs or are individuals who because of their profession have access to narcotic drugs and under great stress and strain begin to use narcotics for the temporary relief of fatigue or pain. These we believe are the clandestine users who use drugs secretly and alone, are guilt laden over their vice and generally do not attempt to initiate the non-user.
- (b) The second general category which we believe to be the major problem and much greater in number consists of those individuals who at best are leading a marginal existence and are overwhelmed with real or imaginary problems. This group unlike the first, either for financial reasons in order to support their addiction or for psychologic reasons to justify to themselves the use of narcotics occasionally attempt directly to persuade others to use. By and large social contact accounts for the spread of narcotic addiction through contact with addicts whose role is either active or passive.

While the Association believes that narcotic addicts can be classified generally into two main categories, there is reason to believe that there is an emerging third category of experimental and non under privileged persons who use quantities of barbiturates, amphetamines and other dangerous drugs. Because of the sound economic status and sophistication in securing supplies, these users come to the attention of authorities only infrequently but their existence cannot be ignored.

- IV. The Correctional Association of New York concurs with the position taken by the American Medical Association opposing the dispensing of narcotics on an ambulatory basis to those already addicted. Such a practice, except in strictly controlled research projects would, in our estimation, increase the number of addicts rather than lead to the cure of those individuals already addicted.
- V. The Correctional Association of New York believes that

those individuals committed to the State Department of Correction who are also narcotic addicts should be placed in a constructive rehabilitation program, especially developed to treat addiction, within the institutions of the Department.

- VI. Above all The Correctional Association believes that each and every avenue of possible solution must be explored through objective continuing research. The need for facts, knowledge and the assessment of operating programs is paramount if this social problem is to be ameliorated.
- VII. The present multiplicity of public and private agencies involved in the addiction problem and the ensuing confusion of programs and orientations toward handling addicts mandate a more active role by an instrumentality of State Government.

Such an instrumentality with an adequate multi-discipline staff and increased fiscal support by the State Government should assume a more active leadership role in the total field of narcotic addiction including research and policy formation in the many facets of the problem.

A Program for Handling Narcotic Addiction

In accordance with the above principles and in dealing with the present emergency and threat to the welfare of New York State, the following program of medical and psychiatric treatment is proposed for those addicts under civil commitment.

- (a) **Confinement**—Addicts to be hospitalized as at present under the jurisdiction of the State Department of Mental Hygiene for a period not less than 60 days. However, the present availability of 555 beds is vastly insufficient to deal with the addict population in New York City estimated to be above 25,000 individuals. It is recommended that the State Narcotic Instrumentality together with the City and Federal officials arrive at a determination of how many beds are necessary to intelligently accommodate the existing addict population of New York and that funds be allotted to provide such facilities and programs with adequate security enforcement. This is especially important if the Metcalf-Volker Act is amended to allow for civil petition for commitment of addicts by law enforcement authorities to the above mentioned hospital facilities of the Department of Mental Hygiene.

- (b) **Camps**—At a time to be determined by the medical authorities of the Department of Mental Hygiene, the addict should be transferred to a pilot work camp provided by New York State in the same fashion that it now runs its Youth Division Camps where the feasibility and value of such a program can be tested.

Here ego-building experiences through constructive work opportunities should take place. The desire for and recognition of the need to be gainfully employed in order to rejoin society must be instilled at the same time. Vocational, recreational and educational training must accompany this training and psychiatric and group counseling be made available to the patient at the same time.

- (c) **Pilot Project of Half-Way Houses**—When the addict is ready to return, in the opinion of the authorities of the camp, to the urban environment of his choice, then half-way houses must be available for him so that the transition from a controlled to a free environment may be made intelligently. Once again such half-way houses must provide counseling service as well as living quarters and controls. At the same time work opportunities should be provided in private industry or if not available there, must be provided through apprentice governmental service, until the addict can be absorbed into the private employment pattern.

It is most important that the work be meaningful so that this type of addict, a person traditionally insecure, fearful and immature be helped to attain a state of self-confidence and self-respect.

- (d) **After-Care**—The final stage of treatment is release to the community with a mandatory chemical test required of the addict designed to reveal the possible reversion to the use of narcotics. This should be administered at the discretion of the appropriate medical authority with law enforcement support as may be required until the expiration of the commitment period. It is suggested that the state jurisdiction extend for seven years so that the individual might be returned to the first or detoxification stage without the necessity of the extra governmental expense of starting legal and commitment proceedings in the event of relapse. This is particularly desirable, in view of the fact that an astonishingly high percentage of addicts in existing treatment programs relapse to the use of narcotics.

The above program would in our estimation extend the useful-

ness of the present legislation and is in complete keeping with the philosophy of this legislation. Such a program has never been followed in its logical sequence in New York State. While admittedly expensive to put into operation, it should prove vastly more economical than the existing system whereby addicts on the streets of New York reportedly steal untold millions of dollars worth of goods annually to enable them to purchase drugs. More important, however, this should reduce the incalculable harm inflicted by them upon the lives of the members of the community in which they live.

To this end we urge that a greater amount of funds appropriated by the State to the State Department of Mental Hygiene and the newly available Federal funds under the Mental Retardation's Facility and Community Mental Health Centers Construction Act of 1963, Senate 1576, which permits states to include facilities for the treatment of narcotic addicts, be allotted for this purpose.

We would further strongly urge in view of the apparent success of the intensive authoritarian after-care supervision reported by the New York City Parole Commission which parallels that experienced by the Special Narcotics Unit of the State Parole Commission that sufficient funds be appropriated for more intensive after-care supervision of those individuals civilly committed to the jurisdiction of the Department of Mental Hygiene.

THE CORRECTIONAL ASSOCIATION OF NEW YORK
GENERAL FUND

STATEMENT OF INCOME AND EXPENSES

YEAR ENDED DECEMBER 31, 1964

INCOME

Donations—Special purposes		
The Greater New York Fund	\$ 3,569.00	
Grand Street Boys Fund	2,565.79	
Other Funds	1,728.00	
Total	\$ 7,862.79	
Donations—Unrestricted	25,845.16	\$33,707.95
Endowment Income		
Interest	15,657.17	
Dividends	32,819.23	48,476.40
Total Income		\$82,184.35

EXPENSES

General Administration	28,861.86	
Direct Services		
Financial aid—prisoners and families (Cash, food, clothing, etc.)	\$17,505.10	
Family Service Bureau— Administration	6,167.00	
Employment—Administration	7,141.38	30,813.48
Travel expenses	2,908.91	
Equipment, supplies, printing and stationery	1,583.71	
Postage	471.72	
Telephone and telegraph	928.79	
Auditing and legislative services	1,360.09	
Investment custodian fees	3,924.00	
Memberships, periodicals and miscellaneous	1,106.62	
House maintenance	6,381.58	
Pensions	11,214.42	
Employees retirement plan	5,512.80	
U.S. old age benefits tax	1,249.40	
Disability and workmen's compensation insurance	311.79	
Total Expenses		\$96,629.17
Excess of Expenses over Income		\$14,444.82

AUDITORS' REPORT

We have audited the books, accounts, minutes and other records of The Correctional Association of New York for the year ended December 31, 1964. In our opinion the statement of income and expenses shown above presents fairly the results of the operation of the General Fund for that year.

New York, N. Y.
April 21, 1965

WEBSTER, HORNE & ELSDON
Certified Public Accountants

CONSTITUTION AND BY-LAWS

An Act to Incorporate The Correctional Association of New York.* Passed May 9, 1846, by a two-thirds vote. (As subsequently amended.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as now are and hereafter shall become members of the said association pursuant to the constitution thereof, shall and are hereby constituted a body corporate by the name of The Correctional Association of New York,* and by that name have the powers that by the third title of the eighteenth chapter, of the first part of the Revised Statutes, are declared to belong to every corporation, and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation, provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which this corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation; and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alteration in the mode therein prescribed.

ARTICLE FIRST

The objects of the association shall be:

1. The amelioration of the condition of prisoners whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of prisons whether for cities, counties or states.
3. The support and encouragement of reformed convicts after their discharge by affording them the means of obtaining an honest livelihood and sustaining them in their efforts at reform.

ARTICLE SECOND

The officers of the society shall be a president, four vice-presi-

* FORMERLY, The Prison Association of New York. At a special meeting of the members, the name was changed on February 1, 1961 to The Correctional Association of New York and this change was duly recorded with the Secretary of State.

dents, a recording secretary, a corresponding secretary, and a treasurer, and there shall be the following committees, viz.: a finance committee, a committee on detentions, a committee on prison discipline, a committee on discharged convicts and an executive committee. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society, and not more than twenty-five shall be persons other than officers.

ARTICLE THIRD

The officers named in the preceding article shall be *ex-officio* members of the executive committee, who shall choose one of their number to be chairman thereof.

ARTICLE FOURTH

The executive committee shall meet once in each month, and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE FIFTH

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or in his absence, one of the vice-presidents, shall designate.

ARTICLE SIXTH

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars shall constitute an honorary member of the association for life, and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE SEVENTH

A female department shall be formed consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE EIGHTH

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE NINTH

Any society having the same objects in view may become auxiliary to this association by contributing to its funds and cooperating with it.

ARTICLE TENTH

The executive committee shall have power to add to any of the standing committees such persons, as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE ELEVENTH

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers elected for the current year, under the constitution shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive any compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects, and the said executive committee shall have the same powers to keep, detain, employ and govern the said persons as are now by law ordered on the keepers of the bridge-well or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations, relative to the management and disposition of the estate, and concerns of said association and the

management, government, instruction, discipline, and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee and generally all such facts and particulars as may exhibit the operations of said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent during their minority, to such persons and at such places, to learn such proper trades and employment as in their judgment will be most conducive to their reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee by such committees as they shall from time to time appoint, shall have power, and it shall be their duties to visit, inspect, and examine, 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. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that by the twenty-fourth section, of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons and the duties of the keepers of each prison that they may examine shall be the same in relation to them, as in the section aforesaid, are imposed on the keepers of such prisons in relation to the inspectors thereof; provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of this State, or one of the judges of the Supreme court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the name of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

BY-LAWS*

I. There shall be a stated meeting of the executive committee on the fourth Thursday of each month, and special meeting shall be held on the requisition of the Chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting. The annual meeting shall be held on the fourth Thursday of January in each year at an hour and place to be designated by the executive committee.

The number of members composing the executive committee exclusive of the officers of the association, is hereby fixed at twenty-four, and divided into four groups or classes as follows: At the election held at the annual meeting of the year 1916, there shall be elected, to serve from that date, six members for the term of one year, six for the term of two years, six for the term of three years, six for the term of four years. At each annual meeting thereafter six members shall be elected for the term of four years in place of those whose terms of office then expire. Any vacancies in the membership of the committee by death, resignation or otherwise, may be filled either by the association at any annual meeting or, in interims between the annual meeting, by the executive committee.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at the annual meeting shall be as follows:

1. Election of chairman and secretary.
2. Reading of minutes of the last meeting.
3. Report of committee on nominations.
4. Election of officers.
5. Report of corresponding secretary on work of year.
6. Annual report of the treasurer.

IV. The order of business at every other stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Report from standing committees.

* As amended by the Executive Committee of the Association, December, 1931, February, 1938, May, 1954 and May, 1961.

4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

V. The chairman shall appoint all standing and special committees and decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's manual so far as they are applicable.

VI. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all meetings of the committee.

VII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; and shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

VIII. The treasurer shall have charge of the funds of the association, and shall give such security as the executive committee may require. His duties are more fully defined in by-law X.*

IX. There shall be at least the following standing committees: executive; finance; law; detentions; nominations; probation and parole; prison administration. Such committees in addition to any powers or duties conferred by these by-laws shall severally possess the power and be subject to the duties designated from time to time by the executive committee. Furthermore, the committee on probation and parole shall function as the committee on discharged convicts mentioned in the constitution, and the committee on prison administration shall function as the committee on prison discipline mentioned in the constitution.

The duties of the above named committees, not otherwise provided for in the constitution or by-laws, are as follows:

It shall be the duty of the committee on detentions to inquire as far as may be practicable or necessary into the causes of commitment of persons held in institutions of the Department of Correction of the City of New York, and, when deemed desirable, to adopt

* The position of Associate Treasurer was created by the Executive Committee at its meeting in May, 1961.

available measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto. It shall further be the duty of the committee, when arrangements are made therefor, to extend its work to jails, penitentiaries, reformatories and prisons outside of the City of New York and within the State of New York.

It shall be the duty of the committee on nominations to consider the qualifications of persons available for election as vice-presidents or available for membership on the executive committee of the association, and to make recommendations thereon to the executive committee for final action.

It shall be the duty of the committee on probation and parole to be associated with the operation of the probation, parole and employment bureaus of the association, and, from time to time, to make recommendations in respect thereto.

It shall be the duty of the committee on prison administration to consider the internal organization and management of county jails, penitentiaries, reformatories and State prisons, and the welfare of persons confined therein.

X. The committee on finance shall be charged with the duty of raising and caring for the funds.

The funds of the association shall be divided into two parts to be known as

1. The endowment fund.
2. The general fund.

The Endowment Fund.—The endowment fund shall consist of such contributions as shall be given with the restriction that the income only shall be used for the purpose of the association, and all legacies.

The Endowment and General Funds.—The endowment and general funds shall be under the immediate direction and control of the committee on finance, and all investments of the endowment fund shall be ordered by the committee, of which the treasurer shall be a member and chairman.

The securities belonging to the association shall be kept in a custodian department of an institution selected by the members of the committee on finance.

The executive committee may in their discretion draw upon such portions of the endowment fund as are unrestricted, for the general purposes of the Association.

The General Fund.—The term "general fund" shall cover all receipts of the association not constituting a special fund or specified for the endowment fund, the intention being that all the income, except legacies, including donations for general purposes, and income from endowment fund, shall be credited to the general fund to which the authorized disbursements of each activity of the association shall be charged at the close of the fiscal year.

The treasurer shall notify the corresponding secretary immediately on receipt by him of any sum for the account of the association that such receipt may be entered at once to the credit of the proper account on the books of the association.

The corresponding secretary shall be the general disbursing agent of the association, the object of the provision being to keep in the central offices of the association, all receipts for payments by him for the association of any kind, nature or description and to have in the central offices immediate record of all his disbursements.

All donations received by the corresponding secretary shall be entered by him upon the proper books of the association and then deposited in such bank as directed by the treasurer to the credit of the association. Whenever the executive committee shall make an appropriation out of the general fund the corresponding secretary shall send to the treasurer a copy of the resolution making the appropriation, certified by the recording secretary, which certified copy shall be the treasurer's authority for transferring the appropriated amount to the corresponding secretary.

The treasurer shall keep an account covering the general fund in the name of the association. All bank accounts of the Association, except the bank account of the corresponding secretary for current disbursements, shall be subject to the check of such members of the Committee on Finance as shall be designated by the Executive Committee.

The corresponding secretary shall keep a bank account in the name of the association, subject to his check as corresponding secretary for current disbursements, and shall deposit to the credit of said bank account all moneys he may receive from the treasurer drawn from the general fund.

The committee on finance shall arrange for annual audits of the accounts of the treasurer and of the corresponding secretary.

At each regular meeting of the executive committee the treasurer shall make a detailed statement of the receipts and disbursements for the preceding calendar month. He shall make a statement showing the investments and the receipts and disbursements of the endowment fund; he shall make, at the annual meeting of the associa-