

STATE OF NEW YORK

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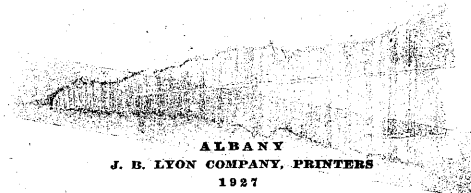
THE EIGHTY-SECOND ANNUAL REPORT

OF THE

Prison Association of New York

135 East 15th Street, New York

1926



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## P R E F A C E

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This is an official report of the Prison Association of New York to the Legislature of the State of New York, which has been made annually since 1845, and constitutes the eighty-second of the series.

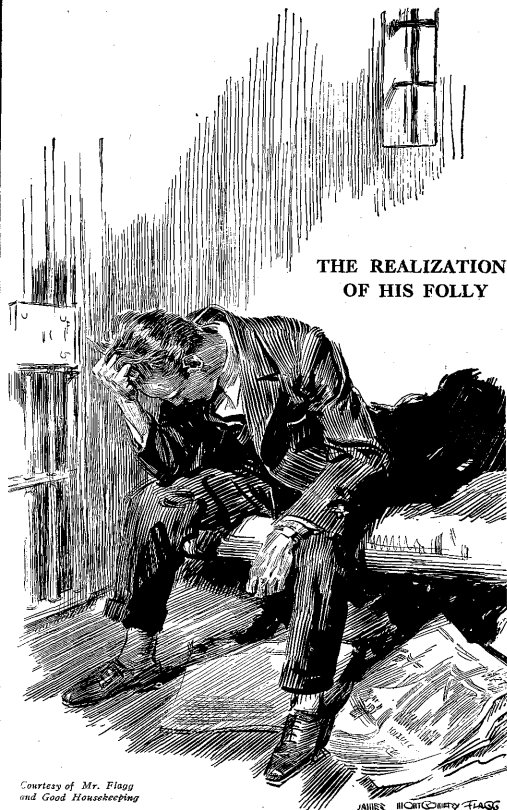
Paragraph 6 of Article XI of the Act incorporating the Prison Association of New York provides that "the said executive committee" (of the Prison Association), "by such committees as they shall from time to time appoint, shall have power, and it shall be their duty to visit, inspect and examine all the 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"

The State law further provides for the printing of 500 additional copies of this annual report at the expense of the State. Additional copies are purchased from the State printers, at the expense of the Association, for distribution to its contributors and many others, not only in New York State but in other States and in foreign countries.

THE PURPOSES  
OF  
THE PRISON ASSOCIATION OF NEW YORK

1. The protection of society against crime.
2. The prevention of crime, and especially of juvenile delinquency.
3. Protection for those unjustly accused.
4. Parole and probation, when suitable.
5. Improvement in prisons and prison discipline.
6. Employment and other assistance for released or discharged prisoners.
7. Necessary aid for prisoners' families.
8. Supervision for those on probation and parole.
9. Needed legislation.
10. Publicity in prison reform.
11. Research and advice.

[4]



THE REALIZATION  
OF HIS FOLLY

*Courtesy of Mr. Flagg  
and Good Housekeeping*

JANUARY 1917 CORTNEY FLAGG

The Prison Association is giving a helping hand to many such young men,  
thereby *Protecting Society*

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## THE PRISON ASSOCIATION OF NEW YORK

### OFFICERS FOR 1926

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E. R. CASS

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WALTER B. JAMES, M. D.	MORGAN J. O'BRIEN
GEORGE W. WICKERSHAM	

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HENRY E. GREGORY  
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DEAN SAGE

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GEORGE BLUMENTHAL  
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MORTIMER L. SCHIFF

STANDING COMMITTEES FOR 1926

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COMMITTEE ON LAW

SAGE, CUTTING, GRAY, PAVEY, POWELL, INGERSOLL

---

COMMITTEE ON FINANCE

AUCHINCLOSS, SABIN, SAGE, SCHIFF

---

COMMITTEE ON DETENTIONS

HADDEN, MRS. CURTIS, BLUMENTHAL, GREGORY, HURD, SAWYER

---

COMMITTEE ON NOMINATIONS

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POWELL, SAGE

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COMMITTEE ON PROBATION AND PAROLE

POWELL, MRS. PORTER, BARROWS, CHISOLM, DAVIS, HURD,  
SABIN, SAGE

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COMMITTEE ON PRISON ADMINISTRATION

KIRCHWEY, MRS. CURTIS, MRS. HERRICK, MRS. PORTER, CHISOLM,  
HURD, JAMES, PAVEY, POWELL, SAGE, SCHIFF

EIGHTY-SECOND ANNUAL REPORT OF THE PRISON  
ASSOCIATION OF NEW YORK

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HON. EDWIN CORNING,  
*Lieutenant-Governor of New York:*

SIR.—In accordance with chapter 163 of the Laws of 1846, we have the honor to present the Eighty-second Annual Report of the Prison Association of New York, and to request that you will lay the same before the Legislature.

Respectfully,

THE PRISON ASSOCIATION OF NEW YORK,

By EUGENE SMYTH, *President.*  
E. R. CASS, *General Secretary.*

## INTRODUCTION

Crime is a more complex phenomenon than is generally supposed. No other social problem makes so pressing a demand for careful attention as do those which are connected with the treatment of crime. From whatever standpoint it is considered the crime question is seen to transcend in importance most of the other great questions of the day. Its cost, although impossible to accurately determine, is found to be one of the chief items of the tax levy. As a peril to public order, and to the person and property of citizens, it holds the foremost place. It is a constant source of degradation of public and private morality. Whether he is in the prison or out of it the criminal holds so important a place in the community that he cannot safely be ignored by it.

If the questions which relate to the criminal, before, during, and after imprisonment, are to be answered intelligently, there must be a better understanding of the causes of crime, of the means of prevention, of the most effective method of dealing with prisoners and with those who are discharged from prison. The questions must be considered in their many aspects, as ethical, economical, social, moral and religious problems, and they deserve the best thought of the age and the most thorough activities.

If the subject is to receive due attention; if the children and youth are to be prevented from becoming criminals; if those who reach the prison in spite of preventive work are to be improved to better living; if the permanently incorrigible are to be permanently imprisoned, and if the discharged prisoner is to have a fair chance to recover his place in the world, it will be because of an improved public sentiment which will embrace a desire to treat the crime problem seriously, intelligently, and dispassionately.

The citizens of many States have been aroused because of crime, more particularly spectacular crime, and the many statements, some accurate, and too many inaccurate, relative to the crime situation and the treatment of the criminal. Attempts to determine the exact crime situation and its causes bring forth marked differences of opinion. The faults of the criminal laws are revealed from time to time by persons not directly concerned with the administration of them. Technical evasions, the tricks of resourceful lawyers, defects and abuses of the bail system and appeal privilege, indicate clearly the need for many changes in the penal law and the code of criminal procedure in the States.

Concerning the cause for the increase of professional and organized criminal activities, there is a wide division of opinion. During the year many varied attempts to fix responsibility for the

prevalence of crime were again markedly noticeable. Many reforms were proposed, and covered the entire range of administrative activities from the police to the final Court of Appeals, and even the conduct of governors in criminal matters. Each separate official agency dealing with crime conditions defended the methods it employed and sought to place the responsibility elsewhere. The police blamed the man who was robbed, prison methods, the courts and other agencies. The courts blamed the police for inadequacy of evidence offered; the quality of jurors and the conduct of juries. The grand juries blamed the district attorneys for insufficient or unconvincing information and then again the trial court blamed all those previously mentioned, and others, and seemingly regarded itself as without fault or weakness. Further we heard complaint from the district attorneys placing the responsibility on the police, the jury system and tricky lawyers, and from the high courts we heard complaint about the lower courts for errors in procedure, etc. The prison officials blamed the judges for indefiniteness, inequality in sentences and inconsistencies. Welfare workers, sociologists, psychiatrists, and criminologists discovered faults in almost every cog of the legal machinery. In the meantime, the public is left in a state of confusion, and with a decidedly aroused attitude, behind which there is the usual demand for severer punishment, characteristic of similar periods in our history, despite the fact that through the ages severity of punishment in its crudest forms has not solved the crime problem.

Much has been said about the English prison system, and it has been emphasized that severity in the treatment of the inmates of the prisons in England has resulted in the reduction of crime, and a reduction in the number of English prisons. This is not so, as will be shown by the following quotation from an address given by Sir William Joynton-Hicks, the Home Secretary, at the Ninth International Prison Congress in London, in August 1925:

During the last fifty years there has been a very striking diminution in the number of persons in prison, notwithstanding the fact that during the same period there has been a large increase in the general population. The population of the local prisons, which was over 20,000 in 1878, is today only just over 8,000, to which, however, must be added 1,100 young men and young women undergoing training in the Borstal institutions, who would under the former conditions have been in prisons. Even more striking is the decrease which has taken place in the number of persons undergoing penal servitude. In 1878 these numbered no less than 10,000, while at the present day those in the convict prisons and those in preventive detention (who would formerly have been in the convict prisons) number altogether only 1,600.

A similar striking decrease appears in the number of prisons in which they are confined. The local prisons in 1878 numbered 112, and there were also at that time 13 convict prisons. At the present day there are only 31 local prisons, 2 prisons exclusively reserved for convicts, that is, persons sentenced to penal servitude, 1 prison exclusively reserved for persons undergoing preventive detention, and 4 Borstal institutions, a total of 38 establishments at the present day, as compared with 126 in 1878.

*This great reduction in the numbers of prisoners and of prisons is due to no single cause. Many causes have been at work, both general and special. Among the general causes may be mentioned the more law-abiding habits of the general population due to better education, increased sobriety, and general*

improvement in the standards and conditions of living. Among the special causes the chief is undoubtedly the laws passed by Parliament, providing new alternatives to imprisonment, such as the probation system; or increased facilities for the use of those which previously existed, such as time for the payment of fines. With these must be mentioned the care which is taken by judges and magistrates to make the greatest possible use of these alternatives; and their tendency, where imprisonment has become inevitable, to pass shorter sentences than heretofore.

It is true that crime is more speedily and sensibly dealt with in England than in the United States because there does not exist in that country the many loopholes for escape of prosecution and conviction through political influence, top heavy criminal court procedure, dilatory maneuvering by lawyers, etc.

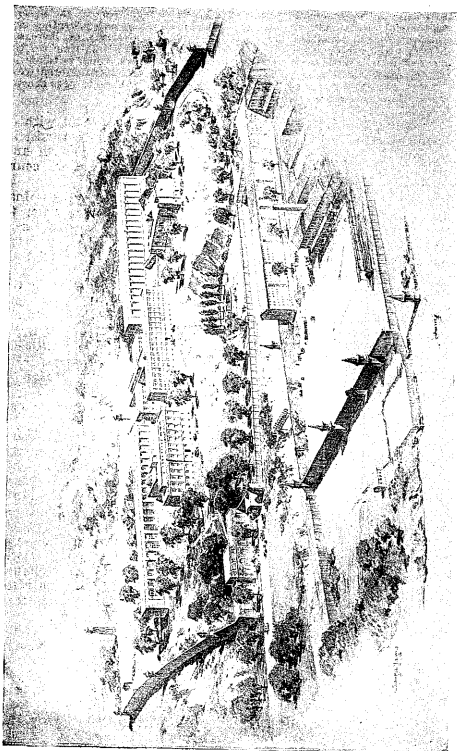
If progress is to be made in dealing with the actual criminal scientific methods and machinery must be employed in order to determine so far as is possible the first essential, to wit, what sort of person is the criminal, what are the chief causes which have made him such, and how are these causes to be removed or neutralized?

The State of New York, with the setting into operation of the Receiving and Classification Unit at Sing Sing Prison, more commonly known as the Psychiatric Clinic, will in time demonstrate the value of the scientific handling of those committed to the State prisons. Progress in this direction has been made abroad, particularly in Belgium, in the psychopathic laboratory, a part of the Prison de la Forêt at Brussels, under the direction of Dr. L. Vervaeck. From this laboratory is directed the psychiatric work of all the Belgian prisons, and all prisoners awaiting trial are sent there for examination.

What is needed further in the State of New York is the enactment of legislation (see page 15), following the Massachusetts Plan of having those indicted or convicted of a capital offense examined by a State Department dealing with mental diseases. Psychiatric personnel as a part of the courts and a psychiatric staff dealing with offenders under sentence, will make for intelligent progress. In the absence of scientific application any system of crime treatment which attempts to measure the exact degree of culpability contained in a given crime, and to prescribe precisely the amount and quality of penalty necessary to balance the offense, is absurd, and inevitably unjust in its application, and too often defeats the most important object in connection with the treatment of the criminal, namely, the protection of society.

However, the Prison Association holds, regardless of the diversified views relative to the crime situation, that crime can be markedly reduced by the certain, prompt, and impartial administration of criminal justice. That, in part, is the explanation for the more satisfactory situation with respect to crime in England. A brief demonstration in accordance with the new legislation (see page 71), in our own State, during the latter part of 1926, proves that beyond dispute. Certainty and promptness of punishment is what the professional criminal fears.





Revised Lay-out of Buildings for the New Sing Sing

## CHAPTER I

### RECOMMENDATIONS TO THE LEGISLATURE

1. Legislation should be enacted similar to that which exists in the State of Massachusetts (amendment to General Laws, chapter 415, 1921, chapter 169, 1925), making it mandatory upon clerks of court to report to the Department of Mental Diseases all persons:
  1. Accused of a capital crime (murder in the first degree).
  2. Indicted or bound over for a felony who
    - (a) Have been previously convicted of a felony, or
    - (b) Have been previously indicted for any other offense more than once.

#### *Commentary*

In the State of Massachusetts, upon receipt of such report, the Department assigns two psychiatrists who examine the prisoner and report regarding his mental condition and the existence of any mental disease or defect which would affect his criminal responsibility. The report of the psychiatrists (for which the modest fee of \$4.00 is provided by law) is forwarded by the Department to the court, and is available not only to the court, but to the district attorney and the counsel for the accused. The report itself is not admissible as evidence, but the psychiatrists can be summoned by either side to testify as to their findings.

Up to October 15, 1926, 366 cases had been reported to the Department as falling under the operation of the Massachusetts law, and of these about 225 were cases of individuals indicted or bound over for grand jury action, charged with murder in the first degree. It is highly probable of course that many other persons indicted for felony should have been reported under this law. Probably the chief reason for such failure to report was the fact that the clerk of the court in many instances was not aware of the defendant's previous record. An amendment to the law, in 1925, provides for the payment of a fee of four dollars for a penalty on the clerk of the court for failure to report cases coming under the law.

In spite of the allegations loosely made in certain quarters to the effect that if psychiatrists were given their way they would find the defendant insane or mentally defective, it is of interest to know that only about 21 per cent of the total number examined were reported as insane or defective. It should be further noted, that by the early recognition of psychopathic or defective individuals a number of lengthy and expensive trials have been avoided. The district attorneys

and the courts have paid marked respect to the neutral position of the examining psychiatrists.

It is further reported that in the last five years there have not been over two or three criminal cases of importance in which partisan experts engaged in a legal duel.

*For New York State*

A similar procedure, such as that provided under the Massachusetts law, is recommended for the State of New York, and should be carried on through the newly created Department of Mental Hygiene, which Department corresponds in a way to the Department of Mental Diseases in the State of Massachusetts.

2. Legislation should be enacted giving a definite status to the reception and classification unit at Sing Sing Prison, commonly referred to as the psychiatric clinic, and, in addition, legislative provision should be made which will require that all commitments to a State prison be made directly to the receiving and classification unit at Sing Sing. At the present time commitments are made on the basis of judicial districts. It is estimated that about 70 per cent of those committed to State prisons are first received at Sing Sing, while the others are received at Auburn, Great Meadow, or Dannemora prisons. However, in order to make for the proper functioning of the reception and classification clinic, and the more intelligent distribution of the prison population, it is essential that all commitments be direct to the clinic.
3. That increased funds be made available to allow for the expansion and development of the Bureau of Criminal Identification and Information, which will be a part of the State Department of Correction. At the present time the bureau is undermanned and is lacking in equipment. If it is to satisfactorily cooperate with the Federal Bureau of Criminal Identification in the Department of Justice in Washington, D. C., and if it is to serve as a valuable adjunct to the reception and classification unit at Sing Sing, and to the district attorneys, the police officials, and others in this and other states, it must be more than a bureau for the receiving and filing of finger prints and Bertillon measurements, but, in addition, must be a storehouse of all possible information relative to prisoners, such as criminal activities, family history, school history, work history, medical and mental history, etc.
4. That Congress be memorialized to the end that national legislation be passed regarding the use and distribution of pistols, particularly as it relates to the shipment of pistols from one state to another, by parcel post, express, or other means. Of course national legislation will not entirely eliminate the existence or use of pistols, or other dangerous weapons, but should prove effective in the effort to solve the problem.

5. That legislation be enacted which will provide that a person convicted two or more times of a major misdemeanor, when for the first time convicted of a felony, may, in the discretion of the trial judge, be sentenced as a first offender level, and thereby receive an indeterminate sentence, or as a second offender, and thereby receive a definite sentence.
6. Legislation should be enacted which will provide compensation for prisoners who are permanently disabled, through no fault of their own, while engaged at work in a prison industry.
7. The following recommendations made by Mr. George W. Alger, the Moreland Act Commissioner appointed by the Governor to investigate the parole system of the State, and the administration of the prisons generally, are so wholly in accord with the sentiments of the Prison Association that it is respectfully urged that they be put into practice:
  1. The abolition of the present part-time parole board.
  2. The appointment of a board of three full-time commissioners, with salaries of \$7,500 for two members of the new board, and \$8,500 for the chairman.
  3. The addition of ten parole officers to the force now in existence, with salaries ranging from \$1,800 to \$2,250.\*
  4. Consolidation of the present parole force consisting of four officers assigned to State prisons and six assigned to the reformatory at Elmira.
  5. The appointment of a specially qualified parole officer at each of the State prisons to gather data and act as liaison officer to the division of parole.
  6. The establishment of a method of collecting and tabulating information required by the division of parole and agreement thereon between the Division and the Commissioner of Correction.
  7. Parole records now in the custody of the wardens of prisons to be turned over to the division of parole.
  8. The division to have a central office at Sing Sing Prison, and branch offices in New York City, Buffalo, and such other places as may be necessary.
  9. The division to act as advisory board on questions of pardon; to exercise its own initiative in recommending pardons; and to have the power of subpoena.†

\* The Prison Association feels that the minimum salary should be \$2,000, and the maximum between \$2,500 and \$3,000, and that the number of parole officers be increased to at least twenty-five, so as to hasten the complete taking over of the parole supervision by the State.

† The Prison Association is of the opinion that the parole board in applying itself will have plenty of work directly identified with parole to keep it fully occupied, and, therefore, in this connection it might be advisable to consider the creating of a division in the executive department of the new state government to deal with the matter of pardons.

10. The appointment of a secretary to take over the work now performed for the Board of Parole by the chief clerk of the Prison Department.
11. That there be developed an articulate central administrative control of the prisons, and this, of course, can be worked out through the clerical office in Albany and the clinic at Sing Sing.
12. That more guards and more clerical employees be provided for Clinton Prison and also for Great Meadow Prison.
13. That the liberal practice of allowing the inmates of Sing Sing Prison to receive packages at any time from friends and relatives be discontinued. This privilege applies to Sing Sing only.
14. That in transfers from one prison to another specific mention be made in the record of the reason for the transfer.
15. That there be a re-classification of the prison population, and this, of course, can be worked out through the central office and the clinic. A system of classification will remedy the situation which allows young boys of reformatory age to be housed at Sing Sing and the other State prisons with hardened and experienced offenders, and will, at the same time, allow the transferring of mental defectives and seemingly unreformable inmates from Elmira and other institutions to institutions suitable for their needs.
16. That the age limits for commitments to Elmira be changed from 16 to 30 to 16 to 25.

The Prison Association further recommends that:

8. Legislation intended to improve the county jail system in this State should be enacted. The glaring defects and abuses that exist in our county jail system have been described again and again in the reports of the Prison Association of New York. The county jails should be under the administrative control of the State Department of Correction. Constitutional restrictions make this difficult as an immediate change, but it is possible to effect by legislation the commitment and custody of sentenced prisoners in the jails. They could be sentenced to the county penitentiaries, which should be taken over by the State and placed under the jurisdiction of the State Department of Correction. The county penitentiaries can be made places of reformation, but so long as they are under county management there is little chance for the development of systematic industry and reformatory influences.

9. Legislation should be enacted requiring the Federal government to provide more satisfactorily than at present for the detention of Federal prisoners in New York State. These prisoners are kept in county jails, which results in overcrowding and makes impossible in some instances observance of the laws relative to the separation and classification of prisoners, and, in addition, the Federal government pays a charge which is unfair to the taxpayers of the various counties. A study should be made to determine the desirability of erecting a Federal jail somewhere in New York State, or in the State of Connecticut, so that Federal prisoners can be taken care of directly by the Federal government.

(See pages 117 to 119 showing the situation in New York City with respect to the housing of Federal prisoners.)

## CHAPTER II

## THE PRISON ASSOCIATION IN 1926

**Progress.**

The year 1926 has witnessed the fulfillment of recommendations initiated or long advocated by the Prison Association of New York. These will be treated upon at length in the following pages, but, briefly stated, they are as follows:

1. The enactment of legislation (chapter 606, Laws of 1926) establishing a state department of correction.
2. The granting of funds by the legislature for the equipment and personnel necessary for the operation of the Sing Sing clinic (chapters 575 and 628, Laws of 1926).
3. The recommendation of the Moreland Act Commission, George W. Alger, appointed by Governor Smith to investigate the State parole system and the condition of the state prisons generally, to the effect that the present parole board, giving part time service, be abolished, and that there be established instead a *full time service parole board*.
4. The appropriation by the budget authorities of the City of New York, which makes possible the taking over by the city of the probation work in the Court of General Sessions.
5. The appointment of a State Crime Commission.
6. The allowing of funds by the 1926 Legislature to provide additional cell buildings and other buildings at Sing Sing Prison, thereby assuring the completion of the so-called new Sing Sing.
7. The enactment of chapter 494 of the Laws of 1926, providing that a sentence for natural life be given for a fourth conviction felony.
8. The enactment of chapter 457 of the Laws of 1926, providing that one indicted as a first offender, or convicted as a first offender, who is subsequently found to be a second offender, can be sentenced as such.
9. The enactment of considerable legislation making for the improvement of the administration of the bail system.

**State Department of Correction.**

One of the eighteen civil departments in the State government, made possible through the constitutional amendment approved by the people in the fall of 1925, is a State Department of Correction. The organization of a State Department of Correction was urged for more than twenty

years by the Prison Association. Central control of some of the custodial and penal institutions of the State was urged for decades before the term "department of correction" was used. The appointment by Governor Alfred E. Smith, in 1919, of a Reconstruction Commission to study the scattered and top heavy organization of the existing state government, gave decided impetus to the proposal of a State Department of Correction.

The Prison Association feels that the establishment of a State Department of Correction is an important advance toward better organization and machinery to deal with the correctional problems in the State. For details of the organization of the State Department of Correction see pages 69 to 71.

**Sing Sing Clinic.**

While the State has been committed to the idea of a Reception and Classification Clinic at Sing Sing since 1916, and the building has been ready for occupancy for some years, there was no live interest shown by the Prison Department for the setting into operation of the clinic. The Prison Association made special effort for four successive years to have an appropriation made for the equipment and personnel of the clinic, with the result that in 1926 the Legislature provided \$40,000. Through the careful selection of Dr. Walter B. James of the Executive Committee of the Prison Association, Dr. C. Floyd Haviland of the State Hospital Commission, and Dr. George Kirby of the Manhattan State Hospital, the name of Dr. Amos T. Baker, Superintendent of the State Reformatory for Women at Bedford, was suggested to Superintendent of Prisons James L. Long, for the directorship of the Receiving and Classification Clinic, and was approved. Dr. Baker, at this writing, is organizing his staff and will begin his important work the first week in January, 1927.

The Prison Association does not feel that miracles will be performed through the psychiatric clinic at Sing Sing, but it does have profound hope that under the leadership of Dr. Baker, and through the zealous work of his staff, the people of the State of New York will in time know more about crime and criminals, and that there will result a more intelligent handling of the inmates of our prisons, and, finally, that there will result better protection for society.\* The Association pledges Dr. Baker its earnest interest and cooperation for the fulfillment of his important responsibility.

\* In this connection it is interesting to study the classification suggested by the Committee on Classification of the Medical Section of the American Prison Association, at the time of the Fifty-Sixth Annual Congress in Pittsburgh, October, 1926. The doctors constituting the committee that drew up the proposed classification are identified with hospitals for the insane, institutions for mentally defective delinquents, State prisons and reformatories. They have all had years of close contact with, and opportunity for intelligent study of the criminal. (See pages 124 to 128.)

The Prison Association is largely responsible for the introduction of the indeterminate sentence in this State, and, therefore, has always been eager for its conscientious and thorough administration. However, regarding its administration, the Association has been an outstanding, consistent, and long time critic, antedating the general condemnation which has been prevalent now for more than two years. The situation has changed little since 1916, when the Association made an exhaustive survey, and its legislative efforts to improve the situation since that date have always been defeated.

Briefly the criticisms of the Association are as follows:

1. That the members do not give sufficient time to the work. They give three, or four, or five days a month, eleven months of the year, much of which time is consumed in traveling between the prisons. The meetings at each prison take but a few hours.
2. That the members are not thoroughly familiar, nor do they take the trouble to familiarize themselves with the facts pertaining to different cases coming before them.
3. The State does not provide for the supervision of those on parole, the work being done, first by the Prison Association, and in more recent years by other organizations, the Prison Association, of course, continuing.
4. The study and preparation of the man within the institution is rather perfunctory and haphazard, and little or no individual attention is given in the matter of judging fitness for parole. This ties up particularly with the procedure of allowing time off for good conduct or satisfactory performance of duties assigned. In other words, the principal requisite now for earning time off for parole is good conduct within the institution, and all of us who know anything about offenders have long ago learned that too frequently the worst type of offenders behave themselves best within the institution. The Parole Board accepts, with practically no check up of its own, information which is received from prison officials on the conduct and achievements of the man. True it is that too frequently the Board members do not have any idea of what the man looks like, or what his voice sounds like, until he comes before them for a few minutes during the meeting. In past years one or two of the incumbents made it a practice to interview men days in advance of the meeting.

5. Little attention is given by the Board to the facts relating to the man's pre-institutional life. Further, little or no attention is given to the factors relating to the man's living subsequent to his release, that is, the Board does not require a pre-parole investigation of the man's home conditions, family conditions, neighborhood conditions, work possibilities, etc., etc.

The increasing criticisms of the Parole Board during the years 1925 and 1926 reached their height with the proposed release of a prisoner known as Izzy Presser, in April, 1926. While the Parole Board had little or no jurisdiction in this particular case, it, nevertheless, in a routine way approved the proposal, and there followed widespread protest by the press, the courts, organizations, and public spirited citizens. Governor Smith then appointed, under the Moreland Act, Mr. George W. Alger to investigate the proposed release of Presser, the operation of the indeterminate sentence, the activities of the Parole Board, parole supervision, and the administration of the prisons generally. In this investigation the Prison Association gave wholeheartedly the benefit of its long years of experience and knowledge.

Mr. Alger's careful and impartial discharge of the responsibility given him by the Governor resulted in constructive recommendations which, if followed, will put the administration of the indeterminate sentence and parole, and the administration of the prisons on a sound basis. The Executive Committee of the Association, at a meeting held on December 16, 1926, unanimously approved Mr. Alger's findings and recommendations in a letter to the press, as follows:

December 17, 1926.

The Executive Committee of the Prison Association of New York, at its meeting yesterday, voiced unanimous approval of the report by Mr. George W. Alger, the Moreland Act Commissioner appointed by Governor Smith. It is the opinion of the Committee that his report is the most outstanding contribution, thus far, toward the solution of the many complex problems relating to parole and the administration of the penal and correctional institutions of the State, and deserves public support and praise.

The suggestions of Mr. Alger on the administration of the indeterminate sentence, and its complement, parole, if followed, will, within a short time, demonstrate the soundness of the theory, and will make for greater public protection than has heretofore been possible because of haphazard and perfunctory procedure. The determining of the fitness of a prisoner for release requires more than a cursory judgment of his conduct within the institution. It is a serious responsibility and demands a highly qualified parole board, giving full time service. Further, there must be provided an adequate staff of parole officers to supervise those on parole, and these must be trained parole officers.

Mr. Alger's findings with respect to some of the administrative details of the institutions, the general handling of the institution populations, and the archaic buildings, are further evidence of public indifference and its unwillingness to take the prison problem seriously. Too long have we proceeded on the theory that when once a man is convicted and committed to a penal institution society is protected. Most of those who go to prison are to be released at some time, and until we have a system which will make for the building of character and the general training of the offender for a law abiding life, and, further, until we have a more generally operative system which will

allow for the weeding out, through scientific means, of those who cannot, for some reason or other, conduct themselves in accordance with the requirements of the outside world, and until provision is made for their permanent custodial care, there is little hope for progress.

Mr. Alger's recommendations point the way for the establishment of a prison system which will make for a maximum of public protection, and therefore deserves increasing public support. While the report and recommendations are excellent, still better will be the putting into action of the intelligence and understanding they evince.

(Signed) EUGENE SMITH,  
President.

Gratifying to the Prison Association is Mr. Alger's recommendation in connection with parole: that there be a *full time service Parole Board*. This we have been urging for years. The year 1927 should see a new day for the operation of the indeterminate sentence and parole in the State of New York. It is entirely within the power of the Governor and the Legislature to make the required changes to this end, and it is therefore the hope of the Prison Association that they will act.

#### Probation in the Court of General Sessions.

As pointed out in previous reports, the Association has had a representative in the Court of General Sessions in the City of New York for eighty years, and the first probation law in the State was drawn by a former General Secretary of the Association, the late Dr. Samuel J. Barrows, and its passage in 1901 expedited by him. Before Dr. Barrows died in 1909 he began a movement which had as its purpose the requiring of the city to take over the probation work in the Court of General Sessions. The Association has continually through the years urged that this be done, although there has been opposition at various times in different quarters.

When legislation was proposed in 1925 which would make possible the requiring of the city to provide a budget for the probation work in the court, the Prison Association heartily welcomed the increased support then available, and doubled its efforts to make certain of the passage of the bill before the Legislature.

In the making of the 1927 budget for the City of New York provision was made for the appointment of a chief probation officer, two deputies, twenty-seven probation officers, one secretary-stenographer, ten stenographers, five typists, two record clerks, one switchboard operator and one information clerk. The appropriation for this staff was \$129,326, and for equipment and incidentals, \$11,050.

Beginning January 1, 1927, the volunteer organizations, such as the Prison Association, will be relieved of the probation work.

Mr. D. E. Kimball, for over forty-two years a member of the staff of the Prison Association, and its representative in the Court of General Sessions, has been appointed a deputy probation officer. Thus there comes to a fruitful conclusion an effort started by the Prison Association more than seventeen years ago.

In reply to a letter to the judges of the Court of General Sessions, advising them that the Prison Association would not continue its probation work in the court subsequent to January 1, 1927, because the city had appropriated funds to carry on that work, the following communication was received:

December 20, 1926.

DEAR MR. CASE.—Yours of the 18th instant is at hand and I am much interested in the facts stated as to the connection of the Prison Association with probation work. I regret extremely that you and your Association will not be directly represented in our probation work, but trust that Mr. Kimball and Miss Sprague will be with us many years as officers under the new arrangement. All the judges have very much appreciated the work of the Association during the past years, and while they feel that the new arrangement is proper, they regret the withdrawal of your work.

Yours very truly,  
(Signed) CHARLES C. NOTT, JR.,  
Judge, Court of General Sessions.

An additional communication was addressed to our probation worker, Mr. Kimball, by Judge Levine:

My DEAR MR. KIMBALL.—Permit me to express to you my compliments upon the successful handling of the Protestant Bureau work for the past year. The original reports which your Bureau rendered upon the numerous cases of defendants who appeared before me in the various Parts of our Court here, were complete to the minutest detail, and proved to be one of the very best mediums in the guidance of my judgment, when passing sentence upon these defendants. It was a large task, but it was handled in a highly successful manner by your Bureau.

In entering upon the New Year, it is my earnest wish that you may continue with success and the same good measure of helpfulness, as you have rendered in the past.

Yours very sincerely,  
(Signed) MAX S. LEVINE.

#### State Crime Commission.

The Association, during the 1925 session of the legislature attempted to obtain the passage of a resolution allowing for the appointment of a Joint Legislative Committee to make a study of the criminal law of the State and its administration and execution, including the methods and practices of governmental offices and agencies whereby the criminal law is enforced. However, there was provided by the 1925 Legislature a Joint Legislative Committee on the Coordination of Civil and Criminal Practice Acts, more commonly known as the Baumes Committee—Senator Caleb H. Baumes of Newburgh, being chairman. That committee rendered a generally acceptable and dispassionate report, and fulfilled to some extent the purposes intended in the request made in 1925 by the Prison Association for the appointment of a Joint Legislative Committee. The Executive Committee of the Prison Association, at its March meeting in 1926, passed the following resolution:

The Prison Association of New York stands first for the protection of society against crime, and in the fulfillment of this purpose is in accord with efforts to improve the machinery of criminal justice to the extent that society will be best protected.

The Executive Committee of the Association is of the opinion that Senator Baumes and his associates on the Joint Legislative Committee on the Coordination of Civil and Criminal Practice Acts, are to be commended for the care and effort in the preparation of their report. Considering the task that confronted the Committee and the general public alarm relative to crime, it is felt that its findings are far-reaching and generally dispassionate.

While the Executive Committee, on report of its Law Committee, may not approve wholly in detail the conclusions and the legislation offered by the Legislative Committee, it nevertheless has sufficient confidence in the report to justify the feeling that it is a step in the right direction, and will aid in obtaining the much desired result, to wit, certain and prompt administration of criminal justice.

The Joint Legislative Committee was reorganized and continued under the title of State Crime Commission by the 1926 Legislature, and its authority permits the further scope of inquiry intended by the Prison Association in its recommendation to the 1925 Legislature, so that the two bodies, appointed by two Legislatures, can accomplish through inquiry and subsequent legislation much that is held essential by the Prison Association in the present crime situation.

During the year the Association was heard on several occasions by the Crime Commission, in full session, and its individual members have been in contact with the Association frequently.

At a hearing of the State Crime Commission on July 2, 1926, the Association suggested the following lines of inquiry:

1. To what extent is it true in New York State.

- (a) That too many crimes are committed by those who are not apprehended.
- (b) That there are too many offenders who are not indicted.
- (c) That too many offenders are indicted who are not tried.
- (d) That too many of those who are prosecuted are acquitted.
- (e) That too many of those who are indicted escape prosecution, conviction, or punishment in ways other than by acquittal.
- (f) That too many who are indicted for a high degree of crime are allowed to plead guilty to a lower degree of crime. This practice is referred to by prisoners as the "copping of a plea."<sup>78</sup>

<sup>78</sup> It is interesting to note that in passing upon the so-called Baumes laws (December, 1926), particularly the amendment giving life imprisonment for a fourth conviction felony, and in upholding its validity, the Appellate Division of the Supreme Court, First Department, denounced the tendency in recent years toward laxity in law enforcement and leniency to criminals by district attorneys and judges, especially in accepting pleas of guilty to minor charges from persons accused of more serious crimes. The Appellate Division held that this abuse of discretion had led to an increase in crime, and had justified the Legislature in making the imposition of life imprisonment for fourth offenders mandatory upon judges. The Appellate Division also warned judges that they must enforce the laws and must not refuse to obey them because their discretion has been taken away.

2. That a diligent study be made of the daily working of several of the large criminal courts in the State. It is sometimes stated in the press that various courts are speeding up, and the question arises as to whether there is need of occasional speed ups, or whether there is more need of a day after day steady utilization of the maximum of the court machinery.
3. That legislation be passed requiring that the State Bureau of Criminal Identification and Information in Albany, and other similar bureaus within the State, cooperate as a matter of daily routine in the exchange of information with the Bureau of Investigation (Federal Criminal Identification Bureau) of the Department of Justice, Washington, D. C., the Director of which is J. Edgar Hoover.
4. The inequality of sentences given by the various judges throughout the State for crimes seemingly similar.
5. The lack of educational trade training facilities and adequate employment for the inmates of our State prisons.
6. The deplorable idleness existing in our county penitentiaries and jails, and particularly in the New York County Penitentiary, the Workhouse, and the branches of both institutions. This condition in the absence of proper classification and segregation stands as an increasing menace to society.
7. The need for a reorganization of the county jail system in this State. A careful study has been made by a committee made up of a number of interested organizations, and headed by Mr. George W. Wickersham, and the report of that study is easily available for the members of your commission. The report contains interesting data on the inmates of the county jails and important recommendations.
8. There should be a thorough going over of the Prison Law. The present language in some of the sections is awkward, perhaps conflicting, and ambiguous.
9. The desirability of allowing for the fullest demonstration of the value of the reception and classification unit at Sing Sing, commonly referred to as the "psychiatric clinic." After a delay of many years the State has finally appropriated the sum of \$40,000 for the setting into operation of the clinic, and if given a fair trial it is felt in many quarters that it will increasingly prove its value, not only in the disclosing of valuable information relative to crime and criminals, but in the classification,

distribution and treatment of those within the institutions. The eyes of other States and of European countries have long been directed toward this much talked of clinic. It was found in Belgium in the summer of 1925 that prison officials in that country are making considerable headway by the application of scientific methods in dealing with the inmates of their institutions. The work being conducted at the Prison de la Forêt in Brussels—Dr. L. Vervaeck, Director—is a beacon light of progress.

10. The need for enlarging the institution for mentally defective delinquents at Napanoch. The public is slowly beginning to grasp the idea that some of those who go to our penal and correctional institutions are in need of what is commonly referred to as permanent custodial care, that is, life imprisonment. The institution at present is overcrowded, and hampered in its work because of the lack of facilities to do a difficult service.
11. A more satisfactory application of the theory of the indeterminate sentence so far as it relates to our State prisons. The indeterminate sentence has suffered because of unsatisfactory administration. It has numerous advantages, and when properly administered will show itself to be the most satisfactory way of dealing with prisoners. At the Ninth International Prison Congress, held in London in the summer of 1925, the representatives of fifty-six countries, after serious deliberation, unanimously indorsed the indeterminate sentence.
12. In connection with the indeterminate sentence a complete reorganization of the parole work of the State, and the providing for a full time service parole board. This will be dealt with, of course, by the Moreland Commissioner appointed by Governor Smith. Mr. George W. Alger, but your commission should lend its weight and influence to the legislation that will undoubtedly be presented to carry out the recommendations of Mr. Alger.
13. That the commission visit the various penal and correctional institutions in the State and plan to give adequate time for a study of the workings of the institutions and the problems which confront the administrators.

Another communication to the State Crime Commission suggested the following:

1. That a very close observation and study be made of the daily operation of the criminal courts within the City of New York, to determine to what extent they are functioning, in keeping with the number of judges and other personnel, in the speedy administration of criminal justice.

2. That a thorough study be made of the sentences imposed by the judges of the higher criminal courts within the City of New York, with a view of comparing the sentences imposed on first offenders with the sentences imposed on second or more frequent offenders.
8. That a study be made of the use of probation in the Magistrates', Special Sessions, Court of General Sessions, and the County Courts within the City of New York, to determine to what extent this method of dealing with the lawbreaker is wisely applied and administered.
4. That a thorough investigation be made of the disadvantage, inconvenience, and inefficiency which is now experienced through the lack of a central bureau of criminal identification and information within the City of New York. The Prison Association, in its annual reports to the Legislature and through other means, has continually urged the consolidation of the existing bureaus of criminal identification and information.

Subsequent to the submission of Mr. George W. Alger's report on the parole situation in the State, the Prison Association was again heard at length by the Crime Commission. At this hearing the Association held to Mr. Alger's findings, and urged most earnestly the continuation of the indeterminate sentence and parole, and the creation of a full time service Parole Board. Later reports indicate that the Crime Commission will adhere closely to the recommendations made by Mr. Alger in the matter of parole, and will support the idea of a full time service Parole Board.

The Prison Association played a conspicuous part in the campaign which resulted in the passage of legislation, in 1916, for a new Sing Sing. However, only two buildings have been completed, with the result that the greater part of the old and objectionable cell block remains in use ten years after the State decided to build a new prison. The Association continually urged the appropriation of additional money for the construction of the new prison. The sum of \$2,775,000 (chapter 291, Laws of 1926) was appropriated by the 1926 Legislature, and it is hoped that the work will be speedily executed.

For years the Association has been convinced that a certain number of those frequently convicted of crime, or otherwise dangerous to public safety, should be permanently segregated from society. This is done in the case of the insane and there has been little or no public protest. However, there are those of criminal propensities, who are not insane, but who are just as dangerous. The provisions of the law creating the State Institution for Defective Delinquents at Napanoch (chapter 483, Laws of 1921) makes possible life imprisonment through a direct commitment by the court, but this applies only to those who are declared mentally defective. However, there are those who do not



come under the Napanoch law, but who are seemingly incapable of conducting themselves in accordance with the requirements of the outside world and frequently resort to criminal acts. The ideal system, as is being urged in the recommendation of the Prison Association to the Legislature this year, is that certain offenders be examined at the time of indictment or commitment. However, in the absence of such arrangement, it is necessary in the interests of community protection, that those frequently convicted of crime should be permanently segregated. Therefore, the Association urged upon the 1926 Legislature that there be enacted an amendment to section 211-b of the Prison Law, and section 1942 of the Penal Law, and other sections of either law where necessary, to provide that a conviction for the fourth time of a felony carry with it a life sentence, which cannot be interrupted except by commutation or pardon by the Governor of the State. This was also recommended by the so-called Baumes Committee, and there resulted the enactment of chapter 494 of the Laws of 1926. In recent months there has been some protest against the severity of this change in the law, and there has been pointed out one or two cases where it has seemingly worked an injustice, that is, where a prisoner has apparently conducted himself satisfactorily over a period of years between his third and fourth conviction for a felony. However, cases of that kind can be taken care of through executive clemency. There is no doubt that the life sentence provision has struck terror to the professional and organized criminals, and if reports are accurate some of those have removed their activities to other states. It is felt by the Association that in spite of the protest above mentioned the life sentence provision should stand at least for another year.

There is no doubt that if the criminal records now kept in the files of municipal and county departments, and in many cases incomplete, were transferred to a central bureau, criminal justice could be more satisfactorily administered. As pointed out in the 1923 Annual Report of the Prison Association, criminal records in the city of New York are now being filed by the police, the county and magistrates' courts, the court of special and general sessions, the district attorneys, and the department of correction, with the result that complete records are not easily available, since they are scattered in all directions. Criminals of the professional type have the benefit of this cumbersome and multiple arrangement. Since the Association, in 1923, pointed out these defects, numerous public officials, newspapers, public spirited citizens, and the representatives of various agencies, have joined in the complaint of lack of coordination in the work of the various bureaus conducted by the city for criminal identification and information, and have urged that there be some form of consolidation.

The Prison Association, in 1926, continued its effort to bring about a consolidation, and at the beginning of the year addressed a communication to the Board of Estimate and Apportionment, urging action on the proposal. During the year the matter has

been in the hands of the Mayor's Committee for the Conservation of Life and Property, and considerable additional study of it has been made by Chief Justice Kernochan of the Court of Special Sessions, who has acted as Secretary of the Mayor's Committee. He has been in frequent conference with Chief Magistrate McAdoo and Police Commissioner McLaughlin, and, early in 1927, there will probably result the beginning of a central bureau by an increase in the personnel, equipment, and scope of activity of the Bureau of Identification in the Police Department.

Since he took office Police Commissioner McLaughlin has been earnest in his efforts to increase the personnel, equipment, and efficiency of the Police Department. During the

month of October, 1926, there was noted through the press some hesitancy on the part of the Board of Estimate and Apportionment to grant the Commissioner's application for an appropriation for additional personnel and equipment, and the Executive Committee of the Association addressed the following letter to the Board:

October 15, 1926.

BOARD OF ESTIMATE AND APPORTIONMENT, Municipal Building, New York City:

GENTLEMEN.—The Prison Association of New York, formed more than eighty years ago for the protection of society from crime, having noted your rejection of Commissioner McLaughlin's application for an appropriation of \$2,500,000 to provide 2,000 additional patrolmen, and other needs for the department, respectfully requests you to reconsider this appropriation for the following reasons:

The gunmen of New York have been carrying on war against the lives and property of our citizens with a boldness which has rapidly increased during recent years. Under lax city government, an insufficient police force, easy bail facilities, complaisant juries, and with the automobile as an ally, crime has been organized and developed to a point where it becomes a question: which rules the city, the gunmen or the citizens. In this alarming situation, Commissioner McLaughlin, during the short time in which he has headed the Police Department, has won the confidence of New Yorkers. When the Commissioner in his fight for law and order asks for more patrolmen to make New York safe, your Board assumes a heavy responsibility in saying "No." It cannot be said that New York City lacks the money to defend itself against crime. Self protection is the first law of nature, and New York citizens have a right to have as many patrolmen as may be necessary to protect their lives and property, and the best judge of this number is Commissioner McLaughlin. In the past years, crime investigations have led uniformly to revelations of sinister connections between crime and politics. Are New Yorkers to believe that the professional criminals are now powerful enough to defeat reasonable requests to safeguard the citizenry?

We urge your Board to grant this vital appropriation asked for by Commissioner McLaughlin.

Very truly yours,

THE PRISON ASSOCIATION OF NEW YORK,

By EUGENE SMITH,  
President.

The Board of Estimate and Apportionment, yielding to the public support given to Commissioner McLaughlin's request, allowed funds for the adding of 1,000 patrolmen, twenty lieutenants, and four inspectors to the force, and also equipment.

Commissioner McLaughlin acknowledged the cooperation of the Association by the following letter:

October 18, 1920.

MR. EUGENE SMITH, *President, The Prison Association of New York*, 135 East 16th Street, N. Y. C.:

MY DEAR MR. SMITH.—I thank you very kindly for your timely support in connection with my request for the appropriation of sufficient funds in the police budget of 1920 to provide for additional patrolmen and equipment.

Very truly yours,

(Signed) GEORGE V. McLAUGHLIN,  
*Police Commissioner.*

In connection with the movement for the enlargement of the police force of the City of New York, the following data is of interest:

CITIES	Population, 1920	Area, square miles	Number of men on police force	Average number of arrests	Annual cost
New York	5,620,048	316	13,154	346,270	\$35,797,066
Chicago	2,701,705	300	6,010	342,602	13,194,513
Philadelphia	1,822,779	129.71	4,943	187,759	9,492,322
Detroit	993,678	93	2,512	62,187	6,659,891
Cleveland	798,841	69	1,894	58,155	2,748,112
St. Louis	772,507	64.37	1,849	71,555	4,717,000
Boston	748,060	18	1,966	83,917	4,551,512
Baltimore	733,826	61.93	1,777	88,307	2,984,827
Pittsburgh	588,943	44	1,764	61,473	2,034,553
Los Angeles	576,673	40	2,514	150,096	4,670,056
Buffalo	426,716	42	1,109	34,983	2,343,398
San Francisco	506,676	46.5	1,117	46,180	2,553,364
Milwaukee	457,147	27	872	25,443	1,748,856
Washington	437,871	69	1,153	76,021	1,903,347
Newark	414,224	23.4	1,061	19,056	2,280,390
Cincinnati	401,247	72	767	46,686	1,035,590
New Orleans	387,219	196	641	41,338	963,445
Minneapolis	380,822	85.20	524	19,939	1,096,424
Kansas City	324,410	65	652	49,321	1,259,009
Seattle	315,632	44.47	820	63,520	1,295,439
Indianapolis	314,194	59.45	540	58,987	983,317
Jersey City	298,103	19	820	11,249	1,996,306
Rochester	295,700	27	422	6,440	973,393
Portland, Ore.	258,288	63	387	25,390	812,361
Denver	246,091	58.75	524	19,939	733,287
Toledo	243,109	38	388	18,430	812,182
Providence	237,695	18.94	503	19,969	1,115,147
Columbus	237,208	37	359	14,196	632,631
Louisville	234,891	39.18	378	18,807	745,262
St. Paul	234,036	65	369	11,520	935,246

FOREIGN CITIES

1923	1920		
London, Eng. (Greater)	7,746,000	700	3,001 ( Sergeants), 506 (Officers), 16,867 (Patrolmen).
Total			20,464
Paris (Dept. of Seine)	4,154,042		1,093 (Officers), 7,494 (Patrolmen).
Total			8,507
Berlin (Greater)	4,114,000		650 (Officers), 5,724 (Patrolmen).
Total			6,374
Vienna	2,031,408		469 (Officers), 4,137 (Patrolmen).
Total			4,606
Rome	664,000		2,619

Cooperation  
U. S. Bureau of  
Census.

At the request of representatives of several organizations actively interested in the compilation of statistics relating to crime and insanity, a conference, called by the Director of the Census, Mr. W. M. Steuart, was held at the Bureau of the Census in Washington, D. C., on April 28, 1926, to consider what could be done toward providing for the annual compilation of statistics relating to the inmates of prisons and reformatories, hospitals for the insane, and other institutions for the defective, dependent and delinquent classes, the decennial compilations authorized by the existing law being deemed insufficient.

The conference was attended by the following persons: Sanford Bates, President of the American Prison Association and Commissioner of Correction of Massachusetts; E. R. Cass, General Secretary of the American Prison Association and the Prison Association of New York; Frederic B. Crossley, Chairman of the Committee on Records and Statistics of the American Institute of Criminal Law and Criminology; Emil Frankel, Statistician of the Pennsylvania State Department of Welfare; Dr. Hastings H. Hart, Consultant in Delinquency and Penology of the Russell Sage Foundation; Horatio M. Pollock, Statistician of the New York State Hospital Commission, and representing the American Psychiatric Association and the American Statistical Association; Dr. Frankwood E. Williams, Medical Director, The National Committee for Mental Hygiene; Dr. George K. Pratt, Assistant to the Medical Director of The National Committee for Mental Hygiene, and Professor Sam B. Warner, Director of the Committee on Records and Statistics of the American Institute of Criminal Law and Criminology. The Census Bureau was represented by William M. Steuart, Director of the Census; Dr. Joseph A. Hill, Assistant to the Director and Leon N. Truesdell, Chief Statistician for Population.

The resolutions passed by the conference, which are given below, have since been approved by Secretary Hoover, and beginning with this year, annual statistics are to be compiled.

RESOLUTIONS

Section One

WHEREAS, It has become evident that in the rapid current of our present social life more frequent compilation of data in regard to the mentally ill, the feeble-minded, the epileptic, the delinquent, and other dependent and abnormal groups is needed, in order to plan adequately for the care and treatment of these classes and for the prevention of the social disorders and social problems that arise from the presence of these individuals in the community; and

WHEREAS, Several national organizations, including the American Psychiatric Association, the American Statistical Association, the American Institute of Criminal Law and Criminology, the

American Prison Association, and The National Committee for Mental Hygiene, have already gone on record in favor of annual institutional statistics as herein requested; and

WHEREAS, Such data will be eagerly sought by managers of Federal, State, and city institutions, by legislative committees, by State supervisory departments, by social agencies, by departments of sociology in the universities, and by many persons in private life who are deeply interested in social problems; and

WHEREAS, The compilation of such data at ten-year intervals as heretofore is not sufficiently frequent to answer the requirements; therefore, be it resolved

I. That the Bureau of the Census, of the Department of Commerce, should be authorized to collect statistics regarding institutional classes annually, instead of only decennially;

II. That it is the sense of this committee that increasing emphasis should be placed by the Census Bureau on social statistics, to supplement and reinforce the excellent and exhaustive business statistics now gathered by said bureau, and that said social statistics should cover the subjects of mental disease, criminology, poverty, etc., reliable information as to which is essential if our national life and business is to be improved along sound and scientific lines; and

III. That it is the opinion of this committee that the Bureau of the Census should serve as a central office to compile statistics on the basis of reports made by the different institutions, and that the success of the central office under such a plan must depend largely on the cooperation of the States and institutions.

#### Section Two

WHEREAS, The efforts of the American Psychiatric Association and the National Committee for Mental Hygiene during the past nine years in the establishment of a system of uniform statistics in State hospitals throughout the country have laid the foundation and make now practicable the collection of annual statistics on a nation-wide basis; therefore, be it resolved,

IV. That the Federal Census Bureau be requested to collect statistics annually of patients in public and private institutions (exclusive of those for temporary care) for mental disease, mental defects, and epilepsy.

V. That data on the following subjects be collected, tabulated and published:

- a. Movement of patients by sex.
- b. Mental classification of first admissions by sex.
- c. Race, nativity, and parentage of first admissions by sex.
- d. Data for readmissions, to be the same as for first admissions (see b and c).

- e. Mental classification of discharges, by sex and by condition on discharge.
- f. Mental classification of deaths, by sex and by cause of death.
- g. General information and administrative personnel of State hospitals for mental disease and epilepsy and schools for the feeble-minded.
- h. Financial operations of State hospitals for mental disease and epilepsy and schools for the feeble-minded.

VI. That these data be obtained:

- a. From central State agencies in the several States, so far as possible.
- b. From institutions which could supply satisfactory correlated tables, in States where central boards do not exist.
- c. Individual schedules to be obtained by the Federal Census Bureau for such institutions as could not supply satisfactory correlated tables.

VII. That efforts should be made to obtain data for 1926 from as many institutions as are equipped to give it, in the expectation that the report for 1927 will be more complete, and that for 1928 still more complete; and

VIII. That all institutions for the care of the insane, feeble-minded, and epileptic be urged to furnish annually to the Bureau of Census the data necessary for the compilation of statistics, as outlined above.

#### Section Three

WHEREAS, There is a general and increasing demand for authentic information as to the causes, the extent, and the increase or decrease of crime; and

WHEREAS, It is essential in dealing with the perplexing problem of crime that comparable and authoritative annual statistics concerning crime and criminals be collected from the Federal, State, county, and municipal agencies involved in the administration of criminal justice, including police, prosecuting attorneys, courts, and penal institutions; and

WHEREAS, Of these various agencies penal institutions are at present best organized to furnish the information necessary for the publication of such statistics; now, therefore, be it resolved

IX. That the Bureau of the Census, of the Department of Commerce, be urged to include in its program the publication of annual criminal statistics and that such publication be commenced by arranging for the immediate collection, tabulation, and publication of annual statistics relative to the inmates of penal institutions.

*Section Four*

WHEREAS, It is ultimately desirable that statistics be published relating to inmates of all penal institutions, Federal, State, county, and municipal; but recognizing the difficulty of obtaining the information necessary for such statistics from county and municipal institutions at this time; be it resolved

X. That all State penal institutions be urged through the Federal Census Bureau to furnish annually the tables or data necessary for annual national statistics directly to the Bureau of the Census; and

XI. That all State bureaus or departments having control or supervision over penal institutions be urged to collect and tabulate, for possible future compilation by the Bureau of the Census, data with reference to county and municipal institutions.

*Section Five*

WHEREAS, Certain work preliminary to obtaining statistics from State penal institutions has been accomplished by volunteer committees of the American Institute of Criminal Law and Criminology and the American Prison Association, and a sample record card and forms for statistical tables, approved by the Bureau of the Census, have been distributed to, and are now used by, many of such institutions, be it resolved

XII. That the continued use of records similar to those above referred to be considered by the Bureau of the Census, in order that minimum standard statistics consistent with the possibilities of the institutions may be collected;

XIII. That the Census Bureau be requested to make immediate arrangements to collect and tabulate the statistics referred to from such of the State penal institutions as are equipped to furnish them for the calendar year 1926, and that all State penal institutions furnish, beginning January 1, 1927, the information with regard to inmates committed during 1927, and forward it promptly to the Census Bureau in such manner and at such times as it may direct and on forms prescribed by it, not inconsistent with the record card above referred to.

*Section Six*

Be it further resolved

XIV. That better results may be expected and a greater degree of accuracy and reliability achieved if the work of tabulating and correlating statistics (whether gathered by the Census Bureau direct or by the various states) be done by the Census Bureau;

XV. That it is desirable that a manual of instructions and information for the gathering of data by courts, institutions, and other agencies be prepared and submitted for approval to the Census Bureau by this committee and that the Census Bureau be requested to print and circulate the same; and

XVI. That this committee expresses its willingness to assist the Census Bureau in every way in its work of gathering statistics and suggests the appointment of sub-committees to meet and confer with the director at his convenience.

(See pages 120 to 123 for schedules to be used for the annual census for 1926 and 1927 of prisons and reformatories.)

The Association continued its live interest in the affairs of the Department of Correction during the year, and particularly in the effort to regain the \$100,000 in tax notes authorized by the Board of Estimate and Apportionment, in October, 1925, for the grading and preparation of the ground for the proposed new penitentiary on Riker's Island. The city administration taking office January, 1926, rescinded the amount above stated, and therefore made it necessary to bend every effort to convince it of the need for a new penitentiary. Frequent communications were sent to members of the Board of Estimate and Apportionment. One of the communications from the Association is as follows:

June 2, 1926.

HON. JAMES J. WALKER, Mayor, Chairman, Board of Estimate and Apportionment, Municipal Building, New York City:

DEAR SIR.—I am directed by the Executive Committee of the Prison Association of New York to urge that you give favorable consideration to the proposal that the \$100,000 previously allowed for the preparation of penitentiary plans and specifications for a new penitentiary for the Greater City, to be situated on Riker's Island, be again made available.

It is held by our Executive Committee that a new penitentiary and a better way than at present of dealing with those committed to the city correctional institutions represents a vital need in the interests of public welfare and protection. It is realized that you and your associates must weigh carefully at this time the numerous demands that are being made upon the city treasury. However, appreciating thoroughly the need of subways and schools and hospital improvements, it is not easy to overlook the importance of protecting the citizenry from lawbreakers. Commissioner McLaughlin of the Police Department is apparently making every effort to cope with the menacing crime situation. But his work ceases with the commitment of the offender to the custody of the Department of Correction. It then becomes the duty of the Department of Correction to protect the citizens by the safe keeping of prisoners during their period of sentence, but unless the means are available through buildings, equipment, personnel and opportunity for the expansion of activities, this form of protection is only temporary and there is little hope of improving those who are committed to the various correctional institutions. As a matter of fact, the use of the word "correction" in connection with most of the institutions under the jurisdiction of the Department of Correction is a misnomer, because there is an over-abundance of opportunity for mental, moral and physical deterioration in the institutions, rather than a fair opportunity for the improvement of character and the satisfying of all the needs that make for better men and women.

Commissioner Wallis of the Department of Correction is not to be held responsible. He has made earnest effort to do good work with what equipment in buildings and personnel there has been at his command. But with present conditions the task is overwhelming, and the only answer is a new penitentiary that will allow for proper housing, classification, employment and training of those committed.

The city years ago realized the need of a new penitentiary and the general reorganization of the system of handling prisoners in the Department of Correction. Huge sums of money were appropriated, elaborate plans were drawn, and then through one maneuver or another nothing was accomplished of those who were anxious to bring the correctional system of the City of New York to the front—where it belongs. Further as a result, many of those institutions of the Department of Correction—who might have been saved if conditions were different have been lost beyond hope. Idleness and the perils, and the absence of any worth while degree of system that tends toward improvement, is an outstanding evil today and has been for years, and particularly glaring is this condition in the penitentiary.

Commissioner Wallis has advised you in detail of his plans. They call for the removal of the penitentiary to Riker's Island and the making of that Correction available as a city park, and it is hoped eventually the entire Island. To those of us who know the congested districts of our city, and know the dangers and problems which confront our youth, there should be no hesitancy in supporting every movement that will make for more open air and safe play space for our young people.

We hear it stated that prisoners are being coddled, and the general meaning of that term is that they have it easy in our penal and correctional institutions. That certainly applies to the inmates of our penitentiary so far as daily work is concerned. They, in many instances, are having a much easier time, despite the demoralizing atmosphere in which they live, than their mothers, wives and children, some of whom come to us for aid. They are certain of food, shelter, and clothing, good or bad as it may be, but mothers and wives are compelled to labor in their absence while they spend day after day in idleness or at sham employment. The question arises: "Who is being punished?" Work is essential to right living and certainly essential to reformation, and so far as practicable such work should be continued.

If you and your associates will allow the appropriation of \$100,000 for the beginning of operations in connection with a new penitentiary on Riker's Island, part of the threatening and demoralizing problem of idleness at the penitentiary and other institutions of the department can be relieved. It is earnestly hoped that the proposal will meet with your approval.

Respectfully submitted,  
(Signed) E. R. CASS,  
General Secretary.

Frequent meetings were held with representatives of other organizations, and with city officials, for the purpose of keeping the proposal alive. On September 17th, the Mayor, with members of the Board of Estimate and Apportionment, representatives of many organizations, and public spirited citizens, made a visit to the Penitentiary on Welfare Island and the institution on Riker's Island. The purpose of this visit was to give the Mayor opportunity to acquaint himself at first hand with the condition of the buildings, and the need for labor, proper classification, and other improvements relative to the handling of the prisoners. Subsequently the Mayor requested that studies be made of the fitness of the soil for the construction of the proposed buildings on Riker's Island, and also the adequacy of transportation facilities to and from Welfare Island, in the event that part of the island is made

into a public park. In response to his request, reports were submitted showing that the proposed buildings could be safely constructed on Riker's Island, and ways were suggested to increase the traveling facilities to Welfare Island.

The request for the releasing of the \$100,000 was on the various calendars of the Board of Estimate and Apportionment, and representatives of the Prison Association and other organizations appeared repeatedly before that body, awaiting opportunity to be heard. The last appearance, at the time of this writing, was on January 3, 1927, at which time the Association joined with others in readiness to support the program of the Commissioner of Correction, not only for the construction of a new penitentiary on Riker's Island, but also for the improvement of other institutions in the Department of Correction. The program itemizing requirements of the Department of Correction for the year 1927, to be financed by the issue of corporate stock or tax notes, is presented in the order of urgency as follows:

RIKER'S ISLAND. Penitentiary for males, to consist of housing building for a census of 2,000 inmates, necessary auxiliary buildings, such as infirmary, mess hall, kitchen, bakeshop, laundry, power house, refrigerating plant, administration building, chapel, assembly halls to be arranged as class rooms, quarters for warden and staff, industrial buildings and the necessary repair shops, for the manufacturing industries in which inmates may be taught trades, such as making clothing, underwear, shoes, beds, brushes and other articles of supplies; approximate cost \$5,000,000, of which there will be required for the year 1927.....	\$1,000,000
CITY PRISON, MANHATTAN. Construction of additional housing building for accommodations for 150 inmates, of fireproof construction, on Lafayette street side of prison; approximate cost \$750,000, of which there will be required for the year 1927.....	250,000
NEW HAMPTON. Construction of cubicle dormitory for the housing of 156 inmates; erection of kitchen, mess hall, bakery, and assembly hall on second floor; also school buildings and chapel; also garage and additional shop buildings, all of fireproof construction; approximate cost \$700,000, of which there will be required for the year 1927.....	250,000
GREY COURT. Construction of additional wings for the accommodation of 150 inmates, to be of fireproof construction; also enclosure for recreation and exercise purpose; approximate cost \$350,000, of which will be required for the year 1927.....	150,000

HOUSE OF DETENTION FOR WOMEN. Acquisition of site and construction of building to be used as a receiving institution, hospital and classification building for women offenders, to be of fireproof construction; approximate cost \$750,000, of which there will be required for the year 1927. ....	125,000
CITY PRISON, QUEENS. Construction of kitchen, mess hall, laundry and storeroom, to be of fireproof construction; approximate cost \$150,000, all of which will be required in the year 1927. ....	150,000

## SUMMARY BY PROJECTS

Riker's Island .....	\$1,000,000
City Prison, Manhattan .....	250,000
New Hampton .....	250,000
Greycourt .....	150,000
House of Detention for Women .....	125,000
City Prison, Queens .....	150,000
	<hr/>
	\$1,925,000

In the month of November an attempt was made by three prisoners to escape from the Tombs Prison resulting in the death of the warden, a keeper, and the three prisoners. Considerable public alarm was aroused, and there followed the usual investigations. Attempt was made to fix responsibility for the ease with which the attempted escapes were planned and developed, and the death of the warden and the prison keeper, upon the Commissioner of Correction, Frederick A. Wallis, it being charged that he was neglectful in his duties. An investigation by the November Grand Jury resulted in a presentment to Judge Otto A. Rosalsky in the Court of General Sessions, on December 10, embodying all of the remedial recommendations which had been made previously by the Commissioner of Correction. The chief district attorney, who presented the matter, regarded the presentment as an endorsement of Commissioner Wallis's administration and policies. The presentment is as follows:

1. The conditions which have existed for many years in the local prisons, particularly in the Tombs, in our opinion are alarming, a standing menace to the public safety and imperatively require immediate remedial attention. These conditions are due primarily to the fact that the custodial forces of these prisons are grossly inadequate and underpaid.

We endorse the numerous recommendations which have been made for several years past by the Commissioner of Correction, and by other Grand Juries sitting in the various counties in this city, as well as by other organized bodies, for the betterment of these prison conditions.

We recommend that prompt provision be made for increasing the number and the compensation of the custodial forces of these prisons, in order that men of quality and merit may be available for such positions. We advise that the special attention of the Mayor and the other members of the Board of Estimate and Apportionment be again called to the urgent need for these increases, to the end that suitable appropriations may be made therefor.

2. We find that the inmates of the Tombs Prison have always been permitted to have possession of such money and other valuables as they could command. We deplore this custom as constituting an ever-present source of temptation to bribery and other corruption. We recommend that all prison inmates be deprived of the possession of money or other valuables and that the same be placed in the care of bonded clerical custodians specially appointed for that purpose.
3. We find that the commissary department and the barber shop of the Tombs Prison are manned by private civilian employes. Their work, as well as that of other civilians serving inmates in the prison, necessarily brings civilians into daily contact with the inmates. We therefore urge that the most rigid supervision and inspection of both the person and the work of such civilians, and all other civilians coming in contact with prisoners, be immediately inaugurated, to the end that these potential channels for the smuggling of contraband to the inmates be sealed.
4. We recommend that the District Attorney prepare and introduce to the coming session of the Legislature for enactment such measures as would serve to make a violation of the rules and regulations of the Department of Correction by its employes punishable as a crime, where such violation may reasonably be regarded as a menace to the public safety.
5. The dangerous and unhealthy congestion in the city prisons at the present time is so great as to necessitate in hundreds of instances the placing of two prisoners in one cell. This congestion should be relieved as speedily as possible. We recommend to that end that the proper public authorities adopt all necessary steps to expedite the construction of the new penal institutions which have been designed for Riker's Island. We regard that idleness among prison inmates is one of the most prolific

hatcheries of crime. Hence, we urge that suitable provision be made in such institutions for furnishing useful occupation to the inmates thereof.

6. We find that many of the members of the custodial forces of the city prisons accept steady private employment outside of their public or departmental hours of service. In our opinion, the efficiency of such employes for the public service is seriously impaired thereby. We recommend that private employment be forbidden.
7. We find that in some of the largest and most important of the penal institutions in the Department of Correction, their electrical and other mechanical equipment, is, owing to lack of personnel, operated by some of the inmates. We recommend that all work of this nature be entrusted to civil employes, duly qualified therefor.
8. Evidence has been presented to us respecting the laxity and dereliction of various keepers of the Tombs Prison at the time of the attempted escape hereinabove referred to. We recommend that such evidence be submitted to the Commissioner of Correction, to the end that charges may be preferred against such keepers; and in the event of their conviction thereon, we urge the imposition of the most drastic penalty within the power of such Commissioner to inflict.
9. We desire to call special attention in this presentation to the zeal, courage and loyalty of the various keepers and police officers whose prompt action, in the face of grave personal danger, was responsible for the failure of the attempted escape above referred to, and we commend their conduct to the cognizance of their superior officers.

Following the presentation, Commissioner Wallis proceeded with the trial of five keepers, whom he charged with neglect of duty in connection with the attempted escape. The Commissioner requested the General Secretary of the Prison Association to be present at the trial. At this writing all of the keepers have been examined, and there remains other evidence to be considered, and then a study of the complete testimony.

(For the Prison Association's inspection of, and recommendations with respect to, institutions of the Department of Correction, see page 103.)

**Legislative Activities.** The Legislative Committee of the Association was active during the session, and was represented in Albany, promoting good legislation and opposing bad legislation. This phase of the Association's work is regarded as extremely important, and is one to which the Association gives close attention.

(For further details see page 60.)

During the year the Association continued to render valuable service in the matter of **Bureau of Advice and Information.** analyzing and suggesting legislation, and making known experiments and achievements in one community to those in another who are working for progress. Numerous inquiries have been received touching upon subjects anywhere from the size of cells and windows to the ever present question of capital punishment. Those who inquire are anxious to seek opinion, to be put in touch with authorities, and to learn of reliable literature. These many inquiries give considerable work, but it is very definitely held that this form of service is quite within the scope of the Association's activities and is highly beneficial. The inquiries come not only from the various States of the Union, but from workers and students in other countries, from legislative committees, and an almost endless number from university students and the teachers and pupils of high schools.

The General Secretary functioned during the year as the General Secretary of the **56th American Prison Congress.** the American Prison Association, which is now in its fifty-sixth year, and the origin of which can be traced to the efforts of Dr. E. C. Wines of the Prison Association of New York. The 56th Annual Congress of the Association was held in Pittsburgh, and was one of its outstanding meetings. The proceedings of that Congress are in preparation and will be available shortly. The purpose of the American Prison Association is to provide for the annual gathering of all persons in the United States engaged in the study of crime and its treatment, for discussion and with a view toward stimulating and improving their work. Its activities throughout the year are supervised mainly by the General Secretary of the Prison Association of New York, and while the many duties represent an extra burden, nevertheless it is held that the nation-wide contact which is afforded, together with the opportunity to keep in touch with developments in the various States, redounds to the benefit of the Prison Association of New York.

**Bureau Activities.**

The work of the Association is divided as follows: educational, supervisory, relief and legislative. The educational activities are discharged through publicity for the improvement of methods of dealing with the law-breaker in the form of specially prepared newspaper and magazine articles, and the frequent guiding of representatives of the press who come for reliable information bearing upon crime and the administration of criminal justice; also through public addresses before city, State and national conferences, clubs and other gatherings.

The Association has been active during the year in arousing business men to the need for their help in dealing with the many problems relating to crime.

The supervisory activities of the Association embody inspection of the penal and correctional institutions of the State, which is possible through legislative authority held by the Association. In this connection inspections have been made of some of the prisons, jails and reformatories in the State, and particularly of the institutions of the New York City Department of Correction. The policy of the Association during the year has been to single out particular needs for improvement and to work cooperatively with the officials directly responsible in an effort toward their fulfillment.

Probation and Parole are included in the supervisory activities of the Association.

The judges of the Court of General Sessions of New York County referred 823 cases to the Probation Bureau of the Association for investigation. The total number on probation in the custody of the Association for the year was 213 of which number only 28 failed to fulfill, to the knowledge of the Association, the requirements of their probation. A total of \$4,114 was collected by our Probation Bureau for restitution and the support of children abandoned by their fathers. If the men had been sent to prison the children would have become public charges. (See page 46.)

During the year there were in the parole custody of the Association 580 men and women, released from the State prisons of this State and some from the Federal prisons. It is particularly gratifying to report that of the total number in custody only 89 failed to fulfill, to the knowledge of the Association, their parole requirements. (See pages 49.)

The relief work of the Association is far reaching, and includes aid for the families of men in prison, persons released on probation and those released on parole from State prisons, or discharged from State prisons. Needed assistance of all kinds is given, rent, food, clothing, cash, employment, medical attention, advice and guidance.

During the year 1,480 ex-prisoners were interviewed. Of that number 1,115 applied for employment and jobs were found for 652. Free meals were provided to the number of 3,222, free lodging to the number of 985, and clothing to 552. (See page 57.)

The families of prisoners always reflect the folly of the law-breaker. Hundreds of mothers and children, innocent sufferers, appeal to us to lighten their burden. We were able to give needed assistance to 427 families. At Christmas and Thanksgiving special preparations were made to bring a little cheer to these unhappy people. At Thanksgiving 530 persons were provided with a wholesome dinner and at Christmas 580 persons. Also at Christmas there was a huge tree, gaily decorated, and surrounded with an abundance of toys, clothing and other gifts for the youngsters and their mothers. To our many friends, who made this treat possible, the Association extends its hearty thanks. (See page 54.)

### Foreign Visitors.

The Association had the pleasing opportunity of entertaining and guiding delegates from England, Canada, Germany, France, Switzerland, Belgium, Sweden, Spain, Holland, and Japan. These visitors were officially designated by their respective governments to study methods in this country for the treatment of crime and criminals. In some instances schedules were arranged for their tour of the United States and Canada, with the necessary letters of introduction to judges, heads of State departments, superintendents and wardens of institutions.



## CHAPTER III

## PROBATION BUREAU

In the earlier pages of this report, and in previous reports, the activities of the Association as the pioneer in the probation movement, and in probation work in this State, have been presented. Similarly has been set forth the desire of the Association over a period of seventeen years to bring about a city paid probation bureau in the Court of General Sessions. This has been accomplished, and at this writing a city paid staff is at work. However, the discontinuance of its probation work is by no means an indication that the Association will cease to function in that Court. It purposes to continue its long standing interest in those who come before the Court, and to cooperate with the judges and the city paid probation staff in administering relief to the families of those who are brought before the Court, and in arranging for legal defense in worthy cases, and other reasonable needs.

At the close of its probation work, the Association desires to record its warm praise for the many years of service rendered by Mr. Daniel E. Kimball, its General Agent and probation representative in the Court of General Sessions. For more than forty-two years Mr. Kimball has been an outstanding figure in the Court, and is widely known as the dean of probation officers. He has been thorough, faithful, patient, wisely sympathetic, impartial, and understanding in the discharge of his responsibilities.

On January 1, 1927, he ceased to be a member of the staff of the Prison Association and became Deputy Chief Probation Officer of the Court. The Association regrets his going, and wishes him many years of continued usefulness in the work to which he has unselfishly given the greater part of his life.

The following statistics relate to the probation activities of the Association during the year 1926:

Cases investigated for the judges of the Court of General Sessions .....	823
Disposition of cases:	
Released on probation .....	100
Sentence suspended .....	80
Discharged .....	60
Fined .....	26
*Other disposition .....	3

\* This includes cases where investigation is directed by the Court prior to a plea or a trial by the defendant, and then again where a plea has been withdrawn.

(Continued from page 46)

Sentenced to State Prison .....	206
Sentenced to Penitentiary .....	193
Sentenced to Elmira .....	43
Sentenced to City Reformatory .....	22
Sentenced to City Prison .....	34
Sentenced to Workhouse .....	48
Sentenced to Napanoch .....	4
Sentenced to Bedford Reformatory .....	3
Adjudged insane .....	1
	<hr/>
	823

Cases investigated for the following judges of the Court of General Sessions and the number released by them on probation, or given suspended sentences.

Judge	Number of cases	Probation	Sentence suspended
Hon. Max Levine .....	169	38	27
Hon. William Allen .....	76	10	9
Hon. Otto Rosalsky .....	106	8	4
Hon. John F. McIntyre .....	84	12	7
Hon. C. F. Collins .....	71	11	6
Hon. Joseph F. Mulqueen .....	38	2	4
Hon. F. X. Maneuso .....	140	13	12
Hon. Morris Koenig .....	92	4	9
Hon. Chas. C. Nott .....	47	2	2
	<hr/>	<hr/>	<hr/>
	823	100	80

## CRIMES OF PERSONS WHOSE CASES WERE INVESTIGATED BY THE PROBATION DEPARTMENT

<i>Felonies</i>	
Grand larceny .....	189
Robbery .....	60
Burglary .....	59
Forgery .....	23
Forgery .....	74
Assault, second degree .....	10
Bigamy .....	11
Manslaughter .....	44
Other felonies .....	
<i>Misdemeanors</i>	
Petit larceny .....	133
Assault, third degree .....	107
Unlawful entry .....	47
Other misdemeanors .....	66

823

*Office Work*

Number on probation, December 31, 1925.....	113	
Received on probation to December 31, 1926.....	100	
		213
Discharged with improvement.....	116	
Discharged without improvement.....	14	
Arrested and sentenced.....	10	
Absconded.....	4	
		144
On probation December 31, 1926.....		69
Personal reports at office.....	1,823	
Mail or telephone reports.....	546	
Money received on account restitution.....	\$3,889 00	
Money received on account children's support.....	225 00	
Total.....	\$4,114 00	

## CHAPTER IV

## PAROLE BUREAU

Prison discipline connotes also the parole system, because, although the period of parole is passed by the prisoner in qualified liberty outside of prison walls, the individual is still technically a prisoner and is under the control of the prison authorities. Parole differs from probation in that parole means the period subsequent to the individual's prison life, while probation means a period of supervised liberty allowed to a prisoner instead of the serving of a prison sentence. In short, probation precedes the serving of a prison sentence, while parole follows a prison sentence.

The parole period of any released prisoner is of vital importance to him and to society. The theory of parole is that the prisoner should become gradually again accustomed to that liberty which is enjoyed by every law abiding citizen, and which was his before his prison term. Experience has proved that during the parole period there should be a careful and sympathetic supervision of the released prisoner. This supervision varies with the individual prisoner, but should, nevertheless, always be conducted consistently with the best interests of society. In other words, parole without supervision is dangerous to the interests of society. Parole work means visiting prisoners at their homes, and at their places of employment when feasible, although there are instances where verification of a man's employment must be cautiously exercised.

Whenever needed, friendly advice is given, and in many instances our Chief Parole Officer, Mr. A. L. Bohn, has been successful in effecting friendly relations between released prisoners and their families, thereby reestablishing the home and making for a new day for man, wife and children.

The Parole Bureau works in close cooperation with our Employment Bureau, and we are therefore able to place in employment many of those paroled to the Association. Clothing, lodging, food, and other necessities are provided when necessary. The Association does not make it too easy for men released from prison but, on the other hand, attempts to deal with such men firmly and sympathetically, and in a way that will give them a fair chance to reestablish themselves satisfactorily in the community.

In other parts of this report the parole system of the State is touched upon at length, but at this point it is desired to bring out that the supervision of men released from prison is a serious and important responsibility, and has been carried on by the Association since its beginning, and long before there was enacted an indeterminate sentence and parole law in this State. The Prison Association is the pioneer organization for the care of released prisoners in the State.

The following are typical and indicative of the human side of the work of our parole staff:

L. M. When placed on parole, this man was without relatives or friends who could help him. Through the efforts of the Association, employment was secured for him and he was given financial assistance and the necessary clothing to enable him to make a presentable appearance to his employer. He was supervised at his place of residence by our parole officer, and made his reports monthly for a period of three years. During this time, through the efforts of our Employment Department, he received promotion in his work. The man opened an account in a savings bank in which he made weekly deposits. Upon receiving his final discharge from the Parole Board, he sent the following letter:

DEAR MR. BOHN.—You do not know how thankful I am to you for what you did to make an honest man out of me. I am making big wages. There is one thing more I wish to say—a man can live up to the laws of the State by making up his mind to do it. I have done so for three years and will continue to do so in the future. I cannot thank you enough for what you did for me when I came out of those dark walls.

Sincerely yours,  
L. M.

S. C. At the time this man was released on parole, he appeared to be one of the least promising cases which came under our supervision. His record indicated that he was somewhat defiant toward the authorities who had convicted him, and that he had used unfair means to secure funds from sympathetic people during his imprisonment. In addition to our supervision at his home and place of employment, an interest was taken in him by a friend of the Association. During his parole period his ideas changed to such an extent that he realized that his former difficulties had been the result of his wrong attitude toward life. During the time he was under our supervision, he was arrested on suspicion and charged with burglary at Poughkeepsie. He was cleared of this charge owing to the fact that the man who had committed the crime was arrested and confessed his guilt. He secured another job and made good until he received his final discharge. Recent information shows that he is doing well.

C. S. conducted himself in a most satisfactory manner during his period of parole. He changed his employment but once. His attitude and conduct at all times have been courteous and satisfactory. The following letter which he wrote after he received his discharge from parole, is indicative of his appreciation of the treatment which was given him.

DEAR MR. BOHN.—After reporting to you for two years, I want to thank you for the helpful advice and words of encouragement which I had to seek so often from you shortly after my release, and for the consideration that you have shown me at all times during my nineteen months on parole. When in Sing Sing, I often heard old timers say it was impossible to live up to the conditions of parole. But now I am fully convinced that any man who is willing to make an honest effort and lead a normal life, can count the parole officer his best friend and guide at a time when such are most needed.

Sincerely yours,  
C. S.

M. G. Employment was secured for this man with a firm which assisted the Association in his supervision. His employer wrote us as follows:

Mr. G. is our bookkeeper and has full control of all our accounts. This is a responsible position, with an opportunity for advancement to the right man. He has proved very satisfactory, and I can see no reason why he should not succeed with us. Mr. G. has told me all about himself, and his prison experience, and I am entirely willing to give him an opportunity to go straight and to live down the mistakes of his past. I have every confidence and implicit faith in him and feel entirely satisfied that he intends to make good. I shall do whatever is possible to help him along.

Very truly yours,

JOHN BROWN.

After discharge from parole, the following letter was received from him:

DEAR MR. BOHN.—At the time you interviewed me at Clinton, accepting me on parole, I had some doubt as to my ability to make good on parole. My doubts were engendered by thoughts of my inability to secure employment for any length of time owing to my past record. I thought that just as soon as my employers discovered my past that they would discharge me. But I am thankful to say that instead of discharging me they helped me all they could. The first time I ever really worked in my life at real honest employment for any length of time, was after my prison experience. I can truthfully say that the happiest days of my life have been since I went to work at honest labor. Some fellows contend that crime is the easiest way, but my experience has taught me that it is the hardest. As I look back on my own career of crime, and then read daily of the many young men following up a similar career, my heart goes out to them for I can readily picture in my mind's eye what a terrible experience they have to go through. I wish I had learned the lesson earlier in life, but I was too young, conceited and foolish to listen to reason at that time.

If I can ever be of any assistance to you, Mr. Bohn, please do not hesitate to call upon me. Thanking you for the many kind and courteous favors you have extended to me, I am

Sincerely yours,

M. G.

W. G. When this young colored girl was released on parole she was destitute and without friends. Through the efforts of the Association, employment was secured for her with a private family, and money was given her to buy clothing. She has worked diligently and has secured the confidence of her employer. Our Parole Officer, who calls to see Miss G. two or three times a month, tells us that it is interesting to watch how the young girl is trying to live down her mistakes.

#### PAROLE STATISTICS

January 1, 1926 to December 31, 1926	
Men on parole January 1, 1926	327
Women on parole January 1, 1926	13

Total	340
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Received on parole from State prisons of New York during 1926:

	<i>Indeterminate Sentence</i>	<i>Determinate Sentence</i>	<i>Total</i>
Sing Sing .....	37	27	64
Great Meadow.....	25	16	41
Clinton .....	32	19	51
Auburn (men).....	1	5	6
Auburn (women).....	5	..	5
			167
Total number on parole during year.....			507

## Discharged from parole:

	<i>Indeterminate Sentence</i>	<i>Determinate Sentence</i>	<i>Total</i>
Men .....	74	92	166
Women .....	3	..	3
Declared delinquent:			
Men (69 rearrested; 20 disappeared) .....	47	42	89
Women .....	..	..	..
	124	134	..
Total discharged or declared delinquent during the year .....			258

## Number on parole December 31, 1926:

Men .....	234
Women .....	15
	249
Total .....	507

During the year, cooperation was given in the care and supervision of prisoners from the following institutions:

<i>Institution</i>	<i>Number of Men</i>
Institution for defective delinquents, Napanoch, New York .....	59
San Quentin Prison, California.....	5
Federal Prison, Atlanta, Ga.....	1
Massachusetts Reformatory, Concord, Mass....	3
State Prison, Charlestown, Mass.....	4
Indiana Reformatory, Pendleton, Ind.....	1
Total .....	73
Discharged from parole.....	7
Declared delinquent.....	5
	12
Total number on parole from institutions in other States December 31, 1926.....	61

Visits by parole officers:	
To men on parole.....	3,544
To women on parole.....	337
	3,881
Total .....	
Visits to institutions:	
Tombs City Prison.....	451
Police Headquarters.....	536
Brooklyn City Prison.....	48
Queens City Prison.....	35
Bronx County Jail.....	53
Hudson County Jail.....	26
Sing Sing Prison.....	11
Great Meadow Prison .....	10
Clinton Prison.....	10
Auburn Prison (men).....	4
Auburn Prison (women).....	4
Total .....	1,188
Total visits January 1, 1926, to December 31, 1926.....	5,069

## CHAPTER V

## RELIEF BUREAU

When people are destitute they require help promptly, sensibly, and as liberally as funds will permit. "Help" does not mean that all applicants need money, or that they all ought to have money. Sagacious advice, and the willingness to "stand by" a family, or an individual, is often the best possible help. The crucial time for a prisoner's family is when he is in prison.

The Prison Association, through its relief agent, Mrs. Hore, aims to be the "friend in need" for these special groups of unfortunate people. Of course there are more prisoners' families in need than we can help, or than appeal to us, but we help so far as our resources allow.

We doubt if any part of our daily work is more appealing to us, or to the members of our Association, who make this work possible. Our task is simple, yet difficult; throbbing with sympathy, demanding endurance of our relief workers, yet permeated with the spirit of reasonable, permanent help so far as possible.

The State has not yet developed its industrial system to the extent that the prisoners are paid a wage in excess of a cent and a half a day. This absurdly small amount dismisses at once any consideration of the payment from the earnings of a prisoner of an amount toward the support of his dependents. There is a provision of law, which is in operation in some counties of the State, whereby the children of a citizen, who is serving a sentence of five years or more, can be provided for at the expense of the county. While this to a degree helps those who come within the limitations of the law, it nevertheless does not wholly satisfy the needs of many of these families, and, furthermore, it does not include the bulk of the dependent families, the breadwinners of which are serving a sentence of less than five years. Therefore the Prison Association is often called upon to supplement the income of families who are receiving an allowance from the county, and invariably it is necessary to provide for those who do not come within the provisions of the Child Welfare statute.

The following are typical cases indicating the distress of those who come to us:

Mrs. W's husband was sent to prison for a long term for manslaughter. There were five children in the family, two working and three of school age. The oldest, a girl, who was the main support of the house, left home at the time of her father's arrest because of the disgrace. A son, who worked but little, refused to do anything to help his mother. When Mrs. W. called on this Association, she asked if we could do something about placing two of her children in institutions. This we succeeded in doing and the

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other child was placed in the care of a family. The mother secured employment in a factory, and out of her wages and what she received from the Prison Association every month, she was able to pay rent and buy the food she needed.

Mrs. G. A girl of sixteen years of age met and married an Italian many years her senior. After five years of married life he began to abuse her, and went so far as to threaten the lives of the children. He was the leader of a "gang" and finally got into trouble, was arrested and sent to prison. The woman is delicate and from the treatment given her by her husband she has become mentally deranged. Her mother, although poor, is looking after the children, and is also caring for her daughter. She asked the Prison Association to help her so that she could buy the proper nourishment for the young woman. We have arranged to send milk every day, and at the end of each month a certain amount is given for food and clothing.

Mrs. M. This young woman married against the wishes of her family. Her husband did not support his wife and children, and spent most of his time with a notorious "gang" from the lower east side. She pleaded with him to give up his questionable companions and go to work. This he would not do. He was arrested and sent to prison for twenty years. The wife was left with the responsibility of two boys. She got employment but each time was discharged when it became known that her husband was in prison. A dispossess from her home was pending and grocery and light bills were coming in. A representative from this office called on the landlord and settled the matter of the dispossess. Necessary funds were provided to pay all debts, and the matter was taken up with the Board of Child Welfare, which, after long investigation, granted Mrs. M. a monthly allowance for the children. During the investigation, the Association paid the rent, and secured home work for her.

Mrs. H, a widow with four sons. Three of them are in prison. When her husband was alive, she had a comfortable home, but when she had to depend on her sons she was left destitute. The only boy at home is a child of eleven years. The mother works in a city club but her salary is not sufficient to pay rent, buy food and clothe herself and the boy. She asked if the Prison Association would give her an allowance each month which would enable her to clothe the child during his school period. We have been giving ten dollars a month, and in addition money for food.

Mrs. K's husband was arrested and sent to prison. She had a small apartment, and it was her desire to keep the home so that she could have her four children with her. The little she earned was not sufficient to pay rent and other expenses. The rent was due and the landlord served her with a dispossess. Through a social service bureau she was referred to this office. A visit was made to the landlord by one of our representatives and he agreed to accept twenty dollars on the amount of rent due and withdraw the dispossess. We have been giving this woman an allowance

each month, which helps her keep up the payment of the rent, and enables her to have a home for the children.

Mrs. S. One of the most pathetic cases called to our attention this year was that of Mrs. S. and her seven small children. Her husband became involved in a shooting affair and was sentenced to a long term in prison. Mrs. S., through our help, secured work in a factory. Three of the children were committed to institutions, but nevertheless the woman had a hard struggle to make sufficient money to meet all demands. It gave her great relief when she learned that we would pay her rent each month.

## STATISTICS FOR RELIEF BUREAU

January 1, 1926, to December 31, 1926

Total number of families cared for in 1926.....	427
Families under care January 1, 1926.....	140
Families received during 1926.....	265
Old cases reopened in 1926.....	22
	427
Cases closed during 1926.....	290
Cases on hand December 31, 1926.....	137
	427
Visits made to families by Mrs. Hore during the twelve months' period.....	1,087
Number of men interviewed by Mrs. Hore during the twelve months' period, at the penitentiary on Wel- fare Island, Hart's Island and Sing Sing Prison.....	345
Women referred to hospitals for general examina- tions.....	20
Women referred to Bellevue Hospital for treatment.....	15
Women referred to Mt. Sinai Hospital for treatment.....	8
Women referred to Women's Hospital.....	3
Women and children referred for examination, Eye and Ear Hospital.....	1
Glasses furnished.....	12
Women referred to the Lying-In-Hospital.....	5
Women sent to the dentist.....	10
Children referred to Mt. Sinai Hospital for tonsil and adenoid operations.....	5
Persons provided with Thanksgiving dinner.....	6
Persons provided with Christmas dinner.....	530
At Christmas time clothing, shoes and toys were given to children.....	580
Women referred to the Board of Child Welfare, eligible for allowances for their children under the State law.....	350
	10

## CHAPTER VI

## EMPLOYMENT BUREAU

One of the greatest needs which confronts a man upon his release from prison is that of securing suitable and remunerative employment. The necessity of this is recognized by prison authorities and parole boards to such an extent that applicants for parole are usually required to have a certified offer of employment before their case will be finally considered for parole. Our Employment Bureau is often requested to assist men, about to be paroled from institutions of this State and other States, in obtaining employment.

Many men, however, such as those released following the serving of sentences in workhouses or jails, are not under the supervision of parole bodies. These men frequently are committed for petty offenses and are often without friends upon whom they can rely for support, or savings which will supply the necessities of life until such time as they can re-adjust themselves in the community. These men are in need of immediate employment. If this cannot be had at hospitals, hotels or private institutions which will furnish living quarters, as part of the wage, it is necessary that our Bureau advance to these men the means by which they can be "held over" until they receive their first pay. This need is met by giving lodging and meal tickets or cash assistance.

One of the greatest handicaps to be overcome by the men coming out of prison is a mental state which has been developed during the period of confinement in which the inmate has had no self-determining responsibilities. He has formed the habit of obeying orders as to his daily life and has had the necessities of life supplied to him without any special effort on his part. Before he can take his place again in the economic circle outside of prison he must become reacquainted with the kind of employment to which he was accustomed previous to his incarceration. Frequently these men find that their former friends or employers have turned against them. A sympathetic talk with the director of our bureau, Mr. Joseph E. Dayton, will often assist such men in regaining self assurance and confidence and enable them to begin work.

A case of this type is that of a young Italian boy who had served a year's sentence in New York City Reformatory. He was placed on parole in the regular manner to the municipal parole officers. But during his period of incarceration he had developed a mental state which led him to avoid the family with whom he had previously lived and the industry at which he had formerly been employed. As he was in need of the usual immediate em-

ployment, with board and room, he accepted an offer to be sent to a railroad camp for track work. His physical condition, however, was such that he was unable to endure the hardships of this work and the living conditions at the camp. After about three months, during which time he had suffered from sickness, he applied to our Bureau for assistance. He was advised to return to the home of the people with whom he had formerly lived and attempt to secure again the position which he had held in the shoe industry. He acted upon this advice and the following day returned to the office and reported that he had met with success in securing a position and had been taken back as a boarder by the family. This case is typical of many which come to our attention. A sympathetic interview will often do more for men of this type than will financial assistance.

Professional men and those who have held positions of confidence and responsibility previous to their being sentenced to prison often have difficulty in re-adjusting themselves to civilian life. During the year disbarred attorneys and medical doctors who have lost their right to practice have come to the attention of our bureau for readjustment. Men who formerly occupied positions of trust requiring a bond are invariably refused this protection by surety companies following the serving of an institutional sentence. Persons who formerly earned their livelihood as chauffeurs or taxi cab drivers, are refused licenses to continue in this occupation, for several months following their release. Therefore, it is necessary to aid these men to become adjusted in other forms of employment in which they have had little or no experience.

It is true that many custodial and penal institutions have trade schools or industries in which inmates receive instruction during their period of confinement. But the conditions under which this work is done in outside industry is quite different from that existing in the trade schools of these institutions. If these men are successful in obtaining a start in a trade which they have learned in an institution, they are obliged to commence at a lower wage than that paid to experienced men until such time as their skill has increased.

Many large industries are averse to taking men into their employ who have served prison sentences. This aversion may have been caused by a previous experience which they had in attempting to assist such men whom they were not able to fit into their industrial organization. Often, however, it is the result of a policy which has been adopted by the industry. The director of our bureau spent a whole day trying to place a young man from one of our State reformatories with one of the largest public utility companies of our city. After being courteously received by several men in charge of employment in various departments of the organization he was referred to the head man. He was informed by this man that it would be impossible for the company to employ any man whose record would not bear the closest possible investigation. He was told, further, that if such a man

were employed and at any time committed a questionable act while in the employ of the company, the board of directors would deal without leniency with the man responsible for his employment.

It is the usual practice of commercial employment bureaus to specialize on a certain type of position for which they attempt to find applicants. As the men who compose the population of our prisons represent all types of industrial positions from the lowest to the highest, it is necessary that we keep in close touch with other agencies doing employment work. Through these contacts men have been enabled to secure positions. It has been our practice to guarantee the payment of employment fees in cases where the applicant could not do so.

Through the cooperation of another agency a man released from the State prison of a neighboring State, who accidentally lost a leg while in prison, was enabled to secure employment and earn a livelihood.

Despite many obstacles and the increased hostile public attitude toward released prisoners, the efforts of the Prison Association have, nevertheless, met with a large measure of success. By patient and persistent appeal to employers and by a sympathetic and yet stern attitude toward the men themselves, much good has been accomplished. The summary below gives some idea of our efforts:

#### STATISTICS FOR THE EMPLOYMENT BUREAU

January 1, 1926 to December 31, 1926

Total number of men interviewed .....	1,480
Total number of men who applied for jobs .....	1,115
Total number of men placed in jobs .....	652
Total number of meals provided .....	3,222
Total number of lodgings provided .....	985
Total number receiving clothing .....	552

## CHAPTER VII

## LEGISLATIVE ACTIVITIES

Legislation affecting crime and the treatment of criminals was abundant during the 1926 session, and the Association played its usual active part in opposing what was considered by its Law Committee bad legislation, and in supporting good legislation. While the Association has never attempted to condone crime, or to make it easy for the offender, it, nevertheless, during the session, used its best efforts to defeat many pieces of legislation which were wholly reactionary, and which were intended only to appease public alarm on the crime situation. In opposing such legislation, the Association kept clearly before it the attitude of the public mind and legislative action in similar periods.

The policy assumed by the Association, therefore, was to adhere to sound principles, and to maintain methods and systems that time had shown to be reasonable and effective. For example, in reply to the clamor for the abolition of the indeterminate sentence and parole, the Association steadfastly held to its belief that the indeterminate sentence, and its complement, parole, are sound in theory, and do not give the best results because of inadequate provision by the State and poor administration. Therefore, instead of joining with those who favored the abolition of the indeterminate sentence and parole, the Association worked for the strengthening, and otherwise improving, of the laws governing their administration. One feature in connection with such legislation was the provision making it mandatory that the parole board examine into the previous life and record of those appearing for parole. Strangely, the board did not regard this as a serious requirement, and defended its stand on the ground that the courts intended that most prisoners should be released at the expiration of the minimum sentence, regardless of other important factors, and, further, it contended, if the prisoner complied with the prison rules and made a good showing in his shop work, that was all that needed to be seriously taken into consideration. However, this is not in accord with the spirit of the indeterminate sentence, and, most of all, is not the attitude which makes for the maximum of public protection.

As in previous years, the Association functioned through its Law Committee and a representative in Albany. All bills initiated by the Association were approved by the Executive Committee on advice of the Law Committee and the Association's approval or disapproval of other bills was registered with the legislature. Bills of sufficient importance, requiring active support, or active opposition, were so dealt with through the representative of the Association in Albany, either with individual members of the Legisla-

ture, or at the time of committee meetings. In instances where opposition failed through contact with individual members of the Legislature, or at the time of committee meetings, it was carried on to the Governor.

The yearly appearance of the Association in Albany in legislative matters has developed an earnest recognition of the views and recommendations of the Association, with the result that frequently the Association is asked for advice prior to the introduction of bills, or while bills are before the Legislature, by members of the Legislature.

Following its practice, the Association enlisted the friendly and active cooperation of various State departments, such as the Prison Department, the State Commission of Prisons, the State Probation Commission, the State Hospital Commission, the Attorney-General's office, and others, and of bodies outside of legislative circles, such as the State Charities Aid Association; the New York Board of Trade and Transportation; the National Committee for Mental Hygiene; the Catholic Charities of New York; the Committee on Criminal Courts of the Charity Organization Society; the Committee on Criminal Courts, Law, and Procedure of the Association of the Bar of the City of New York; the Jewelers' Protective Union; the Legislative Service Bureau of the Merchants' Association; the Broadway Association; the Safety Committee, Brooklyn Chamber of Commerce; the Fifth Avenue Association; the Social Service Commission of the Protestant Episcopal Diocese of New York; the Commission on the Church and Social Service of the Federal Council of the Churches of Christ in America; the Department of Christian Social Service of the National Council, Protestant Episcopal Church; the Women's Prison Association; the Department of Public Welfare of the City of New York; the New York City Department of Correction; the Women's City Club of New York; the Committee on Courts and Prisons of the National Civic Federation; the Society for the Prevention of Crime; the Child Welfare League of America, and others. This cooperation has been of inestimable value in the work of the Association, and is gratefully acknowledged.

The Association further desires to record its appreciation of the helpful cooperation of Senators John Knight, Bernard Downing, Caleb H. Beames, Thomas C. Brown, and Courtlandt Nicoll, and of Assemblmen Simon L. Adler, Maurice Bloch, Eberly Hutchinson, Milan E. Goodrich, and Frederick L. Hackenbourg.

A bill which deserves special mention, because of the persistent efforts to repeal the amendment made at the request of the Association in 1924, was Senate Int. No. 969, by Mr. Higgins, Assembly Int. No. 1352, by Mr. Evans. The purpose of the bill was to make permissive, instead of mandatory, the transfer of alleged insane persons from prisons to hospitals in the Greater City. The bill changed the word "shall" to "may," and if it had been passed would have restored the medical legal patronage system which existed in Kings County for many years prior to 1924. As stated



in our previous reports, the cost of this system, which consists of the appointment of examiners in lunacy, is estimated by competent authorities at \$20,000 a year, which can be saved if alleged insane prisoners are transferred from jails to the psychopathic wards of city hospitals. The opposition comes from Kings County, and is due to the unwillingness of the judges to commit alleged or suspected insane persons to the psychopathic ward of the Kings County Hospital. Various objections are raised by the Judges, but back of these objections is their dislike to give up what is probably the one remaining means of patronage. In New York County, and likewise in Bronx County, cases such as those referred to above are sent to the psychopathic ward at Bellevue Hospital, where there is available a staff of competent, highly experienced, and trained psychiatrists and psychologists to pass judgment on the mental condition of the prisoner. The removal of such prisoners from the New York City Tombs, or the Bronx County Jail, to the psychopathic ward at Bellevue makes for their more humane and intelligent treatment, and further takes them out of institutions that are not equipped to properly house them, and enables those institutions to be free of persons whose conduct is upsetting to the daily routine.

The attempt to repeal the mandatory language has been tried each year since its adoption, and with increasing shrewdness and force. Thanks to the cooperation of the State Hospital Commission, through its Chairman, Dr. C. Floyd Haviland, and the State Commission of Prisons, through its Secretary, Mr. John F. Treman, the efforts of the Association to defeat the change in the law have been successful.

For a detailed statement on the organization of the State Department of Correction, and also on the so-called Baumes laws, see pages 69 and 71.

The following bills were considered by the Law Committee during the 1926 session of the Legislature:

#### BILLS WHICH WERE INITIATED BY THIS ASSOCIATION

Assembly Int. No. 98, Pr. No. 99, by Mr. Goodrich.

To amend the Prison Law, in relation to life sentence.—Passed by Legislature. Signed by Governor. Chapter 494, Laws of 1926.

Assembly Int. No. 102, Pr. No. 102, by Mr. Goodrich.

Senate Int. No. 212, Pr. No. 215, by Mr. Brown.

To amend the Penal Law, in relation to duration of imprisonment in State prisons.—Passed by Legislature. Signed by Governor. Chapter 469, Laws of 1926.

This bill requires that the minimum period to be served in State prison shall be one year.

Assembly Int. No. 766, Pr. No. 1603, by Mr. Goodrich.

Senate Int. No. 575, Pr. No. 1908, by Mr. Brown.

To amend the Prison Law, in relation to paroles and commutation.—Passed by Legislature. Signed by Governor. Chapter 736, Laws of 1926.

This bill makes it clearly mandatory that the Parole Board shall examine into the previous life and record of those appearing for parole, and removes the time credit known as compensation, which worked only to the benefit of

second or more frequent offenders, and provides that instead a time credit of five days a month, to be known as commutation, may be allowed to all convicts received in a State prison or penitentiary on or after the first of July, 1926.\* The allowance of such commutation or diminution of sentence is dependent upon good conduct and the efficient and willing performance of duties assigned.

Senate Int. No. 749, Pr. No. 818, by Mr. Brown.

Assembly Int. No. 1035, Pr. No. 1104, by Mr. Goodrich.

The purpose of this bill was to provide funds for the personnel and equipment necessary to the setting into operation of the receiving and classification station at Sing Sing Prison, commonly known as the psychiatric clinic. However, on the advice of the budget authorities the bill was dropped, and provision was made to the extent of \$15,000 for personnel, and \$25,000 for equipment, in the appropriation bills, Chapter 575 and 628.

#### BILLS APPROVED BY THE LAW COMMITTEE

Senate Int. No. 939, Pr. No. 1045, by Mr. Brown.

Assembly Int. No. 533, Pr. No. 1779, by Mr. Goodrich.

Amends the county law by providing that federal prisoners can be received in a county jail, provided the keeper of the jail shall not violate any of the provisions of Section 92 of the County Law relating to the overcrowding, classification and separation of prisoners.—Passed by Legislature. Signed by Governor. Chapter 216, Laws of 1926.

Senate Int. No. 1041, Pr. No. 1160, by Mr. Hewitt.

Assembly Int. No. 1695, Pr. No. 1937, by Mr. Goodrich.

Authorizing the creation of a State debt, and making an appropriation for the construction of buildings at Sing Sing Prison, Ossining, New York.—Passed by Legislature. Signed by Governor. Chapter 291, Laws of 1926.

While the Prison Association did not ask to have this bill drawn, it has, nevertheless, been active in urging upon the legislative budget makers that funds be made available for the construction of necessary cell buildings at Sing Sing.

Senate Int. No. 1235, Pr. No. 1904.

Assembly Int. No. 1645, Pr. No. 2312, by Committee on Reorganization of State Departments.

To amend the State Departments Law by providing for a department of correction and assigning to it certain functions of the State government, pursuant to article five of the Constitution.—Passed by Legislature. Signed by Governor. Chapter 606, Laws of 1926.

The Prison Association did not ask to have this bill drawn, because all bills necessary to the reorganization of the State government, in accordance with the constitutional amendment, were taken care of by a special commission. However, the Association was very active in suggesting the details in connection with the organization of the State Department of Correction, and, of course, had been urging such a department in its annual reports to the Legislature for more than twenty-six years.

\*Chapter 737, however, changes this provision in that it deprives prisoners serving an indeterminate sentence of earning commutation while serving the minimum period of their sentence. Commutation not to exceed five days a month may be earned if a prisoner is held after the expiration of the minimum sentence, thereby reducing the maximum sentence. For example, a prisoner serving an indeterminate sentence of five to ten years, must serve the full five-year minimum, and may be released by the Parole Board at the expiration of that time, but if he is held longer than five years he may reduce the balance of his maximum sentence, that is five years, by earning commutation not to exceed five days for each month.

Assembly Int. No. 1842, Pr. No. 2226, by Mr. Davis.  
Senate Int. No. 1473, Pr. No. 1829, by Rules Committee.

Authorizing the creation of a State debt, and making appropriation for the acquisition of land for the State Institution for Defective Delinquents at Napanoch, New York.—Passed by Legislature. Signed by Governor. Chapter 538, Laws of 1926.

Assembly Int. 1792, Pr. No. 2095, by Mr. Livingston.  
Senate Int. No. 1480, Pr. No. 1836, by Mr. Russell.

To amend the Penal Law, in relation to the penalty for receiving stolen property.—Passed by Legislature. Signed by Governor. Chapter 707, Laws of 1926.  
This is commonly known as the "fence" bill, and has as its purpose the increasing of the punishment for those who receive stolen property.

Senate Int. No. 1331, Pr. No. 1553, by Mr. Antin.

To amend the Inferior Criminal Courts Act of the City of New York, in relation to imposition of sentences.—Passed by Legislature. Signed by Governor Chapter 691, Laws of 1926.

Assembly Int. No. 1366, Pr. No. 1507, by Mr. Davison.

Senate Int. No. 996, Pr. No. 1122, by Mr. Knight.

To provide for the appointment of a temporary commission to examine the crime situation, and the administration of justice in criminal cases and punishment for crime, and to make an appropriation therefor.—Passed by Legislature. Signed by Governor. Chapter 460, Laws of 1926.  
This bill is in keeping with efforts of the Association to have a thorough study and examination made of the criminal law and its operation, and of the machinery necessary for its enforcement.

**BILLS INTRODUCED BY THE JOINT LEGISLATIVE COMMITTEE ON THE COORDINATION OF CIVIL AND CRIMINAL PRACTICE ACTS AND APPROVED BY PRISON ASSOCIATION LAW COMMITTEE**

Senate Int. No. 1163, Pr. No. 1344.

Assembly Int. No. 1608, Pr. No. 2376.

To amend the Prison Law, in relation to the acquiring, filing and use of identification records of criminals.—Passed by Legislature. Signed by Governor. Chapter 702, Laws of 1926.

The Association has always endeavored to improve the procedure of gathering and centralizing information relating to crime and criminals. The 1923 Annual Report of the Association to the Legislature (pages 109 to 133) gave interesting data on the State and New York City situation.

Senate Int. No. 1165, Pr. No. 1636.

Assembly Int. No. 1620, Pr. No. 1833.

To amend the code of criminal procedure in relation to bail.—Passed by Legislature. Signed by Governor.—Chapter 419, Laws of 1926.  
The conditions necessitating this legislation are touched upon in our 1925 report to the Legislature, page 28.

Senate Int. No. 1166, Pr. No. 1347.

Assembly Int. No. 1622, Pr. No. 1825.

To amend the Inferior Courts Act of the City of New York, in relation to bail.—Passed by Legislature. Signed by Governor.—Chapter 421, Laws of 1926.

The conditions necessitating this legislation are touched upon in our 1925 report to the Legislature, page 28.

Senate Int. No. 1167, Pr. No. 1762.

Assembly Int. No. 1603, Pr. No. 2190.

To amend the penal law, in relation to second and subsequent offenders and their resentencing.—Passed by Legislature. Signed by Governor. Chapter 497, Laws of 1926.

The need of such legislation was set forth in our report for the year 1925 (page 21), submitted to the Legislature January 16, 1926.

Senate Int. No. 1168, Pr. No. 1349.

Assembly Pr. No. 2240.

To amend the Code of Criminal Procedure, in relation to Courts of Special Sessions in the City of New York, their jurisdiction and the practice therein.—Passed by Legislature. Signed by Governor. Chapter 721, Laws of 1926.

Senate Int. No. 1169, Pr. No. 1876.

Assembly Int. No. 1604, Pr. No. 2267.

To amend the Penal Law, in relation to the commission of a felony while armed with a pistol or other dangerous weapon.—Passed by Legislature. Signed by Governor. Chapter 705, Laws of 1926.

Senate Int. No. 1170, Pr. No. 1635.

Assembly Int. No. 1618, Pr. No. 2244.

To amend the Code of Criminal Procedure, in relation to separate trials of defendants jointly indicted.—Passed by Legislature. Signed by Governor. Chapter 461, Laws of 1926.

Senate Int. No. 1171, Pr. No. 1352.

Assembly Int. No. 1617, Pr. No. 1820.

To amend the Code of Criminal Procedure, in relation to the making of a false statement on application for bail.—Defeated.  
The conditions necessitating this legislation are touched upon in our 1925 report to the Legislature, page 28.

Senate Int. No. 1172, Pr. No. 1353.

Assembly Int. No. 1611, Pr. No. 1814.

To amend the Code of Criminal Procedure, in relation to the time within which an appeal must be taken.—Passed by Legislature. Signed by Governor. Chapter 416, Laws of 1926.

Senate Int. No. 1175, Pr. No. 1633.

Assembly Int. No. 1616, Pr. No. 1819.

To amend the Code of Criminal Procedure, relative to the subpoena of witnesses to testify in criminal actions pending in any state or country bordering on this State.—Passed by Legislature. Signed by Governor. Chapter 415, Laws of 1926.

Senate Int. No. 1179, Pr. No. 1360.

Assembly Int. No. 1619, Pr. No. 1822.

To amend the Code of Criminal Procedure, in relation to the opening address on the trial of the defendant.—Passed by Legislature. Signed by Governor. Chapter 417, Laws of 1926.

Senate Int. No. 1180, Pr. No. 1361.

Assembly Int. No. 1609, Pr. No. 1812.

To amend the Code of Criminal Procedure, in relation to the defendant as a witness.—Defeated.

Assembly Int. No. 1606, Pr. No. 2329.

Senate Int. No. 1183, Pr. No. 1938.

To amend the Prison Law, in relation to the furnishing of a statement of facts when application is made to the Governor for a pardon, commutation, or reprieve.—Passed by Legislature. Signed by Governor. Chapter 521, Laws of 1926.

Assembly Int. No. 1762, Pr. No. 2241.

Senate Int. No. 1365, Pr. No. 1818.

To amend the Code of Criminal Procedure, in relation to appeals. Passed by Legislature. Signed by Governor. Chapter 463, Laws of 1926.

Senate Int. No. 1401, Pr. No. 1766.

Assembly Int. No. 1782, Pr. No. 2900.

To amend the Code of Criminal Procedure, in relation to forfeited bail.—Passed by Legislature. Signed by Governor. Chapter 478, Laws of 1926.

The conditions necessitating this legislation are touched upon in our 1925 Report to the Legislature, page 28.

Senate Int. No. 1402, Pr. No. 1682.

Assembly Pr. No. 2375.

To amend the Prison Law, in relation to indeterminate sentences.—Passed by Legislature. Signed by Governor. Chapter 737, Laws of 1926.

This chapter provides that those received in a State prison after July 1, 1926, on an indeterminate sentence, shall serve the minimum sentence without reduction through commutation. Where a prisoner is held after the expiration of the minimum he may earn a reduction on his maximum sentence at the rate of five days a month.

The Association also approved the following bills which were not among those introduced by the Committee on the Coordination of Civil and Criminal Practice Acts:

Assembly Int. No. 680, Pr. No. 689, by Mr. Goodrich.

Senate Int. No. 473, Pr. No. 764, by Mr. Brown.

To amend the Interior Criminal Courts Act of the City of New York, in relation to supervision of segregated prisoners.—Defeated.

Assembly Int. No. 494, Pr. No. 497, by Mr. Whitcomb.

To amend the Children's Court Act, in relation to jurisdiction.—Passed by Legislature. Signed by Governor. Chapter 149, Laws of 1926.

Assembly Int. No. 106, Pr. No. 100, by Mr. Goodrich.

Senate Int. No. 215, Pr. No. 218, by Mr. Brown.

To amend the Code of Criminal Procedure, in relation to bail.—Defeated.

The conditions necessitating this legislation are touched upon in our 1925 report to the Legislature, page 28.

Assembly Int. No. 552, Pr. No. 562, by Mr. Goodrich.

Senate Int. No. 375, Pr. No. 381, by Mr. Brown.

To amend the Prison Law, in relation to duties of physicians in county jails.—Defeated.

Senate Int. No. 989, Pr. No. 1115, by Mr. Sheridan.

Assembly Pr. No. 2257.

To amend the Penal Law, in relation to reports of treatment of wounds caused by firearms.—Passed by Legislature. Signed by Governor. Chapter 608, Laws of 1926.

Assembly Int. No. 554, Pr. No. 1409, by Mr. Goodrich.

Senate Int. No. 376, Pr. No. 382, by Mr. Brown.

To amend the County Law, in relation to the appointment of matrons in county jails, and defining their duties.—Defeated.

Assembly Int. No. 391, Pr. No. 392, by Mr. Dineen.

Senate Int. No. 28, Pr. No. 28, by Mr. Love.

To amend the Prison Law, in relation to the disposition of children born in prison.—Defeated.

#### BILLS OPPOSED BY THE LAW COMMITTEE

Senate Int. No. 1164, Pr. No. 1345, by Committee on Coordination of Civil and Criminal Practice Acts.

Assembly Int. No. 1621, Pr. No. 1824.

To amend the Code of Criminal Procedure, in relation to bail bonds.—Passed by Legislature. Signed by Governor. Chapter 418, Laws of 1926.

Disapproved by Law Committee of Prison Association, and by Committee on Criminal Courts of Bar Association. Regarded as unnecessary.

Senate Int. No. 969, Pr. No. 1095, by Mr. Higgins.

Assembly Int. No. 1352, Pr. No. 1493, by Mr. Evans.

To amend the Code of Criminal Procedure, in relation to proceedings to terminate the question of sanity.—Defeated.

The Prison Association was most active in opposition to this bill (see page 61), and enlisted the support of the following: The Committee on Criminal Courts, Law, and Procedure of the Association of the Bar of the City of New York; the State Commission of Prisons; the National Committee for Mental Hygiene; the Department of Public Welfare of the City of New York; the State Hospital Commission; the State Charities Aid Association; the Social Service Commission of the Protestant Episcopal Diocese of New York; the Merchants' Association; the Women's City Club; the Department of Correction, New York City, and Dr. Clinton F. McCord of Albany.

Assembly Int. No. 210, Pr. No. 210, by Mr. Cuvillier.

To amend the Interior Criminal Courts Act of the City of New York, in relation to the election of magistrates.—Defeated.

Assembly Int. No. 207, Pr. No. 207, by Mr. Cuvillier.

To amend the Interior Criminal Courts Act of the City of New York, in relation to the election of the judges of the Court of Special Sessions.—Defeated.

Assembly Int. No. 449, Pr. No. 450, by Mr. Berg.

To amend the Penal Law, in relation to the punishment for murder.—Defeated.

Assembly Int. No. 1479, Pr. No. 1654, by Mr. Fay.

To amend the Prison Law, in relation to commutation of sentences of prisoners hereafter confined in a State prison or penitentiary.—Defeated.

Assembly Int. No. 616, Pr. No. 631, by Mr. Fay.

To amend the Prison Law, in relation to reduction of sentences of convicts in State prisons or penitentiaries.—Withdrawn.

This bill was withdrawn by Assemblyman Fay at the request of the Prison Association. He agreed to support the Goodrich bill, Assembly Int. No. 766.

Assembly Int. No. 770, Pr. No. 799, by Mr. Lattin.

To amend the Penal Law, in relation to incompetent persons.—Defeated.

Assembly Int. No. 101, Pr. No. 101, by Mr. Goodrich.

Senate Int. No. 213, Pr. No. 216, by Mr. Brown.

To amend the Penal Law, in relation to adjudging a person to be an habitual criminal.—Defeated.

Assembly Int. No. 1489, Pr. No. 1644, by Mr. Bartholomew.

Making an appropriation for the acquisition of lands for the extension and enlargement of Great Meadow Prison, at Constock, in the town of Ft. Ann, Washington County.—Defeated.

The Prison Association was entirely instrumental in defeating this bill. It represented an attempt to unload a piece of land on the State. The land was not needed in connection with Great Meadow Prison, nor was it of a desirable character.

Assembly Int. No. 1425, Pr. No. 1581, by Mr. Hutt.

Senate Int. No. 1137, Pr. No. 1299, by Mr. Brown.

To create in the Department of Correction, a division of pardons and paroles, defining its powers and duties, and making an appropriation for its support.—Defeated.

This bill attempted too much, and at the wrong time.

Assembly Int. No. 747, Pr. No. 776, by Mr. Doyle.

To amend the Penal Law, in relation to the advertising of the sales of firearms.—Defeated.

## CHAPTER VIII

### \*LEGISLATION IN 1926 WITH RESPECT TO THE PREVENTION OF CRIME

The requirements of the recent constitutional amendment reorganizing the State government and consolidating the State departments, in so far as they relate to some of the correctional machinery in the State, are perhaps not generally known in detail. Therefore, a brief statement leading up to the establishment of a State Department of Correction, and the merging of other agencies into the department, is set forth below.

The organization of a State Department of Correction was urged more than twenty years ago. Central control of some of the custodial and penal institutions of the State was urged for decades before the term "department of correction" was used. The amendment consolidating the State departments originated in the constitutional convention of 1915 in a form considerably different from the one in which it was finally passed. After the defeat of the new constitution nothing was done in a large way until Governor Smith, in 1919, appointed the Reconstruction Commission to study the scattered and top heavy organization of the existing State government. The Reconstruction Commission made an exhaustive investigation of the defects in the existing structure of the state government, and recommended a complete change. One of the three recommendations was a constitutional amendment providing for the consolidation of the departments. This amendment and the other two, were repeatedly introduced in the Legislature from 1920 on. The reorganization amendment, consolidating the departments, was approved by the people in the fall of 1925. In keeping with the constitutional requirements the 1926 Legislature passed the necessary legislation for the new structure of departmental State government.

Beginning January, 1927, there will be eighteen civil departments in the state government, one of which will be a State Department of Correction, which will be headed by a commissioner of correction, to be appointed by the Governor by and with the advice and consent of the Senate, and to hold office until the end of the term of the governor by whom he was appointed. However, the law also provides that the present superintendent of State prisons shall be the commissioner of correction, and shall hold office until the expiration of his present term. This latter provision was made to apply to all the existing heads of departments.

\*Prepared by E. R. Cass, and read at the New York State Conference of Charities and Correction, at Buffalo, New York, November 7th, 1926, and, by unanimous vote of the Conference, ordered printed for immediate distribution.

The commissioner of correction will be charged with the administration of the affairs of the Department of Correction, and will be directly responsible to the Governor. His department will be divided as follows: (1) Division of Administration; (2) Division of Prison Industries; (3) Division of Parole; (4) Division of Probation. The commissioner will have two assistants, to be appointed by him, one of whom will be designated as the first assistant commissioner, and the other, the second assistant commissioner. The first assistant commissioner is to be the deputy commissioner of correction, and is to be head of the Division of Administration. The second assistant commissioner is to be the head of the Division of Prison Industries. The Division of Parole is to be headed by the Board of Parole for State Prisons. However, it is provided that the commissioner of correction, with the approval of the Governor, may abolish such Board and establish in its place such other board or boards, or such procedure, as he may deem necessary to carry out the powers and duties of such parole board. The Division of Probation is to be headed by the State Probation Commission. The Commission is to be constituted as now provided by law, except that the state commission of correction is to designate one of its own members to be a member of the State Probation Commission in lieu of a member formerly designated as such by the State Commission of Prisons. The State Probation Commission, as head of the Division of Probation, is required to exercise the powers and perform the duties of the present State Probation Commission.

The chapter establishing the State Department of Correction also provides for a State Commission of Correction, the chairman of which shall be the head of the State Department of Correction. The State Commission of Correction displaces the State Commission of Prisons, and is required to visit and inspect the State prisons and other institutions such as the county jails, penitentiaries, police lockups, which activity is very much under the control of the head of the State Department of Correction, which means that to some extent the head of the State Department of Correction will be in a position to control the inspection and investigation of institutions for the administration of which he will be held responsible. Under the old law the State Commission of Prisons was a free lance State inspecting and investigating body, with the result that at any time it could direct the inspection or investigation of the State prisons and other penal and correctional institutions in the State. Such freedom of investigation and inspection can, however, be seriously curtailed at the will of the head of the new State Department of Correction.

The new law provides that the wardens of the State prisons shall be appointed by the Commissioner of Correction, and that every such warden shall be in a competitive class of the civil service.

The New York State Reformatory, at Elmira, the New York State Reformatory for Women, at Bedford Hills, and the Albion

State Training School, at Albion, are to be under the control of the State Department of Correction. The board of managers of each of these institutions is to be known as the board of visitors, and is given certain powers such as the visitation and inspection of the institution, and the making of general rules, subject to the approval of the Commissioner of Correction. The board of visitors of each reformatory may adopt rules for the parole and discharge of its prisoners consistent with the law and subject to the approval of the Commissioner of Correction. In the event of a disagreement in this respect the approval of the Governor can be sought.

The Dannemora State Hospital is placed under the jurisdiction of the Department of Correction. The Hospital for the Criminal Insane at Matteawan, heretofore under the jurisdiction of the Prison Department, is transferred to a new department, known as the Department of Mental Hygiene. The Institution for Defective Delinquents at Nanaucho, now under the control of the State Commission for Mental Defectives, will be under the control of the Department of Mental Hygiene after January 1st.

All the functions, powers, and duties of the Secretary of State in relation to criminal statistics are assigned and transferred to the Department of Correction.

Now let us pass to legislation intended to reduce crime. The action of the 1926 Legislature was a response to a popular demand that something be written into law and be administered for the protection of society, and not, as has been hinted regarding enactments of previous years, for the protection of the law-breaker, particularly the professional criminal.

The more conspicuous activity was projected through the Joint Legislative Committee on the Coordination of Civil and Criminal Practice Acts authorized by the 1925 Legislature, and more widely known as the Baumes Committee. However, it should be kept in mind that the ideas in the bills sponsored by the Committee were by no means wholly original with the Committee, but represented in part the contributions of individual legislators, judges, district attorneys, lawyers, public spirited citizens, and organizations directly or indirectly interested in the administration of criminal justice.

The following chapters represent bills introduced by the legislative committee above referred to, and individual members of the Legislature, and are presented in the logical order of criminal court procedure.

The first is chapter 608, which adds a new section to the Penal Law, making it a misdemeanor for any physician, or for any person in charge of a hospital or like institution, to fail at once to report to the police any case treated for pistol or gun shot wounds. An observance of this law will lessen the opportunity for the escape of criminals wounded in the committing of a crime.

Another attempt toward the perfecting of a system of keeping criminal records in the State was indicated in the enactment of chapter 702, which provides that there shall be continued in the

office of the State Superintendent of Prisons a bureau for the keeping of records to aid in the identification and detection of criminals. While the new law does not establish anything that has not in part existed before, its requirements will add considerably to the amount of information heretofore received by the central bureau, and will in that way make the bureau a substantial source of reliable information for the police, courts, institutions, and other agencies. It should be noted that while this legislation will strengthen the system of identification in the State of New York, nevertheless until there is systematic cooperation between the States of the Union and the Central Bureau of Criminal Identification in Washington, D. C., there will be ample opportunity for the professional criminal to operate throughout the country.

Considerable legislation was enacted to curb the abuses of the bail system. Chapter 419, amending Section 552 of, and adding Section 552-a to, the Code of Criminal Procedure, provides, for the first time legally, for the taking of finger prints on arrest and before conviction. This is a decided advance toward the detection of the frequent offender. Further, it advances another step in the prosecution of crime, namely the letting to bail. The purpose of chapter 419 is to prevent the bailing of professional criminals or other frequent offenders who may be dangerous to the public while on bail. The act makes for this protection by providing that if the person arrested is charged with a felony, or with an attempt to commit a felony, or with one of the following misdemeanors or offenses, he shall be, first of all, fingerprinted, and his record, if any, brought to the notice of the judge or magistrate to whom he makes application for bail. If there is good reason to believe that he has been previously convicted, he may not be bailed by a magistrate. The misdemeanors or offenses referred to above are commonly identified with habitual or professional crime. They are as follows: illegally using, carrying, or possessing a pistol or other dangerous weapon; making or possessing burglar's instruments; buying or receiving stolen property; unlawful entry of a building; aiding escape from prison; "jostling" or pocket picking; and illegal possession of drugs. If a person accused has a previous record, he may, nevertheless, be set free on bail by a judge of the Supreme Court, of General Sessions, or of a county court, provided his record is first submitted to the judge. However, with the information relative to previous crime before a judge it is likely that he will be extremely cautious in assuming the responsibility of releasing a person on bail. The same chapter also provides that if a criminal is charged with any of the misdemeanors or other offenses set forth above he can no longer be bailed out before the police lieutenant in the station house, as was formerly his right in the case of charges lower in grade than felonies. This is an important change.

A companion measure to chapter 419 is chapter 421, which amends the Inferior Criminal Courts Act applicable to New York City, so as to prevent magistrates from claiming the powers of higher judges, which this act formerly gave them, in bail matters.

Chapter 418 also deals with bail, and adds another safeguard in taking bail by adding a new section known as 544-c to the Code of Criminal Procedure. It has been frequently observed that the surety company agent, or the private individual offering to go bail, has arranged for protection against loss, in the event that the accused person disappears, by taking stolen goods or the proceeds thereof. The new law provides that an applicant who desires to go bail for another must make an affidavit disclosing the nature of any security given or promised, as well as the identity of any person agreeing to indemnify the maker of the bond against loss. Any indemnity not set forth in the affidavit may not be availed of in case of loss, nor shall any action lie against an indemnitor not revealed by the affidavit.

A further effort to check the abuses of the bail system is represented in chapter 478, which changes section 595 of the Code of Criminal Procedure to the extent of compelling the district attorney to enforce a forfeiture of bail for non-appearance, within sixty days after the adjournment of the court which declared the forfeiture, instead of vaguely permitting the district attorney to enforce the forfeiture at any time, as has been the usual practice. The same chapter also amends section 598 by limiting the time within which forfeitures may be remitted to one year from the time they were declared.

Chapter 461 provides that when a number of defendants are jointly indicted for complicity in the same crime, they may be tried, all at one trial, or one at a time, in the discretion of the court. Previously each defendant had an absolute right to a separate trial, even though the evidence against each was the same. It has been observed that in some instances where a number of defendants were charged with the same crime, they would demand and stand separate trials, thereby necessitating considerable additional labor for the courts and the prosecutor's office, and unnecessary expense. Further, the acquittal of one of the group would sometimes be used to attempt a proof of the innocence of another.

Under chapter 417, which amends section 388 of the Code of Criminal Procedure, the district attorney is not now compelled to offer his evidence immediately after his opening address. Under the old procedure the defendant did not have to make his opening address until the prosecutor's evidence was actually presented. The disadvantage to the State was that the district attorney was entirely ignorant as to what the defense might be, and how to prepare his evidence to combat it. The advantage to the defendant was that his lawyer had opportunity to know not only what the district attorney expected to prove, but what he actually had proved, before proceeding with his side of the case. Under the new law each must state what he expects to prove before any evidence can be offered by either side; thus they are more likely to start on even terms.

In the hope that crime could be reduced by severer penalties, chapter 436, amending sections 407 and 2125 of the Penal Law, provides that the punishment for burglary and robbery shall be greater than heretofore, and also that the two crimes are equally punishable. Under the old law, the burglar, knowing that he could not get less than ten years for burglary, preferred to engage in robbery, for which he might get very much less. Under the new law burglary in the first degree carries a punishment of not less than fifteen years. The same applies to robbery in the first degree.

Chapter 707, amending section 1308 of the Penal Law, is extremely important in that it makes the receiver of stolen goods, an essential ally to high crime, punishable as a felon, irrespective of the value of the goods. A sentence as high as twenty years might be imposed, or a fine up to \$1,000, or both. The receiver of stolen goods, commonly known as a "fence," is a type of leech of which society might well be rid.

To reduce crime by armed persons, chapter 705 was enacted, adding a new section, 1944, to the Penal Law. This new section not only adds five to ten years to the first offense; ten to fifteen years to the second; fifteen to twenty-five for the third, and for a fourth, twenty-five years to life, to the sentence usually applicable, but forbids probation, suspension of sentence, or release before the full term of a sentence.

Of particular importance are the provisions of chapter 457, amending sections 1941 and 1942 of the Penal Law, and adding a new section, 1943. The first amendment, that to 1941, limits the effect of its companion section to felons only. Section 1942 is amended first so as to prevent a life sentence to a fourth offender from becoming subject to the jurisdiction of the parole board. Under this section, before the amendment, a fourth offender would be eligible for consideration for release by the parole board after the expiration of the period of time equal to the maximum penalty prescribed for the fourth offense. Under this change a sentence for natural life means life imprisonment, except for the intervention of the governor through a commutation of sentence or a pardon. Another change, by amending section 1942, nullifies the requirement that a repeated offender must be indicted as such to be sentenced as such. Section 1943 makes it lawful to change the sentence of one who was supposed to be a first offender at the time of his sentence, but who at any time later is shown to be a second offender.

Chapter 736 makes it clearly mandatory that the parole board shall examine into the previous life and record of those appearing for parole. The language of the statute before this amendment was clear to some as indicating that this examination should be made; however, there was doubt held by others. Since the amendment there can be no doubt as to what course should be pursued by the board in determining fitness for parole. This chapter also provides that a prisoner serving a definite sentence may earn a diminution of that sentence only through a time credit of five

days a month, to be known as commutation, as a reward for good behavior and satisfactory performance of duties assigned. Prior to this change in the law, definite sentence prisoners could earn a diminution of sentence through a term known as *compensation*, and also through a term known as *commutation*, which in some instances gave them an advantage in greater time reduction over first offenders. For example, a prisoner serving an indeterminate sentence, with a minimum of five years, would be required to stay in prison longer than a prisoner serving a definite sentence of five years, assuming, of course, that in both instances the full diminution of sentence was earned. Chapter 736 further provides that a prisoner serving a sentence for his natural life shall not have his term diminished either by commutation or compensation.

Chapters 469 and 737 provide that no person shall be released from a State prison who has served less than a year, and the provisions of chapter 737 provide further that a prisoner receiving an indeterminate sentence shall serve a period of time equal to the minimum sentence imposed by the court, and that such minimum shall be served without any good conduct or good time credit that will reduce it. However, a person held after the expiration of the minimum may, through good conduct and willing performance of duties assigned, earn a reduction through commutation at the rate of five days a month. Heretofore a minimum sentence could be reduced by a time credit known as compensation, which in the case of a five year minimum, would reduce it to three years and nine months.

There are other changes relating to criminal court procedure and the administration of penal and correctional institutions, but those set forth above are the more important outstanding efforts to cope with the crime situation through legislative action.

## CHAPTER IX

### DIGEST OF INDETERMINATE SENTENCE LAWS AND PAROLE RULES\*

In our 1921 report there appeared a Study of Parole Laws and Methods in the United States, and part of that study included a digest of the laws relating to sentences and parole rules. The study proved useful, and was printed in several editions. However, because of the length of time that has elapsed, and because of the increased public interest in the indeterminate sentence and parole, and, further, because of the many recent requests for information relative to them received by the Association, it was decided to make a more up-to-date digest of the sentence laws and parole rules of the various States.

It was attempted to collect uniformly certain information from all the states, but the experience at this time is similar to that in 1921, with the result that the following information is as complete as could be obtained. It is hoped that it will serve to give interested readers some idea of the provisions of the laws under which offenders are sentenced, the parole rules, and the make-up of the bodies authorized to grant parole.

#### ALABAMA

In all cases in which the punishment fixed by the statute is imprisonment in the penitentiary, and in which a maximum and minimum term is prescribed, the court shall pronounce upon the defendant an indeterminate sentence for a term of not less than the minimum and not greater than the maximum, fixed by the statute for such an offense. Whenever the *minimum* term of sentence of any person imprisoned in the State penitentiary shall have expired, it shall be the duty of the warden to send the record of such prisoner to the Board of Pardons, and, if, from such record, the Board of Pardons is satisfied that such person will remain at liberty, without violating the law, then said Board of Pardons shall authorize the release of such person upon parole and he can go about upon such terms as the Board may prescribe. A person on parole is in the legal custody and under control of the warden until the *expiration* of the *maximum* time in his sentence or until his pardon by the Governor. If the warden of the prison or the Board of Pardons or any member thereof, believes the person on parole has violated his parole, a warrant may be issued for the arrest of such prisoner at any time prior to the expiration of his maximum period. Any re-arrested person may make application for investigation of his case but, if after investigation, the Board of Pardons determines that he has violated his parole, he shall be re-imprisoned for a period equal to his unexpired

\* By E. R. Cass.

maximum term of sentence, unless sooner released on parole or pardon. The Board of Pardons is authorized to establish rules in the matter of paroles and the granting and revocation thereof. Nothing impairs the power of the Governor to grant a pardon or parole or a commutation of sentence in any case.

#### ARIZONA

First offenders, as well as repeaters, receive indeterminate sentences, and can be considered by the Parole Board for release only after the expiration of the minimum period of their sentence. After their release they are in the custody of the Parole Board until the expiration of their maximum sentence or until they obtain an absolute discharge. The power of pardon or the commutation of sentences is vested in the Board of Pardons and Paroles and the Governor.

#### ARKANSAS

Juries alone have the power to fix the punishment of a person convicted, in capital cases, at life imprisonment in the penitentiary. The courts can impose only the death penalty. Juries and courts have the power to fix the punishment of a person convicted of other felonies and sentenced to the penitentiary. The minimum of such sentence cannot be less than the minimum provided by law for the offense committed, and the maximum cannot be greater than that provided by law for the given offense. At any time after the service of at least one-third of the sentence imposed, upon recommendation of the Parole Board, provided it is shown that the prisoner has a good record for his term of imprisonment, he may be paroled, and if he does not violate the conditions of his parole for a period of six months he is entitled to his final discharge.

The law creating the State Farm for Women admits of indeterminate sentences but definite sentences are given.

#### CALIFORNIA

The State Board of Prison Directors, composed of five members appointed by the Governor, acts as the Parole Board, and also fixes the determinate sentence after a prisoner has served the minimum sentence.

Every prisoner convicted of a public offense, for which public offense punishment by imprisonment in any reformatory or the state prison is prescribed by law, if such convicted person shall not be placed on probation, a new trial granted, or imposing of sentence suspended, shall be sentenced to the State reformatory or State prison, but the Court in imposing these sentences shall not fix the term or duration of the period of imprisonment.

It is the duty of the judge before whom such convicted person was tried and of the district attorney conducting the prosecution to obtain, with the commitment furnished to the State Board of Prison Directors, in writing, all information that can be given in regard to the career, habits, degree of education, age, nativity,



nationality, parentage and previous occupation of such convicted person, together with a statement to the best of their knowledge as to whether such person was industrious or not, of good character or not, the nature of his associates and his disposition.

The period of imprisonment in a State reformatory or State prison shall not exceed the maximum or be less than the minimum term of imprisonment provided by law for the public offense of which a person was convicted.

The law does not guarantee a parole to any prisoner, but provides that a prisoner may make application for parole, under certain conditions, and that the granting or denial of parole is at the discretion of the State Board of Prison Directors acting as parole commissioners. Under the law any first term prisoner, other than a life term, has the legal right to make application for parole after serving one calendar year. The Board, as a general rule, requires that at least half of the prisoner's sentence, minus such credits as he is allowed for good conduct, be served before a parole is granted. A repeater, when not serving a life sentence, has the legal right to make application for a parole, after serving at least two years. No prisoner who has had imposed upon him two or more cumulative sentences shall be paroled until he has served at least two years of the aggregate time of such sentences. Life term prisoners, have the legal right to make application for parole after serving seven calendar years.

While on parole, the prisoner remains in the legal custody and under control of the State Board of Prison Directors, who have power to make and enforce rules of parole. Parole period is for the portion of the unexpired maximum subsequent to release, unless the Governor allows commutation or grants a pardon. One of the rules precludes all civil rights, which include the rights to engage in business for oneself and to marry. The Board has full power to have the prisoner on parole reimprisoned at any time prior to the granting of a final discharge or the expiration of the maximum sentence. The Governor of the State has like power to cancel and revoke parole of any prisoner. Any prisoner leaving the State without permission of the Board is held as an escaped prisoner and arrested as such. The Board likewise has power to determine whether a paroled prisoner shall be allowed his credits or not.

There is a segregation act which enables the Board of Prison Directors to transfer all recidivists to the Folsom Prison and detain the first offenders at the San Quentin Prison.

#### COLORADO

When a person is sentenced to the State penitentiary otherwise than for life, the court imposing the sentence shall not fix a definite term of imprisonment but shall establish a maximum and a minimum term for which said person may be held in confinement. The maximum term shall not be longer than the longest term fixed by law for the offense of which the person was convicted and likewise for the minimum term.

The Governor shall have authority under such rules and regulations as he may prescribe to issue a parole or permit to go at large to any convict serving a sentence other than life at the expiration of the minimum term pronounced by the court, or in the absence of such minimum, the minimum term provided by law for the crime for which the prisoner was convicted; and provided that any person who shall make an assault with a deadly weapon upon any officer, employee, or other convict of the penitentiary, shall not be eligible for parole.

The prisoner who is returned for violation of parole shall not be given credit on his maximum sentence for the period of time at which he was at liberty and during which time he violated his parole.

The paroling of a prisoner is not construed as a discharge but simply as a permit to go without the enclosure of the penitentiary. In other words, the prisoner must regard himself as still serving his sentence and if he behaves himself satisfactorily may earn good time, to be credited against his maximum sentence while he is on parole. Good time not to exceed ten days in any one calendar month is allowed for those known as trusty prisoners, that is, those working outside of the penitentiary walls.

#### CONNECTICUT

Any person sentenced to the State prison, otherwise than for life or in connection with a sentence of execution for a capital offense, shall not be sentenced by the court for a definite term of imprisonment, but shall be sentenced for a maximum and minimum period. The maximum term shall not be longer than the maximum term prescribed by law for the offense committed, and the minimum term shall not be less than one year. However, when any person so sentenced shall have twice before been convicted, sentenced and imprisoned in a State prison or penitentiary, the court shall sentence said person to a maximum of thirty years. The law further provides that in case a person is sentenced to the State prison for two or more separate offenses, where the term of imprisonment for a second or further term is ordered to begin at the expiration of the first, and each succeeding term of sentence, the court imposing said sentence shall name no minimum term of imprisonment except under the first sentence and the several maximum terms shall be construed as one continuous term of imprisonment.

Any person confined in the State prison under an indeterminate sentence, may be allowed to go at large on parole in the discretion of the majority of the Board of Directors of said prison and the warden, acting as a board of parole, at the expiration of the minimum term.

For the State Reformatory at Cheshire, the law provides that any person committed to the reformatory either for an indefinite sentence or a fixed sentence, may be allowed to go on parole at any time at the discretion of a majority of the Board of Directors

and the superintendent, acting as a Board of Parole. Because of the wide latitude allowed by the law, the Board of Parole of the reformatory has endeavored to formulate a schedule with the assistance of the judges of the Superior Court and the following rules have been adopted:

For a sentence under which an individual may be held two years he is eligible for parole in one year, except with a conduct record of not more than three reports, he may receive a reduction of one month and with a perfect industrial record, he may receive a further reduction of one month. Under a sentence where an individual may be held not more than five years, he is eligible for parole in two years, with a reduction of three months for a conduct record of not more than three reports and a further reduction of three months providing he has a perfect industrial record. Under a sentence where an individual may be held not more than ten years, he is eligible for parole at the end of three years, except that with a perfect conduct record of not more than three reports, he may earn a reduction of not more than four and one-half months and for a perfect industrial record, he may receive a further reduction of four and one-half months. For a sentence of more than ten years, an individual is eligible for consideration at the end of four years, except with a perfect conduct record of not more than three reports, he may receive a reduction of six months and for a perfect industrial record he may receive an additional reduction of six months.

The industrial record of the inmates is obtained by a report from each officer and instructor under whom a prisoner may have been employed. After this is obtained, the reduction under the industrial provision is set according to the various officers' rating of the individual and may be anywhere from "no time" up to the maximum.

The above rule provides only for the appearance of the individual before a Board of Parole and in the cases of at least 10 per cent of those who appear before the Board, a parole is not granted at the minimum time but their cases continued from three months to one year. Various reasons may cause such continuation. Unusually serious crimes, the result of the psychiatric examination which would appear to indicate that a longer period was necessary for the individual, a bad conduct record which showed a lack of self-control and the inability to live within such prescribed regulations, or any other reasons that may appear to the Board of Parole are sufficient cause for such a continuation.

#### DELAWARE

The Board of Parole is composed of three persons appointed by the judges of the Supreme Court for a term of three years. It meets once monthly for at least ten months of the year at the New Castle County Workhouse, and at such other times and places as its members of their own motion may decide. The law provides that every prisoner sentenced for life may be released on parole

after serving fifteen years of a sentence and that every prisoner who is sentenced to serve for one year or longer for any offense except for rape, incest or sodomy, or the possession, use, or sale of morphine, opium, cocaine, and chloral-hydrate, may be released on parole after serving one-half of the term of the sentence.

The prisoner on parole is still in the legal custody of the trustees of the New Castle County Workhouse subject to the conditions of release granted by the Board of Parole. A prisoner who has violated parole may be considered for release after serving a three months' period in the Workhouse, but a prisoner who has twice violated parole shall be required to serve the balance of his term in the Workhouse.

#### DISTRICT OF COLUMBIA

The institutions of the District of Columbia consist of a reformatory, workhouse, asylum and jail. There is no indeterminate sentence law affecting commitments to these institutions.

#### FLORIDA

This State has no indeterminate sentence laws and no parole board. The Pardoning Board consists of the Governor of the State, the Secretary of State, Attorney-General, Commissioner of Agriculture and the Comptroller. This Board meets in regular sessions twice yearly, in March and September, in the Senate Chamber of the State Capitol.

#### GEORGIA

Pursuant to the law, the jury fixes the minimum and maximum term of a sentence for all convictions for a felony, except for crimes involving life sentence or death. The law prescribes further that the Prison Commission shall adopt rules under which prisoners, who have served the minimum time, may be released on parole. Under the rules adopted by the Prison Commission, second offenders are placed in Class B, and third offenders are placed in another class and are required to serve a maximum sentence.

#### IDAHO

There is an indeterminate sentence law with a year for the minimum for nearly all crimes. After serving the minimum period, parole may be granted at any time. Recidivists cannot be paroled. They can only be released by the Board of Pardons. Paroled prisoners shall not be granted permission to leave the State. They must report monthly to the warden. Full power to enforce the rules and regulations and to reimprison any paroled convict is conferred on the warden.

#### ILLINOIS

Both a definite sentence law and an indeterminate sentence law. When a person over ten years of age is charged and found guilty of treason, murder, rape or kidnapping, a definite term must be fixed by the jury, or by the court. All sentences to State

institutions for any other crime shall be indeterminate sentences, for not less than the minimum nor greater than the maximum term provided by law for the prisoner's offense.

The rules of the *Department of Public Welfare* for the parole of persons serving definite sentences are as follows: Persons sentenced for life may be eligible for parole after twenty years; persons sentenced for a definite term of years are not eligible till the minimum sentence prescribed by law for the crime has been served, good time being allowed, as prescribed by law, nor are they eligible until at least one-third of the time fixed in their definite sentence has been served.

When a prisoner has served the minimum sentence of an indeterminate sentence and is serving his first term and has obeyed the rules of the prison, he comes before the *Division of Pardons and Paroles*. No petition or advertising is necessary as the rules of the Division require that he be brought before them.

#### INDIANA

A felon between the ages of 16 and 30 shall be sentenced to the Indiana Reformatory, except for the crimes of treason or murder in the first and second degrees. The court trying such person shall sentence him to the custody of the Board of Managers of the reformatory to be confined at such place as may be designated by the Board of Managers for a term of not less than the minimum time prescribed by the statutes of the State as a punishment for the offense for which the defendant was convicted and not more than the maximum time prescribed by the statutes.

For any male person 30 years of age or over on trial for any felony which is punishable by imprisonment in the State prison, except treason and murder in the first degree, the court or jury trying said case shall ascertain only whether or not the person is guilty of the offense charged. Instead of pronouncing upon such person a definite time of imprisonment in the State prison for a fixed term, after a verdict, the court shall pronounce upon such person an indeterminate sentence of imprisonment in a State prison for a term, stating in such sentence the minimum and maximum limits thereof, fixing as the minimum time of such imprisonment the term prescribed as the minimum imprisonment for the punishment of such offense and as the maximum the time prescribed as a penalty for the offense. At each meeting of the Board of Parole, every prisoner confined in a State prison upon an indeterminate sentence, whose minimum term of sentence has expired, shall be given an opportunity to appear before such Parole Board and apply for his release upon parole or for an absolute discharge.

The Board of Trustees, consisting of four members appointed by the Governor, also act as the Parole Board. During the period of parole a prisoner is in the legal custody of the warden and State agent until the expiration of the maximum term of his sentence unless he is discharged before said expiration.

#### IOWA

Any male person who shall be committed to the penitentiary, except those convicted of murder, treason, sodomy, or incest, who at the time of conviction is between the ages of 16 and 30, and who has never before been convicted of a felony, shall be confined in the reformatory, provided, however, that persons between the ages of 16 and 30, convicted of rape, robbery, or of breaking and entering a dwelling house in the night time, with intent to commit a public offense therein, may, as the particular circumstances may warrant, in the discretion of the court, be committed to either the reformatory or the penitentiary.

Whenever any person 16 years of age is convicted of a felony and is sentenced to the State Penitentiary, the court imposing sentence shall not fix the limit or duration of the same, but the term of such imprisonment shall not exceed the maximum term provided by law for the crime of which the prisoner was convicted.

The regular sessions of the Board of Parole begin the first Monday in February, April, June, August, October and December, and are held at the reformatory, the penitentiary and the capitol building.

Prisoners, except those serving life sentences, will be given personal interviews six months after entering prison, or as nearly then as possible, except in cases where the maximum sentence is two years or less, when they will be interviewed after serving from two to four months, and prisoners, except those serving life sentences, are considered applicants for parole without making formal application. The Board of Parole fixes the minimum sentence. In cases of life imprisonment the Governor fixes the minimum. All cases will be passed on as nearly as possible within a year after the prisoner enters the prison. Any prisoner may apply to the Board to have his case considered earlier than the time above designated, stating specifically the reasons therefor.

Any prisoner who has served not less than twelve months of his parole acceptably to the requirements of the Parole Board, may be recommended by the Board to the Governor for discharge from further liability under his sentence.

An escaped (one who leaves the State without permission) paroled prisoner, or a prisoner who violates the provisions of his parole agreement, can be made to serve a new sentence of five years.

#### KANSAS

The Board of Administration of the State has charge of all the penal, charitable and educational institutions of the State. It acts as a parole board for the reformatory, the Girls' Industrial School and the Boys' Reform School. As to these three, it has plenary power to parole. It also acts as a parole board for certain cases at the penitentiary, in which cases it merely recommends to the Governor, who may act upon its recommendation.

This Board has power to consider and recommend paroles from the State Penitentiary when the prisoner has served the minimum term fixed by law, provided that he is not a third termier. The Board has no power to act in cases of murder. In the latter and in all cases in which the Board cannot act, the Governor has power to act.

The Governor has the power to pardon, parole and issue commutation of sentences in any case of crime from any place of imprisonment upon condition that the application shall be made to the Governor and notice of a hearing published for thirty days before the hearing in the official paper of the county from which the prisoner was sentenced.

It is a rule of the Governor's office that persons paroled shall serve on parole for at least a year with good behavior. After this, they are given a conditional pardon which restores them to citizenship, but which requires them to live a decent and law-abiding life during the term for which they were sentenced. At the end of the term, they may get a full, unconditional pardon. This unconditional pardon restores them to all rights of citizenship.

#### KENTUCKY

The parole committee consists of three members appointed from the eight members of the State Board of Charities and Corrections. A person serving a sentence of ten years or less or sentences aggregating ten years is eligible for parole when he has served one-half of his sentence. If he is sentenced for more than ten years and not more than 21 years, he is eligible for parole when he has served six years. If he is sentenced to more than 21 years or to a life sentence he is eligible for parole after serving eight years. No prisoner is entitled to parole as a matter of right. His release is entirely at the discretion of the parole committee. A prisoner may be paroled outside of the State provided his financial independence is assured. The parole period is until the expiration of the sentence imposed by the court without allowance for good time. A paroled life term man is on parole for life. The Governor has the right under the law to pardon a paroled prisoner at any time.

In July, 1921, the Attorney General rendered an opinion based upon the former decisions of the Court of Appeals, and the statutes, in which he held that a prisoner is technically on parole during the remainder of his life unless pardoned or granted restoration to citizenship by executive action. This means that a prisoner sentenced in 1920 for four years and who was paroled at the expiration of two years, remains on parole and subject to whatever parole rules may be adopted by the State Board of Charities and Corrections for the remainder of his life.

He may be subject at any subsequent period, if again convicted of a crime, to serve that portion of his first sentence unserved at the time of his parole.

#### LOUISIANA

There is a Board of Parole which has authority over prisoners receiving a determinate or an indeterminate sentence. Any person receiving an indeterminate sentence may be released on parole at the expiration of the minimum term or before such expiration. There is also a special law covering meritorious services rendered by prisoners, such as saving a life, in which case, such prisoners may be released after serving one-fourth of the minimum period of the sentence provided the minimum is not less than one year. No prisoners serving sentences for rape, arson, treason, or crimes against nature, are paroled. Life prisoners may be paroled under a Supreme Court mandamus.

#### MAINE

Has an indeterminate sentence law which provides that when any person shall be convicted of a crime, punishable by imprisonment in the State prison, or the State School for Boys, the court, imposing sentence, shall not fix a definite term of imprisonment in said State Prison, and may not fix a definite term in said State School for Boys, but shall or may fix a minimum term of imprisonment which shall not be less than six months in any case. The maximum penalty provided by law shall be the maximum sentence in all cases, except wherein the committing judge recommends that in his judgment a maximum not exceeding the maximum provided by law would be a proper penalty. The minimum term of imprisonment fixed by the court shall not exceed one-half of the maximum term of imprisonment for the offense of which the prisoner stands convicted, fixes the minimum term of imprisonment, then the minimum term fixed by law shall be the minimum term of imprisonment.

The provisions of this act shall not apply to any person convicted of an offense the only punishment for which prescribed by law is imprisonment for life. Provided, that in all cases where the maximum sentence in the discretion of the court, may be for life or any number of years, the court imposing sentences shall fix both the minimum and maximum sentence. The minimum term of imprisonment thus fixed by the court shall not exceed one-half of the maximum term so fixed.

#### MARYLAND

The Parole Commission without solicitation from the prisoner shall collect facts and determine the advisability of recommending to the Governor the parole of persons sentenced for one year or more to the penitentiary or house of correction after one-third of their term has expired.

The Governor is judge of whether conditions of parole have been breached and he can revoke said conditional pardon. Unless the Governor decides otherwise such a person must serve balance of sentence, and time of parole is not included. Parole period

is for the unexpired portion of the sentence imposed. The Board of Parole supervises paroled convicts and reports to the Governor. No distinction is made between the first offender and the repeater, but the repeater stands little chance of obtaining parole.

#### MASSACHUSETTS

A prisoner shall be paroled from the State prison upon the expiration of his minimum sentence if he has obeyed all the rules of the prison. Otherwise the Board may parole him at a later time. A special permit of parole may be granted by the Board to a prisoner who is serving a sentence with a minimum term of more than two and one-half years, when he has served two-thirds of such minimum term. But he shall serve at least two and one-half years before it is granted. Parole becomes void when its terms are violated. The Board has the right to have parole revoked. While on parole prisoner is under control of the Board. He is so till expiration of his maximum sentence. A violator of parole is reconfined on terms of his original sentence. Time of parole is not computed in his sentence. With permission of Board paroled prisoner may leave the State. Above rules hold good for first or second terms. An habitual criminal may be paroled at the discretion of the Governor and Council and under their rules and control. The Governor can order such prisoner reconfined if he has broken the terms of his parole.

The court in imposing sentence of imprisonment in the Massachusetts Reformatory shall not fix the term thereof unless it exceeds five years. Whoever is sentenced to the reformatory for larceny or for any felony may be held therein for not more than five years unless sentenced for a longer term. If committed to said reformatory as a delinquent child he may be held therein for not more than two years. If sentenced for drunkenness he may be held for not more than one year. If sentenced for any other offense he may be held for not more than two years. A first term who may be held for not more than one year shall have the right of appeal before the Board of Parole at the expiration of eight months. One who is being held for not more than two years may appeal to this Board at the expiration of eleven months. One who is serving not more than five years may make application to the Board at the end of fourteen months from the date of his commitment. If a prisoner has served one or more previous terms in the reformatory he may have the right of a hearing before the Parole Board at the expiration of twenty months from the date of his commitment. An inmate committed to the reformatory upon a sentence of over five years shall have the right to make application for a hearing on the question of his parole one month before he shall have served one-half of his sentence. The Parole Board at its first meeting after the transfer to the reformatory of an inmate who had received a definite sentence to any other institution shall fix the time at which such inmate shall have the right to file an application for a hearing on the

question of his parole. No attorneys are permitted at parole hearings.

The same general rules as above stated apply to the procedure at the State Reformatory for Women.

There are special rulings for the State farm, prison camp and hospital.

The Governor, with the consent of the council and upon the petition of the prisoner, may grant a pardon, subject to the conditions he may impose. The Board of Parole acts as an advisory board of pardons. A violator of his pardon is examined by the Governor and his council and if reconfined must serve the rest of his original sentence unless he is again pardoned. Time of conditional pardon is not counted.

#### MICHIGAN

When any person shall be convicted of crime, the punishment for which prescribed by law may be imprisonment in the State prison at Jackson, the Michigan Reformatory at Ionia, the State House of Correction and branch of the State prison in the Upper Peninsula, or the Detroit House of Correction, the court imposing sentence, shall not fix a definite term of imprisonment, but shall fix a minimum sentence of not less than six months. Maximum sentence shall be the maximum penalty provided by law, except as the judge in passing sentence recommends the maximum he thinks advisable. This, however, shall not exceed one-half the maximum prescribed by law. The minimum shall not exceed the law fixes the minimum term, that stands. In the case of crimes where the only sentence mentioned in law is a life sentence, the court should decide the maximum and the minimum sentence. The Governor grants parole in cases of murder, rape, conspiracy, offenses by public officers in violation of their duties, conspiracy to defraud public municipalities, and for bribing or attempting to bribe public officers. The Advisory Board acts in matters relative to requests for pardons and grants parole in other cases. The Governor and the Board together adopt rules for parole.

Every convict who has not broken the rules of the prison shall be entitled to reduction from his minimum sentence as follows: During the first and second years of his sentence, five days per month; during the third and fourth, six days per month; during the fifth and sixth, seven days per month; during seventh, eighth and ninth, nine days per month; during the tenth to the fourteenth year inclusive, ten days per month; during the fifteenth to the nineteenth year inclusive, twelve days per month, and from and including the twentieth year to the expiration of the sentence, fifteen days per month.

First and second terms are eligible for parole at the end of their minimum term, less good time. Others cannot be paroled. The convict makes application for parole when eligible. Prisoner must have "first friend and adviser," and employment secured

before being paroled. Paroled prisoner is in the legal custody of the warden and may be returned to the prison at any time prior to the expiration of his parole period. All returned paroled prisoners must appear before the Parole Board for a hearing. The time from his declared delinquency to his arrest is not counted as a portion of his sentence. He must serve balance of original maximum sentence. Parole period must be no longer than four years. Board or Governor decides length of parole at time of granting parole.

Governor is to grant reprieves, commutations and pardons for all offenses but impeachment and treason. In the latter case Legislature has the power.

#### MINNESOTA

When a person is convicted of a felony or other crime punishable by imprisonment in the State prison or State reformatory, except treason or murder in the first or second degree, the court in imposing sentence shall not fix a definite term of imprisonment but may fix in said sentence the maximum term of such imprisonment. The person sentenced shall be subject to release on parole and to final discharge by the State Board of Parole, which is composed of five persons: First, the oldest member in continuous service of the State Board of Control; the warden of the State prison at Stillwater shall be an ex officio member of the board and its secretary; the superintendent of the State reformatory at St. Cloud shall be an ex officio member of the board and its first assistant secretary; the superintendent of the State Reformatory for Women shall be ex officio a member of the board and the second assistant secretary; the fifth member of the board shall be a citizen of the State who shall be appointed by the Governor. The Parole Board meets once a month at the State prison and the reformatories to hear applications for parole or discharge. Prisoners may appear before the Parole Board at the first meeting after they have been in the first grade for six consecutive months. An application which has been denied shall not again be made within six months from the date of denial. In considering the question of parole or discharge of an inmate the Board will take into account:

- a. His conduct while an inmate of the institution.
- b. His history previous to commitment.
- c. His character, capacity, habits, tendencies and attitude.
- d. The nature and circumstances of his crime.
- e. The probabilities from all the facts that the prisoner will lead a correct life at liberty.
- f. The effect of his parole upon the administration of justice.

Paroled prisoners remain under the legal control of the Board until the expiration of their maximum sentence and may be returned at any time by order of the Board. The Board may grant absolute release to any prisoner on parole. The Governor may return citizenship or part of its rights unless the loss was part of the punishment. Prisoners are usually discharged by the Parole Board one year after the date of the parole.

#### MISSISSIPPI

No indeterminate sentence law or parole.

#### MISSOURI

Prisoners make application for reprieves, commutation, paroles and pardons by petition to the Governor. Applications for executive clemency properly come before the Governor and are investigated by the State Prison Board. Before any application shall be entertained by the Board, it is required that the applicant or petitioner publish a notice of his intention to apply for executive clemency in a weekly newspaper published in the county in which he was convicted, for a period of two weeks. The Prison Board has the authority to parole from the industrial schools for boys and girls. The Board has never adopted any hard or fast rules of procedure.

#### MONTANA

Whenever any person shall be found guilty of any crime or offense punishable by imprisonment in the state prison, except treason, murder in the first degree, rape by force, or administering poison to a human being with intent to kill, the court must, instead of fixing the punishment at a definite term, provide in the sentence and judgment that the defendant be confined in such prison, not less than a certain time nor more than a certain time, both the minimum and maximum time shall be named in such judgment, and such minimum time shall not be longer than one-half of the maximum time named in such judgment, and may be less than one-half such time, nor shall it be less than the minimum time named in the law prescribing punishment for such crime or offense, nor shall the maximum time named in such judgment exceed the maximum punishment named in such law; provided, that in any judgment under the law the minimum time shall not be less than six months. In all cases where the punishment is fixed by the jury, the minimum and maximum time shall be set forth in the verdict.

A prisoner may be paroled at the discretion of the Governor and the State Board of Prison Commissioners after he has served one-half of the minimum time. Paroled prisoners are in the legal custody and under the control of the Board until the termination of their maximum sentence and are subject to be returned to the State prison by the Board.

#### NEBRASKA

Has an indeterminate sentence law, the imposition of which is left to the discretion of the court, which permits first offenders to be released on parole at the expiration of their minimum sentence. Paroled men may be discharged by the Parole Board at any time after six months on parole. By a recent amendment to the indeterminate sentence law, persons who have been previously convicted of a felony, are excluded from the benefits of the law and likewise those convicted of crimes of violence or attempts at crimes of violence against the person.

## NEVADA

The Board of Pardons is created by the Constitution and consists of the Governor, Attorney-General and three justices of the Supreme Court. It has power to pardon or commute any sentence or punishment and it is believed that this power extends to paroles included under the term of commutation. Under the indeterminate sentence law, judges, in pronouncing sentence, are limited to a minimum and maximum, as provided by law, for the crime for which the defendant was convicted. The Parole Board, created in 1909, has the power to release prisoners on parole who have served their minimum sentence. The exception to this rule is all prisoners who have a previous criminal record. Prisoners in this class cannot be paroled before the expiration of one calendar year. Prisoners on parole are required to report monthly to the Board from the time of their parole until they are pardoned or their maximum term expires. This applies equally to first offenders and repeaters.

## NEW HAMPSHIRE

All sentences to State prison, except life sentences and those of habitual criminals, shall be indeterminate. The maximum cannot be longer than that stated in the law and the minimum shall not be less than that required by law. After serving the minimum sentence, if less than three years, a convict who has obeyed the rules of the prison may be paroled. All prisoners whose minimum sentence is three years or more may, on recommendation by the Board of Prison Trustees, be granted a parole by the Governor and a council who act as the Parole Board, after having served two-thirds of their minimum sentence. Prisoners who have disobeyed prison rules may be paroled at a later time.

A paroled prisoner is in the legal custody of a parole officer to whom he reports at least monthly. He shall be aided by this officer in securing employment and upon the parole officer's sworn complaint, he can be re-arrested. A justice at a trial decides upon the officer's complaint. If it is adjudged that the paroled prisoner has violated his parole, the Governor and council revoke the permit and the prisoner must serve the remainder of his maximum sentence, at which time he is entitled to final discharge.

## NEW JERSEY

The Legislature in 1926 repealed the indeterminate sentence law for prisoners sentenced to the State prison. Every such prisoner shall now receive a definite term in accordance with the laws enacted in this State in 1895.

All prisoners upon completing their term of sentence, less good time, shall be granted a final discharge upon the recommendation of the management of the prison. Prisoners sentenced prior to the enactment of this law may still be placed on parole at the expiration of the minimum sentence, less earned commutation. Paroled prisoners must report monthly for a year to the chief executive officer of the prison.

For prisoners committed to all other correctional institutions the law provides an indeterminate sentence. The Board of Managers of each institution has the power to release inmates on parole. No inmate is eligible for release until the expiration of his minimum term, less earned commutation. In case of a life sentence, the minimum term shall be taken to be 15 years. The legal custody of all paroled prisoners is vested in the chief executive officer of the institution from which they are paroled. A paroled prisoner may be granted permission to reside outside of the State provided a responsible person agrees to act in the capacity of sponsor for him.

## NEW MEXICO

Every person who shall be sentenced for a felony, or other crime punishable by imprisonment in the Penitentiary, shall receive a maximum and minimum duration of the sentence. The Board of Penitentiary Commissioners and the Superintendent of the Penitentiary constitute a Board of Parole which may fix the rules under which a prisoner may be paroled after having served the minimum term of his sentence. All prisoners who have served minimum and whose conduct is satisfactory, except those having served two previous terms in any penitentiary, are eligible for parole. It is the duty of the superintendent to keep in communication with all paroled prisoners and as far as possible with their employers. When any prisoner has served not less than six months of his parole acceptably he may be given his final release.

## NEW YORK

Three different types of indeterminate sentence laws are in vogue. Elmira reformatory receives male offenders between sixteen and thirty years of age, convicted for the first time of a felony and for the second time of a misdemeanor. Felons may be detained for the maximum period laid down in the Penal Code for the specific offense, but no minimum is prescribed, and the board of managers has full power to release a prisoner at any time it sees fit. The maximum in the case of misdemeanants is three years. As a matter of practice, the board has established a system of marking which is the principal factor in deciding when a prisoner is eligible for parole. The minimum period qualifying for release is a little over twelve months. The average time at which prisoners are actually paroled is about fourteen months. In some instances prisoners are held longer.

The indeterminate sentence, as it applies to those committed to a State prison, is as follows:

"A person never before convicted of a crime punishable by imprisonment in a State prison, who is convicted in any court in this State of a felony other than murder first or second degree, and sentenced to a State prison, shall be sentenced thereto under an indeterminate sentence, the minimum of which shall not be less than one year, or in case a minimum is fixed by law, not less than such minimum; otherwise, the minimum of such sentence shall not be more than one-half the longest period and the maximum shall not be more than the longest period fixed by law for which the crime is punishable of which the offender is convicted."

At the expiration of the minimum period a prisoner serving an indeterminate sentence may be paroled. Too frequently it is the practice to parole prisoners at the expiration of the minimum period. Paroles are decided by the board of parole, which consists of two salaried members and the superintendent of prisons, ex-officio. There are four parole officers, but the actual supervision of those on parole is conducted by organizations cooperating with the board of parole. The parole period is usually one year, except for those whose sentence was commuted, or who were committed for murder, second degree, for which cases the parole period is usually two years. The parole board, of course, can keep a prisoner on parole until the expiration of his maximum sentence.

A recent amendment to the law provides that prisoners released after serving a definite sentence, shall be placed in the custody of the parole board for the period of time which was deducted from their sentence for good behavior.

The third kind of indeterminate sentence law operating in the State is based upon the law of 1915, which is applicable to all cities of the first class in the State, but has so far only been actually applied to New York City. This relates to persons sentenced to imprisonment in any penitentiary, workhouse or reformatory in a city of the first class. In the case of the reformatory and penitentiary, every sentence is for an indefinite term, subject to a maximum of three years, while in the case of the workhouse the sentence may be indeterminate, and, if so, is subject to a maximum of two years. The Parole Commission has absolute discretion to release a prisoner from a reformatory or workhouse at any time after the commencement of the sentence, but it is required to first send to the committing judge notice of the time and place of the meeting at which the case will be disposed of, so as to give him an opportunity to express an opinion or make a suggestion regarding its disposal. In the case of prisoners committed to a penitentiary, the Parole Commission may similarly, at any time, make a recommendation in favor of parole to the committing judge, but his approval in writing is necessary before such recommendation becomes effective. This law, it will be noticed, in some ways more closely approaches a true indeterminate sentence than that in force in most parts of the country. There is no special maximum fixed by the statute or by the court for each offense, but merely the general maximum of two years for all offenses in the case of an inmate of a workhouse, and of three years in the case of an inmate of a reformatory or penitentiary; nor is there any minimum. The Parole Commission can release a prisoner on the day after the sentence is passed, provided that in the case of an inmate of a penitentiary the sanction of the committing judge is obtained. The Parole Commission consists of three salaried members and two ex-officio members, namely, the commissioner of the department of correction and the commissioner of the police department; there is also a paid secretary and a large

staff of parole officers. The three paid commissioners are appointed by the mayor of the city and are required by law to give full time service. The parole officers are appointed from a civil service list by the commissioners.

#### NORTH CAROLINA

There is an indeterminate sentence law for persons sentenced to the State prison. Every six months the parole of prisoners serving an indeterminate sentence shall be considered by the Board of Directors of the State prison. Prisoners are eligible for parole after serving the minimum sentence, less commutation for good time. There is an Advisory Board of Parole (Attorney-General, Chairman of the Board of Directors, Chairman of the Board of State Charities) which reviews the records and may recommend the parole of prisoners to the Governor. After the minimum sentence prescribed by statute for the offense has expired, providing such sentence is not less than one-fourth of the term for which such prisoner was sentenced, the Board of Parole shall consider the case. However, the Board may consider a case before this period of time has elapsed. If the Governor acts on the recommendation and grants a parole, the prisoner is given clothes, transportation, and \$15 \$20 or \$25, according to his grade. The parole period lasts until the expiration of the maximum sentence. During this period the prisoner must report monthly to the Parole Board. The Governor may order the prisoner re-imprisoned if the conditions of parole are violated.

#### NORTH DAKOTA

The Board of Pardons composed of the Governor ex-officio, Attorney-General, Chief Justice of the Supreme Court, and two electors appointed by the Governor, act as a Board of Parole and fix the date when an inmate may be released, paroled or discharged, after the expiration of the minimum term of sentence.

All applications for the discharge or parole of inmates of the penitentiary who may have been sentenced other than for a fixed term or under the indeterminate sentence law shall be presented to and passed upon by the Board of Pardons and no person serving an indeterminate sentence shall be released from the penitentiary merely because the minimum term of his sentence has expired, but his term shall continue until the expiration of the maximum term unless he is sooner ordered discharged or is paroled from the institution by the Board.

The following described persons shall not under any circumstances be paroled from the penitentiary.

1. A person convicted and sentenced for the crime of murder in the first degree.
2. A person finally convicted in any jurisdiction of a felony other than that for which he is being punished.
3. A person who has not maintained a good record at the penitentiary for at least six months previous to his parole.



## OHIO

Courts imposing sentences to the Ohio Penitentiary for felonies, except treason, and murder in the first degree, shall make them general and not fixed or limited in their duration. All terms of imprisonment of persons in the Ohio penitentiary may be terminated as authorized by law, but no such terms shall exceed the maximum, nor be less than the minimum term provided by law for the felony of which the prisoner was convicted. If a prisoner is sentenced for two or more separate felonies, his term of imprisonment may equal, but shall not exceed, the aggregate of the maximum terms of all the felonies for which he was sentenced and he shall be held to be serving one continuous term of imprisonment.

The Board of Clemency has full power to parole. At the end of twelve months or at the end of the minimum sentence an inmate may apply for parole. If he is under sentence for murder in the second degree he may be considered for parole after having served ten years of this sentence. Before a prisoner can be considered for parole by the Board of Clemency he must be recommended as worthy by the warden and the chaplain of the penitentiary and notice of such recommendations shall be published for three consecutive weeks in two newspapers of opposite politics in the county from which such prisoner was sentenced. A prisoner violating the conditions of his parole shall thereafter be treated as an escaped prisoner and when arrested shall serve the unexpired period of the maximum term of his sentence.

The supervision of a prisoner released on parole is carried on by the institution in which he was confined. Prisoners not residents of the State are instructed to remain out of the State forever and to report in writing for a given number of monthly reports. Residents of the State report monthly by mail. There are field officers for the supervision of parolees.

## OKLAHOMA

The law in this State provides only for a determinate sentence. The pardon and parole power is vested solely in the Governor. There is no parole board. However, there is a parole attorney who investigates various cases and makes a report to the Governor. Upon this report, the Governor either grants or refuses executive clemency. There is no definite maximum or minimum parole period. A person paroled remains on parole until the same is revoked or the Governor grants a citizenship pardon.

## OREGON

When a person is guilty of a felony, except treason or murder, the court shall, when sentencing to the penitentiary, sentence without limitation of time, stating in such judgment the maximum penitentiary penalty for such crime, which shall not exceed statutory maximum.

Persons serving an indeterminate sentence may be paroled by the Governor, or upon recommendation of the Parole Board, as fol-

lows: A person under 20 at time of sentence and a first term may be paroled at any time. A person over 20 and a first term may be paroled after one-half of maximum term of sentence. Good time is allowed to be deducted. If Governor revokes parole good time is only allowed from time of return to penitentiary.

## PENNSYLVANIA

A person convicted of a crime punishable by imprisonment in a State penitentiary shall be given an indeterminate sentence, with stated minimum and maximum limits, which shall in neither case exceed the limits provided by law for the stated crime, and the minimum limit shall never exceed one-half of the maximum sentence prescribed by the court.

The Board of Inspectors of each State penitentiary has the power of recommending the inmates under its jurisdiction for parole to the Governor. At each monthly meeting of this Board, inmates whose minimum term of sentence will expire within three months shall be given an opportunity to apply for release on parole. Paroles are issued or revoked by the Governor in accordance with the recommendations made to him by this Board.

Prisoners confined in a county jail, house of correction, or workhouse, may be released on parole by the Board of Prison Inspectors, with the consent of the judge of the court and the district attorney of the district from which they were committed.

## RHODE ISLAND

There is no indeterminate sentence law in this State. The Parole Board of the State consists of the Governor, the Attorney-General, and the warden of the State prison, the agent of State Charities and Corrections and three other citizens of the State who shall be appointed by the Governor, with the advice and consent of the Senate. Whenever a person convicted of any offense shall be sentenced to be imprisoned in the State prison or in any county jail for a period of more than six months, such sentence shall be subject to the control of the Board of Parole. In the case of any prisoner whose sentence is subject to its control, unless such prisoner be sentenced to imprisonment for life or be confined as an habitual criminal under the provisions of the general laws, the Board of Parole may by an affirmative vote of the governor and at least two other members of the Board issue to such prisoner a permit to be at liberty on parole whenever such prisoner has served not less than one-half of the term for which he was sentenced. The prisoner to whom such permit is issued shall be at liberty during the remainder of his term of sentence in accordance with the terms and conditions of his parole. If such prisoner be confined upon more than one sentence such permit may be issued whenever he has served a term equal to one-half of the aggregate time which he shall be liable to serve under his several sentences, unless he has been sentenced to serve two or more terms concurrently, in which case such permit shall be issued when he has served a term equal to one-half of the maximum term he

was required to serve. In computing the one-half of any term of sentence, there shall be added to the time the prisoner has actually served the time he shall have earned for good conduct.

In a case of an habitual criminal such permit may be issued at any time after such prisoner has served not less than five years of the twenty-five years' imprisonment which he is required to serve by law. A parole permit may be issued to a prisoner sentenced to life imprisonment after such prisoner has served not less than twenty years. However, it shall be issued only by unanimous vote of all the members of the Board and whenever after the issue of such permit such prisoner shall be pardoned then the control of the Board over such prisoner shall cease.

A permit shall not be issued to any prisoner unless it shall appear to the Board that such prisoner has shown a disposition to reform, that his conduct has been good while in prison and that he will be able to secure employment as soon as he is at liberty upon parole.

The Board may by a majority vote of all its members revoke any permit to any prisoner. Whenever it shall appear that the prisoner has violated his conditions of parole or any of the laws of the State during the time of his parole, the prisoner shall then be returned to the prison from which he was released to serve the remainder of his original sentence from the time of his parole. All permits and orders of the Board shall be signed by the Governor and countersigned by the secretary of the Board.

#### SOUTH CAROLINA

If the maximum sentence of imprisonment imposed by the court exceeds one year, except in the case of life imprisonment, the sentence of the prisoner shall be for an indeterminate period to the extent that the court shall prescribe a maximum and minimum which shall be within the limits prescribed by statute. The minimum shall not be more than one-half of the maximum and in cases in which no minimum is provided by law it shall be deemed to be one year. The Board of Pardons acts as the Board of Parole. At the expiration of the minimum sentence, without deduction of time for good behavior, any prisoner whose record has been good for the twelve preceding months may apply for parole. An order issued in quadruplicate, signed by a majority of the Board and countersigned by the Governor directing the release on parole of a prisoner, is necessary for his release. The prisoner is then considered as serving the remainder of his sentence on parole and shall not leave the limits of the State without written permission of a majority of the Board. Each prisoner on parole is made the special charge of the State Board of Public Welfare and the sheriff of the county of his residence, who are required to maintain contact with him during the period of his parole.

#### SOUTH DAKOTA

If a person over sixteen years of age, who has never before been convicted of a crime or sentenced to the State penitentiary, and who has not previously been convicted of a felony, either within or without the State, is convicted of an offense punishable by imprisonment in the State penitentiary, the court, in its discretion, may sentence such person to the penitentiary for a period that shall be without limit as to time. However, such term shall not be less than the minimum term provided by law, nor longer than the maximum term provided by law, for the crime for which the prisoner was convicted. The term of sentence more than the minimum and less than the maximum fixed by law shall be determined by the warden and the Board of Charities and Corrections upon facts and conclusions established by the scientific study and observation of the habits, disposition, character, conduct and general tendencies of the convict.

Prisoners may be paroled by the Governor upon recommendation from the warden, supported by a similar recommendation from the Board of Charities and Corrections and the judge or his successor before whom such persons were convicted, provided that a convict serving an indeterminate sentence has served the minimum of such sentence, less good time, and that a convict given a determinate sentence shall have served three-fourths of his sentence allowing time earned for good behavior.

#### TENNESSEE

Upon recommendation of the State Board of Administration, which comprises both Pardon and Parole Board, the Governor shall have the power to cause to be released on parole any prisoner held in the State penitentiary who has served the minimum term provided by law for the offense for which he was sentenced, less good time, provided, however, that no convict serving a life sentence shall be paroled unless he has served twenty-five years, less time allowance for good conduct. Convicts on parole shall remain in the custody of the Board of Administration. In considering application for parole, the Board shall not entertain any petition, receive any written communication or hear any argument from any attorney or other person, not connected with the State penitentiary, in favor of or against the parole or release of any prisoner, but it may institute inquiries by correspondence as to the history, physical or mental condition or character of the prisoner. The Board, through its parole officer, shall keep in communication, as far as possible, with all prisoners on parole. One-third of a paroled prisoner's wages is reserved by the Board until he makes his final discharge, supposed to be in one year after release, but it is usually given at the discretion of the Board. A tax of two dollars per month is imposed upon every paroled man to pay the salary of the field agent.

## TEXAS

That whenever any person seventeen years of age or over shall be on trial for any felony, the jury trying said case shall not only ascertain whether or not said person is guilty of the offense charged in the indictment, but shall also in the verdict assess the punishment or penalty within the period of time fixed by law as the maximum and minimum penalty for such offense; provided, if the jury shall assess the punishment for such offense at a longer period of time than the minimum period of imprisonment in the penitentiary for such offense, then the judge presiding in such case, in passing sentence on such person, instead of pronouncing a definite time of imprisonment in the penitentiary on such person so convicted, he shall pronounce upon such person in such sentence the minimum and maximum terms thereof, fixing said sentence as the minimum time of imprisonment in the penitentiary, the time now or hereafter prescribed by law as the minimum time of imprisonment in the penitentiary, and as the maximum time of such imprisonment the term fixed by the jury in their verdict as punishment for such offense; provided, that if the punishment assessed by the jury shall be by pecuniary fine only, or imprisonment in the county jail, or both fine and imprisonment in the county jail, then the provisions of this act shall not apply.

*Convicts Paroled, When.*—Meritorious prisoners may be allowed to go upon parole outside the building and jurisdiction of the penitentiary authorities, subject to the provisions of this act and to such regulations and conditions as may be made by the Board of Prison Commissioners, with the approval of the Governor of the State, and such parole shall be made only by the Governor or with his approval.

*Paroled Prisoners Under Control of Board.*—While on such parole such prisoners shall remain under the control of the Board of Prison Commissioners and subject at any time to be taken back within the physical possession and control of the said Board of Prison Commissioners as under the original sentence, but such retaking shall be at the direction of the Governor, and all orders and warrants issued by said Board of Prison Commissioners under such authority for the retaking of such prisoners shall be sufficient warrants for all officers named therein to return to actual custody paroled convicts, and it is hereby made the duty of all officers to execute such orders as ordinary criminal processes.

*Commissioners May Authorize Release on Parole.*—If it shall appear to said Board of Prison Commissioners, from a report by the warden or sergeant of such prison, or upon an application by a convict for release on parole as hereinbefore provided, that there is reasonable probability that such applicant will live and

remain at liberty without violating the law, then said Board of Prison Commissioners may authorize the release of such applicant upon parole, and such applicant shall thereupon be allowed to go upon parole outside of said prison walls and enclosure, upon the terms and conditions as said Board shall prescribe, but to remain while so on parole in the legal custody and under the control of the said Board of Prison Commissioners until the expiration of the maximum term specified in his sentence as hereinbefore provided, or until his absolute discharge as hereinafter provided.

*Absolute Discharge.*—If it shall appear to the said Board of Prison Commissioners that there is a reasonable probability that any prisoner so on parole will live and remain at liberty without violating the law, and that his absolute discharge from imprisonment is not incompatible with the welfare of society, then said Board of Prison Commissioners shall issue to such prisoner an absolute discharge from imprisonment upon such sentence and which shall be effective therefor.

*Parole of Prisoners Serving Under Indeterminate Sentence.*—Whenever any prisoner serving an indeterminate sentence, shall have served for twelve months, on parole, in a manner acceptable to the Board of Prison Commissioners, the said Board shall certify such fact to the Governor, with the recommendation that the said prisoner be pardoned and finally discharged from the sentence under which he is serving. But it shall be the duty of the Prison Commission to continue its supervision and care over such paroled prisoner until such time as the Governor shall pardon and finally discharge from custody the said prisoner; provided, that in no case shall any prisoner be held for a longer term than the maximum provided by the sentence for the crime of which the said prisoner was convicted.

*Restoration of Citizenship.*—When a convict who has been paroled shall have complied with the rules and conditions governing his parole until the end of the term to which he was sentenced, and without a revocation of his parole, he shall, upon a written or printed discharge from the superintendent and prison commissioners, setting forth these facts, be recommended by the Board to the Governor for restoration of his citizenship by the Governor of the State of Texas.

## UTAH

An indeterminate sentence law for all felonies except treason and various homicides.

The law makes no distinction between a first offender and a repeater. A parole of any offender, aside from murder in the first degree, is permissible at any time at the option of the Board of Pardons. A prisoner convicted of first degree murder must serve at least fifteen years and then four members of the Board must give consent to his parole. Paroled prisoner is in the legal custody and control of the warden and Board of Pardons. The Board can have him reimprisoned at any time.

## VERMONT

The Governor has power to grant a conditional pardon upon such conditions as he judges proper. While on parole, the convict is until control of the Governor and he may have the convict reconfined at any time if he feels that parole conditions have been violated. The Governor has decreed the parole period shall be at least twice as long as the minimum sentence but never more than the maximum. In the case of a previous commitment a man may have to serve the maximum. Parole violators must serve the balance of the time between the minimum and the maximum, with good time off.

## VIRGINIA

The parole law has been declared unconstitutional. There is no Parole Board nor officers. There is a law that gives each prisoner ten days off his full sentence for good conduct. The Governor may at any time pardon a prisoner.

## WASHINGTON

Has indeterminate sentence law. The statutes fix the limits as to the minimum and the maximum terms and the court, in its discretion, can impose a minimum and maximum term anywhere within those limits. The Parole Board can exercise parole jurisdiction only after expiration of minimum term. According to rules parole board may at any time revoke parole. Arrangements for employment must be made before parole, and prisoner must report monthly. Prisoner may not leave State without consent of Board.

## WEST VIRGINIA

The Governor shall have authority, under such rules and regulations as he may prescribe, to issue a parole or permit to go at large to any convict. The Governor shall designate two persons, who, together with the warden of the penitentiary, shall constitute a Parole Board. Before considering any case for parole, the Board through its secretary, shall require a written report and recommendation of the captain of the guard of the prison, the report of the physician as to the health of the prisoner and a report as to his conduct while in prison, also a statement from the prosecuting attorney and the trial judge. The report of these officers shall be separate. In no case shall any convict be recommended for parole unless there is in the judgment of the Board reasonable ground to believe that he will if paroled live and remain at liberty without violating the law. No illiterate person, unless more than thirty years of age at the time of his sentence, will be paroled. No convict will be paroled unless he has served the minimum sentence for the crime upon which he was convicted. The term of parole will be wholly at the will of the Governor. Unless otherwise specified in the executive order granting the parole, it shall be for the rest of the term of the convict, reckoning good time the same as while serving within the prison, or for the remainder of the maximum sentence in the

case of convicts sentenced under the indeterminate sentence law. No convict under parole shall be permitted to leave the State without a written permit to do so issued by the Governor. Every paroled convict shall report in writing over his signature to the warden for the first twelve months on the first day of each month. The first twelve reports must also be countersigned by an employer of the person on parole.

## WISCONSIN

There is an indeterminate sentence law for certain classes of crime, the sentence for which shall not be less than the minimum nor more than the maximum prescribed by law for the offense. The power of parole is vested in the Board of Control. First offenders serving an indeterminate sentence may make application for parole at the end of the minimum period. The second offender, serving an indeterminate sentence, must serve one-half of the maximum period before being eligible for parole. No prisoner serving a determinate sentence will be permitted to file an application for parole until he has served at least one-half of his sentence. Only applications from prisoners of the first grade are considered by the Board of Parole. Upon receipt of an application the secretary of the Board shall give proper notice of its receipt to the prosecuting attorney and the judge presiding at the trial for their recommendations or objections.

## WYOMING

Every sentence to State penitentiary other than life sentence should establish a maximum and minimum, which should not in the former be greater nor in the latter be less than that fixed by law for the crime.

Governor under rules and regulations prescribed by State Board of Pardons, has authority to issue parole after prisoner has served minimum prescribed by trial court, or if this does not exist, by minimum stated in the law. Any assault with a deadly weapon makes prisoner ineligible. Paroled convict is in legal custody and control and subject to rules of State Board of Charities, while on parole or until the expiration of the maximum sentence. Upon request of State Board of Charities, Governor can order convict returned to penitentiary. Parole period is not counted in term of sentence of reconfined prisoner. Paroled prisoner is not entitled to good time the same as other prisoners. No parole till minimum term is served and must not have violated prison rules for last six months. No parole for parole violators or second terms. Employment must be secured before parole.

Application for pardon must be signed by ten citizens of the State and must be advertised. It is made to the Board of Pardons but is granted by the Governor.

## FEDERAL

Any prisoner confined for a term over one year may be paroled after serving one-third of the term or terms for which he was sentenced, or if sentenced for life, when he has served not less than fifteen years. The Board of Parole consists of Superintendent of Prisons of the Department of Justice, the warden of each United States penitentiary and its physician. It establishes rules for procedure subject to Attorney-General's approval. Prisoner may make application for parole. He is under control of the warden of the prison from which paroled until expiration of term minus good time allowance. He is given a limit of residence. The United States Attorney-General must approve action of Board before release on parole. The warden may have the parole violator arrested. He then appears before the Board of Parole which decides action on his case. If he is reimprisoned, then time on parole does not count toward sentence. Paroled prisoners are supplied with clothing, transportation, and money not to exceed five dollars except for those released from the United States Industrial Reformatory at Chillicothe, Ohio, who are allowed ten dollars. A United States prisoner confined in any State reformatory is subject to the parole laws of that State. The United States Attorney-General must approve the order for parole, however, and a prisoner when granted parole may be permitted to return to the State where he lives and in such case shall be under the supervision of the marshal of his district.

Above all laws is the power of the President to grant pardon or commutation in any case, and nothing in the laws shall be construed to impair or revoke such good time allowance as is or may be provided by Act of Congress.

The prisoner must be in the highest grade for six months preceding his application for parole. He may apply but twice and the second time must be upon new evidence.

The application must be in writing. Employment must be assured. Written monthly reports which are countersigned by a responsible person must be sent to the parole officer to whom the paroled prisoner has been assigned.

## CHAPTER X

## THE DEPARTMENT OF CORRECTION OF GREATER NEW YORK

The Department of Correction of Greater New York is under the supervision of a Commissioner of Correction who is appointed by the Mayor. The present Commissioner, Frederick A. Wallis, was reappointed by Mayor Walker.

This Department is charged with the custody of all persons detained for trial in the Magistrates' Courts, Special Sessions, General Sessions, or Supreme Courts, of Federal prisoners awaiting trial, and of all prisoners convicted by these courts and awaiting transfer. It also has oversight over several penal and correctional institutions which receive short term prisoners sentenced from the courts of Greater New York.

The custodial institutions under the care of the Department, to which prisoners go at the time of their arrest and in which they are held awaiting trial, are the Tombs City Prison, the Brooklyn City Prison, Queens City Prison, the Jefferson Market Prison for Women and the 53rd Street District Prison.

Prisoners detained in these prisons are transferred to the 3rd (Essex Market), 4th (57th street, Family Court), 5th (Harlem Prison), 6th (Morrisania, 162nd street), 8th (West Farms), and 12th (Washington Heights) District Prisons, provided their cases are to be heard in the courts adjacent to these prisons. No prisoners are detained in this group of district prisons over night.

The Tombs, which is located at 101 Center street, was constructed more than a quarter of a century ago. It contains about 375 cells and a large dormitory. Due to overcrowding it is necessary to house two prisoners each in from 100 to 200 of these cells. The Brooklyn City Prison at 149 Raymond street, contains 416 cells for men and 66 cells for women. The Queens City Prison at Court square, Long Island City, contains 137 cells for the accommodation of men and 72 cells for women. The 53rd Street Prison, at 317 West 53rd street, which is used for prisoners held for examination for the 4th, 7th and 10th District Courts, contains 37 old type brick cells and two dormitories. Jefferson Market Prison for Women at 10th street and Sixth avenue is located in an old building adjacent to the Second District Court for men and the Women's Court. It contains about 85 cells. The other district prisons contain pens in which prisoners are held awaiting their call before the Court.

The penal and correctional institutions under the supervision of this Department are the Penitentiary and Correction Hospital on Welfare Island, the Reformatory Prison on Hart's Island, Muni-

cipal Farm, Riker's Island, New York City Reformatory, New Hampton, Orange county, the Women's Farm Colony at Greycourt, Orange county, and a farm at Warwick, New York. The latter was formerly used as a colony for inebriates.

The Penitentiary, the first part of which was completed in 1832, is located on the south end of Welfare Island near the 59th Street bridge. It acts in a way as a clearing house for all male prisoners sentenced to the penal and correctional institutions of Greater New York, except those between the ages of 16 and 30 who are sentenced to New York City Reformatory. Such prisoners are transferred directly from the Tombs to New Hampton. Correction Hospital is located on the north end of Welfare Island in a building constructed in 1852, and was formerly known as the Workhouse. The Municipal Farm Prison is situated on Riker's Island. This tract of land which originally consisted of about 64 acres of virgin soil has increased to about 640 acres by filling in with ashes and refuse from the Street-Cleaning Department and with earth from city excavations. Its location is just south of Hunt's Point, Bronx.

The Reformatory Prison is situated on Hart's Island, a narrow strip of land about one mile long, located about a third of a mile north of City Island. This institution was formerly used as a hospital for the insane. The New York City Reformatory is a modern institution constructed on a 600 acre farm at New Hampton. The Women's Farm Colony at Greycourt also is located on a farm which comprises some 275 acres. The farm at Warwick is situated in this same section of the country and is operated in connection with the New York City Reformatory.

#### HOUSING

Those persons who are detained in the city prisons are housed, one in a cell, with the exception of the Tombs City Prison, in which, because of the excessive number of inmates assigned to that institution, it is necessary to house two persons each in from 100 to 200 cells. Inmates assigned to the Women's Farm Colony, New York City Reformatory for Boys, the Penitentiary, and, to some extent, in Correction Hospital, are housed in cells. Dormitories are used exclusively at the Municipal Farm Prison, Riker's Island, the Reformatory Prison, Hart's Island, and, to some extent, at the Penitentiary and Correction Hospital.

The buildings at many of these institutions are by no means fire-proof. This is especially true at Riker's Island where the dormitories are nothing more than wooden barracks arranged side by side. Also at Hart's Island there are only two buildings which can be said to be even semi-fireproof. A large dormitory building which was constructed as an industrial building at the Penitentiary is a dangerous fire trap. The mess hall and kitchen and the assembly hall at New Hampton are wooden structures, and the floors and ceilings of some parts of Correction Hospital and Jefferson Market Prison for women are of wood.

#### SANITATION

Sanitary facilities afforded by modern plumbing, such as toilets and wash basins, are established throughout the individual cells of the city prisons and the dormitories of these institutions.

Prisoners confined in the cells at the Penitentiary and Correction Hospital, which were constructed before the invention of these modern appliances are still forced to use the unsanitary buckets. While it is to be regretted, it is not altogether surprising that this equipment has not been added to the cells of these institutions. It, however, is an appalling fact and almost beyond intelligent comprehension that the cells of the institutions of the New York City Reformatory and the Women's Farm Colony, which were constructed as late as 1916, were not supplied with conveniences necessary to the health and morale of persons who are confined in them for long periods at time. This physical necessity which is not provided for at these institutions, because of indifference or gross negligence on the part of those charged with their construction, is met at the Women's Farm Colony by leaving the doors of the cells unlocked at all times, and at the New York City Reformatory by requiring the keeper in charge to unlock the cells and permit the inmates the use of the general toilet whenever this permission is asked.

#### CLASSIFICATION AND SEGREGATION

In the city prisons it is the general practice to segregate the boys between the ages of 16 and 21 on tiers or in sections apart from the other inmates. Also all boys of this age consigned to the Penitentiary, who do not require medical attention, are transferred to the Reformatory Prison where they are assigned to quarters by themselves. The Jefferson Market Prison for Women affords excellent opportunity for classification and segregation as the prison is divided into separate floors with seven cells on each side. Women assigned to Correction Hospital are segregated with regard to their racial color and for the purpose of medical treatment. Those requiring treatment for venereal disease or as drug addicts are assigned to isolation wards where such treatment is administered. Colored women who do not require medical treatment are assigned for work at this institution. White women who do not require medical treatment and who have two or more previous convictions are transferred to the Women's Farm Colony. Those who have no previous institutional record are assigned to the Queens City Prison, while those who are classified as habitual criminals because of several previous convictions, are sent to the Brooklyn City Prison where they are employed at housework.

Male prisoners in the city prisons, or in the Penitentiary and its allied institutions, who are receiving treatment for venereal diseases or who are drug addicts, are isolated for treatment. Other male prisoners held in the city prisons are permitted to commingle indiscriminately during exercise periods, without reference to color, character or previous record. This same statement is also

true of Penitentiary men, with the exception that colored men are assigned to work in gangs by themselves. This lack of facilities for segregation tends to promote criminality among the men whose minds are unoccupied during the period of their confinement. The first offender is, without a doubt, often entertained by the exploits of the habitual criminal. The remark is frequently heard that when one man of a certain gang is arrested, it is easy to get the remaining members of his group because the prison authorities know who his companions were during the period of his incarceration. The practice of housing prisoners in dormitories renders useless any attempt to separate men of different character. It is true that at the Municipal Farm Prison, the Penitentiary prisoners and the Workhouse prisoners are housed in separate groups in dormitories. This, however, does not provide adequate separation of first offenders from those who are skilled in crime.

Regardless of the favorable or unfavorable physical conditions at the various institutions, for the separation of prisoners, there is still lacking in the Department a scientific classification and separation and distribution of the inmates. In 1916 legislation (chapter 526) was passed which had as its purpose the setting up of the necessary scientific procedure and personnel to make for a more intelligent and wise classification and distribution of prisoners. However, this has not as yet been accomplished, although in the beginning the plan was carried so far as to remove all the industries from the Penitentiary at Welfare Island, thereby making available a building which was intended to be the classification center. Until there is developed a system which will allow for the application of scientific methods of classification of prisoners there will continue the unsatisfactory free commingling of the fit and the unfit and the promising with the unpromising, all of which gives little hope of bringing about improvement in the individual prisoner where such might be possible.

#### EMPLOYMENT

Unconvicted prisoners cannot legally be required to work, therefore those held in the city prisons awaiting trial or action of the Grand Jury are without employment. Sentenced prisoners, however, are expected to work. As male inmates are received at the Penitentiary they are interviewed by the Warden and note is made of their past employment. They are then assigned to the various institutions under the Department of Correction for housework, farm work or to the industries at Hart's Island. Certain groups are assigned to the Tombs City Prison, the Brooklyn City Prison, Queens City Prison and the 53rd Street Jail, for cleaning and maintenance work.

From 450 to 600 prisoners are regularly kept at the Municipal Farm on Riker's Island and are there employed at housework, cleaning, farming, unloading scows, and a few are sent to do janitor work at the Riverside Hospital on North Brother Island.

About 850 prisoners are assigned to the Reformatory Prison

on Hart's Island. Some 200 of these are engaged in the manufacture of shoes, clothing, cot beds, brooms, benches, and other articles used in the institutions of the Department of Correction and other city departments. Other prisoners in this institution are engaged in housework, equipment maintenance work, farm work and gardening, and in the digging of graves in the city cemetery, also located on the island. About 125 prisoners housed in the structure known as the Old Men's Building, are unable to perform work requiring much physical energy.

At the penitentiary on Welfare Island there are from 1500 to 1800 prisoners for whom there is no employment except the maintenance of the buildings in which they are housed and of the grounds surrounding them. This limited work renders it necessary for hundreds of men to be kept in idleness. These prisoners are housed in narrow, poorly ventilated cells, from which they are released only during a few hours each day when they are permitted to exercise either in the prison corridors or in an enclosed yard. It is often said that "idleness is the devil's workshop," and if there is any truth to that, it is certain that in the New York County Penitentiary there is abundant opportunity for the destruction through idleness of whatever good remains in those sentenced to the institution. With day after day idleness, it is no wonder that prisoners resort to narrating exploits in crime and in making friends in crime and in developing schemes to be put into operation subsequent to release. There is practically nothing else for them to do.

The City Reformatory at New Hampton receives inmates directly from the Tombs Prison. They are classified and assigned in accordance with their employment history. A limited number are assigned to the electrical, plumbing, tailor, carpenter and paint shops, in which they do the necessary maintenance work of the institution. Others are assigned to the laundry, bakery, canning factory, road work and housework. During the warmer months a large number of the inmates work on the farm and a few are sent to the farm at Warwick. While this type of employment appears to be most satisfactory as a means of producing high morale and a good physical condition among the inmates of the institution, it is not the type of employment which tends to prepare city boys for the kind of work they can more easily obtain upon their release. An institution to be worthy of the name "Reformatory" should require its inmates to spend a large part of their time at industrial training and in a school of letters.

Employment for women who are confined in Correction Hospital consists of the necessary housework for the maintenance of that institution and of work in a large sewing room in which clothing of all types is made for inmates of the institutions under the supervision of the Department of Correction. The women who are assigned to the Women's Farm Colony at Greycourt have little employment except that which is necessary for the maintenance of the institution. A small sewing room containing two

sewing machines has been established but for a greater part of the time there is insufficient material to keep these machines in operation. During the summer months a few of the inmates conduct a garden.

A proper solution to the problem of employment is one of the most essential features of any correctional system. It is apparent that this problem has not been properly dealt with by the authorities of our city. Until the problem is taken up seriously by the city authorities, we cannot hope for an intelligent and constructive administration of the institutions.

#### MEDICAL.

The health of persons held in the city prisons awaiting trial is under the direct supervision of a visiting physician who devotes either full or part time according to the size of the prison. If the illness is of a minor nature it is treated by this physician but if serious the prisoner is transferred to one of the city hospitals. Persons who are diagnosed as suffering from infectious diseases are segregated from the other prisoners.

The medical needs of inmates sentenced to the penal and correctional institutions is in charge of a resident physician in most of the institutions. At the Penitentiary and Correction Hospital on Welfare Island there are well equipped hospitals with modern appliances for performing major operations. In the hospitals of these two institutions, inmates suffering from venereal diseases, drug addiction, tuberculosis and alcoholism are segregated and treated. Major operations of a curative or correctional nature are performed. Inmates serving sentences in institutions apart from Welfare Island are transferred to these hospitals for major operations. This practice is a distinct hardship for those patients required to travel from the more distant institutions.

Tubercular prisoners from the penitentiary and the workhouse are sent to Hart's Island, and there assigned to what is known as the "T. B." building. This building was originally intended as a two-story hospital, but before it was completed it was discovered that the foundations would not support two stories, and it was completed as a one-story structure. It consists of a single room, about 40 feet wide and 100 feet long and without partitions.

When more inmates are assigned than there are beds to accommodate, the situation is solved by putting additional cots in the walking space down the middle of the floor. There are no nurses. The city saves the expense of hiring nurses by compelling such tubercular patients as are able to walk to wait on the patients who are bedridden. Rarely have any of these prisoners the slightest medical knowledge or training necessary for the care of the tubercular. There is no way of segregating these sick prisoners according to the various stages or kinds of their illness, since all are housed in one room. It is quite possible that a prisoner who has a chance of getting well, will be assigned to a cot near a prisoner in the last stages of the malady. This is

another instance where, simply because the patients are prisoners, the city is not taking their plight seriously. The fact that some of these men are to be let loose again in the community, in perhaps a worse state of health than prior to their commitment, seems of little importance to the city budget makers.

Narcosan, a patented compound developed by a bio-chemist for the treatment of drug addiction, has been administered to both men and women patients at Correction Hospital since March 15, 1926. It gives promise of more permanent results than has formerly been obtained from other treatments. Its administration has been under the direct supervision of Dr. Alexander Lambert, attending physician at Bellevue Hospital and former president of The American Medical Association, and Dr. Frederick Tilney, Professor of Neurology at the College of Physicians and Surgeons and President of the American Neurological Association, two of the foremost authorities on the subject. Of the 366 patients who thus far have received this treatment there is only one who is known to have returned to the use of drugs. The authorities admit that a longer period of time must pass before the complete effect of the cure can be known. But because of the apparent good results which are quickly obtained, and from the personal testimony of persons who have received the treatment, comparing their physical condition following the taking of this treatment to their condition after receiving other treatments, there is a strong sentiment existing among the authorities who had these patients in their charge that this treatment will be a great advancement over all others. A recent number of the *New York Medical Journal and Record* prints a report, signed by Dr. Lambert and Dr. Tilney, confirming the apparent success of the treatment and setting forth the results of their experimentation at Correction Hospital. The effect of the treatment is described in the report as follows:

- "a. While abruptly withdrawing the narcotic (in any form) greatly reduces both the severity and the period of suffering to relatively few hours.
- "b. Restores the ability to sleep normally within seventy-two hours as a rule; sometimes, within twenty-four hours.
- "c. Eliminates craving, and appetites speedily become enormous without any digestive disturbance, resulting in rapid gains in weight.
- "d. Quiets patients so they become docile and as easy to handle as any other sick, eliminating the 'madhouse' features of 'dope' wards.
- "e. Protects itself; deliberate or secret administration of any narcotic during treatment may have serious and possibly fatal results.
- "f. Restores patients to their pre-narcotic normalcy in about three weeks, often vastly improving their general mental and physical condition at the same time."

#### The report adds:

"The permanency of the treatment is absolutely unknown and incalculable. It cannot be estimated for at least eighteen months. Relapse to narcotic addiction is a question of companionship and social environment, with group customs and herd suggestions acting on psychologically distorted personalities. It is a social question to be dealt with after discharge."



The report states that thirty to sixty injections are required, during which time if a patient has resorted to morphine or other narcotic the symptoms betray the fact. The effect of narcosis is to neutralize toxic substances in the body which cause the sensation of craving in the absence of the usual narcotic. There is no narcotic property in narcosis.

"By the third night," the report states, "the patients are beginning to sleep better and the symptoms are abating, even in those who seemed previously seriously ill. They soon improve and in the great majority of instances on the fourth day become comfortable. They acknowledge their physical craving for narcotics has ceased. By the fifth day, their appetites begin to return and they sleep more both in the daytime and at night. Soon their appetites become excessive and they are continuously eager for food, especially sugar. Patients are not delirious as in the hyocine treatment, thrashing around in a low delirium; they are not ugly and obnoxious, as in the slow reduction treatment; they are tractable, subdued and quiet, and soon appreciate that the hypodermic of narcosis relieve their symptoms and they ask for an extra hypodermic from time to time."

#### MENTAL CLASSIFICATION

The classification of the mental condition and capacity of inmates sentenced to penal and correctional institutions is one of the most necessary adjuncts to the scientific administration of these institutions and the intelligent treatment of the prisoners assigned to them. If the institution is to develop its charges toward permanent reformation, the expert study and classification of the mentality of its inmates is necessary. This is not included in the present program of the Department of Correction. If an inmate's actions indicate a deranged mental condition, he is marked for observation by the medical staff of the institution. If in their judgment his condition warrants further study, a lunacy commission is appointed by the court to make final recommendation for the disposition of his case. This cumbersome method provides no means for the mental classification of the great mass of inmates crowded in these institutions. The treatment which they receive is merely that which provides the various necessities for their physical welfare. The existence of mental capacities and emotional feelings is given little thought in the treatment which is administered to them during the period of their incarceration.

From 1922 until June 15, 1926, a trained psychiatrist, Dr. Samuel Kahn, was a member of the medical staff at the Penitentiary on Welfare Island. During his period of service he made many recommendations for classification and segregation of inmates who were referred to his division. From January 1 to June 15, 1926, 453 different patients came under his supervision for classification. But this was only 10 per cent of the 4,504 inmates who received medical examinations upon their entrance to the institution. As no experienced psychiatrist has since been appointed to this office the Department of Correction is without a scientific investigator of mental cases. It is now dependent for such advice upon the members of the staff of Bellevue Hospital, the Kings County Hospital, or upon the expensive method incurred by the

appointment of lunacy commissions by the courts. The lack of psychiatric and psychological classification of prisoners is a serious handicap in the administration of the penal and correctional institutions of the Department of Correction. It is especially a handicap to the New York City Reformatory which numbers among its inmates only those who are young first offenders. This class of prisoners is particularly receptive to reformatory methods, as are employed in other institutions of the State.

#### DENTAL

The dentists employed by the Department do only extraction work. If other work is required, the cost must be met by the inmates or their friends and in special cases may be paid from commissary funds. It is regrettable that the same excellent facilities are not supplied for the treatment of the teeth of inmates as are supplied for the treatment of their other physical ills.

#### EDUCATION

Usually institutions classified as reformatories provide schools for industrial training and schools of letters and require all inmates to pursue certain courses of study. The institutions of the Department of Correction are not equipped for the mental training of the inmates and the teaching of trades. With the exception of a woodworking class at the City Reformatory, in which there were only seven inmates enrolled on October 7, 1926, there is no vocational instruction given to a worth while degree to the many prisoners in these institutions. It is true that a certain amount of practical work is required of inmates who are tradesmen in the upkeep of buildings and equipment. Only about two hundred prisoners are employed in industries at Hart's Island. Also the sewing room at Correction Hospital supplies industry for a limited number of colored women. But the great mass of prisoners are idle and therefore are not being made ready for release through industry and training.

#### RELIGIOUS SERVICES

Every institution of the Department has a chapel. Services are provided weekly for inmates of the Catholic, Protestant and Jewish faiths. In some of the institutions a service is allowed for followers of the Christian Science Church. These services are supplied by chaplains who are attached to the staff of the institutions or furnished by churches in the vicinity of the institution.

#### RECREATION

The only relief which inmates receive from the monotony of being confined in their cells is through exercise periods in the corridors outside the cells. At the Queens City Jail and the

Jefferson Market Prison for Women, because of better facilities for separation, prisoners are permitted the free use of the corridors during the day.

Recreational features in the institutions receiving sentenced prisoners include moving pictures at nearly all institutions, baseball at the City Reformatory and the Municipal Farm, radio programs at Women's Farm Colony and the Municipal Farm. Programs by the institutional band are furnished at the City Reformatory. Also this institution has an enclosed field in which basket ball and other out-door games are played.

#### CUSTODIAL FORCES

The institutions are directly in charge of wardens or superintendents, who, without exception, are conscientious and eager to do their utmost to carry on in an effective manner the work of the Department of Correction and to attend to the needs of the inmates committed to their charge.

They are handicapped by old and inadequate equipment, and further by an insufficient number of keepers. These institutions without exception need more keepers to properly guard the groups of prisoners employed outside the walls. This need has continually been pointed out by the Commissioner of the Department of Correction, the Prison Association, and other organizations to the city authorities. The requests for more keepers have only been partially met.

In a report by the grand jury following its investigation of the attempted break from the Tombs City Prison on November 3, 1926, the opinion of that body was that the cause was primarily due to the fact that the custodial forces were inadequate.

#### DEPARTMENT OF TRANSPORTATION

The Department of Correction maintains a Department of Transportation which has a number of automobile vans for the transporting of prisoners to and from the various institutions and district courts of the city. Prisoners are usually manacled in pairs during transportation. They are then crowded together in these vehicles which are in charge of only one man who must act both as chauffeur and guard. If attacked by friends or accomplices of these prisoners he would be exposed to great danger and the prisoners might easily be liberated. It is evident that an extra guard should be added.

#### NEEDS

The unsatisfactory conditions which have been described as existing in the institutions of the Department of Correction are caused largely by the fact that most of the buildings are old, inadequate and poorly equipped. The Prison Association has urged for years that there be constructed on Riker's Island a new penitentiary which would provide modern and approved housing facilities,

which would allow for the separation and classification of prisoners, and which would also make possible the establishment of suitable industries to provide work which is so much needed, and vocational and academic training. In addition to new buildings there would, of course, need to be employed scientific methods for the study and classification of the inmate population, so that the idea of the individual treatment of prisoners, so far as is practicable could be put in operation. One of the drawbacks to the correctional system of the city, and thus applies almost everywhere in the United States, so far as the penal and correctional institutions are concerned, is that prisoners are dealt with in the "mass" and not in accord with their individual needs.

In addition to the industrial and other activities that might be carried on at Riker's Island as a part of the proposed new penitentiary program, there would be ample opportunity for vegetable farming. Excellent results have already been shown and with more intensive application can be increased.

As to other structural needs in the Department to allow for better housing facilities and a more intelligent classification and separation of prisoners, the Prison Association is in accord and urges the adoption of the program set forth by Commissioner Wallis in December, 1926. (See page 39.)

#### RECOMMENDATIONS

The recommendations of The Prison Association for the needs of the individual institutions are as follows:

##### NEW YORK COUNTY PENITENTIARY, Welfare Island.

1. That a modern penitentiary be constructed on Riker's Island.
2. Pending construction of a new penitentiary, no prisoners should be confined in the dormitory above the first floor.
3. That the doubling up of prisoners in the cells be avoided as much as possible.
4. That employment be provided for all able-bodied prisoners.
5. That additional guards be provided for the supervision of work gangs.
6. That additional accommodation be immediately provided at Riker's Island to relieve the over-crowding at Welfare Island.

##### MUNICIPAL FARM, Riker's Island.

1. That the necessary funds be provided so that construction of the new penitentiary can be started.
2. That temporary quarters be provided for from 200 to 400 additional men to relieve the over-crowding at Welfare Island.
3. That additional keepers be provided to overcome the need of one keeper being alone with a large number of men during the night shift.
4. That the largest possible use be made of refuse to enlarge the acreage of this Island.

## REFORMATORY PRISON, Hart's Island.

1. The old men's home building should be demolished and a suitable fireproof structure provided.
2. That adequate fire protection for all the buildings of this institution be provided.
3. That more keepers be furnished.
4. That more adequate space be provided for industries.

## NEW YORK CITY REFORMATORY, New Hampton.

1. That this institution be organized as a modern reformatory with an industrial school and a school of letters so that every inmate shall receive training.
2. That a clinic which would make use of standard intelligence tests and mechanical aptitude and performance tests be established for the determining of the mental capacity of each inmate.
3. That additional buildings be constructed to contain about 150 cells, each fully equipped with sanitary toilets and running water.
4. That the wooden buildings used as a mess hall and assembly hall be replaced by fireproof structures.
5. That military drill and physical training be instituted.
6. That suitable cellar accommodations be provided for the storage of vegetables. The present accommodations are useless.
7. That needed equipment for the dental office and hospital be supplied.
8. That additional books and periodicals be secured for the library.

## WOMEN'S FARM COLONY, Greycourt.

1. That an additional wing for the accommodation of 150 inmates be constructed.
2. That industries be developed to supply employment for all inmates.
3. That a school of letters be established.
4. That a library be secured.
5. That an open space in the vicinity of the building be screened in, to afford open air exercise for the inmates.
6. That farm activities be developed, to an extent that will allow, for the providing of vegetables for the greater part of the year for the inmates of this institution.

## CORRECTION HOSPITAL, Welfare Island.

1. As long as this institution is maintained its administration should be in the hands of one person directly responsible to the Commissioner. The divided administrative authority which now exists is undesirable.
2. That this institution be removed to Riker's Island as a part of the general plan for the new penitentiary, the women prisoners to be taken care of through additional accommodations at Greycourt.

## TOMES CITY PRISON, New York City.

1. That a new wing which would serve as the beginning of a new prison be constructed.
2. That facilities be provided for the classification of prisoners.
3. That a mess hall and a hospital be provided.
4. That money and valuables of prisoners should be taken from them for safe keeping when admitted and to guard against tipping of keepers. That purchases from the commissary be made by a written order from the prisoner or through a ticket system.

## BROOKLYN CITY PRISON, Brooklyn.

1. That mental (suspected insane) cases be transferred to the psychopathic ward of Kings County Hospital, where they can be more humanely and intelligently handled.
2. That the present commingling of the different classes of prisoners during the exercise periods be avoided.
3. That a well equipped mess hall for the men's section be supplied.
4. That the erection of the prison wall be completed and a guard house be constructed.
5. That money and valuables of prisoners be taken from them for safe keeping when admitted and that purchases from the commissary be allowed out of this money by a written order from the inmate.
6. That additional keepers be provided to better supervise the central court during the exercise periods.

## QUEEN'S CITY PRISON.

1. That additional supervision be provided in order that the prison yard may be used at regular periods by the prisoners for exercise.
2. That a drainage system be installed in the prison yard.
3. That an addition be built in the rear of the prison to provide for a well equipped laundry and for adequate space for a kitchen and mess hall.

## 53D STREET JAIL.

1. Better accommodations should be provided for women prisoners, awaiting call before the Seventh District Court, who are now held by a matron in the congested office of this prison.
2. A well equipped mess hall should be provided.
3. The courts should hasten the trial of the prisoners, held for months, in the small cells of this prison.

## JEFFERSON MARKET PRISON.

1. A modern building should be constructed to be used as a receiving institution, hospital and classification building for women offenders.
2. The commingling of first offenders and habitual offenders should be avoided in the detention pens adjoining the court rooms.

## 5th DISTRICT PRISON (Harlem Prison).

1. This prison, which contains forty brick cells, has been closed for several months. It should be re-opened for the commitment of young male first offenders convicted of minor offenses and sentenced to short terms of ten days or less. This would relieve overcrowding at the other institutions to which they are now committed.

## OTHER DISTRICT PRISONS.

The 3rd (Essex Market), 4th (153 East 57th street), 6th (Brook avenue and 162d street), 8th (West Farms), and the 12th (Washington Heights), are equipped only with cells or pens for the detention of prisoners awaiting call before the court.

1. The custody of these prisoners is divided between the Department of Correction and the courts. They should be entirely under the jurisdiction of the Department of Correction.
2. Food should be supplied by the Department of Correction for prisoners held at these courts over the noon hour period.

Under the present system of handling prisoners by the Department of Correction, the sheriffs of the five boroughs, the police, the courts, the Parole Commission, and other allied agencies, there is an unnecessary duplication of activities and jurisdiction. To effect better service at less expense, the Prison Association makes the following recommendations:

1. That the Bronx and Richmond County jails be merged into the Department of Correction. (See pages 138 to 150, 1923 Report, Prison Association.)
2. That all prisoners, and material witnesses, of the counties of New York, Kings, Queens, Bronx and Richmond, now held by the sheriffs, be placed in the custody of the Department of Correction, and that the transportation of prisoners now conducted by the sheriffs, be taken over by the Department of Correction. (See pages 54 to 63, 1924 Report, Prison Association.)
3. That the custody of prisoners while in court be placed under the jurisdiction of the Department of Correction.
4. That a central bureau of criminal records and statistics be established, and that the activities and records of the criminal identification bureaus of the Police Department, the Department of Correction, the Magistrates' Courts, the Court of General Sessions, the Court of Special Sessions, the County Courts of Brooklyn, Bronx, Queens, and Richmond, the Supreme Court (criminal branch), the district attorneys of the five counties, the Parole Commission, and the Civil Service Commission be merged into the central bureau.

## CHAPTER XI

## THE COST OF UNITED STATES PRISONERS IN CITY AND COUNTY INSTITUTIONS

One of the greatest contributing causes of overcrowding of prisoners in the Tombs, and to a considerable extent also in the City Prison of Brooklyn, and Jefferson Market Prison in Manhattan, is the housing of Federal prisoners in these institutions. The average number of Federal prisoners held in these institutions every day is about 100, with two-thirds to three-fourths of them held in the Tombs. The number frequently runs as high as 125 a day.

In addition to the undesirable custodial conditions this situation presents, the City of New York actually pays more than half the expense of keeping the Federal prisoners. Figures recently compiled by Sidney W. Brewster, warden of district prisons, indicate that the custody of Federal prisoners has cost the taxpayers of New York City a total of \$126,821.55 in the last five years, or an average of about \$25,000 a year. This arises out of the fact that the Federal government does not pay the city enough to defray the cost of taking care of its prisoners.

The United States government now pays the Department of Correction \$1 a day for the maintenance and safe-keeping of each prisoner. As against that the figures of the department show that this service costs the city \$1.91 in the Tombs, and \$1.70 in the City Prison in Brooklyn.

No United States prisoners have been held in the city prison of Queens since 1923, but the cost to the city there used to run from \$4.57 to \$5.16 a day, and at that time the Federal government was paying the city only 90 cents a day for each prisoner. After protest by the city Washington last year agreed to raise its allowance to \$1.00 a day.

This imposition upon the taxpayers is not restricted to New York City, but is common throughout the country. The rates paid by the government appear to be based upon no logical consideration, but have been arrived at by a process of haggling between local jail officials and the Federal treasury.

The United States government uses more than 900 county and city jails for detention of its prisoners awaiting trial or sentence.

An investigation of this situation by Dr. Hastings H. Hart, Chairman of the Committee on Jails of the American Prison Association, shows that the rate varies from twenty cents a day for housing, guarding and feeding prisoners in five jails in Porto Rico to three dollars a day in four jails in Alaska. The average

rate paid is about sixty-nine cents, while the average cost to county taxpayers is \$1.24. From these figures it would appear that the county taxpayers are bearing 55 per cent of the burden of taking care of Uncle Sam's prisoners in their local prisons.

Dr. Hart reckons the burden thrown upon the local taxpayers throughout the country at more than \$135,000 a year.

The United States pays eleven different rates to county and city jails in the State of New York.

The rate usually paid is barely sufficient to pay for the prisoners' food, and frequently not that much. The American Prison Association contends and the New York City Department of Correction shortly will insist, that the rate should include a pro rata share of general maintenance cost and carrying charges.

The report of Warden Brewster to Commissioner Wallis, upon which the city will base its demand to the Federal authorities, setting forth this basis, follows:

"During 1920, 1921, 1922, 1923 and 1924 the maintenance rate paid the city was 90 cents per day per prisoner, but this was raised to \$1 a day for the last three months of 1925.

"The maintenance rate which the city should receive from the government is the exact cost of maintaining our own (New York City) prisoners, plus a charge of 6 per cent yearly on capital or money invested based upon the official assessment value of land and buildings, and plus a further charge of 3 per cent for depreciation of buildings and plant. The total amount due New York City to January 1, 1926, computed upon this basis, is \$126,821.55, and the taxpayers of New York City have been made to assume this obligation, which is one that should be paid by the United States government.

"The conditions set forth in reference to the government not paying its fair or equal share in the maintenance of prisoners is uniform throughout the whole country and runs into hundreds of thousands of dollars annually.

"The government should assume its own burden in this matter and not shift it upon the community in which Federal prisoners are confined in jail, the number having steadily increased since 1920."

Other conditions shown in the report of the American Prison Association are summarized as follows:

"In 221 jails and workhouses out of 924, the daily rate paid was 50 cents or less. In 387 the rate was 60 cents or less. The average rate paid was 69 cents. The committee could not discover that any standard existed to regulate these payments. The rates appear to be established by a system of dickering in each case in order to secure as low a rate as possible. Neither did the rate appear to have any definite relation to the actual expense incurred by the county in maintaining prisoners.

"In the State of New York, in 1924, eleven different prices were paid by the Federal government for the maintenance of the prisoners, ranging from 30 cents to \$1 per day, and in some cases at least the lower prices were paid to the better jails."

In addition to the injustice of the rates, prison authorities point out that the handling of the Federal prisoners is almost invariably a detriment to the morale of a prison force. The Federal prisoner, strange as it may seem, considers himself the social superior of an ordinary town or county prisoner, and often becomes a trouble-maker. This addition to the prison population—in the Tombs, for example—often represents the difference between a cell for each prisoner and putting two prisoners in a cell.

## HOW CITY LOSES ON FEDERAL PRISONERS

City	Institutions Days served	1920		Actual cost, New York city	Net loss to New York city
		Maintenance number federal prisoners.	Amount paid by federal government.		
City Prison, Manhattan.....	11,563	\$10,456 90	\$29,354 20	\$19,947 69	5,100 65
City Prison, Brooklyn.....	3,954	3,633 60	8,650 26	5,017 05	460 08
City Prison, Queens.....	108	97 20	507 28	460 08	
Federal rate, 90 cents; Manhattan, \$2.55; Brooklyn, \$2.19; Queens, \$2.16.					
1921					
City Prison, Manhattan.....	8,582	\$7,972 20	\$18,070 82	\$10,098 12	7,370 25
City Prison, Brooklyn.....	7,025	6,322 50	18,698 75	12,376 02	2,852 32
City Prison, Queens.....	614	622 50	2,934 92	2,352 32	
Federal rate, 90 cents; Manhattan, \$2.04; Brooklyn, \$1.95; Queens, \$4.78.					
1922					
City Prison, Manhattan.....	5,891	\$5,283 90	\$11,976 84	\$6,692 94	3,990 45
City Prison, Brooklyn.....	4,938	4,442 40	8,023 88	3,950 45	2,945 69
City Prison, Queens.....	721	648 90	2,957 79	2,309 89	
Federal rate, 90 cents; Manhattan, \$2.04; Brooklyn, \$1.83; Queens, \$4.69.					
1923					
City Prison, Manhattan.....	8,133	\$7,324 20	\$17,578 08	\$10,253 88	3,740 08
City Prison, Brooklyn.....	6,208	5,677 40	11,417 48	7,499 26	433 20
City Prison, Queens.....	118	109 20	489 26	433 20	
Federal rate, 90 cents; Manhattan, \$2.16; Brooklyn, \$1.81; Queens, \$4.67.					
1924					
City Prison, Manhattan.....	15,074	\$14,105 60	\$31,034 52	\$16,927 92	8,581 76
City Prison, Brooklyn.....	9,752	8,776 80	17,335 56	8,581 76	
Federal rate, 90 cents; Manhattan, \$1.98; Brooklyn, \$1.78.					

NOTE.—No United States prisoners have been held in Queens County jail since 1923.

Year	January 1st to September 30th, 1925		October 1st to December 31st, 1925		Total
	City Prison, Manhattan	City Prison, Brooklyn	City Prison, Queens	City Prison, Queens	
1920.....	\$18,947 69	\$5,100 66	\$460 08	\$24,508 43	19,856 69
1921.....	10,084 12	7,570 25	3,882 32	21,536 69	15,232 31
1922.....	6,692 94	3,990 45	453 20	11,136 59	16,527 16
1923.....	10,283 88	5,740 08	433 20	16,457 16	28,759 68
1924.....	16,827 82	8,581 76	460 08	25,869 66	21,476 35
*1925.....	15,225 95	5,950 40	460 08	21,636 43	6,110 93
**1925.....	4,570 68	1,540 00		6,110 68	
	\$82,717 43	\$37,879 63	\$6,224 49	\$126,821 55	

\* January 1st to September 30th. \*\* October 1st to December 31st.

## RECAPITULATION — MAINTENANCE DUES

Year	City Prison, Manhattan		City Prison, Brooklyn		City Prison, Queens		Total
	Prison, Manhattan	Prison, Brooklyn	Prison, Queens	Prison, Queens	Prison, Queens		
1920.....	\$18,947 69	\$5,100 66	\$460 08	\$24,508 43	19,856 69		
1921.....	10,084 12	7,570 25	3,882 32	21,536 69	15,232 31		
1922.....	6,692 94	3,990 45	453 20	11,136 59	16,527 16		
1923.....	10,283 88	5,740 08	433 20	16,457 16	28,759 68		
1924.....	16,827 82	8,581 76	460 08	25,869 66	21,476 35		
*1925.....	15,225 95	5,950 40	460 08	21,636 43	6,110 93		
**1925.....	4,570 68	1,540 00		6,110 68			
	\$82,717 43	\$37,879 63	\$6,224 49	\$126,821 55			

**FORMS FOR FEDERAL STATISTICS**

**CHAPTER XII**

The Bureau of the Census has heretofore compiled statistics of prisoners only once in ten years, but, in response to a general demand for more complete and satisfactory statistics, is now undertaking to collect such statistics to a limited extent annually. The following are the forms to be used in the taking of the annual census:

**DEPARTMENT OF COMMERCE**

**BUREAU OF THE CENSUS**

WASHINGTON

**Schedule I — ADMISSIONS: 1926**

**PRISONS AND REFORMATORIES**

P Sheet No. ....

Name of institution .....

Address .....

*Sentenced prisoners received during the year, exclusive of those received by return from parole or by transfer*

Line number	NAME OR SERIAL NUMBER	Date of admission	Date of offense was committed	OFFENSE			SENTENCE			NUMBER OF PRISONERS TO			Age at birth	Sex	Race (White, Negro, Indian, Chinese, Japanese, etc.)	Country of birth	
				A	B	C	D	E	F	G	H	I					J
A		B	C	D	E	F	G	H	I	J	K	L	M	N			

**DEPARTMENT OF COMMERCE**

**BUREAU OF THE CENSUS**

WASHINGTON

**Schedule II — DISCHARGES: 1926**

**PRISONS AND REFORMATORIES**

P Sheet No. ....

Name of institution .....

Address .....

*Sentenced prisoners leaving institution during the year. (Includes departures by death, escape, or transfer)*

Line number	NAME OR SERIAL NUMBER	Date of discharge	Method of discharge	Date of offense	Date of sentence received	OFFENSE			SENTENCE			NUMBER OF PRISONERS TO			Age at birth	Sex	Race (White, Negro, Indian, Chinese, Japanese, etc.)	Country of birth
						A	B	C	D	E	F	G	H	I				
A		B	C	D	E	F	G	H	I	J	K <td>L</td> <td>M</td> <td>N</td> <td></td> <td></td> <td></td> <td></td>	L	M	N				

[120]

**DEPARTMENT OF COMMERCE**  
**BUREAU OF THE CENSUS**  
**WASHINGTON**

P

**Schedule III.—MOVEMENTS OF PRISON POPULATION: 1926**  
**PRISONS AND REFORMATORIES**

Name of institution .....

Address .....

	Total	Male	Female
<b>PRISONERS ON BOOKS JANUARY 1</b>			
1. In institution			
2. In custody outside institution			
3. Total prisoners, January 1 (sum of Items 1 and 2)			
<b>ADMISSIONS DURING YEAR</b>			
4. From courts			
5. Transferred from other institutions			
6. Parole violators returned			
7. Escapes recaptured			
8. Other			
9. Total admissions (sum of Items 4 to 8, inclusive)			
10. Sum of Items 3 and 9			
<b>DISCHARGES DURING YEAR</b>			
11. Discharged on expiration of sentence			
12. Paroled			
13. Pardoned			
14. Committed			
15. Escaped from institution			
16. Escaped while outside of institution			
17. Died			
18. Transferred to other institutions			
19. Other			
20. Total discharges (sum of Items 11 to 19, inclusive)			
<b>PRISONERS ON BOOKS DECEMBER 31</b>			
21. In institution			
22. In custody outside institution			
23. Total prisoners December 31 (sum of Items 21 and 22)			
24. Sum of Items 20 and 23; should equal Item 10			
25. Average daily resident prison population during year			
26. Normal capacity			

Report furnished by:

Signature .....

Title .....

DEPARTMENT OF COMMERCE  
BUREAU OF THE CENSUS  
WASHINGTON

P

Schedule IV. — ADMINISTRATIVE STAFF: 1926  
PRISONS AND REFORMATORIES

NAME OF INSTITUTION.....

ADDRESS.....

OFFICERS AND EMPLOYEES ACTUALLY IN SERVICE ON  
DECEMBER 31

	Total	Male	Female
1. Superintendent or warden.....			
2. Assistant superintendents or wardens.....			
3. Stewards or business managers.....			
Physicians:			
4. Full time.....			
5. Part time.....			
Psychiatrists:			
6. Full time.....			
7. Part time.....			
Psychologists:			
8. Full time.....			
9. Part time.....			
Dentists:			
10. Full time.....			
11. Part time.....			
12. Graduate nurses.....			
Chaplains:			
13. Full time.....			
14. Part time.....			
Teachers:			
15. Full time.....			
16. Part time.....			
Parole officers:			
17. Full time.....			
18. Part time.....			
19. Keepers, guards, and other disciplinary officers.....			
20. Matrons.....			
21.....			
22.....			
23.....			
24. All other officers and employees.....			
25. Total.....			

Report furnished by:

Signature..... Title.....

DEPARTMENT OF COMMERCE  
BUREAU OF THE CENSUS  
WASHINGTON

P

Schedule V. — FINANCIAL STATEMENT: 1926  
PRISONS AND REFORMATORIES

NAME OF INSTITUTION.....

ADDRESS.....

FOR THE FISCAL YEAR ENDING....., 192

(Give exact date)

## RECEIPTS

1. Balance on hand from previous fiscal year..... \$.....  
Includes balance for maintenance and all other purposes.
2. Received from appropriations.....
3. Received from all other sources.....
4. Total receipts (sum of Items 1, 2 and 3).....

## DISBURSEMENTS

## Expenditures for maintenance:

Under this heading should be included all expenditures for maintenance of prisoners and of plant, including ordinary repairs. Expenditures for additions and permanent improvements should not be included.

5. Salaries and wages..... \$.....
6. Provisions (food)..... \$.....
7. Fuel, light, and water..... \$.....
8. All other expenditures for maintenance.....
9. Total expenditures for maintenance (sum of Items 5, 6, 7 and 8).....
10. Expenditures for improvements, including new buildings, additions, permanent betterments, etc.....  
Under this heading should be included all expenditures for items, such as additional land, new buildings, new equipment, etc., which represent not restorations or replacements, but additions to plant.
11. Expenditures for other purposes, if any.....
12. Total expenditures (sum of Items 9, 10, and 11).....
13. Amount returned to State treasurer or other officials.....
14. Balance on hand at close of year.....  
Includes balance for maintenance and for all other purposes.
15. Total (sum of Items 12, 13, and 14; also equal to Item 4).....

Report furnished by:

Signature..... Title.....

## CHAPTER XIII

### SUGGESTED CLASSIFICATION

Following is the classification suggested by the Committee on Classification, of the Medical Section of the American Prison Association.

Provision has been made in this classification for the diagnosis of offenders on the basis of personality and behavior reaction together with intellectual deviation, neurological and serological abnormality; with the further provision for its adaptability to court and institutional statistical purposes.

In using the classification, it will be necessary to become familiar with the arrangement of the five main classes and their subdivisions as well as with the accompanying descriptive notes, and in order to secure uniformity of statistics and use of terms, the outline should be scrupulously followed.

#### I. NORMAL.

#### II. FEEBLEMINDED.

#### III. NEUROPATHIC.

- (a) Psychopathic Personality.
- (b) Epileptic.
- (c) Post-Encephalitic Personality.
- (d) Alcoholic.
- (e) Drug Addict.
- (f) Psychoneurotic (Psychasthenic-neurasthenic-hysterical).
- (g) Other brain or nervous abnormalities without psychosis to be specified.

#### IV. PSYCHOTIC.

Further classified according to the outline as suggested by The National Committee of Mental Hygiene.

#### V. POTENTIALLY PSYCHOTIC.

- (a) Recovered from psychosis.
- (b) Psychosis in remission.
- (c) Physical symptoms of incipient psychosis.

Following are the explanatory notes and definitions for use with the classification:

#### I. NORMAL.

In this group are included all those who after careful study fail to disclose the outstanding characteristics of any of the other four groups. (The members of this group are not essentially criminalistic, but are rather those who offend accidentally or through heat of passion—stress of circumstances—unusual opportunity, etc.) It should also include those offenders who are of dull normal and borderline intelligence, i. e., those having intelligence quotient above 70.

#### II. FEEBLEMINDED.

It will be necessary to base the diagnosis of intellectual level upon family history, personal history, including school and industrial records, social adaptation, etc., and as well upon the results of psychometric examination, preferably the Terman revision of the Binet-Simon, which is the form of intelligence

test most generally recognized. Too much stress can not be placed on the value of psychometricians especially trained for this work, in order to obtain uniformity of results. The value of the Binet-Simon Psychometric tests is lost in the hands of the inexperienced.

It is to be further noted that erroneous conclusions are frequently drawn as to the individual's intellectual status in cases of malingering—in those suffering from emotional states, such as schizophrenia, manic depressive psychosis, epilepsy, and as well organic diseases involving the sensorium, mental grasp or capacity. Careful study of the anamnesis, mental and physical symptom complexes will aid in arriving at a diagnosis.

Individuals found to be feeble-minded but suffering from psychosis, should be classed in the *Psychotic* Group (4), while those who show psychopathic trends and reactions, if the intellectual retardation is sufficient, should be classed in this group, e. g., *Feeble-minded*. The same is true of feeble-minded psychoneurotics, alcoholics-drug addicts.

Epileptics, although they may show apparent intellectual deficiency, ordinarily belong in the *Neuropathic* Group (3), because of the nature of their deterioration and their peculiar reaction. Likewise those exhibiting the characteristics of the post-encephalitic personality, should be placed in the *Neuropathic* Group, regardless of the existing intellectual status.

As noted under (1) *Normal* Group—those having an intelligence quotient over 70, according to the Terman revision of the Binet-Simon, are not classed with the *Feeble-minded* Group.

#### III. NEUROPATHIC.

This group includes all those individuals having an abnormal constitution of the mental make-up, except those classed definitely as feeble-minded, psychotic, or potentially psychotic (for further definition of this latter group see below).

#### (a) Psychopathic Personality:

Under this designation is a large group who present anomalies of character, which because normal or usual to the individual, cannot be considered as evidence of a psychosis. These individuals differ from the normal in the character and intensity of their volitional and emotional reactions as a result of which they are often unable to make an efficient or comfortable adjustment to their environment. They lack continuity of purpose, fixity of ambition, and show a poverty of sentiment. Members of this group often show special or peculiar reactions such as tendencies toward habitual delinquency—pathological lying—eccentricities—sexual perversions—dromomania—kleptomania—pyromania, etc. Dipsomania is considered under subheading (D) Alcoholic.

It is to be further noted that individuals of this type vary greatly intellectually, the range being from superior adult intelligence to that of the imbecile. If, however, the intelligence quotient is below 70, they should be classed in the *Feeble-minded* Group (2), while those who show episodic psychotic reactions, should be placed in the *Psychotic* Group (4).

#### (b) Epileptic.

All individuals showing a history of either idiopathic or secondary epilepsy, with the essential symptoms of grand mal, petit mal or epileptic equivalent states, should, unless psychotic symptoms are present, be classified in this group.

In the event that history indicates psychotic episodes in which clouded states occur, or in the presence of advanced epileptic deterioration, the individual is designated in the *Psychotic* Group (4).

As previously noted, a definite history of essential epilepsy, regardless of the degree of apparent intellectual retardation, precludes the individual's classification in the *Feeble-minded* Group (2).

#### (c) Post-Encephalitic Personality.

This group is increasing rapidly in numbers, and every effort should be



made to complete an early diagnosis in doubtful cases. The history of onset is fairly typical and once the symptom complex has established itself, diagnosis is relatively simple. Those cases which more often come to attention have shown a definite change of personality, with greater or less behavior disorder resulting from volitional disturbance. These individuals readily understand the nature of their acts, but because of delimited volitional capacity, they are unable to inhibit their impulsive and erratic activity. They also very frequently exhibit abnormally, wide emotional swings—the fluctuations ranging from intense depression to boisterous hilarity, often without apparent provocation.

Definite neurologic findings are usually demonstrable—the more common being those associated with involvement of the basal nuclei and resembling the Parkinson syndrome.

As noted under the *Feebleminded Group* (2), these individuals should not be allocated to that group, even if intellectual subnormality is suspected, and for statistical purposes, they should not be classified as *Psychotic* in spite of the fact that provision is made for their designation in the *Psychotic Group* (4) under subheading No. 8 "Psychosis with other brain or nervous diseases" (g) Encephalitis Lethargica.

(d) *Alcoholic*.

Designation in this group should be restricted to cases of chronic drinking or spree drinkers who do not develop psychotic symptoms. For statistical purposes those with dipsomanic tendencies are classified in this group rather than as *Psychopathic Personality*. In this group will frequently occur cases in which hysteroid or dream-like states follow comparatively small doses of alcohol and for which there is subsequent complete amnesia. Crimes are frequently committed during these episodes—but this condition should not be confused with the alcoholic hallucinosis or deteriorations, etc.

In the event that alcoholic types show mental retardation with intelligence quotient below 70, they should be placed in the *Feebleminded Group* (2).

Cases presenting symptoms of pathological intoxication—delirium tremens—Korsakow's psychosis—acute or chronic alcoholic hallucinosis, etc., should be properly classified in the *Psychotic Group* (4).

(e) *Drug Addict*.

This sub group is limited to persons addicted to drugs and who are not definitely feebleminded nor psychotic. Drug addicts are presumably psychopathic, but are classified separately here for obvious reasons. In the event, however, that they are demonstrably feebleminded, they should be placed in the *Feebleminded Group* (2)—or if showing symptoms of delirium or states of confusion or hallucinosis, they are allotted to the *Psychotic Group* (4)—subdivision (10), "Psychosis due to drugs and other exogenous toxins."

(f) *Psychoneurotic*.

This group lacking the essentials of a definite psychosis but of a nature often to precipitate offensive reactions, has been placed in the *Neuropathic Group* (3), rather than in the *Psychotic Group* (4). The following descriptive material has been quoted in its entirety from the "Statistical Guide of the New York State Hospital Commission," with the addition that many of the characteristics of psychasthenia, neurasthenia and hysteria, are frequently found in the feebleminded and psychopathic. Therefore, if the intelligence defect is demonstrable, the case should be placed in the *Feebleminded Group* (2), or if the personality components are pre-eminently psychopathic, the case is placed in the subgroup (A) *Psychopathic Personality*.

The psychoneurosis group includes those disorders in which mental forces or ideas of which the subject is either aware (conscious) or unaware (unconscious) bring about various mental and physical symptoms; in other words, these disorders are essentially psychogenic in nature.

"The term neurosis is now generally used synonymously with psychoneurosis, although it has been applied to certain disorders in which, while

the symptoms are both mental and physical, the primary cause is thought to be essentially physical. In most instances, however, both psychogenic and physical causes are operative and we can assign only a relative weight to the one or the other.

"The following types are sufficiently well defined clinically to be specified in the statistical report.

"(a) *Hysteroid type*: Episodic mental attacks in the form of delirium, stupor or dream states during which repressed wishes, mental conflicts or emotional experiences detached from ordinary consciousness break through and temporarily dominate the mind. The attack is followed by partial or complete amnesia. Various physical disturbances (sensory and motor) occur in hysteria, and these represent a conversion of the effect of the repressed disturbing complexes into bodily symptoms or, according to another formulation, there is a dissociation of consciousness relating to some physical function.

"(b) *Psychasthenic type*: This includes the anxiety and obsessional neuroses of some writers. The main clinical characteristics are morbid fears or phobias, obsessions, doubts and impulsions, feelings of insufficiency, nervous tension and anxiety. Episodes of marked depression and agitation may occur. There is no disturbance of consciousness or amnesia as in hysteria.

"(c) *Neurasthenic type*: This should designate the fatigue neurosis in which physical as well as mental causes evidently figure; characterized essentially by mental and motor fatigability and irritability; also various hyperaesthesia and paraesthesia; hypochondriasis and varying degrees of depression.

"(d) *Other types*."

Great care should be exercised in differentiating this group from the *Psychopathic Personality* cases.

(g) *Other Brain or Nervous Abnormalities without Psychosis to be specified*: For example: Post-Traumatic constitution without psychosis: In this type of reaction there is a definite history of head injury usually of occurrence early in life, as a result of which there is a fairly definite type of reaction such as inability to stand stress, increased susceptibility to alcohol, periodic outburst of erratic and impulsive behavior not sufficiently marked nor of long enough duration to be classed as *Psychotic*. The nature of his acts is conscious to the individual, but he is temporarily without power of inhibition and many of his acts are without valuable purpose and partake too often of a tendency to wanton destruction, such as commission of arson—assault—hold-up—crimes of a sadistic or brutal nature against persons and animals, etc. These cases frequently show evidence of intellectual abnormality, and if marked, they should be classed with the *Feebleminded*. If Paranoid trends or psychotic symptoms are present, they will be sufficient to indicate psychosis with the proper placement in *Group* (4) *Psychotic*.

IV. *PSYCHOTIC*.  
Refer to Statistical Guide, published by The National Commission of Mental Hygiene, or that of the New York State Hospital Commission.

V. *POTENTIALLY PSYCHOTIC*.

Those individuals who because of certain factors revealed in their history or from conclusions arrived at after careful physical investigation, will probably become psychotic at some time in the not too remote future.

(a) *Recovered from Psychosis*.

History may reveal that there has been a previous psychosis from which the patient has recovered, but that the psychosis is one of the type generally recognized as being partially pathognomonic of successive attacks at irregular intervals. This is partially true of the manic depressive psychoses, alcoholic psychoses, psychoses with cerebral arteriosclerosis, psychoses with epilepsy, psychopathic personality, mental deficiency, etc.

The existence of definite previous psychosis should be established without a doubt, and history of simple depression, indefinite episodes of excitement, should not be confused with true psychosis.

(b) *Psychosis in Remission.*

This group is composed of the type presenting history of psychosis in which there is present at least partial recovery or disappearance of symptoms, but which will presumably relapse into the pre-existing state, e. g.—schizophrenoid state— paresis, etc.

(c) *Physical Symptoms of Incipient Psychosis.*

Case. in which physical investigation discloses typical neurological symptoms or characteristic serological or cytological deviations of the blood or spinal fluid, suggestive of paresis, cerebral syphilis, cerebro spinal syphilis, cerebral neoplasm (or brain tumor), cerebral arteriosclerosis, Huntington's chorea, etc. Even in the absence of mental symptoms, these individuals are to be recognized as very apt to become psychotic.

P. B. BATTEY, M. D.,

R. F. C. KIEB, M. D.,

J. C. LINDSAY, M. D.,

EMIL SCHARNITZKY, M. D.,

L. J. PALMER, M. D., *Chairman.*

*Committee.*

MISSING  
PAGE(S)

Blosveren, Mrs. Theresa....	\$1 00	*Brown, M. Bayard.....	\$250 00
Bluen, Mrs. Morris J.....	10 00	Brown, Stanley D.....	5 00
Blum, Miss Estelle B.....	1 00	Brown, Mrs. Waldron P....	10 00
Blumenthal, George.....	300 00	Brown, Mrs. Walter.....	10 00
Blumenthal, Mrs. Sol.....	5 00	Brown, Warren D.....	5 00
Boardman, Mrs. George M....	10 00	Brown, William Adams.....	5 00
Boardman, Henry F.....	10 00	Brown, Mrs. William R....	5 00
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Bogert, Walter L.....	5 00	rop.....	2 00
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Bowen, W. A.....	2 00	Bryce, Miss Mary T.....	10 00
Bowers, Ogden H.....	5 00	Buch, Miss Emily.....	10 00
Bowie, Mrs. W. Russell.....	10 00	Buchanan, Mrs. S. Edwin..	5 00
Bowker, Richard R.....	10 00	Bucknall, Mrs. Henry W. J.	10 00
Boyce, A. L.....	5 00	Buckner, Thomas A. Jr....	
Boyd, Archibald B..... C. T.	10 00	G. R.	5 00
Bradford, Mrs. John Henry		Bulkley, Mrs. Edwin M....	25 00
Jr.....	5 00	Bulkley, L. Duncan.....	5 00
Bradley, Charles B.....	10 00	Bulkley, Miss Mary D.....	1 50
Bradley, Miss M. T.....	25 00	Bullenkamp, Charles E.....	2 00
Braid, George S..... G. R.	2 00	Burchard, Miss Anna T.....	1 00
Brand, Herman.....	5 00	Burehell, Henry J.....	5 00
Breed, Mrs. James McV....	25 00	Burdett, Mrs. Cyril H.....	5 00
Brennan, Edward E.....	5 00	Burkham, Miss Caroline T.	
Breslin, Miss Evelyn M....	5 00	(1925-1926)	4 00
Brewster, Robert S.....	100 00	Burlingame, Mrs. Edward L.	8 00
Brieker, Mrs. R. E..... C. T.	2 00	Burnett, Chauncey H.....	1 00
Bridgman, Mrs. Charles De-		Burnham, Herbert D.....	5 00
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Brill, A. A.....	5 00	Burns, Mrs. A. L..... S.	10 00
Brinckerhoff, Alex G.....	5 00	Burr, Mrs. Frederic M....	10 00
Bristol, John Isaac Devoe..	5 00	Burr, Mrs. Louis H.....	5 00
Brokaw, George T.....	10 00	Burrell, Joseph D.....	5 00
Brooks, Miss Bertha G.....	25 00	Burrows, Metal Mfg. Co....	2 00
Brooks, Miss Bertha G.... S.	5 00	Business Address Co.....	5 00
Brooks, Mrs. G. Frederick..	5 00	Butler, Charles Stewart....	5 00
Brouner, Miss Mary L....	1 00	Butler, Charles Stewart.. S.	5 00
Brower, Jacob L.....	2 00	Butler, Miss Emily O.....	5 00
Brower, William L.....	10 00	Butler, Howard Russell....	3 00
Brown, Miss Anne.....	2 00	Butler, Miss Mary M.....	5 00
Brown, Mrs. Donaldson....	10 00	Butler, Willard Parker....	5 00
Brown, Miss Edith Harman.	5 00	Butterick, Miss Mary E....	10 00
Brown, Everett L.....	25 00	Butterworth, Mrs. George	
Brown, Mrs. Franklin Q....	5 00	Forrest.....	10 00
Brown, Mrs. George Alexan-		Byrne, Edward J.....	5 00
der.....	2 00	Byrne, Mrs. James.....	20 00
Brown, Hubert R.....	2 00		
Brown, Mr. and Mrs. J.		C	
Wright.....	10 00	Cahn, Mrs. Leopold.... G. R.	10 00
Brown, John Crosby.....	5 00	Calvary Church.....	15 00
Brown, Miss Julia D.....	10 00	Campbell, Mrs. Marie Bayer	1 00
Brown, Lathrop.....	5 00	Cannon, Mrs. Sylvanus T....	6 00
Brown, Lawrason.....	3 00		
Brown, Mrs. Lyman D.....	2 00	* Deceased.	

Cantrell, Miss Annie L.....	\$2 00	Clarke, Mrs. E. Arthur	
Carden, George A.....	5 00	Stanley	\$15 00
Carey, S. W.....	50 00	Clarke, Miss Helen MacG.....	2 00
Carlebach, Mrs. Emil.....	2 00	Cleland, Mrs. T. J.....	15 00
Carlebach, Walter M.....	3 00	Condon, Mrs. F. M.....	5 00
Carleton, Miss Ida B.....	15 00	Cluett, Walter H.....	10 00
Carlson, Frank.....	2 00	Clyde, George W.....	10 00
Carraon, Mrs. S. H.....	1 00	Clyde, Mrs. William P.....	20 00
Carter, Arthur.....	10 00	Cochran, George D.....	5 00
Carter, Ernest T.....	10 00	Cochran, Miss Mary T.....	10 00
Carter, Mrs. Frank E.....	5 00	Cocks, Francis E.....	2 00
Carter, Samuel T.....	10 00	Coe, Mrs. George V.....	10 00
Gary, Miss Kate.....	25 00	Coe, William Marvin.....	5 00
Cary, Mrs. Melbert B., Jr.....	10 00	Coe, William R. (1926-1927).....	200 00
Casamajor, Mrs. Louise J.....	5 00	Cohn, Mrs. Alfred E.....	5 00
Case, Mrs. George B.....	5 00	Cohn, Mrs. Henry S.....	5 00
Case, J. Herbert.....	5 00	Cole, Lawrence T.....	10 00
Carr, Mrs. Louis A.....	5 00	Coleman, Miss Emma G.....	5 00
Chadwick, Charles E.....	2 00	Colgate, Mrs. (1925-1926).....	200 00
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Chanler, Mrs. Winthrop.....	5 00	Collins, R. G., Jr.....	10 00
Chapin, Charles E.....	5 00	Colt, Harry D.....	10 00
Chapin, Mrs. Charles Merrill	10 00	Colt, Mrs. Morgan.....	5 00
Chapin, Miss Cornelia		Colt, Mrs. Richard C.....	10 00
Van A.....	10 00	Colt, Mrs. Stockton B.....	1 00
Chapin, Simeon B.....	25 00	Conan, Miss Caroline C. T.....	2 00
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Chapman, Conrad.....	10 00	York.....	10 00
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Chapman, Mrs. John Jay.....	25 00	Conboy, Martin.....	10 00
Chapman, Mrs. John W.....	5 00	Condit, Filmore.....	10 00
Chapman, Miss Mary W.....	5 00	Cone Export & Commission	
Chapman, Miss Mary W., S.	2 00	Co.....	25 00
Charles, Mrs. J. M.....	5 00	Cone, Jno. J.....	5 00
Cheesbrough, Robert A.....	5 00	Conger, Henry C.....	15 00
Chauncey, Miss Lucy.....	5 00	Conne, P. A.....	5 00
Child, Miss Ruth A.....	5 00	Conolly, Mrs. Theodore.....	1 00
Chipman's, Charles Sons Co.,		Conrad, Charles F.....	1 00
The.....	25 00	Conway, W. F.....	10 00
Chisholm, George E.....	5 00	Cook, Mrs. Charles T.....	10 00
Chisolm, B. Ogden.....	250 00	Cook, James D.....	5 00
Chisolm, Mrs. B. Ogden		Cook, Leopold A.....	2 00
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Chisolm, Mrs. B. Ogden S.	25 00	Coolidge, Mrs. Sherman.....	50 00
Choate, Mrs. Joseph H.....	100 00	Coombs, G. W.....	5 00
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Christie, Mrs. Percy M.....	1 00	Cooper, Mrs. James Fenimore	
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Clark, F. Ambrose.....	100 00	Cossé, Charles B.....	10 00
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Clark, Walter H..... S.	1 00	Cowl, Mrs. Clarkson.....	25 00
Clark, Mrs. William Brewster		Coyne, John E.....	5 00
ster.....	5 00	Cragg, Charles E.....	5 00
Clarke, Mrs. A. F.....	3 00	Crain, Miss Christobelle.....	5 00
Clarke, Charles Edes F.....	10 00	Crane, Charles W.....	1 00
Clarke, E. Arthur Stanley.....	5 00	Creamer, William G.....	2 00

Crocker, Mrs. Frank.....	\$10 00	Doming, Miss Eleanor.....	\$5 00
Crocker, William T.....	5 00	*de Navarro, Alfonso.....	5 00
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Cromwell, Mrs. Jeremiah S.		Denny, Mrs. Thomas, Sr.....	30 00
Cronin, Jare J.....	5 00	Depouw, Mrs. Chauncey M.....	5 00
Crosby, Miss Mary R.....	1 00	de Peyster, Miss Frances G.....	20 00
Cross, Miss Emily R.....	10 00	De Pinna, Mrs. L. S.....	5 00
Cuduhly, Miss Mary T., G. R.....	10 00	Denpe, William P.....	5 00
Curtis, Miss Anna M.....	5 00	DeSoto, Mrs. Charles.....	10 00
Culkin, Charles W.....	10 00	De Sola, Mrs. and Mrs. B. E.....	3 00
Cullman, Mrs. Joseph F.....	25 00	Deutsch, Miss Eva.....	2 00
Cunning, Mrs. Rochester.....	2 00	Dexter, Miss Annie Breeze.....	5 00
Cunningham, W. F.....	5 00	Dickerson, Frank S.....	1 00
Curry, T. Minor..... S.	5 00	Dickey, Mrs. Charles D., Jr.....	5 00
Curtis, Mr. and Mrs. Eugene		Dickey, Mrs. Charles D.....	10 00
J.....	10 00	Dillingham, Frank A.....	5 00
Curtis, F. Kingsbury.....	5 00	Dillworth, Mrs. Joseph R.....	5 00
Curtis, Mrs. H. Tolbrook.....	5 00	Dimock, E. J.....	10 00
Curtis, Mrs. James B.....	10 00	Dimock, Edwin.....	10 00
Curtis, Mrs. Mary O.....	5 00	Dimsinos, The.....	5 00
Cutting, Mrs. William Bayard		Dix, George W.....	10 00
ard.....	25 00	Dodge, Mrs. Arthur M.....	15 00
		Dodge, Mrs. Cleveland E.....	5 00
		*Dodge, Cleveland H.....	100 00
		Dodge, Mrs. Cleveland H.....	50 00
		Dodge, Francis E.....	10 00
		Dodge, Mrs. Murray W.....	5 00
		Dodge, Mrs. Robert L.....	25 00
		Doerr, Carl F.....	2 00
		Domitiek, M. W.....	10 00
		Donnich, Mrs. Alex Louis	
		Donald, Miss Linda Agnes.....	5 00
		Donaldson, Mrs. Frederick E.....	5 00
		Doonittle, Judson A.....	2 00
		Doornance, Mrs. Samuel M.....	10 00
		Dortie, Miss Adele G.....	10 00
		Dotter, Charles T.....	5 00
		Doubladay, Mrs. Frank N.....	10 00
		Douglass, Mrs. William H.....	15 00
		Douglass, G. Winfred.....	5 00
		Douglass, Mrs. George W.....	10 00
		Douglass, J. Gordon.....	10 00
		Douglass, Mrs. John Sheafe.....	10 00
		Douglass, Mrs. William.....	15 00
		Dow, Horace D.....	5 00
		Dowd, Herman.....	5 00
		Dearborn, David B., Jr.....	10 00
		Dearborn, David B.....	10 00
		DeBoer, David H.....	10 00
		de Brabant, Mrs. Marius.....	100 00
		de Champlin, Madame Ange-	
		lina.....	10 00
		Decker, Gaspar G.....	15 00
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		DeForest, Henry W.....	25 00
		de Forest, Mrs. Henry W.....	10 00
		de Forest, Robert W.....	25 00
		DeGore, Paul.....	5 00
		DeGraff, James W.....	10 00
		DeLafield, Mrs. John R.....	5 00
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Hampson, Theodore.....	1 00	Herzog, Miss Nina D.....	5 00	
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Hare, Emlin S..... G. R.	5 00	Hesse, J. G.....	5 00	
Harlan, Mrs. Belle K.....	2 50	Hewlett, Arthur T.....	5 00	
Harper, Harold.....	5 00	Heymann, Nathan.....	2 00	
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Hart, Hastings H.....	5 00	Hills, Mrs. John.....	5 00	
Hartman, Mrs. Edith Cooper	5 00	Hirard, Mrs. George D.....	5 00	
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Harvey, L. J..... S.	25 00	Hirsch, Adolph.....	2 00	
Haskell, Mrs. J. Amory.....	3 00	Hodge, Mrs. J. Edward.....	2 00	
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Hayden, Charles.....	100 00	Hodges, Miss Mary G.....	5 00	
Hayden, Mrs. Horace J.....	5 00	Hodgson, Edwin A.....	1 00	
Hayden, Samuel.....	5 00	Hoe, Mrs. Richard M.....	15 00	
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		Lowe, Mrs. William E.	10 00
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Morris, Richard L. . . . .	10 00	Oakley, Alonzo Gore . . . . .	5 00
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Murray, J. Archibald . . . . .	10 00	Ottinger, Albert . . . . .	10 00
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Myers, Marcus A. . . . .	1 00	Palumbo, B. A. . . . .	S. 1 00
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Namberg, William L. . . . .	1 00	Parks, Mrs. Elton . . . . .	5 00
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Neustadt, Mrs. M. . . . .	5 00	Parsons, Schuyler L. . . . .	25 00
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Corp. . . . .	1 00	Parsons, William H. . . . .	10 00
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Perkins, Mrs. Charles E. . . . .	10 00	Pyne, Mrs. H. Rivington . . . . .	10 00
Perkins, Edward W. . . . .	5 00	Pyne, Mrs. M. Taylor . . . . .	10 00
Perkins, Miss Emily S. . . . .	10 00	Pyne, Mrs. M. Taylor . . . . .	S. 10 00
Perkins, Mrs. George W. . . . .	25 00		
Perkins, Mrs. R. C. Talbot . . . . .	5 00	Q	
Perlestein, Mrs. G. W. R. . . . .	3 00	Quinto, Mrs. Philip . . . . .	2 00
Perrine, Russell J. . . . .	5 00		
Peters, Miss Alice R. . . . .	10 00	R	
Peters, Miss Elizabeth . . . . .	1 50	Racky, Miss Bertha . . . . .	1 00
Peters, Miss Isabel . . . . .	10 00	Radnad, Josef . . . . .	1 00
Peters, Thomas M. . . . .	25 00	Randolph, Miss Blanche F. . . . .	5 00
Peters, Mrs. William R. . . . .	10 00	Randolph, Mrs. Francis F. . . . .	25 00
Petrash, Mrs. Carl S. . . . .	10 00	Ransom, Mrs. Paul C. . . . .	5 00
Pettigrew, Robert H. . . . .	3 00	Ranney, Mrs. Elizabeth H. . . . .	1 00
Pfirzheimer, Mr. and Mrs.		Rathbone, Richard C. . . . .	5 00
Carl H. . . . .	10 00	Ravner, Mr. & Mrs. William	
Phelps, Miss Claudia Lea		Reynold, Howard E. . . . .	20 00
2nd . . . . .	20 00	Read, Mrs. Edward E. . . . .	5 00
Phillips, Miss Edna . . . . .	2 00	Rechtman, David . . . . .	2 00
Phillips, Miss Ellen A. G. . . . .	5 00	Redmond, Miss Emily . . . . .	20 00
Phillips, Wendell C. . . . .	5 00	Redmond, Mr. and Mrs. Ro-	
Pierce, Edward Allen . . . . .	10 00	land L. . . . .	10 00
Pierce, Mrs. Theron F. . . . .	10 00	Reed, Henry Douglas . . . . .	5 00
Pierpont, Miss Anna J. . . . .	10 00	Reed, William H. . . . .	5 00
Pierpont, Mrs. Seth Low . . . . .	25 00	Regensburg, Mrs. Jerome . . . . .	5 00
Pinkerton, Allan . . . . .	10 00	Reid, Pergus . . . . .	100 00
Pinkerton, Mrs. Robert Allan		Reid, Mrs. Whitlaw . . . . .	20 00
Pitkin, Mrs. Albert J. . . . .	5 00	Reisinger, Cur. H. . . . .	5 00
Pitney, Mrs. J. O. H. . . . .	10 00	Remington, H. W. . . . .	2 00
Pitzele, Elias . . . . .	2 00	Renssen, Miss Margaret S. . . . .	10 00
Planten, Mrs. H. Rolf . . . . .	5 00	Renton, Stanley H. . . . .	10 00
Plant, Joseph . . . . .	15 00	Renwick, Mrs. William C. . . . .	5 00
PLM, Louis . . . . .	1 00	Requa, J. Eugene . . . . .	5 00
Polak, Edward . . . . .	2 00	Reynolds, Miss Emma C. . . . .	S. 5 00
Polak, John Osborn . . . . .	10 00		
Polk, Frank L. . . . .	10 00	Reynolds, George G. . . . .	C. T. 5 00
Polk, Mrs. William M. . . . .	25 00	Reynolds, Miss Kate L. . . . .	5 00
Pollak, W. G. . . . .	10 00		
Pond, Miss Florence L. . . . .	100 00	Reynolds, Mrs. R. G. . . . .	1 00
Poor, Mrs. Charles Lane . . . . .	10 00	Rhineland, Mrs. Thomas	
Pope, Mrs. Charles Frank . . . . .	25 00	N. (1925-1936)	
Post, Abram S. . . . .	25 00	Rhoades, Mrs. Lyman . . . . .	5 00
Post, Mrs. Carroll J., Jr. . . . .	5 00	Rhoades, Miss Nina . . . . .	10 00
Post, James H. . . . .	100 00	Rice, J. B. . . . .	5 00
Potter, Miss Blanche . . . . .	10 00	Richard, Miss Elvina . . . . .	50 00
Pouch, Edward J. . . . .	25 00	Richard, Harold G. . . . .	10 00
Pouch, William H. . . . .	10 00	Richard, Oscar L. . . . .	S. 10 00
Powell, Wilson M. . . . .	50 00	Richards, Mrs. Eben . . . . .	2 00
Pratt, Charles H. . . . .	25 00	Richards, Edward A. . . . .	5 00
Pratt, Mrs. Charles M. . . . .	25 00	Richards, Ellis G. . . . .	10 00
Pratt, Mrs. John T. . . . .	10 00	Richards, George . . . . .	5 00
Prentice, Robert Kelly . . . . .	5 00	Richards, Miss Harriet M.	
Prescott, Miss Mary R. . . . .	10 00		
Prince, Mrs. Benjamin . . . . .	15 00	Richardson, Mrs. C. G. R. . . . .	1 00
Pross, Mrs. William Ross . . . . .	50 00	Richardson, Miss Edith C. . . . .	2 00
Pruyn, Mrs. Robert D. . . . .	S. 10 00	Richardson, Mrs. George H	

Richardson, Miss Marion.....	\$5 00	Ryle, Arthur.....	\$16 00
Richardson, Samuel W.....	5 00	Ryle, Arthur.....	10 00
Richardson, William C.....	2 00		
Richardson, Mrs. William J.....	2 00	S	
Richmond, Mrs. Helen M.....	1 00	Sabin, Charles H.....	50 00
Riegel, Bernard.....	2 00	Sachs, Barney.....	10 00
Riesner, Benjamin.....	5 00	Sackett, Henry Woodward.....	5 00
Riggs, Lawrence, Jr.....	5 00	Sage, Dean.....	400 00
Riley, Mrs. Henry A.....	8 00	Sage, Dean.....	1300 00
Rittenberg Bros.....	5 00	Sage, Mrs. Henry W.....	15 00
Rives, Mrs. Reginald.....	25 00	Sage, Mrs. William H.....	25 00
Rives, Mrs. William C.....	5 00	Sahler, Miss Helen G.....	10 00
Robbins, Howard C.....	10 00	St. Clair, Mrs. H.....	10 00
Robbins, Mrs. Julian W.....	10 00	St. John's Church.....	5 00
Roberts, Mrs. Charles H.....	5 00	Saks & Co.....	5 00
Roberts, Mrs. Henrietta W.....	3 00	Saks, Isadore.....	10 00
Roberts, John E.....	10 00	Salisbury, Dr. and Mrs.....	10 00
Roberts, Miss Josephine L.....	3 00	Lucius A.....	10 00
Roberts, Miss Marion L.....	5 00	Samms, Miss Lillian, C. T.....	2 00
Roberts, Ralph E.....	1 00	Samborn, James F.....	5 00
Rohde, Mrs. John W.....	3 00	Sanford, Edward T.....	5 00
Robinson, Charles P.....	10 00	Stuger, Mrs. William Cary.....	5 00
Robinson, Miss Florence V.....	1 00	Satterlee, Mrs. Herbert L.....	25 00
Robinson, Mrs. Franklin W.....	5 00	Satterthwaite, Mrs. Thomas	
Robinson, Mrs. Kenneth D.....	4 00	E.....	15 00
Rockefeller, John D., Jr.....	500 00	Sattler, Anton, Inc.....	2 00
Rockwood, Miss Katharine		Saul, Charles R.....	2 00
C.....	10 00	Saul, Miss Elka.....	2 00
Rodewald, Miss A. Leontine		Saunders, Arthur C.....	5 00
Roths, Theodore.....	5 00	Sauvage, Mrs. Elsie P.....	1 00
Rössler & Hasslachher Chem-		Sawrey, Desatur M.....	5 00
ical Co.....	10 00	Sawyer, Mrs. H. E.....	5 00
Rogan, John H.....	2 00	Sayre, Miss Mary Hall.....	5 00
Rogers, Francis.....	10 00	Scarborough, Andrew J.....	2 00
Rogers, Kenneth S.....	3 00	Schaefer, Anton H.....	20 00
Rogers, Noah C.....	10 00	Schiff, Mrs. Jacob H.....	5 00
Rogers, Saul E.....	10 00	Schiff, William.....	10 00
Rohant, Albert.....	5 00	Schlesinger, Miss Anna.....	5 00
Root, Charles T.....	25 00	Schlesinger, Baldwin.....	3 00
Root, Oren.....	10 00	Schley, Mrs. Kenneth B.....	3 00
Rose, John Henry.....	1 00	Schlieman, Julius.....	3 00
Rosenbaum, Arthur A.....	10 00	Schloss, Henry W.....	10 00
Rosenblum, Harold A.....	10 00	Schlosser, Mrs. Herman.....	5 00
Rosenblum, Selig.....	10 00	Schmidlapp, Carl J.....	25 00
Rosenbaum, Sol G.....	10 00	Schmidt, George R. H.....	5 00
Rosendale, William M.....	2 00	Schnabel, Miss Laura.....	5 00
Rosensohn, Mrs. S. J.....	10 00	Schnabel, Miss Laura.....	S. S. 3 00
Rosenzweig, Mrs. Joseph.....	5 00	Schoder, Rex F.....	2 00
Ross, W. H.....	10 00	Schoening, Gustave.....	G. R. 4 00
Ross, W. H.....	2 00	Schram, Mrs. Louis B.....	5 00
Rothbarth, Albert.....	10 00	Schulte, Mrs. Anthony.....	10 00
Rothschild, Miss Anna J.....	5 00	Schulte, Mrs. Joseph M.....	2 00
Royce, James C.....	5 00	Schultze, Henry.....	3 00
Rubin, Michael.....	1 00	Schultz, Mrs. Albert B.....	5 00
Rumery, Ralph R.....	2 50	Schwab, Mrs. Montgomery	
Ruppelch, Mrs. W. E.....	3 00	Schwartz, Miss Emily.....	10 00
Rusch & Co.....	5 00	Schwartz, Edward J.....	5 00
Rushmore, J. D.....	1 00	Schwarzbach, Robert J. F.....	10 00
Russell, Miss Ella E.....	1 00	Scott, Charles M.....	15 00
Russell, Mrs. Howland.....	S. 2 00	Scott, Henry L.....	10 00
Russell, James.....	5 00	Scott, Miss Louise B.....	10 00
Russell & Erwin Mfg. Co.....	2 00	Scott, Mrs. Mary Evelyn.....	25 00
Rutherford, Mrs. Henry L.....	10 00	Scoville, Miss Edith.....	25 00

Scoville, Miss Grace.....	\$25 00	Sloane, John.....	\$5 00
"Scrymser, Mrs. James A.....	100 00	Sloane, Mrs. John.....	30 00
Seabrook, Mrs. H. H.....	10 00	Sloane, Mrs. William.....	20 00
Seal, Mr. and Mrs. Silas C.....	2 00	Smith Bros. Milk & Cream	
Seasongood, A. J.....	S. 5 00	Co., Inc.....	10 00
Sec. A. B. Electric Elevator		Smith, Mrs. Charles Herbert	
Co.....	15 00	Smith, Eugene.....	25 00
Seekamp, John F.....	10 00	Smith, Mrs. F. E.....	S. 2 00
Seelig, G. T.....	1 00	Smith, Mrs. Fanny.....	5 00
Seem, Mrs. Samuel H.....	5 00	Smith, Mrs. Fitch W.....	10 00
Siebels, Mrs. Robert E.....	10 00	Smith, George C., Jr.....	10 00
Seibert, Jacob, Jr.....	5 00	Smith, George C.....	25 00
Seligman, Mrs. Isaac N.....	10 00	Smith, Mrs. Robert Russell	
Seligsberg, Alfred F.....	5 00	Smith, Miss Madeline D.....	5 00
Severn, Edmund.....	5 00	Smith, Pierre J.....	25 00
Sexton, Mrs. A. G.....	S. 25 00	Smith, Mrs. Pierre J.....	5 00
Seymour, Henry T.....	5 00	Smith, Mrs. R. Penn, Jr.....	25 00
Shabshelowitz, H.....	3 00	Smvth, George W.....	10 00
Shadd, Henry L.....	S. 5 00	Smith, Mrs. Spencer C.....	10 00
Shannon, George W.....	S. 5 00	Smith, Walter F.....	10 00
Shapiro, Heyman.....	5 00	Smithers, Christopher D.....	10 00
Shaskan, E. Felix & Co.....	10 00	Smvth, George W.....	10 00
Shaw, N. Archibald.....	10 00	Snow, Frederick A.....	25 00
Shaw, Mrs. Samuel T.....	2 00	Snowden, James Hastings.....	50 00
Shaw, Mrs. T. C.....	3 00	Sollmann, Ekko.....	5 00
Shea, George E.....	5 00	Solot, Max.....	1 00
Sheele, Mrs. Charles M., Jr.....	5 00	Sommer, Philip L.....	C. T. 10 00
Shepard, Finley J.....	50 00	Sonin, William L.....	2 00
Sherman, Miss Dorothea.....	G. R. 5 00	Spader, Mrs. A. M.....	2 00
Sherman, Mrs. Frederick D.....	5 00	Spaford, Joseph H.....	10 00
Sherrill, Miss Helen L.....	2 00	Spahr, Mrs. C. B.....	10 00
Shogut, Abraham L.....	5 00	Spalding, A. G. & Bros.....	10 00
Shorten, Thomas S.....	25 00	Spalding, Mrs. George A.....	5 00
Shriver, Alfred.....	5 00	Spalding, Miss Helen H.....	10 00
Shriver, Mrs. Harry T.....	10 00	Spalding, Joseph W.....	5 00
Shulman, Charles H.....	10 00	Sparks, T. Ashley.....	10 00
Sibley, Mrs. Hiram W.....	20 00	Spaulding, S. S.....	25 00
Sibley, John D.....	5 00	Speer, Louis Dean.....	10 00
Sidman, Edgar N.....	5 00	Speer, Mrs. Louis Dean.....	1 00
Siegmán, M. B.....	10 00	Speltman, Louis E.....	10 00
Silberman, Philip.....	5 00	Spencer, Miss Eleanor.....	10 00
Silberstein, Abraham.....	5 00	Speyer & Co.....	10 00
Silk Finishing Co. of Amer-		Speyers, Mrs. James Bayard	
ica.....	25 00	Spool Cotton Co.....	25 00
Simmons, Joseph Ferris.....	S. 1 00	Sprague, Seth.....	10 00
Simon, A. L. & L. D.....	10 00	Squibb, Edward H.....	5 00
Simon, Franklin & Co.....	10 00	Squier, Mrs. S. C.....	S. 25 00
Simonds, Mrs. R. G.....	15 00	Stabler, Edward L.....	2 00
Simon, Isaac.....	1 00	Stafford, Mrs. William F.....	10 00
Simpson, Mrs. Kenneth F.....	5 00	Starr, Russell T.....	1 00
Skeley, Mrs. W. J.....	2 00	Starrt, A. J.....	C. T. 5 00
Skeongard, Jens.....	50 00	Stearns, Mrs. E. H.....	5 00
Slade, Miss Augusta P.....	5 00	Steele, Charles.....	20 00
Slade, Francis Louis.....	5 00	Stein, Mrs. Edward.....	G. R. 5 00
Slade, Mrs. George P.....	10 00	Stein, Mrs. Gerda.....	10 00
Slade, George T.....	25 00	Stein, Miss Helen A.....	1 00
Simon, Robert & Co., Inc.....	10 00	Stein, Mrs. Jacob.....	5 00
Slau, Samuel.....	10 00	Steinhardt, The Children	
Sloan, Mrs. William S.....	10 00	(In memory of Uncle	
Sloane, Mrs. George.....	100 00	Eddie).....	2 00
		Stephens, Thomas C. (1926-	
		1927).....	50 00
		Stern, Benjamin.....	10 00

\* Deceased.

Stenberg, Mrs. Maurice M.		Surgent, Henry	50	50
Stetson, Miss Ethel	3 50	Sutton, J. Wilson	1 00	1 00
Stettlheimer, Mrs. R. W.	10 00	Swan, Mrs. Joseph Rockwell	10 00	10 00
Stoner, Mrs. Max D.	5 00	Sweet, Mrs. Paul F.	5 00	5 00
Stevenson, Miss Marjori V.	10 00	Swezey, Mrs. Christopher	10 00	10 00
Stevenson, Mrs. Richard W.	G. R.	Swift, Edward P.	1 00	1 00
Stevens, Mrs. Robert S.	3 00	Sytnnes, Mrs. William B., Jr.	5 00	5 00
Stewart, Mrs. A. A.	1 00			
Stewart, Lispendar	50 00	T		
Stewart, Mrs. Percy H.	50 00	Taber, Miss Mary	5 00	5 00
Stewart, William R.	10 00	Tait, Mrs. Katharine L.	1 00	1 00
Stickney, Henry Austin	10 00	Tanenbaum, Jerome	10 00	10 00
Stiefel, Mrs. Isaac	2 00	Taylor, Charles G.	10 00	10 00
Stieglitz, Mrs. Albert	5 00	Taylor, Mr. & Mrs. Herbert C.	20 00	20 00
Steigitz, Leopold	10 00	C.	25 00	25 00
Stillman, Miss Charlotte R.	50 00	Taylor, Robert J.	10 00	10 00
Stillman, Mrs. Charlotte S.	20 00	Taylor, William Ambrose	10 00	10 00
Stilwell, Mrs. Arthur A. S.	15 00	Taylor, William P. . . . C. T.	10 00	10 00
Stimson, Henry L.	25 00	Teagle, Walter C.	1 00	1 00
Stirns, L. & E.	20 00	Terminal Barber Shops	10 00	10 00
Stockham, Mrs. George T.	5 00	Terrill, Irish Alfred	5 00	5 00
Stokes, John W.	5 00	Terry, Mrs. John T.	10 00	10 00
Stokes, Mrs. Phelps	50 00	Jr.	10 00	10 00
Stone, Miss Ellen J.	10 00	Terry, Wilylys	5 00	5 00
Stone, Harold F.	2 00	Thacher, Thomas D.	50 00	50 00
Stone, Herbert F.	5 00	Thacher, Mrs. Thomas D.	10 00	10 00
Stone, Junius H.	5 00	Thiele, E.	10 00	10 00
Stone, Samuel H.	50 00	Third Panel Sheriff's Jury	100 00	100 00
Stone, Wilbur M.	25 00	Thomas, Mrs. Allen M.	5 00	5 00
Stott, Mrs. William H. G. R.	5 00	Thomas, Miss Gertrude S.	25 00	25 00
Stout, Mrs. Lewis A.	10 00	Thomen, Mrs. O. J.	5 00	5 00
Stowell, Ben Le Roy. G. R.	3 00	Thompson, Mrs. Lewis S.	5 00	5 00
Strasburger, Mr. & Mrs. Irwin	10 00	Thompson, Theodore B. S.	5 00	5 00
Strasser, Arthur L. G. R.	10 00	Thoms, George	5 00	5 00
Stratemeyer, Edward	20 00	Thomson, George M.	5 00	5 00
Strater, Charles G. G. R.	10 00	Thomson, John W.	10 00	10 00
Straus, Herbert N.	10 00	Thorburn, Miss Clara M.	2 00	2 00
Straus, Marcus	10 00	Thorburn, Artz, Mrs. L. N.	10 00	10 00
Strauss, Albert	10 00	Thorne, Samuel	5 00	5 00
Strauss, Mrs. Daisy. G. R.	5 00	Thorp, Arline N. C.	5 00	5 00
Strauss, Joseph	2 00	Thresher, Harold H.	2 00	2 00
Strauss, Nathan	2 00	Thurman, Sara N.	5 00	5 00
Stricker, Mrs. Hans C.	2 00	Tiebout, Miss Margaret B.	60 00	60 00
Strong, Mrs. J. R.	35 00	Tiemann, Mrs. Edith W.	10 00	10 00
Strong, John R. G. R.	5 00	Tiffany, Charles L.	10 00	10 00
Strong, Thomas W.	5 00	Tiffany, Louis C.	25 00	25 00
Sturges, Miss Susan M.	25 00	Tiffany Studios	10 00	10 00
Sturges, W. W.	5 00	Tift Bros.	10 00	10 00
Stuyvesant, A. Van Horne, Jr.	25 00	Tilford, Mrs. Henry M. S.	5 00	5 00
Stuyvesant, Miss Anne W.	25 00	Tilney, Mrs. John S.	25 00	25 00
Styles, Mrs. Frederick E.	2 00	Timson, Mrs. James	10 00	10 00
Sullivan, Mrs. Arthur Bull	10 00	Timpson, Miss Margaret C.	5 00	5 00
Sullivan, Mrs. James	5 00	Tod, Mrs. J. Kennedy	5 00	5 00
Sullivan, Miss M. Louise	5 00	Tompkins, Mrs. William W.	25 00	25 00
Sullivan, William Mathews	10 00	Tompkins, Mrs. William W.	10 00	10 00
Sultan, Simon	1 00	Torrance, Henry	2 00	2 00
Sulzberger, Mrs. Arthur		Torrance, Norman F.	2 00	2 00
Hays	5 00	Towl, Mrs. Forrest M.	5 00	5 00

Towne, Frank B.	10 00	Van Vechten, Mrs. Schuyler	20 00
Townsend, Arthur O.	5 00	Van Wageningen, Mrs. Bleecker	5 00
Townsend, Edward	25 00	S.	5 00
Townsend, Mrs. Walker		Van Wezel, Marcus S.	5 00
G. R.	1 00	Van Winkle, Miss Mary S.	2 00
Tracy, Miss Helen Dawson	3 00	Varnum, Mrs. James M.	25 00
Train, Mrs. Arthur. G. R.	100 00	Vernan, W. B.	2 00
Trask, Mrs. D.	10 00	Ver Planck, Mrs. William G.	5 00
Trask, Spencer & Co.	10 00	Ver Planck, William Gordon	5 00
Travers, George W.	10 00	Vialut, Miss Elsie R. S.	5 00
Tropp, Leopold	5 00	Victor, Thomas F.	10 00
Trotter, Theodore V. A.	2 00	Villard, Mrs. Henry	10 00
Trowbridge, Arthur L.	5 00	Villard, Oswald Garrison	10 00
Trowbridge, Arthur L. G. R.	5 00	Voilet, Atwood. G. R.	15 00
Truslow, Arthur	2 00	Voislawsky, Antonie P.	5 00
Tuckerman, Mr. & Mrs. Paul	25 00	Von Bernuth, Mrs. Louis G. R.	5 00
Tullman, Mrs. Morris	2 00	G. R.	4 00
Turnbull, Miss Ethel	25 00	Vorhaus, Louis J.	10 00
Turnure, Mrs. Percy. G. R.	10 00	Vorster, A. H.	2 00
Tweed, Miss Mary W. G. R.	2 00	Voss, Mrs. Frank S.	25 00
Tybell, Mrs. Burton P.	50 00		
Tyler, Mrs. Walter L.	5 00	W	
U		Wade, Mrs. Alfred B.	50 00
Ulmann, Mrs. Morris S.	10 00	Wadsworth, Mrs. Augustus Baldwin	10 00
Ulmann, Carl J.	20 00	Wadsworth, Mrs. Charles D.	5 00
Ulmann, Ludwig	5 00	Wagner, Mrs. Ernest	10 00
Underhill, Mrs. A. H.	2 00	Wainwright, C. H.	25 00
Underhill, Miss Caroline	2 00	Wainwright, Mrs. J. Howard	10 00
Underhill, W. P.	10 00	Wakcham, Frank H. G. R.	5 00
Underhill, Mrs. Walter M.	10 00	Walbridge, Henry D.	10 00
United Piece Dye Works	25 00	Walckle, Justis L., Jr.	25 00
United Retail Grocers' Association	10 00	Walbridge, Mrs. Frederic C.	10 00
University Society, Inc.	10 00	Waldo, Miss Julia L. S.	5 00
Upjohn, Richard Russell	1 00	Walker, Mrs. A. F.	1 00
		Walker, Mrs. Samuel S.	2 00
V		Waller, Newton B.	5 00
Vail, Mrs. Lawrence	500 00	Wallin, Dr. Mathilda K.	5 00
Valliant, Louis D. G. R.	5 00	Walsh, James A.	10 00
Valentine, Miss Alma	2 00	Walstrum, Mrs. S. S.	4 00
Valentine, William A. G. R.	25 00	Ward, Miss Caroline C.	5 00
Van Alstyne, Mrs. David	5 00	Ward, Mrs. Frank E.	5 00
Van Breun, Michael M.	10 00	Ward, Frank T.	5 00
Van Brunt, Jeremiah R.	10 00	Wardwell, Allen	10 00
Van Cotte, Lincoln	2 00	Ward, Henry Galbraith	20 00
Vanderpoel, Mrs. John A.	10 00	Warner, Walter Edwards	10 00
Van de Water, Mrs. F. F.	1 00	Washburn, Miss Jane C.	3 00
Van de Water, William G.	5 00	Washburn, Mrs. William Ives, Jr.	15 00
Van Derbig, Mrs. Barend	100 00	Washburn, William Ives	10 00
Van Ingen, Mrs. E. H.	10 00	Watson, Mrs. Harold D.	2 00
Van Nest, Mrs. Frank R.	5 00	Watson, Mrs. J. Henry	10 00
Van Norden, Mrs. Theodore	5 00	Watson, Mrs. James S.	50 00
Van Santvoord, Seymour	5 00	Waugh, G. M., Jr.	5 00
Van Sieten, Mrs. John R.	10 00	Wayland, John Elton	25 00
Van Sinderen, Mrs. Adrian	5 00	Webb, The Misses	10 00
Van Sinderen, Mrs. Howard	5 00	Webb, Mrs. G. G. R.	1 00
Van Valkenburg, Mrs. Carl	10 00	Webb, J. Watson	10 00
Van Vechten, P. R.	2 00	Webb, Mrs. Vanderbilt	10 00
	50 00	Webber, Mrs. G. D.	10 00
		Weber, George R.	10 00
		Weber, Richard	10 00

Webster, Mrs. Albert Lowry.	\$25 00	Wilkinson, Miss Marion.....	\$2 00
Wechsler, Walter M.....	5 00	Willard, Eugene Sands.....	5 00
Weeks, Thomas W.....	10 00	Wills, Mrs. William Good-	12 00
Weil, Isaac.....	5 00	now.....	2 00
Weil, M. Sanford.....	5 00	Willenbrock, Mrs. Fred.....	2 00
Wein, Max C.....	1 00	Wiley, Miss Florence E.....	2 00
Weinberg, Alexander.....	10 00	Williams, Miss Theodora M.	5 00
Weinberg, Mrs. Charles.....	5 00	.....	5 00
Weir, Miss Anne D.....	5 00	Williams, Mrs. Timothy S.....	15 00
Weir, Mrs. James R.....	5 00	Williamson, Miss Mary B.....	5 00
Welling, Miss Katharine.....		Wills, Charles S.....	20 00
Greene.....G. R.....	2 00	Wills, Ernest C.....	15 00
Wellington, Miss Elizabeth.....		Wilmar, Miss L.....	1 00
R.....	50 00	Wilmerding, Mrs. Lucius K.....	10 00
Wells, Henry C.....	5 00	Wilson, Charles T.....	10 00
Wells, Miss Gertrude C.....	15 00	Wilson, Mrs. Frederic N.....	5 00
Wemple, William Y.....	10 00	.....G. R.....	2 00
Wendt, Alfred.....	5 00	Wilson H. S.....	5 00
Werner, Miss Miriam.....	2 00	Wilson, H. S.....C. T.....	2 00
Werrenrath, Reinald. G. R.....	10 00	Wilson, Orme, Jr.....	10 00
Wertheim, Mrs. Jacob. G. R.....	10 00	Wilson, Mrs. Orme.....	50 00
Weston, Miss Allen.....	5 00	Wilson, Ralph.....	2 00
Wetmore, Miss Edith Mal-		Wiltshire, Mr. and Mrs.	
vina.....	10 00	Thomas P.....S.....	4 00
Wetmore, Mrs. George Pea-		Winburn, M.....	5 00
body.....	10 00	Winchell, B. L.....	20 00
Wetzel, Charles F.....	5 00	Winkhaus, Mrs. Augusta C.....	5 00
Wheeler, Miss Emily M.....	25 00	Winston, Owen.....	10 00
Wheeler, Miss Laura.....	10 00	Wise, Benjamin S.....	5 00
Wheeler, Mrs. R. C.....	5 00	Wise, G. & A.....	3 00
White, Alexander M.....	10 00	Wisner, Miss Elizabeth H.....	40 00
White, Miss Amelia E.....	5 00	Witherbee, Mrs. Frank S.....	15 00
White, Miss Caroline.....	10 00	Withers, Mrs. Clarke.....	5 00
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