

STATE OF NEW YORK

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THE ONE HUNDRED AND SIXTEENTH  
ANNUAL REPORT

OF THE

**Prison Association of New York**

135 East 15th Street, New York

1960



3188-1-2

## PREFACE

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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 one hundred and sixteenth 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."

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"Conduct has natural causes. It can be studied—in many instances, understood. We propose to bring to bear upon the problem the resources of modern science—and we propose to do this in the interest, not merely of criminals, but of society."

THE PRISON ASSOCIATION OF NEW YORK  
OFFICERS FOR 1960

*President*

EDWARD P. MULROONEY<sup>1</sup>  
MELBER CHAMBERS

*Recording Secretary*

ARTHUR K. SCHOENFELD

*Treasurer*

C. C. AUCHINCLOSS

*Corresponding and General Secretary*

E. R. CASS

*Associate General Secretary*

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*Vice Presidents*

MRS. JULIUS OCHS ADLER  
CHARLES SUYDAM CUTTING  
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EDWIN O. HOLTER

*Executive Committee*

EDWARD P. MULROONEY<sup>1</sup>, *Chairman*  
MELBER CHAMBERS, *Chairman*

*Class of 1960*

MELBER CHAMBERS  
MRS. ALLEN W. DULLES  
WALTER C. TEAGLE, JR.<sup>2</sup>  
ODGEN WHITE

*Class of 1962*

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R. BRINKLEY SMITHERS  
HENRY A. WILMERDING

<sup>1</sup> Deceased April 19, 1960—succeeded by Melber Chambers.

<sup>2</sup> Deceased October 5, 1960.

STANDING COMMITTEES FOR 1960

COMMITTEE ON LAW  
CHAMBERS, AGNEW, EATON

COMMITTEE ON FINANCE

C. C. AUCHINCLOSS, HOCHSCHILD, LEE, SMITHERS, WHITE

COMMITTEE ON DETENTIONS

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ONE HUNDRED AND SIXTEENTH ANNUAL REPORT OF  
THE PRISON ASSOCIATION OF NEW YORK<sup>1</sup>

February 6, 1961

HON. MALCOLM WILSON,

*Lieutenant Governor and President of the Senate:*

HON. JOSEPH F. CARLINO, *Speaker of the Assembly:*

SIRS—In accordance with Chapter 163 of the Laws of 1846, we have the honor to present the One Hundred and Sixteenth 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 MELBER CHAMBERS, *President*

E. R. CASS, *General Secretary*

<sup>1</sup>Following the formal submission of this Report and before the Report appeared in print the name of the Association was changed on February 16, 1961 at a special meeting of the members to *The Correctional Association of New York*.

EDITORIAL

THE NEW YORK TIMES

Saturday, February 20, 1960

PRISON ASSOCIATION PROPOSALS

Once again—for the 115th time—the Prison Association of New York has submitted to the State Legislature valuable recommendations for improvement in the treatment of those held in prisons and other penal institutions. For all these years the association has also done excellent work in finding employment for those who have been discharged and in other ways helping them to lead a satisfactory life. But its main task has been to carry on a continuing check on the operations of correctional institutions in the state—and on pending legislation—with full government authority to do so. And the Prison Association has a mandate from the state to report each year to the Legislature its findings and suggestions.

This year the association has made no less than twenty-four specific recommendations for action to better present operations and facilities. One of the most timely proposals is that something be done to remedy the serious overcrowding of the various houses of detention where persons are confined who are awaiting action by the grand jury, trial or sentence—made worse than ever by overcrowded court calendars. Other recommendations call for an academy to train the personnel of the Department of Correction and for civil service status for those employed in county-operated detention units, new and adequately staffed reception centers and an expanded program of camps for both youthful and adult offenders.

These and other suggestions call for close attention at Albany and are renewed evidence of the useful public service which the Prison Association is performing—one that deserves the widest support.

#### IN MEMORIAM

Edward Pierce Mulrooney

1874—1960

True to his religion; devoted to his family; sensitive to the fulfillment of his many public trusts; gentle in manner; firm in his convictions; loyal to his friends; deeply understanding and thoughtful of his fellow man—such was Edward Pierce Mulrooney, the man.

Mr. Mulrooney was known as an able and honest administrator and was regarded as one of the outstanding police commissioners of our city. He had a long career in public affairs and spent thirty-seven years in the Police Department and later served as head of the State Alcoholic Beverage Control Commission and the State Department of Correction. On retirement from State service in 1936 he became impartial chairman of the hotel industry, a position he held at the time of his death. His integrity and fairness in dealing with both management and labor won wide approval.

In 1943 Mr. Mulrooney became a member of the Executive Committee of The Prison Association of New York and was elected to the presidency in 1954, serving in this capacity until the time of his passing.

In the discharge of his responsibility as the head of the Association he, with his characteristic keenness and understanding, maintained a well balanced attitude relating to crime and criminals and the public welfare, supported always by the richness of his experience in the Police Department, as head of the State Department of Correction and as a proud citizen of the State of New York.

## IN MEMORIAM

Walter Clark Teagle, Jr.

1913 -- 1960

Mr. Teagle became a member of the Executive Committee in March 1949 and through the years of his identity with our Association, during and between meetings of the Executive Committee, exhibited an attentiveness and eagerness to enable the Association to function for the public welfare. He had a particular interest in juvenile delinquency and youth crime and a well balanced attitude between severity of treatment and the giving to youth the benefit of reasonable doubt.

With an excellent formal educational background, ending in special preparation for entering into business, Mr. Teagle showed a warm desire to perpetuate the good name of Teagle and to demonstrate that he could be successful on his own. This commendable attitude successfully identified him with various business enterprises, some of his own founding.

During World War II he served the United States Government as representative in New Zealand for the United States Economic Administration.

He was an ardent sportsman and demonstrated this in various directions, including scientific experimentation in the areas of horse and cattle breeding.

The Executive Committee hereby records its sorrow at the untimely passing on October 5, 1960 of an active and valued member and further records that we shall miss the pleasantness of his smile and his bright personality.



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THE PRISON ASSOCIATION'S  
RECOMMENDATIONS  
TO THE 1961 LEGISLATURE  
STATE OF NEW YORK

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## FOCUSING ON CORRECTION 1960

In recent years the inter-relationship between social problems of the local neighborhood and the larger city, the city and the state, and the state and the nation have been increasingly more evident and recognized. Within the last few years there has been a growing understanding of the impact of one nation upon another, one culture upon another. The problem of the integration of the rural Puerto Rican into Metropolitan New York has ramifications in Nigeria and Ghana. The extent of juvenile crime in Buffalo and Syracuse is known and felt in London and Australia.

Likewise activities in the prevention of crime and the treatment of offenders in Morocco, Russia and Chile on an international scale and in Maine, California and Texas within the United States, have an impact on the State of New York.

The Prison Association of New York has long recognized these inter-relationships and in its effort to carry out its objectives, so aptly stated at the time of its organization in 1844, has been inextricably involved with the problem of crime and delinquency on a national and international level on one hand through its creation of the American Prison Association and the organization of the First International Prison Congress in 1872, now carried on under United Nations sponsorship, while working diligently on the problem of crime and delinquency locally in New York State on the other.

It is therefore meaningful at the time of this Annual Report to review the correctional highlights of 1960 from an international, national as well as state level.

### INTERNATIONAL

The tenor of international correction can be gleaned from the items selected for the agenda of the Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in London, England in 1960.

This international meeting of 84 nations, an outgrowth of the First International Prison Congress, organized by The Prison Association of New York, focused on the five general topics of greatest concern to the participants—juvenile delinquency, criminality resulting from social change and economic development in less developed countries, short-term imprisonment (jails), the integration of prison labor in the national economy and after-care of prisoners as well as assistance to dependents of prisoners.

Throughout the meeting and in the conclusions the general theme came up repeatedly that crime and delinquency cannot be solved merely by stricter enforcement and longer periods of detention. That crime and delinquency cannot be considered independent

of the social structure ran like counterpoint to the basic theme. To many who had been attending these international meetings for several decades the absence of panaceas presented as cures for crime was notable. Instead maturity was exhibited by a number of newly independent nations which indicated a willingness to approach crime from an objective non-emotional point of view, and indicated that the leadership in correction exhibited by the United States must continue by resolute and intelligent devotion to the principles laid down in 1870 at the First Prison Congress.

Nations only a few years old pointed out that "the penal code must be in harmony with and reflect social change. Individualization of justice must be encouraged so as to allow rational adjudication and treatment which take into consideration both the social order and the special circumstances of the individuals."

And that actions bespeak the policies expressed by members of the international group is attested to by observations such as the following by one of the American delegates.

"Apart from the excellence of the program and the discussions the most significant thing about this 1960 meeting was to note the changes that had taken place in 35 years—changes in the structure of prisons, the management thereof, and in the basic philosophy under which prisons were governed. In 1925 there was no such thing as an open prison camp in England. On Wednesday, August 16th, we visited a large minimum security organization which was one of many now in existence. The discipline in the English prisons was extremely severe in 1925 and today, classification, productive prison labor, open institutions, and trained personnel are routine.

"We visited another traditional English prison which had become a training center for the more hopeful type of English convicts. Since 1925 the idea of 'penal servitude' has been abolished, the preventive detention has assumed a different significance. Rehabilitation as a principle of prison management has replaced punishment.

"The changes in England have also been noted in many countries. The Standard Minimum Rules for the Treatment of Prisoners promulgated years ago by the League of Nations, revised by the International Prison and Penitentiary Congress and the United Nations have become a set of principles which have in effect established a Bill of Rights for prisoners throughout the world, with the support of and the authority and power of the United Nations."

In the more specific areas of deliberation, on short-term imprisonment the Congress recognized that in many cases short-term imprisonment may be harmful in that it may expose the offender to contamination and allows little or no opportunity for constructive training and therefore regarded its wide application as undesirable.

In order to protect the rights of free labor and management while not denying the moral and social value of providing meaningful work for workers deprived of their liberty through imprisonment, the Congress proposed as highly essential for each governmental area a joint coordinating committee consisting of the authorities and of bodies concerned with production problems including representatives of industry, agriculture and workers.

In its consideration of pre-release treatment and after-care as well as assistance to dependents of prisoners, the 84 nations stated that successful rehabilitation of the offender can only be achieved with the cooperation of the public. The education of public opinion on the necessity of such cooperation should be fostered by the use of all information media and means available.

Since after-care is part of the rehabilitative process, this United Nations gathering affirmed that it should be made available to all persons released from prison and it is the primary responsibility of the state as part of the rehabilitative process to insure the organization of appropriate after-care services.

In 1960 the United Nations Congress recognized that

Crime and delinquency is increasing throughout the world and

the solution lies not in increased punishments but in constructive programs resulting ultimately from an informed and sympathetic consensus of opinion.

Because of the great value of the Second United Nations Congress on the Prevention of Crime and Treatment of Offenders we are including the conclusions and two reports as Appendix A and B in this report (see pages 84 and 107).

#### NATIONAL

While on an international level the broader aspects of crime and the social order were being emphasized in 1960, on the national scene in the United States the year 1960 was one that focused on research in crime and correction and upon administrative operations in the field of correction. These two areas occupied the "center of the stage" at the 90th Congress of Correction—the forum since 1870 of correctional workers in the United States.

For far too long a period correction has suffered under the yoke of traditionalism which has greatly restricted experimental research programs. This traditionalism has even operated against research directed towards measuring the effectiveness of correction itself. It has been far too easy to consider correction as good when institutions operate with low budgets, inadequately trained staff and with the absence of riots and disturbances rather than to break

through the surface to a greater knowledge of the effectiveness of imprisonment. The public showing little concern for correction and the professional in the field looking at the academic researcher with a high degree of suspicion and anxiety have both tended to develop a high degree of complacency.

As a counter balance against this palliative the Congress of Correction originally organized as the result of the interest and influence of the Prison Association of New York, in 1960 reiterated its first principle:

"Crime and juvenile delinquency, as problems facing human societies, can be controlled and prevented through the knowledge that is being developed by the social sciences and through the practical wisdom and skill arrived at by the personnel engaged in the actual handling of offenders and guided by the best knowledge available at the time."

Because of the importance of the Declaration of Principles, as revised in 1960, of the American Correctional Association, they are included in Appendix C of this report (see page 111).

Research—the only foundation upon which a sound program in correction can be developed.

The representatives from all the states of the United States conferring on crime and correction realized only too well that knowledge without implementation solves no problems. Research not buttressed by sound administrative practices by those given responsibility by the federal, state and local governments is likewise meaningless.

Administrative techniques of getting and properly training correctional workers, for it has long been agreed that well trained personnel is the keystone of good administration, received a great deal of the attention of administrators.

With institutions in many areas already overcrowded and with population increases projected for the future, plans of design and construction of new institutions and new types of facilities better able to fulfill the objectives of correction were argued and debated as administrative matters.

Since correction, one part of the government's responsibility, is involved in its daily operations with other branches of government, and since internal organization of any branch of government requires constant examination and study, the organizational structure of departments of correction was another of the specific phases of administration which the experts studied.

As in the instance of the international deliberations, those involving the municipal, county, state and federal governments of the United States, generally concluded with the recognition that crime is a tremendous problem with an untold financial cost as well as a

caner eating away at the very roots of our society. It is too large and complex to be solved by the whims of any one person or theory. Correction involving millions of dollars for even one single institution is too large and involved to be carried on haphazardly without the most up-to-date administrative procedures and tools.

How does correction in the Empire State stand up to the concerns and thinking of the best minds in the world? What are the problems and solutions to the problems of correction in New York?

The Prison Association of New York in once again making its recommendations for serious consideration and action by the Legislature, wants to commend the New York State Department of Correction under Commissioner Paul D. McGinnis and the New York City Department of Correction under the leadership of Commissioner Anna Kross for the zealous efforts they have made in the past and are still making to fulfill the true purpose of correction, namely, to release from institutions individuals who will be an asset rather than a liability to the community.

The following recommendations, which are in complete harmony with the conclusions reached by both the International Forum of the United Nations and the National Forum of the American Correctional Association, are aimed directly at accomplishing this purpose for the City of New York and New York State.

#### RECOMMENDATIONS \*

##### RECOMMENDATION I. COURT REORGANIZATION

That the proposed constitutional amendment to provide New York State for the first time with a single unified court system with improved administrative procedures, as first passed during the 1959 Session and amended and passed during the 1960 Session, be given favorable action during the 1961 Session so as to give the voters the opportunity to act at the next election.

The need for reorganization has been urged for years and the proposal now before the Legislature has a background of widespread observation and study and the time for final Legislative action has arrived.

##### RECOMMENDATION II. JUVENILE DELINQUENCY AND YOUTH CRIME

We again urge that the Legislature concern itself with the problems of juvenile delinquency and youth crime. The challenge of such behavior confronts not only our State and Nation but its

\* These Recommendations in mimeographed form were made available to all members of the Senate and Assembly during the Session in advance of the printed report.

impact is felt in many other parts of the world. This was reflected in the discussions and conclusions of the Second United Nations Congress on the Prevention of Crime and the Treatment of the Offender held in London in 1960.

The 1960 Session of the Legislature established by legislation the new DIVISION FOR YOUTH. *We urge that every possible Legislative aid, including especially adequate financial support, be given for the fulfillment of the comprehensive plans developed under earnest and able leadership for its program of "Youth Opportunity" and "Youth Rehabilitation" Centers aimed at the prevention and cure of juvenile delinquency.*

As indicated by Governor Rockefeller in his Annual Message he made available a pre-Session memorandum in the form of a report on the program of the DIVISION FOR YOUTH. This outlines in considerable detail the organization and *modus operandi* of the program and what is required to effect its success in the way of facilities, including camps and personnel training.

*In conclusion, regarding this recommendation, we most earnestly urge Legislative understanding and support.*

### RECOMMENDATION III. ESTABLISHMENT OF AN INSTITUTE ON SENTENCING

That necessary funds be appropriated to enable the State Judicial Conference to establish an Institute on Sentencing patterned after certain provisions of the bill passed by the 85th Congress in 1958 (now Public Law 85-752).

*We strongly urge that the State Judicial Conference be given the authority and necessary funds to establish such institutes in the State of New York.*

Such an institute would take up the question of sentencing with particular reference to disparity of sentences. There would be no desire to curtail the freedom of the functioning of the Judiciary but instead to render assistance such as is provided in the Federal statute toward more uniformity of sentencing in accordance with approved standards and recognized criteria. The subject of disparity of sentences has been referred to in the recommendations of this Association in its annual reports to the Legislature over the years.

We feel that the example set by the Federal Law is a logical approach. To give a better idea of what is intended under the Federal Law the following excerpts are noteworthy:

"To improve the administration of justice by authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes."

"The agenda of the institutes and joint councils may include but shall not be limited to: (1) the development of standards for the content and utilization of presentence reports; (2) the establishment of factors to be used in selecting cases for special study and observation in prescribed diagnostic clinics; (3) the determination of the importance of psychiatric, emotional, sociological and physiological factors involved in crime and their bearing upon sentences; (4) the discussion of special sentencing problems in unusual cases such as treason, violation of public trust, subversion, or involving abnormal sex behavior, addiction to drugs or alcohol, and mental or physical handicaps; (5) the formulation of sentencing principles and criteria which will assist in promoting the equitable administration of the criminal laws of the United States."

The director of the Federal Bureau of Prisons, Mr. James V. Bennett, in commenting on the passage of the Federal Act states "This legislation represents the first significant change in Federal sentencing and parole statutes since 1910 and is a landmark in the development of the Federal system of criminal law."

It would seem reasonable that so sound a formula as is reflected in the Federal statute can likewise be of benefit to the administration of criminal procedure in the State of New York.

*The pilot institute on sentencing under the auspices of the Judicial Conference of the United States, held in July of 1959 at the University of Colorado, gave definite support to the potential value of this kind of an assembly of the judiciary permissible in accord with Public Law 85-752 referred to above.*

### RECOMMENDATION IV. REVISION OF THE PENAL LAW AND CODE OF CRIMINAL PROCEDURE

That a study be authorized pointing toward the revision of the Penal Law and the Code of Criminal Procedure. We concur in the widespread sentiment that this is long overdue.

*Therefore we urge that such a study be undertaken in order that the experience and knowledge gained since 1881, when the present law and code was adopted, be translated into present day requirements.*

We further recommend that whatever State body is to be charged with the responsibility for the study it should not only work closely with the State Judicial Conference, the legal profession and informed lay people, but undoubtedly with those who have been working on the Model Penal Code Project of the American Law Institute.

### RECOMMENDATION V. THE PROBLEM OF ALCOHOLICS, DRUG ADDICTS, PROSTITUTES AND VAGRANTS

That there be undertaken with Legislative sanction a study of the whole question as to whether alcoholics, drug addicts, prostitutes and vagrants (including indigent aged persons) should be dealt with in a penal atmosphere through commitment to institutions under the control of the New York City Department of Correction, or county institutions within the State; or whether they should be better placed in the custody and under control of medical, health and welfare authorities.

Regarding drug addicts, the City of New York in 1959 made some progress by providing special civil hospital facilities and continues to expand this procedure. In 1960 New York State made important progress in the development of treatment centers at three State Hospitals. These signs of improvement are encouraging but the problem is still a serious challenge.

### RECOMMENDATION VI. STERNER PUNISHMENT OF "PUSHERS" AND WHOLESALERS

We concur in Governor Rockefeller's view as set forth in his 1961 Message to the Legislature that sterner measures must be taken against "the 'pushers' and wholesalers of narcotic drugs who feed upon the misery of those who are helplessly addicted."

While the present laws are seemingly strong enough there arises once more the matter of strict enforcement. The absence of this is not an unusual observation when some specific severity is reflected in the statute. An example of this is the circumvention in the past of some of the Baumes Laws and also legislation relating to the handling of the sex offender.

### RECOMMENDATION VII. ACADEMY OF CORRECTIONAL TRAINING

Facilities and funds should be provided for the establishment of an academy of correctional training in the State Department of Correction. It is being increasingly recognized that satisfactory correctional personnel is essential for progress in the administration of correctional departments and institutions and that such personnel must be of high quality and selected by other than a hit-and-miss procedure.

The State of New York made substantial progress when years ago it placed its wardens and custodial staff under civil service. However, this has not been adequately supplemented with in-service training programs and refresher courses. A good demon-

stration was made with the establishment of the Guard School at Walkkill Prison some years ago but this has been long discontinued and as a kind of substitute there has been some correspondence course activity or the efforts of the individual personnel toward self-improvement and better preparation for service and promotion. The Police Department of the City of New York has long maintained a Police Academy and this has been further developed through the establishment in 1956 of the Baruch School as a part of the City College of New York. The Federal Bureau of Prisons and the State of California have made substantial demonstrations along the lines of improving the quality and functioning of their wardens and custodial personnel through courses and supplementary schooling and inspired leadership. The New York City Department of Correction in 1957 established an academy for training correction personnel on Rikers Island. To respond to the demand that institutions become more places of rehabilitation than simply places to keep people locked up requires a high quality of personnel and a program of training.

A further suggestion would be to consider the inclusion of correctional personnel training in the areas of community crime prevention programs, probation, parole, and institutional treatment as a tie-in with an expanded program of training through the facilities of the State University.

### RECOMMENDATION VIII. A RECEPTION CENTER NEARER NEW YORK CITY

It is desirable that there be established closer to New York City a reception center similar to the one presently operating at Elmira.

A substantial percentage of the commitments between the ages of 16 to 21 to the Elmira Reception Center come from the New York City area which requires transportation for more than two hundred miles to the Center and then following decision as to a program of treatment a goodly number of those received must be returned to institutions nearer New York City. This procedure is costly and constitutes a duplication of movement of population. A further reason is that the congestion at the Reception Center at Elmira and the pressure on the staff there could be relieved through the establishment of the proposed new unit in Orange County in the event that the property now known as New Hampton Farms and owned by the City of New York is acquired by the State.

It is noteworthy that when the site for what is now known as the Elmira Reception Center was being discussed some years ago the thinking was that the unit should be nearer New York City but unfortunately there were no facilities available then.

### RECOMMENDATION IX. EXPANSION OF CAMP PROGRAM FOR YOUTHFUL OFFENDERS

There is noted the renewed emphasis on camps as a medium for the housing and treatment of offenders, especially youths. As we have indicated in previous reports, we favor camps as a part of a system of diversified housing and programming but at the same time we are reluctant to support the camp idea unless there is provided for each unit qualified personnel and a well spelled out program looking toward character building and rehabilitation generally and offering some means of training for post-custodial livelihood. There is unquestionably something wholesome and attractive about camps but the young offenders, who should be carefully selected for these units, need more than the benefit of minimum security, fresh air and sunshine.

Forestry operations are essential but all city boys will not find opportunity to work in forests and it is a question whether they will want to do so eventually. These operations, however, plus a broadened program of further study and treatment of these selected inmates can develop the habit of industry, self control and the art of living peacefully with others.

### RECOMMENDATION X. DEVELOPMENT OF FORESTRY CAMP PROGRAM FOR ADULT OFFENDERS

Budgetary support should be given for the development of a forestry camp program for adults.

While the emphasis has been on youth regarding the renewal of the camp idea in this State, it is well to think of it in terms of those in other age groups as well. Good work is being done for all ages in the camp operations of the States of Pennsylvania, California, Wisconsin, Massachusetts, Virginia, the Federal Government, and others. Camps can be more cheaply maintained than large-sized institutions, especially as relates to their physical facilities, and if properly located they offer opportunity for wholesome activity programs. The camp idea is not new to the State of New York. It goes back many years prior to the present revival. It is sound in principle and practical in operation if given a chance.

Diversified housing, especially in a State as large as New York, is a necessary part of a correctional department organization.

### RECOMMENDATION XI. PRE-PAROLE CAMPS

As an initial experiment there should be established a pre-parole facility near the large industrial hiring areas for preliminary adjustment and testing as relates to approaching parole. Going

straight from a prison into the community is a severe impact on prisoners, especially those who have experienced long imprisonment, and the pre-parole facility therefore is suggested as a kind of tapering-off arrangement or a shock absorber device. It is granted of course, that release is a joy to practically all prisoners but in many cases there also exists the element of bewilderment. Parole officers and social agencies know this to be so. There is a trend in some areas, including the Federal Government, to make a gradual change in prisoners' housing and privileges shortly before release not only as a reward but as a kind of steadying influence. In England, on the Isle of Wight, at the institution at Camp Hill when it housed adults, there was provided separate quarters outside of the institution proper where prospective parolees were relieved somewhat of the rigidity of the regular institution routine, again as an easing off or a balancing influence.

### RECOMMENDATION XII. AGED PRISONERS

A study should be undertaken to determine more economical and more generally satisfactory means of handling aged prisoners.

At present there are approximately 1,000 prisoners, age 65 or over, being housed mainly in maximum security institutions of the Department of Correction. This housing is costly and in some instances the physical layouts impose a hardship on the older prisoners because of conditions of health or various infirmities. One example is Sing Sing Prison and another is Clinton Prison where long passageways need to be traveled, as well as stairways. In any future planning, thought should be given to the possibility of providing not only a less expensive type of housing but a design of institution based on the physical considerations of the aged.

### RECOMMENDATION XIII. EMPLOYMENT FOR INMATES OF CORRECTIONAL INSTITUTIONS

The Legislature should examine into the need of increased productive employment of prisoners who are being maintained at the expense of the taxpayers.

One of the greatest problems in correctional administration is full employment of the prisoner body. Monotony and idleness breed discontent and no state can afford to permit the presence of a breeding ground of trouble in prison. It is provoking to observe able bodied men idle, engaged in over-manned activities, or "made work", and at a pace that would not be tolerated in outside employment. Too frequently this slow pace makes for bad basic training. Another side of the picture is that the dependents of many of these inmates must seek relief from either public or pri-

vate sources thus making for an added charge against public funds and the good will of interested citizens.

#### Avoid Curtailment of Correctional Industries

We regret the necessity of again extending to the Legislature a word of caution lest there be unwarranted attempts on the part of vested interests to curtail existing correctional industries. It must be acknowledged that the State's correctional industrial program is already too limited, and the full constructive employment of all able-bodied prisoners is a hope rather than a reality. Certain attempts to curtail the industries are outspoken and cannot be mistaken. While there is no argument with the privilege of members of the Legislature introducing whatever bills they feel to be appropriate, this Association will be on the alert to the introduction of bills that would set back the State's correctional progress. For more than a century we have maintained a stand upholding constructive labor for prisoners and have supported wholeheartedly the principle that prisoners should work and not be tax burdens. It is good business to preserve existing industries, and to expand the industrial program wherever possible. Further, it serves as good riot-prevention insurance. It has been well demonstrated in the Federal prison system as well as in the various State systems, that the so-called "State-Use-System" of prison labor makes for a minimum of competition with free labor.

Prison management is one of the most specialized tasks, and the best of administrators cannot successfully surmount the problems resulting from demoralizing idleness. As we have indicated on other occasions, idleness is to be condemned but at the same time it should be kept in mind that most prisoners are not idle by choice. They are idle because adequate work outlets are not provided by the State.

#### RECOMMENDATION XIV. CIVIL SERVICE STATUS TO COUNTY INSTITUTION PERSONNEL

As a step toward the further removal of penal institution operation from political control, the Prison Association again urges that civil service provisions be extended to personnel employed in county operated detention units. County jails should not be manned by those who secure their jobs solely because of political considerations. They should, on the contrary, be administered by career persons. From a wholly practical and realistic standpoint, we acknowledge that sheriffs, as county officers, will remain as elected officials, pointing out at the same time, however, that the Sheriff of New York is a civil service official. We mention this sim-

ply to indicate that it is possible to have a civil service sheriff, as unpopular as this thought may be among sheriffs generally.

There have been a sufficient number of unfortunate instances within county jails during the past several years to indicate that these units lacked trained and experienced personnel. It is quite unlikely that competent personnel appointed through the merit system, would have permitted them to occur.

The Association is not willing to approve the freeing into the service of incompetents or those who hold their positions solely because of political connections. We state again that this recommendation strikes at the very heart of the power of county government, but we would be unfaithful to the best correctional practice if we did not make this recommendation. It should be stated for the record that personnel of the Department of Correction of the City of New York is under civil service as are those of some of the county penitentiaries.

#### RECOMMENDATION XV. SEX OFFENDERS

We again urge in the light of the increase in the number of sex crimes that there be a review of the administration and accomplishments resulting from Chapter 525 of the Laws of 1950.

The Prison Association of New York has been interested in the matter of sex offender legislation for many years and was responsible for the introduction of a bill in 1947. Governor Dewey at that time vetoed the bill on technical grounds but because he was so concerned about the problem he appointed a departmental committee. This committee, of which the Association's General Secretary was a member, made an exhaustive study and submitted a report that resulted in the passage of a bill that became Chapter 525 of the Laws of 1950.

The question prevails as to whether any good has been accomplished through this law, both through its application by the courts and the anticipated research and treatment activities directed toward inmates under the control of the State Department of Correction. An earlier review indicated a hesitancy on the part of the courts to exercise the provisions of the law. It is doubtful whether this situation has since improved.

With regard to the application of the law to inmates of institutions, cursory observation suggests that there is room for further orientation and functioning. It is recognized, of course, that the Department of Mental Hygiene has been confronted, and still is, with the problem of qualified and adequate personnel to conduct research and treatment programs but this condition should not be permitted to serve as the full explanation of what appears to be a serious inadequacy. It is recognized that the sex offender is a baf-



fling problem but we cannot stop there and be content with that observation if we are to give the public the kind of protection it needs.

#### RECOMMENDATION XVI. PUBLIC DEFENDER SYSTEM

For many years, and thus far without success, the Prison Association has urged that there be an exploratory study made of the advisability of establishing a public defender system in New York State. Experience in other areas, such as Omaha, Los Angeles, Columbus, Memphis, Providence, St. Paul, St. Louis and San Francisco have made satisfactory use of this device to extend full justice within the criminal courts. The Association was gratified to note early in 1955 that the Attorney General of the State recommended this plan before a hearing of the Temporary Commission on the Courts. Noting also that legislation was introduced in 1956 and subsequently to provide State financial subsidy to localities to help pay public defenders in juvenile delinquency cases, the Association urges favorable consideration of such legislation.

We are glad to note that Governor Rockefeller in his message to the 1960 and 1961 Legislatures urged legal aid for indigent defendants.

The interest, including their exploratory study, of the State Judicial Conference in this subject is also of great import.

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### THE PRISON ASSOCIATION'S GENERAL ACTIVITIES

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## CITIZENS IN ACTION

Since 1844, when the first group of outstanding citizens in New York recognized that governmental responsibility for handling offenders did not absolve private citizens of their obligation to carry the torch of correctional progress and crime prevention through study and treatment, and organized the Prison Association of New York, the Association has led the citizens of the state in action for the improvement of the correctional process in New York.

As the only private agency in New York State authorized by a special act of legislation to visit, examine and report on the State's prisons, reformatories, county jails and lockups and to make recommendations to the Legislature, the Prison Association of New York truly has been a citizens' group. Through its various citizen committees and its professional staff it has carried out the basic concept of citizen involvement for well over a century.

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### DURING 1960 THE PRISON ASSOCIATION WAS INVOLVED IN A MULTITUDE OF PROJECTS. THE FOLLOWING ARE BUT A FEW OF THE VARIOUS INTERESTS AND ACTIVITIES OF THE CITIZEN MEMBERS AND THE STAFF.

#### REORGANIZATION — EXECUTIVE BRANCH, NEW YORK STATE GOVERNMENT

The study tending toward the reorganization of the Executive Branch of the State government was of major interest to The Prison Association of New York with particular reference to its application to the areas of correction.

This was the first widespread attempt to further streamline the organization of the State government and make for increased efficiency since the last effort became effective in 1927 as a result of a reorganization plan developed under the leadership of Alfred E. Smith, Charles Evans Hughes, Henry L. Stimson, and others. Since that time the State government's responsibilities have vastly increased. The State budget has risen from \$239 million in 1927 to more than \$2 billion in 1959. The number of employees in State government has increased from 29,000 to about 100,000.

This tremendous growth has been accompanied by a proliferation of agencies. As a result there is some overlap, duplication and an increase of overhead costs. In addition there are activities which should be closely related but are now separately, even distantly, administered. These obviously should be under unified policy direction and control. Certain lines of authority and responsibility have become obscured. There is a lack of sufficient organizational flexibility to meet changing conditions and emerging needs.

It was not planned to attempt to implement all the sixty-six recommendations contained in the report to Governor Rockefeller at the 1960 Session. However, the Governor urged that the Legislature take action at that Session on nineteen recommendations, including some constitutional amendments.

However, it was decided not to consider at the 1960 Session two recommendations, Nos. 25 and 26, which hold the Association's interest. No. 25 proposed the integration of the Commission of Correction into the Department of Correction operations. No. 26 proposed the transfer of a part of the State parole set-up to the Department of Correction.

We as an Association took exception to Recommendation 25 because of the potential danger of losing what remains of freedom of action through inspection and visitation of institutions throughout the State on the part of the members and staff of the Commission of Correction. The Association had considerable to do with the provision that came out of the 1894 constitutional convention providing for the State Commission of Prisons which is now the State Commission of Correction. This provision gave considerable freedom of operation to the Commission but this was reduced somewhat as a result of the reorganization of the State government which became effective in 1927 and at which time the provision was made that the commissioner of the Department of Correction should be the chairman of the Commission of Correction.

Regarding Recommendation 26 there is much to be considered before any change is made.

Our views were brought to the attention of the Governor's Office regarding Recommendations Nos. 25 and 26 and we were given assurance that they were appreciated and that we would have further opportunity to be heard on the recommendations.

#### 1960 WHITE HOUSE CONFERENCE ON CHILDREN AND YOUTH, March 27-April 1, 1960

Invitations to attend the Conference were issued by the President of the United States to nominees of fifty-five Governor-appointed State Committees in the states and territories, and to nominees of five hundred national organizations affiliated with the Conference. Many others were invited, including young people attending high school and college. The total final attendance was estimated at 7,600.

General Secretary Cass was appointed by Governor Rockefeller to serve as a member of the New York State Committee in preparation for the White House Conference. That committee fulfilled its assignment and there appeared a printed report under the title "Toward a Good Life for Children and Youth in the Empire State—Report of the New York State Committee for the 1960 White

House Conference on Children and Youth." This document of 107 printed pages is worthy of notice. The General Secretary was especially identified with the preparation of the portion of the report appearing as Chapter II, entitled "Corrective and Protectional Care." There were further publications identified with the New York State Committee but the recommendations of the various sub-committees were available in digest form for consideration at the time of the Washington Conference in a special volume entitled "The States Report on Children and Youth." This digest of the recommendations from committees of the various States embraced 232 printed pages.

There resulted from the Conference 670 general recommendations. Unfortunately, since they cover 85 printed pages they cannot be included in this report. The projection of these findings should serve as a basis for determination on the part of the Federal government and the States, and also private agencies, for future action.

The large attendance at this Conference and the necessary assignments to various places for different types of meetings made for some confusion and at times the many discussions and presentations gave rise to the feeling of being overwhelmed. Some of the principal addresses urged hope and optimism and at the same time aimed toward clarification of the various current problems and offered solutions. One comment that was brought forth in the newspaper reporting during the Conference was that there was a "profundity of verbiage." This was undoubtedly so but on the other hand there was no doubt of the sincerity of the participants and earnestness in which they expressed their various views, sentiments and recommendations.

There was a very noticeable eagerness on the part of the young people attending to present their views and to get the benefit of adult experience and guidance. Frequently it was heard said that "we hope that this Conference will really accomplish something finally through a combination of Federal initiative and guidance and State cooperation." It was also heard said numerous times that this Conference should not result in a void or, as one put it, "fall flat on its face as did its predecessor in 1950."

The addresses during the theme assemblies were very impressive as were most of those during the forum meetings. The plan of the Conference was to have the early morning of the first three days of the Conference devoted to theme presentations and the later part of the morning to forum presentations, and the afternoon divided into work groups, of which there were two hundred and ten.

The General Secretary was assigned to, and participated in, Work Group No. 189, dealing with topic No. 63 entitled, "Children and Youth in Danger of Delinquency: Prevention Through School and Community."

There were two overall areas of Conference concern: "The World Around the Young" and "The Young in the World." Each area was divided into Forums and Workgroup sessions as follows:

"WORLD AROUND THE YOUNG"

*Forum I* on ENVIRONMENT concentrated on the social conditions and physical facilities which affect the development of the young. Its ten workgroups were concerned with the improvement of urban, suburban, exurban and rural environments.

*Forum II* on MOBILITY considered how population shifts affect the young. The impact of mobility on health, education, employment, development and social and cultural relationships were taken up by its ten workgroups.

*Forum III* on SUPPORT investigated family economic conditions which affect the young. Its ten workgroups discussed the effects of the "affluent society," changing employment conditions, family unemployment, inadequate family income and the employment of the mother.

*Forum IV* on NURTURE concentrated on family life. The influence on the young of current trends in marriage and family size, family relationships and "problem families" were investigated by its 12 workgroups.

*Forum V* on OPPORTUNITY considered freedom for children and youth to participate in community life. Its 12 workgroups explored health, welfare, housing, recreation, employment, civic, social and educational situations that limit opportunities.

*Forum VI* on FREE TIME discussed the constructive and non-constructive uses of leisure. Resources for leisure time learning and participation in the arts and religious and community life were the subject of its 12 workgroups.

*Forum VII* on MASS COMMUNICATION explored trends in media of information, entertainment and culture. The effects on the young of radio, TV, films, plays, books, magazines, newspapers, comic books and comic strips were taken up in its 12 workgroups.

*Forum VIII* on HUMAN RESOURCES considered means of ensuring necessary services through effective personnel in the fields of children and youth. Its eight workgroups discussed immediate and future personnel needs.

*Forum IX* on BELIEFS was devoted to religious, spiritual and secular beliefs and personal codes of conduct. Its 12 workgroups explored the significance of personal faith, ethical principles, personal codes of conduct, and the ideals of our nation and society for children and youth.

"THE YOUNG IN THE WORLD"

*Forum X* had as its theme MOVING TOWARD MATURITY: BIRTH TO PUBERTY. Its 12 workgroups discussed infancy, early childhood, childhood, and pre-adolescence.

*Forum XI* considered PUBERTY TO YOUNG ADULTHOOD in ten workgroups devoted to early adolescence, later adolescence and young adulthood.

*Forum XII* on THE YOUNG AS LEARNERS AND THINKERS consisted of 14 workgroups taking up elementary, secondary and college education, and education for the gifted, slow learners and rural children.

*Forum XIII* on THE YOUNG AS DOERS discussed the involvement of the young in work and responsibilities. Its ten workgroups were devoted to youth in school, in transition from school to work, and at work.

*Forum XIV* on THE YOUNG AS CITIZENS explored the involvement of the young in service to the community and the nation. The obligations of citizenship, voluntary community service and military service were considered by its ten workgroups.

*Forum XV* on THE YOUNG WITH MENTAL HANDICAPS discussed means of knowing, understanding and helping the mentally handicapped. Its ten workgroups were devoted to identification and treatment and the role of schools, family, institutions and the community.

*Forum XVI* on THE YOUNG WITH PHYSICAL HANDICAPS had 12 workgroups concerned with the role of medicine and health services, the schools, family and community, vocational rehabilitation, and employment.

*Forum XVII* on THE YOUNG IN CONFLICT dealt with means of knowing, understanding and helping the maladjusted child. This Forum had the largest number of workgroups devoted to any one subject. Its 18 workgroups considered the causes, diagnosis, prevention, treatment, rehabilitation and identification of emotionally disturbed and delinquent children and youth.

*Forum XVIII* on THE YOUNG WITH SOCIAL HANDICAPS explored methods of knowing, understanding and helping the socially handicapped youngster. Its 16 workgroups discussed neglected children, children of minority groups, migrant children, and children of unmarried parents.

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*The above enumeration of the subject matter and Conference structure should convince one of the effort to penetrate most thoroughly all the pressing problems relating to children and youth.*

#### CONSTRUCTION PROJECTS—NEW YORK CITY DEPARTMENT OF CORRECTION

Architects have been selected for the following projects: Capital Budget Project C-73, House of Detention for Women on North Brother Island; Capital Budget Project C-74, Adolescent Remand Shelter in Brooklyn. Provision has been made by the Board of Estimate for the purchase of the site in Brooklyn for the Adolescent Remand Shelter.

We have been active for some time in support of our own views, and also the State Commission of Correction, regarding these two institutional needs. In the course of time the General Secretary, functioning both on the part of the Commission and The Prison Association of New York, conferred with representatives of the City Department of Correction and the Department of Public Works to give architectural firms which have no previous experience in correctional building and design, necessary information and guidance. This is an important function and gives our Association a good opportunity to serve for progress.

#### IN THE AREA OF LEGISLATION

As has been our custom for decades during the early part of each year, when the Legislature is in session, our major attention is directed to those bills having to do with the administration of criminal justice. A detailed statement of bills holding our close interest during the 1960 session is set forth beginning on page 81. We approved 73 and opposed 39.

#### NEW HELP ASKED FOR ALCOHOLICS

We gave support to the views expressed by the State Bar Association's public health committee relating to the State's program to combat alcoholism. The committee holds the program to be inadequate and calls for a more dynamic approach. It holds that while the interdepartmental board was "an excellent agency" it was saddled with the problem of coordinating too many other health, educational and social programs. The committee deplors the use of criminal procedure in dealing with alcoholics; it deplors the failure of communities to achieve the potentialities offered through the state program in the area of clinical hospital services and rehabilitations.

#### CANADIAN PROGRAM OF CORRECTIONAL REFORM

In October of 1958, the Minister of Justice and Attorney-General for Canada convened a two-day meeting in Ottawa with the Attorneys-General of all the Provinces. At that meeting it was agreed that a program of correctional reform should be developed. This

in a sense would be an attempt to implement the earlier Fauteux report.

In January of 1959, the Assistant Commissioner of Penitentiaries, Department of Justice of Canada, communicated with the General Secretary for advice and guidance on desirable observations to be made in this country and in countries abroad. It should be noted that they were interested in observing special institutions and learning of research into correctional programs in such fields as psychotics and mentally ill, narcotic addicts and alcoholics, criminal sexual psychopaths, retarded types and special experiments with aggressive young prisoners, in addition to the more general areas of institutional management and treatment.

The General Secretary assisted in developing the itinerary of the Attorney-General's committee and gave further guidance in subsequent discussion and correspondence. It is gratifying to note the following acknowledgment of our services in a communication from the Office of the Commissioner of Penitentiaries:

"I should like to express our appreciation for the help and advice given at the various stages of our report, and I have no doubt we shall be calling on you again."

#### INSTITUTE FOR THE STUDY OF CRIME AND DELINQUENCY

This Institute is headed by Richard A. McGee, director of the correctional system for the State of California and formerly Deputy Commissioner of Correction of the City of New York. The General Secretary consented to serve as a member of the Advisory Committee and functioned in this capacity during the year. The first project is an international survey of correctional research and practice, made possible by a grant from the Ford Foundation. The project's field staff made during 1960 wide observation on international programs relating to crime study and treatment and has thus been able to gather considerable material for information and comparative purposes.

#### REGIONAL JAIL FORUM

This Forum was sponsored by the National Jail Association, the formation of which as far back as 1938 is traceable to the activities of the General Secretary and others. The Forum was held on the 16th and 17th of February and the General Secretary participated in the first day of the meetings. The scene of the opening day was the Brooklyn House of Detention and the second day the delegates were transported to Rikers Island. On the evening of the first day, the Mayor gave a reception at Gracie Mansion for the delegates.

For the success of this Forum, Commissioner Kross enlisted all the resources of personnel, etc., from her Department.

The General Secretary in his special remarks of welcome outlined the problems of the county jail and the need for militant action and stressed the fact that the county jail problem cannot be solved alone by building new jails. He further stressed the fact that the National Jail Association should not in any way be dependent upon business or special interests and should always preserve its freedom of thought and action.

#### A STANDARD ACT FOR STATE CORRECTIONAL SERVICES

This is a joint project of The American Correctional Association and the National Council on Crime and Delinquency (formerly National Probation and Parole Association). A meeting was held in New York City in February 1960, attended by thirty persons identified with the judiciary and correctional activities such as institution administration, probation and parole. There were also some separate discussions during the year relating to revisions of the original draft.

The importance of this undertaking should be obvious in that there is need for improved correctional organization and practices in many of the States. The proposed act, when finally agreed upon by those identified with the two associations, should be of inestimable value for legislative guidance.

#### CONFERENCE WITH MAYOR WAGNER'S OFFICE

On invitation the General Secretary met for confidential and general discussion with Mr. Robert A. Low, Assistant to the Mayor, regarding a number of items relating to the problems and functioning of the New York City Department of Correction. One interesting item was the desirability of paying a wage to working prisoners identified with the institutions of the Department. Another point of discussion was the functioning of the City Board of Correction. Further discussion related to correctional philosophy and practices throughout the country to enable the Mayor to deal with budget requests for programs and personnel.

#### NEW YORK STATE SHERIFFS' ASSOCIATION

This influential and active organization held its annual gathering in Albany on February 8th and 9th, 1960. It is worthy of note that a former member of our Executive Committee, who was Sheriff of Nassau County, was conspicuous in organizing this State body and active in its affairs. The General Secretary was an honored guest at the annual dinner and a social gathering that preceded it, as was the Lieutenant Governor and outstanding members of the Legislature.

#### "WORLD-WIDE STORY — JUVENILE DELINQUENCY"

We commended the *New York Times* for a very worthwhile article by Gertrude Samuels entitled, "World-Wide Story—Juvenile Delinquency" appearing in its Magazine Section of February 14, 1960.

Reference is made to conditions in numerous countries, and some of these observations coincide with our own gathered information previously reported. Of interest is the agreement of some of the conclusions with our own, particularly regarding the complexity of the problem and its prevalence throughout the world, and the lack of a simple explanation or cure. A significant statement in the article is as follows:

"Experts agree on one thing: no one knows the solution to the problem of juvenile delinquency. In the end, there emerges one basic question: Is the phenomenon a symptom of the age we live in?"

#### CIVIL SERVICE EXAMINATIONS FOR WARDEN AND PRINCIPAL KEEPER

During the year there was held a written and oral examination for the positions of warden and principal keeper for institutions of the New York State Department of Correction. We succeeded in persuading the State Department of Correction to open this examination to others within the Department than those identified with the uniformed force. Those who constitute the latter have been opposed to this action and have attempted to write their stand into law; without success now for several years.

Some non-uniformed personnel did take the examinations. The net result shows that among those who passed, the uniformed personnel predominated. This proves that the fear entertained by the uniformed personnel that they would be at a disadvantage because of the participation of those who had the advantage of wider educational opportunity and specialized training was unfounded. The merit of the situation is that both the professional and the custodial groups have had their chance and a wider recognition of qualified persons ensued.

#### APPOINTMENT OF DAVID A. SCHULTE, JR., TO NEW YORK CITY BOARD OF CORRECTION

The General Secretary urged upon the Mayor that he appoint Mr. David A. Schulte, Jr., as a member of the New York City Board of Correction. Mr. Schulte was sworn in by Mayor Wagner on April 22, 1960.

It will be recalled that when this Board was established by Local Law, Mayor Wagner appointed the General Secretary to serve as

chairman but the State Attorney General ruled he could not serve on this Board as well as the New York State Commission of Correction because of conflict of interest. The New York City Board of Correction has various advisory powers and inspection rights relating to the institutions of the New York City Department of Correction.

#### CONGESTION — NEW YORK CITY HOUSES OF DETENTION

We continued during 1960 to direct our attention to the congestion in the New York City houses of detention and the commitment to those places and similar institutions of alcoholics, drug addicts, prostitutes and vagrants (including indigent aged persons).

For example, under date of April 22, 1960, we released a news item on the subject to various publicity outlets such as newspapers, magazines, radio and television stations. Our protest was noted by prosecuting officers and the judiciary. Likewise Commissioner Kross, who was particularly grateful for our continued interest and cooperation relating to problems in her department. Radio Station WCBS gave notice to the release in a news program; the Brooklyn edition of the *New York Daily News* gave liberal attention to the item, as did the *New York World Telegram and Sun*.

#### CITATION

On April 4, 1960, The Havens Relief Fund Society, founded in 1870, awarded a citation to Edward R. Cass, for more than twenty-five years an Almoner, for his loyalty to the principles of the Fund, in "the affording of temporary relief to unobtrusive suffering endured by industrious and worthy persons." There were others who received citations and for the fullness of the record, it should be stated that the General Secretary has been an Almoner since 1922.

The Fund was established by Charles G. Havens. The current President is Mr. William L. Savage.

#### "MUSLIM" MOVEMENT

The entrance of this movement into the area of correctional administration has given concern to the heads of correctional institutions and departments in some of the States and the basis for this is shared by The Prison Association of New York. Therefore during the course of the year, the General Secretary brought to the attention of the Executive Committee an informative article appearing in *U. S. News & World Report*, under date of November 9, 1959, bearing the title "Black Supremacy" Cult in U. S.—How Much of a Threat?", with special introductory paragraphs as follows:

"Smoldering racial troubles are being fanned in U. S. cities

by a cult that has set a deadline for extermination of the white race.

"Calling themselves 'Muslims', the cultists denounce 'white devils', rally behind a fanatical leader who preaches hate and talks of wholesale bloodshed.

"How numerous are these Muslim zealots? How do they operate? Who is their chief? Where does he find support?

"From on-the-spot investigation in cities where the sect is strong, it is possible to tell the real story of the secrecy-shrouded movement steeped in hatred of all whites."

*Time* magazine under date of August 10, 1959, beginning on page 24, also makes reference to the movement.

The General Secretary further commented that information has come to his attention that the administrators of some correctional institutions are having experience with some of their inmates who claim to be identified with this movement and are making demands for recognition.

A further reference to the movement is contained in *Reader's Digest*, March 1960 issue, under the title, "Mr. Muhammad Speaks."

It was brought to notice that in the article mentioned above from the November *U. S. News & World Report*, Mr. Thurgood Marshall, the chief counsel of the National Association for the Advancement of Colored People, was quoted as telling Princeton University students in a speech on October 21, 1959, that the cult is "run by a bunch of thugs organized from prisons and jails, and financed, I am sure by . . . some Arab group." Mr. Marshall added that the movement presents a real threat to law-enforcement agencies.

On April 11th the New York State Supreme Court, sitting in Poughkeepsie, denied the request of inmates at Green Haven Prison for permission to attend weekly services at a New York Islamic temple. Justice Robert Doscher told the twenty-one inmates who made the appeal that he felt their request to make a weekly trip to New York to attend religious services was unreasonable. At the same time he indicated he agreed that prisoners should be granted religious freedom, but within reasonable limits. Earlier prison officials refused the request on the grounds that such a trip was out of the question and would serve no real good since the "leader of the cult" had a criminal record. The convicts then petitioned the court for permission.

Further regarding our concern over the seriousness of the above situation, correspondence was had with the Director of the Federal Bureau of Investigation, assuring him of our desire to be helpful in every way possible.

## COUNTY PROBATION DIRECTOR

On two occasions we successfully opposed legislation which would have made it possible to appoint a director of probation in a county outside of New York City without competitive civil service examination.

## DETENTION FACILITIES—NEW NEW YORK CITY POLICE HEADQUARTERS BUILDING

When plans were being developed for a new building for New York City Police Headquarters, the proposal was to locate the detention facilities in the basement. The General Secretary objected to this on the part of the State Commission of Correction and The Prison Association of New York, and as a result these facilities will be located on an upper floor of the building in the area of the police lineup room and the bureau of identification. The Department of Public Works expressed appreciation for the suggestion and agreed that the change of location is more desirable.

## PROTEST TO THE EDITOR OF COSMOPOLITAN MAGAZINE

In the March 1960 issue of *Cosmopolitan* there is an article entitled, "Family Prison." This article reports on the more normal atmosphere of family visits, including permission in some areas for conjugal relations. Part of the article indicated that this practice was permitted at the Illinois State Penitentiary at Joliet and also in the California Institution for Men at Chino. In defense of the wardens of both institutions, protest was registered which brought forth an apologetic explanation from the editor and a promise to include the General Secretary's letter of February 29th in the May issue of *Cosmopolitan*. The letter did appear.

## NEW ONTARIO COUNTY JAIL AT CANANDAIGUA

The need for a new jail has been of long standing. The General Secretary, on behalf of the Association and in his capacity as Vice Chairman of the State Commission of Correction, has continually urged that action be taken by the County Board of Supervisors. Following various postponements, the county, at the suggestion of the General Secretary, agreed to set aside a certain sum (approximately \$50,000) a year toward a jail building fund. The amount now is approximately \$500,000. At long last the decision is to build a new jail and plans have been submitted to the State Commission of Correction for study and approval. Approval was given at the meeting of the Commission on May 18, 1960.

Here is another instance demonstrating the need of combined patience and persistency for the final attainment of a worthwhile objective.

## BELLEVUE PRISON WARD

During an inspection there was once more raised the question as to the suitability and adequate functioning of this facility. The place is overcrowded; it is gloomy; it is understaffed from the standpoint of custodial and professional services. The situation is complicated by the fact that there is dual control and responsibility in that the hospital furnishes the detention wards and professional services and the New York City Department of Correction provides the custodial personnel. The City authorities have been again urged to hasten a solution of this unsatisfactory situation.

## REGIONAL MEETING—DIRECTORS OF CORRECTIONAL EDUCATION

The General Secretary was requested to extend welcome on behalf of the City of New York and to participate in the regional meeting of the directors of education in correctional facilities. This meeting was held at the Penitentiary on Rikers Island on June 7, 1960.

## PLANS FOR NEW JAIL AND LOCKUP CONSTRUCTION AND RENOVATION

In furtherance of the interest of the Association, and again through his identity with the State Commission of Correction, the General Secretary participated in the study and subsequent full or limited approval of plans for:

- a. Construction of a new jail in Lake George, Warren County
- b. Proposed City Jail for Monroe County at Rochester
- c. Enlargement of Genesee County Jail at Batavia
- d. Modern detention facilities, Police Headquarters, Ossining
- e. Prison Ward Detention Facilities, Buffalo Hospital
- f. Expansion of detention facilities, Westchester County Penitentiary
- g. Working Drawings, New York City Project C-80, Bronx House of Detention
- h. Greene County Jail
- i. Suffolk County Jail
- j. Former Civil Jail, Brooklyn
- k. Broome County Jail
- l. New Cayuga County Jail
- m. New Clinton County Jail
- n. Schuyler County Jail
- o. Wayne County Jail
- p. Niagara County Jail
- q. Cattaraugus County Jail



The preceding list is not at all a complete one but is included herein as indicative of the type of service performed in an effort to obtain modern, adequate and secure housing facilities for use by both police and correctional administrators.

#### COMMUNICATION FROM PROBATION AND PAROLE OFFICERS ASSOCIATION

The above, addressed to the Association, was a renewed protest of the inadequacy and inequality of salaries of probation officers with comparison of what is paid in the County Courts and the Court of General Sessions; and the Magistrates', Special Sessions and Domestic Relations Courts.

Presiding Justice Florence M. Kelley of the Domestic Relations Court of the City of New York, who was present at our Executive Committee Meeting when this communication was presented, indicated her sympathy and understanding of the situation. She expressed the opinion that the Association should record itself in favor of such action without stipulating any particular minimum or maximum amount. This attitude, in harmony with our own views, resulted in communications with appropriate city authorities.

#### FREDERICK A. MORAN MEMORIAL INSTITUTE, July 17-22, 1960

This Institute was held at St. Lawrence University, Canton, New York, July 17-22, 1960. It is held annually and is sponsored by the State Departments of Correction, Health, Mental Hygiene, Civil Service and St. Lawrence University. There were over 400 students in attendance including correctional personnel, sheriffs, probation and parole officers, social workers, medical personnel and others.

The purpose of the Institute is to increase the interest and efficiency of the student body in the discharge of their daily responsibilities; also to enable them to advance in the ranks of their respective services.

The teaching staff consists of recognized and experienced specialists in the various areas of correction, mental hygiene and health.

General Secretary Cass was again a participant and served as a consultant and also acted as chairman of an evening general session.

#### SECOND UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS, London, England, August 2-20, 1960

It is important to note that this second quinquennial Congress under the auspices of United Nations is a continuation of the first quinquennial Congress held in London in 1872 as a result of the planning and leadership of the then General Secretary of The

Prison Association of New York, the illustrious Dr. E. C. Wines. At the 1872 Congress there was organized the International Penal and Penitentiary Commission, which body arranged for the quinquennial meetings including the last one under its auspices held in The Hague in 1950.

At the 1960 Congress in London our Association was recognized by President Eisenhower and the Department of State through the appointment of Mrs. John W. Ballantine, Mrs. Allen W. Dulles and General Secretary Cass as official delegates. This designation gave a top ranking priority participation in the operations of the Congress.

There were 84 countries and territories represented, with 1,000 delegates in attendance. The meetings were held at Church House at Westminster Abbey. Russia, having ignored the First Congress held in Geneva in 1955 on the grounds that crime is a domestic problem, participated for the first time, and quite articulately, through its various delegates headed by a Mr. Smirnov, a member of the high judiciary.

Sir Charles Cunningham, Permanent Under Secretary of State, Home Office, London, was elected president of the Congress. There were five honorary vice presidents and the United States was recognized through the appointment of Mr. James V. Bennett, Director of the United States Bureau of Prisons in this capacity.

The format of the Congress provided for plenary sessions (equivalent to the term "general sessions" in our country) and section meetings. At the plenary sessions final decisions were made for the Congress as a whole and during the preliminary section meetings there was discussion to arrive at a basis for final conclusions.

The program for the 1960 Congress provided for three sections to deal with the following subjects:

- Section I: New forms of juvenile delinquency; their origin, prevention and treatment.  
Special police services for the prevention of juvenile delinquency.
- Section II: Prevention of types of criminality resulting from social changes and accompanying economic development in less developed countries.  
Short term imprisonment.
- Section III: Pre-release treatment and after-care, as well as assistance to dependents of prisoners.  
The integration of prison labor in the national economy, including the remuneration of prisoners.

During the first session on Monday, August 8, the opening ad-

dress was given by the Lord Chancellor, The Rt. Hon. Viscount Kilmuir, G.C.V.O. The London Times of August 9, in summarizing the meeting well and accurately, noted in part:

"More than a million child offenders will be tried by United States courts in 1965 if present delinquency rates continue. Thefts and sex offenses by Swedish juveniles have been six times as high as by adults in recent years. In France offences against public morals increased by 60 per cent among children under 13 between 1952 and 1957. Juvenile delinquency the world over is on the increase—among the teddy boys of Britain, the Halbstärke of West German, the blousons noirs of France, the 'bodgies' and 'widgies' of Australia and New Zealand."

The article went on to say that "such disturbing statistics and facts are being analyzed, debated and quoted" by "experts in criminal psychology representing 84 countries and territories." . . .

"Means of reversing or even checking the world-wide multiplication of crime were discussed by Lord Kilmuir, the Lord Chancellor, at yesterday's opening session. He foresaw the need for a completely new approach to crime, punishment and the police. 'It may well be,' he said, 'that in the light of the greater knowledge we shall hope to acquire we should set ourselves to a fundamental reexamination of our whole philosophy of the nature of crime and of legal punishment and try to reach a coherent criminal policy embracing alike the criminal law, the agencies for enforcing the law, the judiciary, and the methods of treatment.'"

Lord Kilmuir said further:

"Our object is not only to keep young offenders out of prison, but to provide methods of dealing with those in need of fairly long-term training which will enable the Prison Commissioners to adjust the nature and length of the training to the needs of the individual." . . .

"Lord Kilmuir conceded the 'plain and sombre fact' that in spite of the need for evaluating the increasing knowledge of criminal problems crime was still growing alarmingly. The most disturbing aspect was the disproportionate increase of crime among young people—"a dark place in the social history of our time." It was the more disturbing that, in Britain at least, this came at a time of unexampled prosperity, negligible unemployment and highly-developed educational and social welfare services. 'I am led to wonder whether a high rate of crime is not a function of industrial urbanization and the

mass-production society,' he said. 'It maybe that this very multiplication of material goods, by multiplying material wants in a society where the individual sense of social responsibility tends increasingly to diminish, is itself a prime factor.'"

One could not help but be impressed with the high quality of the representatives from the various countries, the regularity of attendance and their studious application to the business of the Congress. The simultaneous translation of foreign languages gave the American delegation an advantage as compared with participation in these meetings of other years.

An outstanding result especially pleasing to the American delegation was the priority given to the State-Use system of prison labor in the resolution finally adopted by the Congress. This sustains the victory recorded by the Americans during the 1955 Congress in Geneva. At that time there was considerable pressure to give preference to the contract system of prison labor which would make prisoners available for private employment with or without government control.

For a more complete account of the London Congress see Appendix A, Page 84, and Appendix B, Page 107.

90TH ANNUAL CONGRESS OF CORRECTION, Denver, Colorado,  
August 28-September 2, 1960

This Congress, it is worthy of repeating, is continued evidence of the value of the initiative of the Association in 1870 through its then General Secretary, Dr. E. C. Wines. They are held in different States of the Union and since 1922 our Association has been the pivotal body contributing notably to the continuity and growth of The American Correctional Association.

These Annual Congresses continue to focus attention on the crime problem in its many aspects, and to give information and guidance and inspiration to the delegates from the various States. In 1960 there were more than 1,100 delegates from forty-nine States, the District of Columbia, Puerto Rico, the Virgin Islands, Canada, Iraq and Lebanon.

While the Congress lacks the power to enforce the progressive thinking and its formal conclusions it nevertheless serves to establish desirable objectives and standards for those communities willing to improve their organization, techniques and general operations in the field of correction.

A significant action taken during the Congress was the adoption of a revision of the Declaration of Principles, first approved in 1870. These Principles were changed once or twice in subsequent years. In the year 1960 they were revised mainly for the purpose

of changing the language somewhat, and the general format, as required by later knowledge and experience. In their essence, however, they remain as sound and far reaching as first written. Through the years they have been an undisputed guide for those desiring to improve correctional processes. The consensus was that the adoption of the revised principles is another milestone in the recording of correctional philosophy in this country. (See Appendix C, Page 111.)

It should be further noted that the original Declaration of Principles inspired the International Penal and Penitentiary Commission to begin work on the drafting of standard minimum rules for treatment of prisoners. This labor was finally consummated through United Nations at its meeting in Geneva in 1955.

#### COOPERATION WITH AFL-CIO ON PRISON LABOR

In response to a request by the Research Department of the AFL-CIO in Washington the General Secretary was pleased to give guidance regarding the subject of prison labor and attendant legislation. The adequate or fair employment of prisoners, in State institutions especially, still poses a serious challenge and requires the interest of organized labor as well as others.

For these reasons no opportunity is lost to give guidance as to historical background or present day conditions.

#### CONTINUED ASSISTANCE TO ALASKA

The Division of Youth and Adult Authority of the Alaska Department of Health and Welfare requested information regarding probation, parole, the indeterminate sentence and prison labor. Through correspondence information relating to these subjects was submitted by the General Secretary. Inquiry was also made regarding statistical procedures and guidance was given as to the availability of specialists in this area.

#### BOYS IN JAIL

During the investigation of an attempt to bring contraband into Putnam County Jail the General Secretary came upon two young brothers, ages 16 and 18, being held for burglary. They had been camping during the summer and ran out of funds and broke into a house in Carmel. The older boy had been in trouble before and was a parolee from Lincolnale. They reflected an unsatisfactory home condition and gave every appearance of being two boys wildly proceeding on their own with the older boy exerting not the best influence over his brother. Their idleness in the jail was doing them no good. The General Secretary made contact with Father Robert Moore of Lincolnale who knew the boy during

his stay at that institution in 1955. He visited them and gave at least some temporary steadying words.

Another youth case in the jail attracting the attention of the General Secretary was a boy from California who had lost contact with his parents for more than three years and was drifting about the country more or less in keeping with his nomad existence living in trailers even when with his parents. He had been picked up by State Police for hitchhiking. He was a glaring example of a weakling unattached and drifting. The General Secretary in accord with his authority under the power of the Commission of Correction directed that the boy be separated from adult prisoners and also inquired into the possibility of the local welfare office arranging for the boy's transportation to California where he seemed anxious to go and could probably establish himself more satisfactorily.

#### COOPERATION WITH "WORLD-TELEGRAM AND SUN" REGARDING PAROLE SITUATION

In September the *New York World-Telegram and Sun* carried a series of articles relating to the organization and operation of the New York State Parole System. The General Secretary was interviewed by the writer, Mr. Woody Klein, and gave freely of his knowledge regarding the parole situation. He also made available to Mr. Klein the detailed study of the parole system made by Governor Harriman's Parole Study Committee of which the General Secretary was a member. This report unfortunately did not get any worthwhile publicity upon its release but some of its essentials were brought out by Mr. Klein.

The General Secretary made a plea to Mr. Klein, and also to the Governor's Office, that despite weaknesses and some erroneous judgment there should be no campaign inaugurated to abolish the indeterminate sentence and parole. It is pleasing to note that this position was maintained in both areas.

#### MAGISTRATE'S COURT, WILLIAMSBURG PLAZA

A proposal was made by New York City authorities that the above Magistrate's Court and detention pens be reactivated. This proposal was objected to by the Chief City Magistrate and the cooperation of the Commission and this Association was sought in opposition. We joined in this because of the fact that these detention pens were unsuitable and had previously been closed on the joint protest of the Association and the State Commission of Correction. The plans have been abandoned.

**JAIL FARM—ST. LAWRENCE COUNTY**

While inspecting the St. Lawrence County Jail during the days of the Frederick A. Moran Institute, General Secretary Cass learned that the Board of Supervisors of the County had voted the discontinuance of the jail farm. This was an item for concern and inquiry and as a result the formal request was made through the State Commission of Correction that the Board reconsider its action. Conversation by Mr. Cass with members of the Board of Supervisors revealed the desirability of employment for prisoners was not sufficiently emphasized to members of the Board during the discussion of the subject. There is a strong likelihood that the matter will again be placed upon the agenda of the Board of Supervisors.

**DISPARITY OF SENTENCES**

During the summer opportunity offered to discuss with the former secretary of the Law Revision Commission, Professor W. David Curtiss of Cornell University, the desirability of having the Law Revision Commission (a State financed body) review the subject of disparity or unevenness of sentences imposed by different judges in seemingly identical types of cases.

It is anticipated that with the Professor's interest there would be consideration given to the placing of the item on the agenda for the work of the Commission during the year 1961.

**LOTT'S CASE—ALBANY COUNTY JAIL**

This unfortunate situation related to an inmate who was a known diabetic but who did not receive adequate medical attention during his stay in the jail. A report from a laboratory showing him to have a 400 diabetic count remained unopened on the desk of the jail physician from Friday until Sunday morning. The report came to notice just before the man died on arrival at the County Hospital Sunday morning on emergency transfer from the jail.

This was a flagrant case of jail mismanagement and professional neglect and through the Commission of Correction the General Secretary pressed for a thorough investigation. The Governor's Office also very earnestly moved in that direction. The findings of the investigation substantiated the claim of neglect. The prisoner's family has initiated a suit against the jail management. The Board of Supervisors of the County did not protest the report and promised in writing various improvements relating to medical services at the jail and the general management.

**RIKERS ISLAND PENITENTIARY**

The General Secretary participated in a conference called by Commissioner Kross together with Dr. Karl Menninger of the

Menninger Foundation in Topeka, Kansas and Dr. George D. Stoddard, Chancellor of New York University, together with other medical and educational personnel.

The purpose of this conference was to interest The Menninger Foundation and New York University in a plan to use the penitentiary population for the purpose of research, professional staff training, and the development of specialized educational programs. It is hoped that the University will be willing to identify itself with the plan.

This proposal has a potential value and a parallel is the extent to which the medical schools, such as Cornell and New York University, have identified themselves with medical centers for combined diagnostic, treatment and study purposes.

**COOPERATION WITH HEBREW UNIVERSITY OF JERUSALEM**

We were pleased to be of assistance to Dr. Zvi Hermon, Scientific Director of the Prison Service of Israel, in his efforts to develop a suitable library for his work at Jerusalem University. A substantial package of literature was sent with the compliments of both The Prison Association of New York and The American Correctional Association and for this help Dr. Hermon expressed profound thanks.

During a talk with him at the United Nations Congress in London in August of this year his efforts were further discussed and he was given assurance that we would be pleased to continue our interest and help.

**ASSISTANCE TO DOMESTIC AND FOREIGN OFFICIALS****HAWAII**

In response to an urgent plea relayed by the Secretary of State of New York, Mrs. Caroline K. Simon, we were pleased to supply considerable guidance material to Mr. Daniel S. C. Liu, Chief of Police of Honolulu. The Chief is particularly interested in jail operational procedures and processes and also formalized rules of administration.

**EGYPT**

A similar service was rendered to Dr. Badr-El-Din Ali, Director of the National Center of Sociological and Criminological Researches, Cairo, Egypt. He expressed appreciation for earlier help and indicated that our literature, including the **MANUAL OF CORRECTIONAL STANDARDS**, was in a sense their "bible."

## JAPAN

Upon request considerable literature and letter guidance material was made available to Mr. Taro Ogawa, Division of Training and Research, Ministry of Justice, Japan.

## THE REPUBLIC OF CHINA

Upon request guidance material was transmitted to Lian-Chien Cha, Vice Minister of Justice of The Republic of China.

## ARGENTINA

Dr. J. Carlos Garcia Basalo, Inspector General de Institutos Penales, Argentina, who was conspicuously active during the London Congress requested literature, including the MANUAL OF CORRECTIONAL STANDARDS, which we were most happy to supply. During the days of the London Congress we were impressed with his progressive discourse.

## NEW ZEALAND

Dr. J. L. Robson, Secretary for Justice for New Zealand, sought during the days of the London Congress considerable contact with the General Secretary for the purpose of discussion and general guidance. He was anxious to prepare himself for the discharge of the duties of his new and important post.

He visited our office in October. There was more discussion and subsequently an abundant supply of literature, including the MANUAL OF CORRECTIONAL STANDARDS, was mailed to him.

## ENGLAND

## DISTINGUISHED VISITORS

Sir Lionel Fox, Chairman of the Prison Commission for England and Wales, requested that we give assistance to his colleague, Honorable J. H. Walker, who visited this country during the summer of 1960. Arrangements were made for suitable contacts and observations.

The British Government through its Consulate introduced The Honorable John H. Cordle, Member of Parliament, with a request that we be of assistance to him in making some observation of youthful and adult offender institutions. This in our usual way we did and he was enabled to visit Sing Sing Prison, the House of Detention for Women in New York City and Youth House in the Bronx, New York City. Before his departure for the West in his note of January 9th Mr. Cordle expressed thanks and appreciation for our help.

## RETIREMENT OF SIR LIONEL FOX OF ENGLAND

It has been a pleasant experience to have close ties over the years with the office of the Prison Commission for England and Wales. Those with whom the General Secretary has had close personal contact include Sir Ruggles-Bryce, Sir Alexander Paterson and more recently Sir Lionel Fox who retired October 1st of this year.

On the occasion of his retirement the General Secretary addressed a letter to him to be presented at a ceremony. This act of friendship and just evaluation of a high level public servant was appreciated by Sir Lionel and his many colleagues and friends. Sir Lionel's letter of acknowledgment reads as follows:

"I was much moved when Duncan Fairn read out, at my retirement dinner earlier this month, your very kind letter.

"Looking back over the years since the war, the memories I value most are those of the many friendships which I have been privileged to make all round the world. It is remarkable, don't you think, how many really good people we find in our field of work.

"Above all I shall treasure the memory—and not I hope only the memory—of my many friends in your country. Their constant kindness and understanding, and generous hospitality, I could never repay. How much, too, I have been inspired by the continuous and fruitful developments in the correctional field which are always coming forward in your country.

"You yourself have always been at the heart of these happy relations, and I cannot tell you from how many people returning from U.S.A. I have heard the praises of your kindly and untiring help.

"I hope my new work at the Institute here will still serve to keep us in touch.

"With kindest and friendliest wishes,

Yours sincerely,

(Signed) LIONEL FOX"

We expect to continue working with Sir Lionel Fox in his new capacity as a lecturer at Cambridge University and of course we shall carry on with his successor, Mr. Peterson, and continue also with Commissioners Fairn and Walker, both of whom are well known to our office. These international tie-ins are a continuation of the relationship and work that was initiated almost at the start of the Association through establishment of a body of foreign correspondents.

## REPORT OF ENGLISH PRISON COMMISSIONERS

Our close relationship with the members of the Prison Commission for England and Wales invited our attention to important items in the report of the Commission for the year 1959. This document was made available in August 1960. This report was discussed by the General Secretary and other American delegates

during the United Nations Congress in London. Noteworthy are the following comments.

It is true that while great strides have been made in improving the English prison system they still have serious problems. One is that the population has risen from 8,000 in earlier years to over 26,000 presently. Their inadequate physical facilities make it necessary to sleep over 6,000 men three in a cell. The cost of the care and treatment of these prisoners has risen considerably. During 1959 the average annual cost of keeping a prisoner went up by 15 pounds to nearly 400 pounds, ranging from 574 pounds in the borstal institutions to 368 pounds in the prisons.

Few women and girls were committed.

During 1959 there were 301 prison escapes, compared to 205 in 1958 and 165 in 1957. This situation was discussed with English colleagues and they do not seem to take escapes too seriously. This was apparently accepted as being the price that needs to be anticipated for a more or less rigid system of control, particularly as relates to what are referred to as "open institutions." This type of institution was unheard of in England when we met there in 1925 for the International Congress of Correction.

It was pointed out in the report that the new building program has gotten well under way with thirty new establishments in various stages of development. The report further takes note of the important medical and dental services and recreational opportunities.

It should be noted that the increase in population is to some extent attributable to the large number of commitments of "hire purchase debtors." "These prisoners come, we have reason to believe," said the Commissioners, "largely as a result of failure to pay commercial debts of which the bulk will have been incurred as a result of hire purchase agreements." The influx of this type of prisoner is giving the Commissioners serious concern.

#### MODEL PENAL CODE

We continue cooperation with the American Law Institute in the shaping of a model penal code. In this connection there continues to be progress made in the areas of probation, parole and sentencing processes. It is pleasing to report that the Law Institute has changed somewhat its attitude in these various areas and has been influenced to some extent by the views of those in the correctional field.

#### APPEARANCE BEFORE CITY PLANNING COMMISSION

The General Secretary appeared before the City Planning Commission representing The Prison Association of New York and the State Commission of Correction. This action was in cooperation

with the New York City Department of Correction and in response to the earnest request of Commissioner Anna Kross. This hearing related to the Proposed 1961 Capital Budget and 1962-1966 Capital Program.

Funds for new construction needs for the City Department of Correction in the last few years have been reasonable and responsive to the progressive plans of the Department. By way of review it should be noted that an addition is to be made to the Bronx House of Detention; the first phase of an addition to the Riker's Island Penitentiary is under way; plans have been completed for a new workhouse to be located on Riker's Island; preliminary plans have been drawn for a new House of Detention for Women; a preliminary study has been made for a Remand Shelter for Adolescents.

However, the urgency of appearance before the City Planning Commission related to Project C-74 (Adolescent Remand Shelter, Brooklyn) because of the fact that the sum of \$290,000 was not allowed in the 1961 Budget, this amount being necessary for the completion of the working drawings and specifications as a follow up of the preliminary study for which the sum of \$40,000 had been provided in an earlier Budget. The omission of the \$290,000 item in the 1961 Budget and its inclusion instead in the 1962 Budget, and the providing of funds for construction in the 1964 Budget would have jointly made for a dangerous delay in providing quarters for adolescent offenders who are being presently housed in the Brooklyn House of Detention, a modern structure, designed, however, for the detention of adults.

The protest made before the City Planning Commission was successful in that in its final report submitted to the Board of Estimate, the City Council and the Director of the Budget the sum of \$290,000 was restored to the 1961 Capital Budget. Commissioner Kross wrote appreciatively and enthusiastically under date of November 9th in part as follows:

"We deeply appreciated your appearance before the City Planning Commission to support the department's request for the inclusion of these funds. We feel assured that the prestige of a Commissioner representing the State Commission of Correction helped our cause immeasurably. Please accept our wholehearted thanks for your interest in our program."

#### ASSISTANCE TO STUDENTS AND RESEARCHERS

With the opening of schools and colleges and the approaching legislative sessions we continue, and in increased volume, to receive requests for information from high school and college students, candidates for various degrees, and college professors undertaking

various research projects. These are sometimes too numerous to handle but we do the best we can. It is an important service and at times requires the undivided attention of one person. Our sympathy is with these requests because they tend toward better public information and understanding.

#### JUVENILE DELINQUENCY CONTROL PROJECTS ACT—H.R. 12108

The purpose of this Act is to provide for Federal grants and contracts to carry out projects with respect to techniques and practices for the prevention, diminution, and control of juvenile delinquency, and for the training of personnel.

This legislation has held our interest since inception. It was endorsed by the 1960 White House Conference on Children and Youth; also by the 90th Annual Congress of The American Correctional Association in 1960. Our support of the Act was registered with President Eisenhower, the Democratic and Republican Nominees for President in the 1960 election, The Honorable Edith Green of Oregon, who introduced HR 12108, and the Members of the House Rules Committee.

#### VISIT TO WESTFIELD STATE FARM

The main purpose of this visit by the General Secretary was to actually verify the construction of the two new cottages. At the time of the visit, following the October meeting, it was noted that the cottages are about three-quarters completed and it is anticipated that they will be ready for occupancy in January 1961. Two additional cottages have been authorized and a budget request is being made for two more.

It should be recalled that for years we protested the use of the outmoded fire traps, as are the original cottages.

#### RECOGNITION OF ASSOCIATION INITIATIVE IN PRISON CONSTRUCTION

Mr. Clarence B. Litchfield, a member of the leading architectural firm in prison and jail design, in his forty-five page report requested by United Nations, entitled "Modern Trends in Architecture for Correctional Institutions," stated in part, referring to the experience of his firm:

"This experience started in 1915 when the late Dr. O. F. Lewis and Mr. E. R. Cass of The Prison Association of New York interested the authors, predecessor Alfred Hopkins, in developing a departure from the bastille-like prisons of the past."

#### A BOY IN NEED OF A FRIEND

While making an official visit to the Westchester County Parkway Police Headquarters at Hawthorne Circle the General Secretary's attention was directed toward the lengthy detention of a 51 year old man charged with public intoxication. At the time of first observation the man had already been held 17½ hours and it developed later that his court hearing was not scheduled until 7:50 on the evening of November 4th, thus making a total of 20½ hours in detention.

The General Secretary in making contact with the judge reminded him of the lengthy detention and a section of the Penal Code which intended that there should be only a reasonable time for the holding of a prisoner before arraignment. Both the police and the judge said that the case was exceptional and the judge said that for personal reasons he was not able to follow his usual routine.

He nevertheless indicated to the General Secretary that of more importance in his opinion was a 17 year old boy whom he had committed to the Westchester County Jail. Upon inquiry of him it developed that he was holding the boy because someone who said he was a probation officer wanted delay in disposition. The manner in which the judge referred to this case presented a challenge definitely directed to the General Secretary who at once attempted to obtain information. Knowing how to proceed in such situations, the General Secretary quickly learned that the boy had been paroled first from the institution at Industry, New York under the control of the State Department of Social Welfare, and subsequently from New Hampton Farms, also under the same Department, and was technically on parole from these institutions at the time of his commission of a new crime involving the theft of 57 cents. While on parole the boy was living with foster parents. The judge had committed the boy on November 1st with a notation that he be held for reappearance November 15th unless he could raise \$500 bail.

The amazing feature of this case is that the judge was planning to hold the boy from the 1st to the 15th of November on the request of someone whom he thought was a probation officer and whom it later developed was a parole officer from the State Department of Social Welfare.

Without the intervention of the General Secretary who not only gave the judge information which he should have obtained himself but also alerted the Department of Social Welfare, the boy would have remained in the jail for approximately two weeks, exposed to all the evils that an institution of that kind offers.

The judge upon being given the information completely changed his attitude toward the General Secretary's intervention and finally

on November 9th released the boy in the custody of the Department of Social Welfare and on November 15th finally disposed of the case by returning the boy fully to the control of the Department of Social Welfare.

#### CONFERENCE WITH ALEXANDER ALDRICH, DIRECTOR, DIVISION FOR YOUTH, NEW YORK STATE EXECUTIVE DEPARTMENT

At the request of Mr. Aldrich, the General Secretary on November 21st visited with him at his New York Office, 270 Broadway, at which time he discussed the programming of the Division for Youth.

The program is intended to deal with potential delinquents and those who have come to the attention of the courts. The twofold program adheres to the revised law and embraces voluntary admissions with parental consent through duly authorized agencies, and those who are brought to the attention of the Youth Division through the courts; either before adjudication (court postpones final judgment pending adjustment in youth facility) or after adjudication as a condition of probation.

The plan embraces youth camps for both groups, short term adolescent resident training—again for both groups—, Youth Division hostels for both groups, and reporting and after care. The youth group embraces the ages of 15, 16 and 17 years. The program is intended, of course, to do something more than has been done previously for this group and others through the former State Youth Commission.

It is encouraging to report the intelligence, vigor and enthusiasm which Mr. Aldrich is bringing into play in an effort to fulfill to the highest possible degree the responsibilities of his new undertaking. He will look for some assistance from the Prison Association and he has been assured that it will be forthcoming in every way possible.

We supported the proposal to create a Division for Youth in the Executive Department with the belief that a reorganization and the development of a new concept would make for better results. Our confidence in the existence of the Division and its program is reflected in our Recommendation II to the 1961 Legislature. See Page 23 of this report.

#### APPRECIATION BY THE GOVERNOR'S COUNSEL

We received a letter from Mr. Robert McCrate, The Governor's Counsel, thanking the Association for the information and guidance given during and subsequent to the 1960 session of the Legislature regarding bills requiring action by the Governor. It is always gratifying to know that this long standing service of ours continues to be received with approval.

#### PROTEST—PRISONER ESCAPES

Through his identity with the State Commission of Correction the General Secretary is immediately advised of any unusual occurrences relating to prisoners in custody of the New York City Department of Correction and the New York City Police Department. These occurrences involve suicides, attempted suicides and escapes.

Regarding escapes, there have been an unusual number over the summer due mainly to carelessness on the part of police officers. This makes for public hazard and sometimes defeats the administration of justice.

Through the General Secretary the New York City Police Commissioner has been advised of the seriousness of these occurrences and urged to effect better control and alertness on the part of his personnel.

#### JUDICIAL CONFERENCE

The General Secretary was invited by The Honorable Charles S. Desmond, Chief Justice of the New York State Court of Appeals, to address the meeting of the County Judges Association of the State of New York held in Albany on December 2nd under the auspices of that Association and the State Judicial Conference.

There were fifty-five judges present from various parts of the State. The session was opened with an address by Judge Desmond and it was heartening to note his expression of concern about the problem of sentencing and the plight of the indigent defendant. These two subjects have been dealt with in our annual reports and recommendations to the Legislature over a period of years.

The General Secretary and Professor Herbert Wechsler, Harlan Fiske Stone Professor of Constitutional Law at Columbia University, and Commissioner Paul D. McGinnis of the New York State Department of Correction, also addressed the judges. Commissioner McGinnis cited many cases of variation in sentences, revealing what would seem to be similar circumstances resulting sometimes in short sentences and other times long sentences. Professor Wechsler addressed his remarks to the project for the development of a Model Penal Code under the auspices of the American Law Institute. General Secretary Cass spoke generally about the attitude and behavior of judges, the problem of sentences, and made an ardent plea for understanding and cooperation on the part of the judiciary relating to the complexity of the problems identified with crime and criminals. He laid particular emphasis on the desirability of establishing in the State of New York, perhaps as a part of the State Judicial Conference (which incidentally is a body authorized by the State Legislature and composed of the outstanding judiciary of the State), a program of institutes



on sentencing similar to that authorized by Public Law 85-752 (Sentencing) passed by the 85th Congress of the United States.

The pilot institute under this statute was held in Colorado in 1959 with encouraging success. The purpose of these institutes is to make the judiciary more knowledgeable and not in any way interfere with its freedom of judicial action. It is important to emphasize the latter point because many of the judiciary resent what is regarded as a trespass on their jurisdiction through suggestion or guidance from an outside source.

The final conclusion regarding the meeting of the judges is that it was a very worthwhile gathering and we should be encouraged by the fact that our General Secretary was asked to be one of the speakers and a party to the general discussion.

On December 6th, subsequent to the meeting, the General Secretary addressed a special letter to The Honorable Charles S. Desmond expressing appreciation for being allowed to participate in the meeting, and also commended him on his views; and finally indicated a desire to further advance the idea of a sentencing institute to be a part of the Judicial Conference instead of a unit within the Court of Appeals as has been suggested earlier in our recommendations to the Legislature. In reply Judge Desmond expressed agreement.

It was very encouraging to note that the judges outside of their courtrooms were very frank in their discussion and were willing to admit the need for improvement in various directions, relating not only to the court operations but the whole machinery of criminal justice, including probation, parole, and institutional service.

The following is an excerpt from a letter received from the Secretary-Treasurer of the County Judges Association:

"... Everyone agreed that it was the best session we have ever had, and it is hoped that we shall be fortunate enough to have other such 'seminars' in the future.

"... The association is indebted to you for your contribution to the most productive and constructive meeting we have ever had."

The *New York Times* of December 20, 1960 carried an editorial entitled "Judicial Conference Vitality." This gave praise to the make-up of the Judicial Conference and its potential value in improving the court functioning in this State. It made mention of the fact that among the problems on which the influence of the Judicial Conference is being brought to bear is "how a greater degree of uniformity can be achieved in the sentences imposed by various judges."

#### SECURITY TYPE WINDOWS

The General Secretary was a party to an important conference with the New York City Departments of Correction, Public Works and Police relative to security type windows and doors. This meeting was advisable in view of the fact that two prisoners had succeeded in escaping from the newly constructed Cayuga County Jail at Auburn, New York. The windows through which they made their final exit from the jail had been previously approved by the Commission of Correction through its Committee on Plans of which the General Secretary is chairman.

The fact that prisoners could escape from this type window was of course a matter of deep concern. Subsequent investigation disclosed that the design of the window was not at fault but instead shortcomings in its installation. In other words, certain cross bars were not securely welded on the window frames and adequately seated in them. This is an example where progressive design is unfairly opened to criticism through failure to follow specifications and faulty workmanship. The manufacturers of the window (and this is only one type of louvre window advocated with confidence as to security) are taking steps to overcome the errors in the Cayuga County Jail and to guard against them in pending installations in New York City and some new jails upstate.

#### GUIDANCE TO ARCHITECTS

Our Association and its General Secretary, through his identity with the State Commission of Correction, are called upon frequently to give guidance to architects for their design and construction of major and minor types of correctional institutions. One of several recent examples relates to the installation of detention facilities in a new Police Headquarters at New Rochelle, New York. In a letter of acknowledgment under date of December 8, 1960 the architect states:

"Thank you again for the most helpful suggestions offered at our recent meeting in your office. . . .

"Thank you again for your courtesy and interest—both are highly appreciated."

#### FROM FAR OFF NEW ZEALAND

Another example of long range service and help given through literature and personal conference is indicated in a letter received from Mr. J. L. Robson, Secretary for Justice for New Zealand. The General Secretary met Mr. Robson at the London Conference and later in New York City. The letter is set forth below.

"Thank you for your letter of 31 October enclosing the *American Journal of Correction* with the report on the 90th Congress of Correction. The *Journal* is certainly of interest and help to me.

"The package containing your Manual of Correctional Standards and other literature reached me safely. I have yet to study the material fully but will be doing so within the next two or three weeks. Just at the moment things are a little hectic as we are preparing for a National Election to be held tomorrow. Running the National Election is one of the functions of this Department.

"I enjoyed very much meeting you in London and later in New York and am grateful for the advice and information you gave. I hope that some time you get the chance to come this way."

#### INTERESTING COMMENT FROM SWITZERLAND

From a long time colleague and member of a prominent Swiss family, Dr. Hans Kellerhals, head of the Swiss prison system, the General Secretary received the following comment:

"I came back from London full of new impressions but I have learned more visiting institutions than following the Congress deliberations. The prison population is increasing and all the new arrivals are young fellows who do not take to work."

It should be noted that even in Switzerland they have their problems, particularly with the youth, some of whom are departing from the traditional industriousness of the Swiss. This applies to other European countries as well.

#### RESTRICTIONS IN NEW YORK STATE REGARDING EX-OFFENDERS

These restrictions relate to parolees or men released from prison regarding their employment. Some of these disabilities relate to the Election Law, Real Property Law, Alcoholic Beverage Control Law, General Business Law, Education Law.

The State Board of Parole has power to grant a certificate of good conduct to end disabilities in various instances but this power is not as freely exercised as some desire.

We were asked to join with others in stimulating some action for an improvement in the situation and the General Secretary indicated that we favored a review of the whole situation relating to existing laws and practices by the Parole Board.

The laws at the start had as their basic purpose the exclusion of ex-prisoners from areas of employment where it was felt that they were not justified to so engage or could not be regarded as trust-

worthy. Another point was that there should be a removal of any chance of contamination by their association with those who had not come into conflict with the law.

#### FAMILY SERVICE AND EMPLOYMENT AND RELIEF BUREAUS

These two Bureaus function daily with all the enthusiasm and means available in an effort to deal with the families of men in prison and the difficult problems that face men coming out of prison. As has been many times indicated before, aside from wise guidance and sympathetic understanding these situations revolving around families and men released from prison require money for food, lodging, clothing, medical needs, transportation and of course jobs. (For further comment and detail, see Pages 71 and 75.)

#### SPECIAL EFFORT FOR THE HOLIDAY SEASON

We expended \$1,428.70 to provide Christmas cheer for mothers and children. This was in the form of cash and toys.

During the first two days of the week of December 19th, forty men were released from Rikers Island Penitentiary and each received from the City of New York twenty-five cents (25¢). These men were referred to us by the New York City Parole Commission and each man was given not less than \$10.00 and some a little more.

The ridiculous amount given parolees on release by the City has been attacked by us on more than one occasion and brought directly to the attention of the Director of the Budget but without success thus far. In addition to our own efforts, there has been protest by Commissioner Kross and the chairman of the New York City Parole Commission.

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THE PRISON ASSOCIATION'S  
DIRECT SERVICE ACTIVITIES

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[09]

## EMPLOYMENT AND RELIEF BUREAU

### The Long Road Back

The return road from remorse, worn and not altogether too unfamiliar, in truth does nonetheless remain but an unyielding treadmill. Consider first the weary traveler in the person of the inmate in the penal institution. Even upon eventual release he finds himself still trapped by the striding shadow of an unforgettable misdeed with never a promised avenue of escape. And then yourself, more gloriously cast in the vital role of potential employer. Were you quite suddenly to find it within your province to reach right out and pluck him safely from his plight, would you? For by so doing you will have laid out before him a second road he must again travel, only not so unrelenting, perhaps, as the initial one, now that within you he has found the guiding spirit ever at his side prepared to steady him over the rough spots, right to his cherished goal, namely Rehabilitation.

Granting gainful employment to the released inmate is, in effect, lifting from his path the very first and foremost barrier. To those employers who are willing to give these men a new start in life, the Prison Association of New York, long dedicated to the good and welfare of parolees, discharged prisoners and those men in various institutions awaiting release, is deeply grateful. Save for the employer such as yourself, compassionate, earnestly eager to demonstrate great faith in his less fortunate brother, this Bureau's ever-growing burden of placement otherwise might attain frightening proportion. And to the employer who still hesitates, the Association hastens to assure him of the manifold blessings and further to extend a fervent plea on behalf of its clients.

As aforementioned, rehabilitation to the released prisoners represents a cherished goal at the end of a long hard road. While many manage to survive, an appalling number falter only to drop eventually in their tracks. The more fortunate traveler, safely arrived, shall then continue on his way towards re-establishing himself to his rightful status in society. He shall have learned once again the true evaluation of freedom and equality; his rights and privileges—all the precious assets he must never again dare risk. And above these, he must appreciate the worth of friendship and faith as accorded him by you, the employer, without whom nothing would have been possible. Need we further illustrate the vast importance of gainful employment?

For the past eighteen years the Employment and Relief Bureau has been under the able supervision of Mr. Harry Schwartz, who is credited with more than forty years' experience in the field of crime treatment and prevention in New York City. Mr. Schwartz'

activities include among others, personal contacts with employers, entailing countless visits throughout extensive and far-flung areas and fields of practice, comprised mainly of commercial houses, factories, mills, garages, laundries and stores. We confess rather proudly that even where no actual placement had materialized, our representative nonetheless was received with utmost respect and graciousness on the part of all visited.

The Bureau functions as more than an employment exchange. It is confronted daily with ever-recurring problems of financial stress, inadequacy of conventional clothing, lack of transportation to job locations, proper tools, union dues, fees, etc. After close investigation the required assistance is granted according to need, and in the case of such clients as those who through prolonged illness no longer can support themselves, the Bureau provides the necessary aid and guidance throughout the critical period of readjustment. Our program deals similarly with families and friends of clients, with proper referrals to any welfare agencies that might be better equipped to extend long-range and permanent financial assistance and support.

We wish to cite the following cases as illustrations of the varied appeals directed at us for assistance.

T. L.\*, an apartment building superintendent, upon finding himself in dire need and unable to meet required expenses for his wife and five children, appropriated \$170.00 rent money he had collected for his landlord. After having served his sentence he had been released and placed with a religious card manufacturing concern at a meagre salary. He soon found himself in arrears for gas bills amounting to \$45.00 as they use the gas for heating as well as cooking, and unless part payment was made immediately, the gas company threatened to shut it off. His request for a loan was granted.

M. N.\* had served 20 months at a New York Penitentiary for having bought stolen merchandise. Married, but separated from his wife, M. N.\* had become accustomed to the hard way of life, having lost both parents when he was about 4 years old and at present had further lost all his personal belongings in a fire. It was imperative that he be granted a loan for the purpose of replacing the tools essential to his radio repair work without which he was indeed handicapped. The Prison Association gave M. N.\* the necessary assistance.

R. L.\*, a first offender had been placed on probation for attempted robbery. He too, had known only the seamy side of life, having been abandoned by his father at an early age. At the time of his first contact with the Association, he had been accepted at a reputable institution for a drafting course for which he now needed tuition fee and carfare. He was given the requested amount and at the time of this writing had repaid half.

L. T.\* was referred to us by his parole officer. It was a sad mission indeed. The boy had lost his mother and did not possess appropriate clothing to attend her funeral. His work clothes comprised his entire wardrobe. The Prison Association provided funds for the necessary clothing which allowed the lad to attend his mother's funeral with respect and dignity.

We now would like to introduce several letters from clients whom we had helped when they needed it most and now wish to express their heartfelt gratitude either by word or deed.

"DEAR SIR:

I am thinking of you and my bill very much and I am coming to pay you for you were very nice to me but right at the time I haven't any money so I am asking for a little more time of you. I will see you very soon."

Yours very truly,  
C. D.\*

"DEAR MR. SCHWARTZ:

Now that I am employed on a steady job it will soon be possible for me to repay the twenty (\$20.00) dollars you were able to advance me during the last couple of weeks. Your help came at a time when I needed it the most and I shall not fail to show my thanks with speedy reimbursement, I shall see you before the end of the month."

Regards,  
L. Z.\*

"DEAR SIR:

I am sorry it has taken me as long as it has to send you the money you loaned me in my time of need. I am also sorry that I can send only part of said loan. Next week you can expect the other five (\$5.00) dollars. Your help is greatly appreciated and I sincerely thank you."

Respectfully yours,  
M. K. J.\*

"DEAR MR. SCHWARTZ:

Just a line to say hello, hoping you are enjoying good health, also to say again thank you for the many times you have been kind to me. I am working here in an Episcopal Church. I don't get much salary, but I have a room in the Parish House, and I have plenty of leisure time to obtain other part time employment, the Rector knows of my past life and has been very kind to me."

Sincere regards,  
C. T.\*

For just so long as we shall continue to gain such fruitful results as the above, we shall feel our combined efforts and exertions are not in vain and by the same token shall endeavor to put them forth for as long as they shall be needed.

\* All names and initials are fictitious.

## Statistics for Employment and Relief Bureau for 1960

Office interviews .....	2,248
Telephone consultations <sup>1</sup> .....	1,175
Different persons interviewed .....	2,055
Men released from New York City penal institutions .....	1,125
Men released from New York State penal institutions .....	750
Men released from out-of-state penal institutions .....	48
Men released on probation .....	66
Relatives of prisoners concerning employment .....	66
Meals provided .....	975
Night lodgings provided .....	4,641
Employment contacts made by personal visits (approx.) .....	500
Men placed in employment .....	535
Men given cash relief .....	1,119
Total amount spent solely for relief (includes cash, meals and lodgings) <sup>2</sup> .....	\$9,661.60

<sup>1</sup> Includes clients, parole and probation officers, agency and institution officials.

<sup>2</sup> Includes outlays in the sum of \$2,300 from the Grand Street Boys Fund.

## FAMILY SERVICE BUREAU

It is recognized that the families of men sent to correctional institutions often suffer as much as the offender, yet despite the multitude of family service agencies available in the city the size of New York, there are very few that work exclusively with families where the bread winner is incarcerated. While public assistance agencies carry the major burden of caring for the families financially, an agency such as The Prison Association of New York with its Family Service Bureau is equipped by long years of practice and experience to relate itself to the unusual family problems resulting from the father's commitment to a correctional institution.

In practically every case when the husband and father is removed from the family scene, a series of heavy blows are suffered. This reflects from mother and wife through to the smallest child. Neighborhood problems, school difficulties, housing situations and many other factors become major concerns to the family unit. The psychological effect on the children is even more difficult than if the father had died. They frequently have to be removed from the school and community as the other children having heard their own parents' remarks are very cruel and there is often newspaper publicity about the case. Many of the children in these families are so emotionally disturbed that they cannot eat, sleep or do their school work and have to have psychiatric treatment. It isn't even unusual for the children to have seen their father arrested from the home.

In all cases, the bureau does its best to offer sympathetic understanding and guidance. Coupled with this are its efforts to improve the economic level and health of the family. Preparations of the family for the eventual return of the father is an important part of the work.

A major portion of the Bureau's efforts during the summer months is the administration of its summer camp placement program. This year there were 56 mothers and children sent to camps and vacation homes and given the opportunity to escape from their tenement areas and the sweltering streets of the city. In several cases it was the first time that women in their upper forties had even had one day away from the slums in which they had been living all their lives. Children were heard to remark, "I wish that we could live like at camp all of the time." They were thrilled with their first direct contact with nature. They gained weight. Emotionally depressed children came home beaming and happy. They had only known and been in the midst of tragedies all their young lives. They appeared like mechanical toys that had been wound up and allowed to run on grass and jump in the streams and lakes. Their appetites improved in the breathing of clear clean

air. It was the first time that some of these children had seen a sunset or looked at the stars.

The children in the families related how they looked forward to returning to camp next year. One thing that was markedly current was that they also could tell their playmates and teachers at school that they had been to the country. The joy of a child who burst with pride because he had done what others have done should be very satisfying to those who have contributed towards the program of The Prison Association of New York.

The family visits to the Bureau and our visits to them serve to create a full understanding of the problems involved, and help to clarify the confused state of mind of the family.

In 1960 we had 141 families on an active case load basis. Our service has been instrumental in keeping these families together. Adjustments were made between prisoners and their wives so that the children would not have to continue living without fathers and wives being without husbands and men without families.

One of the major functions of the Family Service Bureau is to work towards keeping the families together after the prisoner returns to society. Each year many return to thank us for the psychological support we gave them when they did not know where to turn next.

The following are a few of the letters received from some of our clients:

"DEAR MRS. LOVEJOY:

I would like to thank the Prison Association for their generous assistance given me during my husband's absence. Now that he is home, we would both like to express our thanks and appreciation. I will always remember your kindness Mrs. Lovejoy and your understanding. Our short visits gave me the courage I needed to face that dark period. It was a pleasure to talk to you and to know you."

Yours very sincerely,  
C. R.\*

"DEAR MRS. LOVEJOY:

Just a few words of thanks for all the kindness and help you have shown towards the children and me in the past year. Without your help the children would not have been able to have good clothes and never would have gone to camp, etc. Thanks again and God bless you and the Association."

Sincerely yours,  
J. C.\*

\* All names and initials are fictitious.

"DEAR MRS. LOVEJOY:

I wish to express my gratitude for the help you have been giving me and my son. Mostly concerning my son, Billy, as he is a very disturbed child and needed the help of a psychiatrist. I tried to get that help from different organizations but it seemed there was a long waiting list. I then called the matter to your attention and with the help of you and your organization Billy now attends the Child Guidance Clinic at Kings County Hospital.

My visits to you every month mean a great deal to me as it helps me discuss my family problems. Once again I wish to thank you and the Prison Association for assisting me."

Sincerely,  
Mrs. M. S.\*

"DEAR MRS. LOVEJOY:

I want to take this opportunity to express my gratitude for all that you and your wonderful organization have done for me and my children.

To you especially Mrs. Lovejoy, for finding the time and having the patience to listen to all of my problems, and showing me a way in which I was able to see things in a different light. Giving money with which to buy the necessities and sending my family to camp, showing us once more that you people were concerned over our welfare. But most of all, talking to a kind, considerate and understanding person, and that person is you. You've never put me aside like an outcast like so many have done in the beginning. Because of all this, I want to say from the bottom of my heart, thank you. Although this is hardly enough and may God bless you always."

Respectfully,  
Mrs. G. F.\*

"DEAR MRS. LOVEJOY:

I am writing this letter to express my gratitude to you for all you have done to help my mother and daughter. I certainly appreciate the help that you have given to them during these years that I have been away. I hope that one day I will be able to repay the kindness.

It is very good of you to give such a nice Christmas gift to Joanne. I know that she will appreciate your gift and take good care of it, as she is a very good child and not inclined to be destructive. I am scheduled to appear before the Parole Board again on April 13, 1961 and so perhaps I will be home with her soon. I certainly will take good care of her when I do come home. I am very fortunate in having so little time left to finish my sentence—only fourteen months and twenty days and my sentence will expire. Well I will close this letter now thanking you once again for all you have done and wishing that you will have had a happy Christmas; and happiness throughout this coming New Year. I am,"

Very truly yours,  
J. R.\*

Again we wish to extend our deep appreciation and thanks to those who have contributed to the support of this program.

\* All names and initials are fictitious.

## Statistics for Family Service Bureau for 1960

Families in active category January 1, 1960 .....	68
New cases accepted .....	57
Cases reopened .....	16
	<hr/>
Total number of cases during year .....	141
Cases closed .....	64
	<hr/>
Families in active category December 31, 1960 .....	77
Total amount of financial assistance .....	\$12,828.39
Families provided with Christmas dinner and toys (total of 249 persons) .....	77
Children and mothers sent to summer camps .....	56
Families visited in the home .....	195
Office interviews .....	720
Agency visits .....	276

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THE PRISON ASSOCIATION'S  
LEGISLATIVE ACTIVITIES

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## LEGISLATIVE ACTIVITIES — 1960

The 1960 session of the Legislature was, from the Association's standpoint, an extremely constructive one. The percentage of enacted bills bearing Association approval was considerably higher than at the previous session—49% compared to 29%.

During the 1960 session the Association approved 73 bills and opposed 39, for a total of 112 in which we had an interest. The previous year the Association had approved 41 bills and opposed 51, a total of 92.

It is worthy of note that in 1960 the Association supported 75% more bills than in 1959 while opposing 25% fewer. This would seem to bespeak a greater awareness on the part of the legislators for more good legislation in the areas with which the Association is concerned.

The 1960 session of the Legislature passed and the Governor signed 36 of the 73 bills approved by the Association, or 49%. This contrasts with the previous year when only 12 of 41 Association-approved bills (29%) were enacted into law.

On the opposite side of the coin, *not one* of the 39 bills opposed by the Association in 1960 was enacted. In 1959, one of the 51 bills opposed by us became law.

So much for the statistics which, while impressive, shed no light on the specific nature of the legislation involved. Following is a review of some of the more important bills:

Seven Association-backed bills formed the nucleus of what Governor Rockefeller, in signing them, termed "a new and dynamic approach" in the state's fight against juvenile delinquency. One of the bills, creating a central probation service for all New York City courts with the exception of the general sessions and county courts, does not, of course, apply only to juveniles. It will, however, strengthen greatly the city's probation services to juveniles and adults alike. The other bills designed to curb delinquency and rehabilitate youth do the following: Permit juvenile courts to sentence 15-year-olds to reformatories for serious offenses; provide new rehabilitation centers such as camps and, for the first time, "opportunity centers" for youngsters on the borderline of delinquency; create a Youth Division in the Executive Department and transfer the functions of the State Youth Commission to the new division; authorize establishment of halfway houses by the Parole Division and the Social Welfare Department to aid paroled youth in the transition to a normal life and in finding jobs; increase work opportunities for youths 14 to 16 during school vacation periods; authorize New York City school officials to conduct continuation schools during the daytime rather than only at night as previously required.

In addition to the creation of the New York City central probation service, two other Association-approved major accomplishments were effected in the area of probation. The first of these was the inclusion in the supplemental appropriation bill of \$700,000 to aid the state's counties in improving probation services. The other was the doubling of the value of probation scholarships granted by the State Department of Correction from \$2,000 to \$4,000. The latter figure is much more realistic in the light of today's education costs and should result in more and better candidates for the scholarships.

In another important action supported by the Association, the Legislature passed a concurrent resolution to permit the establishment of a simplified state-wide court system. As this involves a Constitutional amendment (of Article Six), the resolution will come before the Legislature again in 1961 for further action and will then be submitted to the electorate.

Another Association-supported action was the enlargement of the State Parole Board from five to seven members. This represents a 40% increase in Parole Board strength. It should result in considerable improvement in the amount of time allotted to individual parole plea hearings, facilitate action on these pleas, and generally strengthen the board itself by providing more time for administrative functioning and responsibility.

Other bills initiated or supported by the Association in harmony with our recommendations to the 1960 Legislature were approved and related to such subjects as the payment of a reasonable fee for the maintenance of State parole violators in local institutions, similarly for the maintenance of misdemeanants in local institutions, and likewise for State prisoners in county penitentiaries. Pertaining to State Department of Correction personnel, the Association supported that department in its effort to clarify certain statutes and make for uniformity of policy in accord with the basic policy expressed in Correction Law Section 5 and 9. Further we gave support to the State Department of Correction's request that age limits be increased relating to youth rehabilitation camps.

Among the bills which the Association opposed successfully in 1960 was one which would have limited the taking of Civil Service examinations for the post of warden and other administrative positions to the ranks of uniformed personnel. It is the feeling of the Association that good administrators can also be found among the other correctional disciplines, and to limit these posts only to uniformed personnel is unfair, damaging to the morale of those not in uniform, and foolish to the extent that it shuts off a valuable source of potential administrators.

Another bill successfully opposed was one to amend the county law in relation to providing Civil Service status for county jail employees in counties outside New York City. We opposed this

bill, as we have done at previous sessions, because it is intended to give *carte blanche* in the application of Civil Service coverage to incumbents.

Other bills which the Association opposed as not in the public interest, and which failed of passage, were one providing for the removal of a youthful offender's fingerprints from the records upon proof of three years' good conduct after discharge, and one requiring a hearing on a breach of probation or parole before the criminal court having jurisdiction in the county where the breach took place, before recommitment or return to jail.

A bill to require the State Commissioner of Correction to segregate, under the guise of classification, first offenders from prisoners of other classifications was successfully opposed by the Association as being unscientific in its approach.

The perennial bill to prohibit brushmaking in our correctional institutions again came before the Legislature and again was opposed successfully by the Association. This bill has been making a regular annual appearance for more than ten years.

As pointed out at the start of this review, the 1960 session of the Legislature was, from the Association's point of view, one of the lawmakers' better efforts. It is fervently hoped that this is a harbinger of things to come at future sessions.

How did the Association go about the job of presenting its viewpoint on legislation with which we were concerned? Again this session, the Association received from a paid legislative service copies of all bills embracing our field of interest. These bills were then studied after which support or opposition was registered with individual members of the Legislature, and with the chairmen of the various committees. This was supplemented by the seeking, where required, of support in the direction of approval or opposition from other bodies and from branches of the State government. Finally, when bills were passed and sent to the Governor, we continued with written approval or protest. It has been our experience that this is a hopeful time for vital action.

## APPENDIX A

### Report on the Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders\*

The First United Nations Congress on the Prevention of Crime and the Treatment of Offenders took place in Geneva in 1955. The Second Congress was held in London in 1960, from August 8 through 19. In 1955 some fifty countries were represented. The recent one in London had delegates from eighty-four nations, including Russia for the first time.

The thousand or more participants were listed in three categories: governmental delegates, non-governmental delegates, individual participants; or as stated in the Rules of Procedure:

- (a) Representatives of the Governments invited to the Congress;
- (b) Representatives of the specialized agencies of the United Nations, of inter-governmental organizations and of non-governmental organizations in consultative status with the Economic and Social Council, interested in, or concerned with, social defense matters.
- (c) Individual participants having a direct interest in the prevention of crime and the treatment of offenders, including members of the teaching staffs of universities and other institutions, of criminological institutes, and of national non-governmental organizations concerned with social defense matters; members of the judiciary, of the legal profession and of the medical and allied professions; staff members of correctional establishments and institutions for juvenile delinquents; police officials; social workers and the like.

The historical background of these international meetings is interesting. Dr. Enoch C. Wines, an American clergyman and teacher, organized the National Prison Association in 1870. This became the American Prison Association, and later the present American Correctional Association. Dr. Wines was instrumental in bringing about the first international meeting—a Congress in London in 1872. Out of this grew the International Prison and Penitentiary Commission. From that time on this group has held meetings every five years except for the war periods. Mr. Edward R. Cass, who very kindly furnished the background data, attended his first international meeting in London in 1925, and has been present at every one since then. In 1950 the last Congress under the auspices of the Inter-

\* Report submitted to the 90th Annual Congress of Correction, Denver, Colorado, September 1960 by Miss Edna Mahan, Superintendent, New Jersey Reformatory for Women and an outstanding woman penologist in the United States for over 30 years.

national Prison and Penitentiary Commission was held in The Hague. Beginning in 1955, the Congress was taken over by the United Nations, the first one being held in Geneva. In 1960 the host country was the United Kingdom. In 1965 the Third United Nations Congress will be held in Stockholm.

For Americans, and especially for New Jerseyans, it is interesting to remember that Mrs. Stevens Alexander Wittpenn, a founder of the New Jersey Reformatory for Women and a member of the State Board of Control of Institutions and Agencies for many years, represented the United States at one of the early meetings. The Honorable Sanford Bates was President of the International Prison and Penitentiary Commission when the Congress met in The Hague in 1950.

In accordance with the Rules of Procedure the organization of the Congress consists of a President and five Vice-Presidents to be elected from among the representatives of governments; an Honorary President and five Honorary Vice-Presidents and a Steering Committee composed of the President, the representative of the Secretary-General, the General Rapporteur of the Congress, the Executive Secretary of the Congress, the Chairman of the Sections and the members of the 1960 *ad hoc* Advisory Committee of Experts convened.

The Steering Committee is the governing body of the Congress. It has the authority to decide the admissibility of any question submitted for consideration to the Congress which does not appear to be closely related to the items on the agenda of the Congress. Only the President, the Representatives of the Secretary-General or the Chairman of the Sections may submit any such question to the Steering Committee for decision.

The Steering Committee meets each day before the Congress begins its daily business.

All decisions of the Steering Committee are made by a majority of the members present and voting.

For the purpose of dealing with the items on its agenda, the Congress for the 1960 session was divided into three Sections:

Section I: New forms of juvenile delinquency; their origin, prevention and treatment.  
Special police services for the prevention of juvenile delinquency.

Section II: Prevention of types of criminality resulting from social changes and accompanying economic development in less developed countries.  
Short term imprisonment.

Section III: Pre-release treatment and after-care, as well as assistance to dependents of prisoners.

The integration of prison labor in the national economy, including the remuneration of prisoners.

The agenda called for nine meetings each of Sections I and II and eight for Section III. Actually there were ten meetings of Section I, seven and eight of the two parts of Section II and seven of Section III. The Congress was scheduled to meet until noon on August 20 but the business was concluded and it adjourned at 5 p. m. on Friday, August 19.

In the Plenary meetings voting is confined to government delegations, each of which has one vote. The vote of each delegation is cast by the head of the delegation. The vote is taken by a show of hands unless there is a request for a roll call vote. All decisions are made by a majority of the government delegations present and voting. Votes taken on a proposal or on a substantive amendment are by request of the President taken by a show of hands for consultative purposes, expressing the views of specialized agencies, inter-governmental and non-governmental organizations and of individual participants. The result of this show of hands is recorded in the report of the Congress.

Simultaneous interpretation into English, French, Spanish and Russian is provided. No speech on the first occasion exceeds ten minutes. Subsequent "interventions" by the same speaker may not exceed five minutes.

All sessions took place at Church House, Westminster, in the Assembly Hall and Hoare Memorial Hall. Church House, an attractive building of the Westminster Abbey group, was reconstructed after the last war. The Assembly Hall where all Plenary sessions and Section I met is a circular room with this inscription near the ceiling:

"From Christ they inherit a home of un fading splendour where they rejoice with gladness evermore. Holy is the true light and passing wonderful, lending radiance to them that endured in the heat of the conflict."

During the first session on Monday, August 8, the opening address was given by the Lord Chancellor, The Rt. Hon. Viscount Kilmuir, G.C.V.O. The *London Times* of August 9, in summarizing the meeting well and accurately, noted in part:

"More than a million child offenders will be tried by United States courts in 1965 if present delinquency rates continue. Thefts and sex offences by Swedish juveniles have been six times as high as by adults in recent years. In France offences against public morals increased by 60 per cent among children

under 13 between 1952 and 1957. Juvenile delinquency the world over is on the increase—among the teddy boys of Britain, the Halbstärke of West Germany, the blousons noirs of France, the 'bodgies' and 'widges' of Australia and New Zealand."

The article went on to say that "such disturbing statistics and facts are being analyzed, debated and quoted" by "experts in criminal psychology representing 84 countries and territories. . . ."

"Means of reversing or even checking the world-wide multiplication of crime were discussed by Lord Kilmuir, the Lord Chancellor, at yesterday's opening session. He foresaw the need for a completely new approach to crime, punishment and the police. 'It may well be,' he said, 'that in the light of the greater knowledge we shall hope to acquire we should set ourselves to a fundamental re-examination of our whole philosophy of the nature of crime and of legal punishment and try to reach a coherent criminal policy embracing alike the criminal law, the agencies for enforcing the law, the judiciary, and the methods of treatment.'"

Lord Kilmuir said further:

"Our object is not only to keep young offenders out of prison, but to provide methods of dealing with those in need of fairly long-term training which will enable the Prison Commissioners to adjust the nature and length of the training to the needs of the individual. . . ."

"Lord Kilmuir conceded the 'plain and sombre fact' that in spite of the need for evaluating the increasing knowledge of criminal problems crime was still growing alarmingly. The most disturbing aspect was the disproportionate increase of crime among young people—a dark place in the social history of our time. It was the more disquieting that, in Britain at least, this came at a time of unexampled prosperity, negligible unemployment and highly-developed educational and social welfare services. 'I am led to wonder whether a high rate of crime is not a function of industrial urbanization and the mass-production society,' he said. 'It may be that this very multiplication of material goods, by multiplying material wants in a society where the individual sense of social responsibility tends increasingly to diminish, is itself a prime factor.'"

Second in order of business was an address by Professor Manuel Lopez-Rey, Representative of the Secretary-General of the United Nations, who thought that improvement of material living conditions and welfare policies alone could not stop the present rise in crime and delinquency, new forms of which would inevitably

appear as the result of cultural, technical, economic and social changes.

Sir Charles Cunningham, Permanent Under-Secretary of State, Home Office, was elected President of the Congress. In his address he stressed the view that measures for prevention and treatment of crime depend ultimately on an informed and sympathetic consensus of opinion. "We must somehow alert public opinion to the facts of delinquency and to the obligations of the community to accept and to set the standards of conduct which will discourage it. . . . We must re-assert the social condemnation of delinquency which may be its most effective deterrent."

Unfortunately Sir Lionel Fox, President of the Prison Commission of the United Kingdom and President of the British Organization Committee for the Congress, was unable to be present at the opening session due to illness. The Congress elected him Honorary President.

The five Vice-Presidents elected were: Professor Radzinowicz, Director of the Criminology Institute at Cambridge University; James V. Bennett, of the United States Bureau of Prisons; Mr. L. M. Smirnov, Deputy Chairman of the Supreme Court of the USSR; Mr. Nicola Reale of Italy; and Mr. Kling of Sweden.

Honorary Vice-Presidents elected represented Norway, El Salvador, the United Arab Republic and Japan.

The members of the Steering Committee *ad hoc* Advisory Committee included representatives from Ceylon, Yugoslavia, Switzerland, Ethiopia, Argentina, the United Kingdom, and Professor Paul Tappan of the United States.

Professor Manuel Lopez-Rey, Chief, Section of Social Defense, and Edward Galway, Deputy, represented the Secretary-General of the United Nations.

Mr. A. W. Peterson, Deputy Chairman of the Prison Commission for England and Wales, headed the British delegation. Official representatives of the United States were Alexander Aldrich, New York; Mrs. John W. Ballantine, New Jersey; Sanford Bates, New Jersey; James V. Bennett, Washington, D. C.; Edward R. Cass, New York; Mrs. Allan Dulles; Sheldon Glueck, Massachusetts; Philip Green, Children's Bureau, Washington, D. C.; Judge Irving Kaufman, New York; James J. Kearney, Washington, D. C.; Peter Lejins, Maryland; Frank Loveland, Washington, D. C.; Judge John W. Mellvaine, Pennsylvania; Walter Reckless, Ohio; Thornton Sellin, Pennsylvania; Paul Tappan, New York; and Maurice Wolkomir, Milwaukee.

Every session was well attended. One was impressed by the superior quality, the culture, the dignity and the serious-mindedness of the representatives of other countries. Those who spoke in English (not only the United Kingdom participants) did so effectively

and beautifully. The Russian delegates were active in each Section. Mr. Smirnov, the head, contributed many observations to Section I. On one occasion the *London Times* reported:

"He told delegates . . . about Russia's voluntary teams for the maintenance of social order which patrolled public places to try to prevent youngsters from going astray. . . . A patrol which had met a drunken youth took a photograph of him and the next day showed it to him. 'That had a better effect than dragging him to a police station,' Mr. Smirnov added. The youth had not repeated his behaviour. The brigades tried to point out what had gone wrong with the culprit and talked to his family and teachers. . . . He recognized there would be no need in Russia for important budget resources, a network of institutions and trained staff if there was no real problem."

The two weeks of faithful attendance at the formal sessions were relieved and enlivened by a number of occasions when participants had an opportunity to associate informally with those of other nations.

On the evening of the opening day Her Majesty's Government held a reception for all official delegates at Lancaster House. This famous building, begun in 1825 as a dwelling for Frederick, Duke of York, the second son of George III, is comparatively plain outside, but the interior is a brilliant re-creation of the decorative art of France in the reign of Louis XV. Disraeli described it as "not unworthy of Vincenza" and Greville likened the Hall to one of Veronese's pictures. Later this house was presented to the nation for the dual purpose of housing the London Museum and providing the center for government hospitality.

The Magistrates' Association of London held a reception at the English Speaking Union for official delegates on Wednesday evening, August 10.

On Saturday, August 13, the delegates were taken by train and bus to a garden party at Trinity College, Cambridge, where the President of the College and his wife, with Professor Radzinowicz and his wife, received.

On Sunday, August 14, the British Organizing Committee arranged Services of Thanksgiving at the Church of St. Martin-in-the-Fields, to which all participants of the Congress were invited. This church stands at the northeast corner of Trafalgar Square on the site of two earlier churches, the first of which is known to have existed in 1222. The foundation stone of the present building was laid in 1721. James Gibbs, a pupil of Sir Christopher Wren, was the appointed architect and the church was consecrated in 1726. One of the churchwardens was King George I. The interior has an elliptical ceiling of Italian workmanship, but is otherwise

severely classical. During the First World War the church was kept open for men returning from France who had nowhere to shelter, and thereafter until 1945 the crypt was kept open for homeless and stranded people. During the Second World War the crypt and the vaults under the churchyard, which for one hundred years had been used as a burial ground, were used as air raid shelters.

On Monday night, August 15, the American delegation gave a reception to all official delegates at the Embassy.

Wednesday, August 17, was set aside for visits to institutions. Participants who registered for one of 18 trips were taken to the institutions of their choice by bus. The institutions represented approved schools, remand homes, borstals, detention centers, prisons for both men and women, including Wormwood Scrubs and Holloway; an open prison for young men, a closed training prison for men, an open prison for 72 women, a special prison for recalled preventive detention and corrective training men prisoners.

The "Ladies' Programme" for that day included a visit to the headquarters of the Women's Voluntary Services, a fashion parade, a visit to Elizabeth Arden Ltd., Marshall and Snelgrove, one of London's best known stores, and a tour of the London depot of United Dairies Ltd.

Some of the other events included the United Kingdom Government's dinner for heads of delegations and other senior officials at the Cumberland Hotel; the London County Council dinner; the meeting and dinner of the Council of International Penal and Penitentiary Foundation.

At the closing session, after the formal business of reviewing and voting on conclusions and recommendations for each Section, the Minister of Justice of Sweden read a Resolution inviting the Congress to Stockholm in 1965.

There followed a number of expressions of appreciation from representatives of various countries including the Philippines, Morocco, Mexico, Lebanon, USSR, Italy and the United States. Mr. Smirnov, who received quite an ovation, said these sessions convinced him that "we were one single whole." He regretted that Red China, North Korea, North Vietnam and several other countries were not present. He looked forward to renewing "our friendly contacts in five years."

To everyone's delight Sir Lionel Fox was able to be present at the closing session. The participants gave him a thunderous standing ovation. He, with Sir Charles Cunningham and Professor Lopez-Rey, graciously acknowledged the expressions of appreciation extended to the United Nations and to the United Kingdom which acted as host to the Congress.

The conclusions and recommendations of the Congress covering

the three Sections as finally approved at Plenary sessions held on the last day, August 19, had already been abstracted and digested, making it practically impossible to condense them further. Therefore the full reports are appended to this paper.

There is also appended (Plenary 7) a Resolution inspired by Mr. James V. Bennett and endorsed by the delegations of Australia, Ghana, Israel, Japan, Switzerland, United Arab Republic, United States of America, Yugoslavia and several others.

Six lectures were delivered during the period of the Congress. The list follows:

Professor Jerzy Sawicki—(Poland), Professor of Penal Law, University of Warsaw. "Characteristics and Objectives of Contemporary Penal Practice and Policy in Poland."

M. Severin-Carlos Versele—(Belgium), Juge au Tribunal de premiere instance de Bruxelles. "Politique criminelle et de linquance juvenile."

Mr. James V. Bennett—(U.S.A.), Director, Federal Bureau of Prisons, U. S. Department of Justice. "Individualization of the Sentence."

Professor L. Radzinowicz—(U.K.), Wolfson Professor of Criminology, Director of the Institute of Criminology, University of Cambridge. "Criminological and Penological Research."

Mr. Juhei Takeuchi—(Japan), Director, Criminal Affairs Bureau, Ministry of Justice. "Japanese Legislation and Policies in the Prevention of Crime and the Treatment of Offenders."

Professor Manuel Lopez-Rey—(United Nations), Chief, Section of Social Defense. "United Nations activities in the Prevention of Crime and the Treatment of Offenders."

The Report of the Congress, prepared by the General Rapporteur, the Rapporteurs of the Sections and the Secretariat of the United Nations, will be distributed to all Governments which were invited to the Congress and to all participants in the Congress.

What becomes of these conclusions and recommendations regarding the prevention of crime and the treatment of offenders will depend upon the determination and the will of the peoples of all nations to go into action. In Sir Charles Cunningham's words: "This is a world-wide concern for a world-wide problem and we are all in it together."

## SECTION I

### SECOND UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

#### Special Police Departments for the Prevention of Juvenile Delinquency

#### CONCLUSIONS

##### *The Congress:*

I. *Considers* that the police, in pursuance of their general duty to prevent crime, should pay particular attention to the prevention of new forms of juvenile delinquency. They should not, however, go so far as to assume specialized functions more appropriately within the field of work of social, educational and other services.

II. *Considers* that the preventive action undertaken by the police in the field of juvenile delinquency should remain subordinate to the observance of human rights.

III. *Considers* that, allowing for variations in national requirements, the report submitted by the International Criminal Police Organization under the title "Special police departments for the prevention of juvenile delinquency," represents a sound basis for the organization and setting up of special police departments where they are considered advisable for the prevention of juvenile delinquency.

IV. *Makes* certain reservations, however, with regard to the finger-printing of young offenders, as also to the advisability of the setting up by the police of a system of good citizenship prizes or bad marks.

V. *Attaches* great importance to the broadest co-operation over measures to prevent juvenile delinquency between the police, the various national specialized agencies and the general public.

#### New Forms of Juvenile Delinquency: Their Origin, Prevention and Treatment

#### CONCLUSIONS AND RECOMMENDATIONS

Juvenile delinquency cannot be considered independently of the social structure of the State. It retains its fundamental characteristics in many countries either as a resurgence of its traditional manifestations or in the appearance of "new" forms. It should be noted that its recorded increase is partly due to the fact that

today a large number of cases are recognized because of a better organization of prevention and treatment, and moreover to the fact that certain countries include in delinquency a series of minor acts of indiscipline or social maladjustment. The new manifestations of juvenile delinquency—the importance of which has often been greatly exaggerated—take such characteristic forms as gang activities, purposeless offences, acts of vandalism, joy-riding and the like which can be viewed from the point of view of public order without necessarily being an indication of serious anti-social behaviour.

Accordingly, the following conclusions are adopted:

##### *The Congress:*

1. *Considers* that the scope of the problem of juvenile delinquency should not be unnecessarily inflated. Without attempting to formulate a standard definition of what should be considered to be juvenile delinquency in each country, it recommends (a) that the meaning of the term *juvenile delinquency* should be restricted as far as possible to violations of the criminal law, and (b) that even for protection, specific offenses which would penalise small irregularities or maladjusted behavior of minors, but for which adults would not be prosecuted, should not be created.
2. *Noting* that on the basis of published statistical material it appears that some forms of juvenile delinquency have emerged and increased most rapidly and seriously in certain countries, notwithstanding the great efforts made in those countries to prevent such delinquency; and desiring to ascertain whether such apparent increases are real and, if so, what the reasons may be; and *in order to facilitate a better formulation and implementation of policies and programmes for the prevention of juvenile delinquency and the treatment of offenders; recommends* that this question be the object of a study which should be incorporated in the United Nations programme of work in social defence, and be undertaken with the co-operation of the Specialized Agencies and Non-Governmental Organizations directly interested in the problem.
3. *Considers* that the problem of recidivism among juveniles cannot be met merely by stricter enforcement, and in particular, by longer periods of detention. Diversified methods of prevention and treatment are required, and special attention should be devoted to the preparations for release and for the social readaptation of minors placed in correctional institutions. To that end, it is important and necessary to organize post-institutional assistance.

4. *Concludes* that the emergence of "new" forms of juvenile delinquency requires continuing study and the more intensive application of experimental as well as conventional forms of prevention and treatment.

Accordingly:

- (a) *Considers* that in dealing with the problem of group delinquency, including gang activities, the efforts of official or semi-official agencies and of civic and social groups should be enlisted to help direct the energies of the young into constructive channels. Such institutions as community centres, juvenile and young adult hostels, and the like, and such other means as leisure time activities, sports, cultural activities, family holiday programmes etc., should be more widely employed;
- (b) *Considers* that it is desirable not to concentrate special attention on particular types of delinquency or of delinquents, but also to provide more intensive studies of the personality and social history of young offenders;
- (c) *Finds* that some differences exist in the measures that can be taken to prevent and treat juvenile delinquency in different countries according to their social, economic and political organizations, but *considers* that the problem is largely one of education through the school and the family using the term "education" to include both the acquisition of knowledge and the formation of character. Where there is a lack of adequate parental guidance or control, and of the child's self-discipline, there is need for an invigorated education both at the adult and at the juvenile level. Such an education should be designed to bridge the gap between the generations by increasing the understanding and sympathy between them, and to extend the sense of moral and social responsibility.
- (d) *Considers* that certain kinds of films, publicity, comic books, sensational news on crime and delinquency, low types of literature and television and radio programmes and the like, are considered in some countries as one of the contributing factors to juvenile delinquency. Therefore, in accordance with their own political, social and cultural systems and conceptions, each country may take reasonable steps in order to prevent or reduce the effect of what is considered as an abuse of mass media and as a contributing element in the causation of juvenile delinquency, and in order to stimulate the production of edu-

- cative and constructive films and literature which will develop the moral and civic traditions of each country.
- (e) *Recommends* that more adequate facilities for vocational guidance and training should be established and that provision should be made for working facilities and the constructive occupation of the young when they are no longer in school.
- (f) *Recommends* that every effort should be made to increase the co-operation between public and private social agencies, and between professional and voluntary agencies in their efforts to prevent and treat juvenile delinquency. Community co-ordinating councils, area projects, juvenile bureaus, youth commissions and the like, may contribute greatly to such co-operation.



## SECTION II

SECOND UNITED NATIONS CONGRESS ON THE  
PREVENTION OF CRIME AND THE  
TREATMENT OF OFFENDERSPrevention of Types of Criminality Resulting from Social Changes  
and Accompanying Economic Development in Less  
Developed Countries

## CONCLUSIONS AND RECOMMENDATIONS

1. Criminality is not necessarily a consequence of social changes accompanying economic development in less developed countries. Social changes and economic development are both welcome, and under proper circumstances, may even contribute to a decrease in criminality. The term "less developed countries" refers only to a state of economic development.

2. The question of the types of criminality connected with social changes and accompanying economic development in less developed countries is one to which inadequate attention has been given and on which insufficient reliable data is available. Therefore conclusions and recommendations on this topic are tentative and subject to verification based on sound research.

3. Criminality which may be related to social changes accompanying economic development in less developed countries may not be new in the sense of forms of behaviour not previously otherwise observable. Attention should therefore be focussed on the increases in criminality in general in relation to social change and not limited to concern with special types of criminality.

4. Cultural instability, the weakening of primary social controls and the exposure to conflicting social standards, which have a relationship to criminality, are intensified when social change is disorderly, when the degree of social change is high and when the gap between the breakdown of old social institutions and the creation of new institutions is great.

5. Social change is subject to a certain degree of control and should be a matter for national planning.

6. Migration, and especially internal migration, which is to be found associated with social changes accompanying economic development in less developed countries has sometimes been erroneously assumed to be a cause of criminality. It is not migration, *per se*, that is conducive to criminality, but perhaps the cultural instability, the weakening of primary social controls and the exposure to conflicting standards of behaviour associated with migra-

tion that are to be identified with crime causation. This same conclusion is to be applied to urbanization and to industrialization.

7. The unfavorable results which may accompany rapid migration to urban centres may be ameliorated by providing to the rural areas the social and economic advantage in search of which the rural inhabitant leaves the land for the city.

8. In connexion with rural-urban migration, one essential element in maintaining the social integrity of the individual is the preparedness of the migrant for this experience and the preparedness of the urban community to receive him. In both instances, community development, now occupying a major role in national economic and social policy in many countries, has an important role to play. Indeed, urban community development may prove a principal instrument for the prevention of criminality resulting from social changes and accompanying economic development in less developed countries. Urban preparedness also involves providing reception and orientation services (including temporary shelter), town planning including housing, educational and vocational opportunities for the new population and family and child welfare services.

9. Programmes for the prevention of criminality should be closely co-ordinated, if possible by an agency organized for this purpose, and constituted by persons highly qualified in this field. It is recommended that this agency operate as an integral part of a coordinated scheme for national social and economic planning since, as stressed in United Nations social surveys, there is an urgent need to eliminate compartmentalization of thought and to integrate social and economic objectives in countries undergoing rapid development.

10. In considering the question of criminality and social change, emphasis is generally laid upon the urban centre. This may be warranted, but it would be advisable to assess the impact of social change on rural areas as well, since this may uncover the roots of crime which later manifests itself in the urban setting.

11. The penal code must be in harmony with and reflect social change. Individualization of justice must be envisaged so as to allow rational adjudication and treatment which take into consideration both the social order and the special circumstances of the individual.

12. Research is urgently required to assess the many factors of social change which have the potentiality to contribute to criminality and research is equally urgently required to evaluate measures

of prevention. To this end, there must be a marked increase in the adequacy of statistical techniques and procedures, to which national attention should be called and international assistance sought. As an adjunct to statistical methods of research, reliance should be placed on case studies, field observations by teams of qualified experts and pilot projects. The United Nations should be asked to assume primary responsibility for carrying out this research in the regional institutes for the prevention of crime and the treatment of offenders organized with its co-operation, and/or by undertaking pilot studies with the co-operation of Governments, the specialized agencies of the United Nations, appropriate non-governmental organizations, and other competent resources. The scope of the research should vary in order to provide proper attention to factors which may be world-wide, regional or local in character.

#### Short-term Imprisonment

##### CONCLUSIONS AND RECOMMENDATIONS

1. The Congress recognizes that in many cases short-term imprisonment may be harmful in that it may expose the offender to contamination, and that it allows little or no opportunity for constructive training and would, therefore, regard its wide application as undesirable. The Congress recognizes, however, that in some cases the ends of justice may require the imposition of a short sentence of imprisonment.

2. In view of this fundamental situation, the Congress realises that the total abolition of short-term imprisonment is not feasible in practice, and that a realistic solution of this problem can be achieved only by a reduction of the frequency of its use in those cases where it is inappropriate, and particularly where the offense is trivial or technical or imprisonment is used in default of payment of a fine without consideration of the offender's means.

3. This gradual reduction must be brought about primarily by the increased use of substitutes for short-term imprisonment, such as suspended sentences, probation, fines, extra-mural labour, and other measures that do not involve the deprivation of liberty.

4. In the cases where short-term imprisonment is the only suitable disposition of the offender, sentences should be served in proper institutions with provision for segregation from long-term prisoners, and treatment should be as constructive and as individualized as possible during the period of the detention. Wherever practicable, preference should be given to open institutions as places where sentences are served.

5. The Congress recommends that:

- (a) The governments of member nations should, as soon as practicable, ensure the enactment of legislative measures necessary to carry the foregoing recommendations into effect;
- (b) Scientifically organized research be undertaken with a view to establishing means whereby it may be determined for what persons and in what circumstances short-term imprisonment is unsuited, and whereby satisfactory classification, training, and rehabilitative programmes may be devised;
- (c) Suitable programmes be formulated and put into effect for the instruction and training of correctional personnel concerned with short-term imprisonment;
- (d) Methods be devised and put into effect whereby
  - (i) Sentencing tribunals may be encouraged to use alternatives to short-term imprisonment; and
  - (ii) the general public may be informed and persuaded of the soundness of the views herein expressed.

### SECTION III

## SECOND UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

### The Integration of Prison Labour with the National Economy, Including the Remuneration of Prisoners

#### CONCLUSIONS AND RECOMMENDATIONS

The Congress,

*Having noted* the conclusions on prison labour adopted at the 1955 Congress;

*Having noted* also that the majority of these conclusions have not, to all intents and purposes, been applied in practice;

*Reaffirms* the general principles contained in these conclusions;

*Takes note* of the proposals made in the Secretariat's report and also of the analysis of the existing position as set out in the General Report,

*Declares that:*

1. The problem cannot be solved unless account is taken of present differences in the economic and social structure of the various countries.
2. The assimilation of prison labour to free labour is based on the principle that in the majority of cases the prisoner is a worker deprived of his liberty.
3. Prison labour, the moral and social value of which cannot be denied, must be regarded in the same light as the normal and regular activities of a free man. It forms an integral part of prison treatment. Moreover, it must also be integrated in the general organization of labour in the country. It must be suited to the natural capacities, character and, if possible, preferences of the individual, to help in preparing him for normal life. In the case of certain categories of prisoners suffering from physical or mental handicaps, work should be regarded from a therapeutic aspect (ergo-therapeutics).
4. When the law allows of an earlier release, the way in which prison labour is performed by the prisoner must be one of the factors taken into consideration or may even bring about an automatic reduction of his sentence.
5. Methods of prison work should resemble as closely as possible those of work outside, going as far as complete assimilation or inte-

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gration. To this end it would be highly desirable to set up in each country a joint coordinating committee consisting of representatives of the authorities and of the bodies concerned with production problems including representatives of industry, of agriculture, and of the workers.

6. In countries where labour planning exists, prison labour must be integrated into the plan. Systems of co-operative management of prison labour existing in certain countries should form the subject of a more extensive study.

7. It is essential, for the implementation of these recommendations, that the public should be better informed on the nature and aims of prison labour.

8. *Specific questions regarding integration can be considered from the vocational training, prison labour and remuneration angles:*

#### (a) Vocational Training

- (i) Vocational training, as also the education needed to acquire it, are indispensable factors in setting certain prisoners to work and must be based on the same programmes and lead to the same diplomas as those awarded in educational and vocational training centres in the outside world. Steps must even be taken to make attendance at such centres outside the institution possible in certain cases.
- (ii) As regards adult prisoners who are forced by circumstances to change their trade or occupation, it would be advisable in particular to adopt accelerated vocational training methods, applicable especially to prisoners serving fairly short sentences.

#### (b) Prison Labour

- (i) It is the duty of the State to ensure the full employment of able-bodied prisoners, first and foremost by encouraging public authorities to place orders.
- (ii) Prison labour must be performed in conditions similar to those of free labour, in particular with respect to equipment, hours of work and protection against accidents. The social security measures in force in the country concerned must be applied to the fullest extent possible.
- (iii) The system of individual placement in semi-liberty or week-end detention would help to bring about this type of work. The open prison system is already a forward step in this direction.

- (iv) Work performed within the prison system, whether organized by the Administration, by private employers or even with the participation of the prisoners, must necessarily include different types of employment corresponding to the movement of the labour market. However the work is organized, prisoners must in every case be under the sole control of the Prison Administration. The number of prisoners assigned to domestic work for which no qualifications are required must be reduced to the essential minimum.
- (v) To achieve the above objectives, the United Nations Secretariat is invited to organize the exchange of information and, if necessary, technical assistance on methods of organizing and financing prison labour in the different countries.
- (c) *Remuneration*
- (i) The principle of remuneration for prison labour was affirmed in Rule 76 of the *Standard Minimum Rules for the Treatment of Prisoners*.
- (ii) The payment of token remuneration to prisoners doing productive work is incompatible with current theories on prison treatment.
- (iii) The establishment of a minimum wage would already be a step forward.
- (iv) The final aim should be the payment of normal remuneration equivalent to that of a free worker, provided output is the same both in quantity and quality. For this purpose, prison work must be organized in an economic and rational way.
- (v) From now onwards such remuneration must be demanded from private employers for whom prisoners work.
- (vi) Such a system of remuneration must be applied to all prisoners doing productive work, including those employed in domestic work whose remuneration should be regarded as a charge on the regular budget of the Prison Administration.
- (vii) The payment of normal remuneration does not mean that the total remuneration is paid to the prisoner; deductions can be made by the Administration to cover part of the cost of maintenance, the indemnification of the victim, the support of the family and the constitution of a savings fund against his release, and any taxes to which he may be subject. These deductions

should not, however, prevent the prisoner from retaining a portion of his wages for his personal use.

#### Pre-Release Treatment and After-Care, as Well as Assistance to Dependents of Prisoners

##### CONCLUSIONS AND RECOMMENDATIONS

1. Pre-release treatment is an integral of the process of justice and of the general training and treatment programme given to a prisoner in an institution. While general treatment programmes during any part of an institutional term should prepare the offender for return to life in freedom, certain ends can only be achieved during the last part of his imprisonment so that pre-release treatment should be applied especially to persons serving longer terms in an institution, but should not exclude those serving short terms.

2. In programmes of pre-release treatment, attention should be given to the specified problems inherent in the transition from institutional life to life in the community. Pre-release treatment should include:

- a) special information and guidance and discussion on the practical and personal aspects of the offender's future life;
- b) group methods;
- c) provision for greater freedom inside the institution;
- d) transfer from a closed to an open institution;
- e) leave for reasonable purposes and for varying periods; and
- f) permission for offenders to work outside the institution.

As far as practicable, they should be permitted to work under the same conditions as free labour. If they are not housed in an extra-mural hostel, they should be housed separately from the main prison population in a special unit.

3. Special pre-release measures should take into consideration the social and economic conditions peculiar to each country, special attention being paid to the needs of the released offender in respect of education, apprenticeship, employment, accommodation and re-settlement in the community.

4. It is desirable to apply the principle of release before the expiration of the sentence, subject to conditions, to the widest possible extent, as a practical solution of both the social and the administrative problem created by imprisonment. The authority releasing the prisoner should be specialized and decisions about the prisoner should be taken, preferably after a personal interview with him, but in any case, on the basis of exhaustive information about him.

5. In deciding a prisoner's conditional release, the releasing authority should have some discretion, within the framework of the law of each individual country, regarding the time at which he becomes eligible for release. There should also be room for some flexibility regarding the condition of proof of employment, required in some countries before the prisoner is released. It is also desirable that flexibility should be applied in the case of the violation of conditions so that mandatory revocation could be replaced by substitute measures such as warnings; the prolongation or change in methods of supervision; and placement in after-care hostels.

6. The principles under which offenders are excluded from certain occupations should be re-examined. The State should set an example to employers by *not refusing, in general, to give certain types of employment to released prisoners.*

7. The purpose of after-care is to bring about the reintegration of the offender into the life of the free community, and to give him moral and material aid. Provision should be made in the first instance for his practical needs such as clothing, lodging, travel, maintenance and documents. Special attention should be given to his emotional needs and to assistance in the obtaining of employment.

8. Since after-care is part of the rehabilitative process, it should be made available to all persons released from prison. It is the primary responsibility of the State, as part of the rehabilitative process, to ensure the organization of appropriate after-care services.

9. In the organization of after-care services, the co-operation of private agencies, staffed either by voluntary or by full-time experienced and trained social workers, should be sought. The necessity for a working partnership between official and non-official agencies should be emphasized. The importance of the role of the voluntary after-care worker is fully recognized. Private after-care organizations should be provided with all necessary information to assist them in their work, as well as reasonable access to the prisoner.

10. Successful rehabilitation can only be achieved with the co-operation of the public. The education of public opinion on the necessity for such co-operation should, therefore, be fostered by the use of all information media and means should be sought to obtain the co-operation of the whole community in the rehabilitative process, especially that of government, the trade unions and the employers. It would also be desirable that the press refrain from focussing attention on the released prisoner.

11. Research projects on various aspects of after-care and on attitudes of the public towards the released offender should be

encouraged and assisted. The results of such research and finding of the various disciplines should be given the widest possible dissemination, particularly to judges and others having power to determine the character and length of sentences or commitments.

12. Special attention should be given to the provision of appropriate after-care for handicapped and abnormal offenders, alcoholics and drug addicts.

13. The dependents of prisoners should not be made to suffer by reason of the offender's imprisonment. State assistance should be made available to them as in the case of other needy persons and such aid should be given promptly, particularly to children.

14. The establishment and maintenance of satisfactory relations with the members of his family and with persons who may be of help to him should be supported. The advisability of permitting conjugal visits for prisoners should be carefully studied.

15. Reasonable facilities, and in suitable cases financial assistance, should be provided for visits by members of the prisoner's family.

SECOND UNITED NATIONS CONGRESS ON THE  
PREVENTION OF CRIME AND THE  
TREATMENT OF OFFENDERS

Resolution Submitted by the Delegations of Australia, Ghana,  
Israel, Japan, Switzerland, United Arab Republic, United  
States of America and Yugoslavia

WHEREAS, The Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders has once again demonstrated the immense importance of the problems of crime and juvenile delinquency to the participating countries and territories;

WHEREAS, The continued grave concern with these problems on the part of the countries and territories represented and their ever broadening earnest participation once again has been made apparent;

WHEREAS, The importance of communication, the sharing of experiences and discussion and study in an effort to alleviate these problems have been again convincingly brought forth;

The Congress resolves to urge the United Nations:

1. That there be no lessening of support, leadership and programme in the area of social defence, but that on the contrary there should be distinct strengthening of the facilities available to all countries and territories;
2. That in accordance with the Economic and Social Council resolution No. 731 F (XXVIII) the reorganization of the section of social defence and the division of responsibilities between the United Nations Headquarters and the European Office should be such as to ensure that there is no reduction in the effectiveness of the overall programme and leadership and that the direction and co-ordination of the social defence programme continue at Headquarters; further, it is suggested that the situation be reviewed in twelve months with the co-operation of those international organizations directly interested in the prevention of crime and the treatment of offenders.

APPENDIX B

REFLECTIONS AND IMPRESSIONS DURING LONDON CONGRESS\*

I am very happy to accept your invitation to say a few words with reference to the recent London meeting of the Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and following Miss Mahan's excellent and informative paper describing what went on at this meeting to sum up a few general impressions. I think Mr. E. R. Cass, a Past President and the General Secretary of this organization, and myself were the only two American delegates attending the meeting this month who had been present in London 35 years ago when the International Penal and Penitentiary Congress, the forerunner of this international organization, held its meeting.

Apart from the excellence of the program and the discussions the most significant thing about this 1960 meeting was to note the changes that had taken place in 35 years—changes in the structure of prisons, the management thereof, and in the basic philosophy under which prisons are governed. In 1925 there was no such thing as an open prison camp in England. On Wednesday, August 16th, we visited a large minimum security organization which was one of many now in existence. The discipline in the English prisons was extremely severe in 1925 and today classification, productive prison labor, open institutions, and trained personnel are routine.

We visited another traditional English prison which had become a training center for the more hopeful type of English convicts. Since 1925 the idea of "penal servitude" has been abolished, and preventive detention has assumed a different significance. Rehabilitation as a principle of prison management has replaced punishment.

The changes in England have also been noted in many countries. The Standard Minimum Rules for the Treatment of prisoners promulgated years ago by the League of Nations have become a set of principles which have in effect established a Bill of Rights for the prisoners throughout the world, have now been adopted by and put in effect by the authority and power of the United Nations.

Accompanying these changes one is conscious of the fact at the sessions of the international conferences that there are many new nations being born. Nations which have achieved the status of an

\* Submitted by Sanford Bates delegate from the United States and an outstanding penologist for over 40 years. Former Director of Federal Bureau of Prisons; President, American Correctional Association; Commissioner, Department of Institutions and Agencies, New Jersey; Order of Orange-Nassau by Dutch Government for outstanding work in the treatment and prevention of crime and many other honors and awards.

independent government within the last five to ten years, and who are conscientiously striving to accomplish in a few short years the understanding as to the real meaning of penology which some of the older countries have developed after many decades.

We here in the United States have written and published a manual of correctional standards, a straightforward and simple declaration of the importance of our correctional policies and are about to approve a revision of the splendid declaration of principles by which we have been inspired these 90 years. This set of standards may well be serving as a model for many of the newer countries.

It is nothing short of a miracle to realize that 84 nations of all types, races, and heritages can be brought together for the discussion of problems which in many instances are common to them all. Several things have contributed to this miracle of understanding:

1. The world is a lot smaller than it used to be travelwise. Mr. Cass, Miss Mahan and I left New York by airplane and in 6 hours and 13 minutes we were on English soil.
2. One can now sit in the conference room and by a turn of the switch hear the discussion going on in any of four languages he chooses. It is amazing what these remarkably clever transistors were able to do in achieving an almost complete understanding of what was being said. Thirty-five years ago this was impossible and many a conference broke down for want of ability to understand the various languages.
3. The extremely bright and able representatives of the smaller and newer nations, almost all of whom had a fine knowledge of the English language, indicated to me the value of the policy of exchange students among the various countries.

It seemed to me that the two topics in which I was the most interested, namely the problems of prison labor and the subject of pre-release treatment and after care of prisoners, were extremely well treated although, of course, there were temporary misunderstandings due to the varying interpretation of certain words.

For example, in the prison labor debate it was unanimously agreed that prison labor was to be regarded as a treatment process and not punishment, and that only if men were taught the means of self support or at least habituated to steady work was there any chance of their succeeding after release. But in many countries where the industrial civilization had not proceeded as far as ours there was difficulty in understanding what the American meant by the phrase "state use prison labor"; and the bearing it had upon the practice of convict employment.

The word "integration" to many meant integrating of the problem of prison labor into the general prison problem. It took some

argument on our part to convince them that with us the word integration meant solving the prison labor problem in a manner that was not unfair to free labor outside of prison.

The American delegation followed up the impression made by Ed Cass at Geneva in 1955 and succeeded in getting a resolution which recognized state use as the primary market for prison made products.

The need for a coordinating committee composed of representatives of labor, management and agriculture was advanced and when this resolution finally came through it represented very much what the progressive state use country could regard as an excellent prison labor program.

Likewise in the other question of pre-release treatment and after care of prisoners I was struck with the excellence and timeliness of the principles agreed to by all of the delegates. Of course there were some misunderstandings here. The draft stated that the state should furnish transportation for the discharged prisoner. This brought a quick reply from some of the small nations who had been subjected to wholesale and unwarranted transportation. After a good natured laugh at the mistake the word was changed to travel and a ticklish moment had passed.

A member from one of the small nations of Africa which had been in existence only a few years reminded the delegates that it was not enough to provide food and clothing for the discharged prisoner, and on his suggestion the words "special attention should be given to his emotional needs" were added to the text.

As one who has attended nine of these foreign conferences I was considerably amazed at the spread of the idea of rehabilitation among many of these countries that we so glibly refer to as underdeveloped. As a matter of fact, the enthusiasm for the prisoner and his rights threatened occasionally to outweigh the importance of devising a prison system which fundamentally would aid in the prevention of crime and the protection of the public from recidivism.

Examples of this enthusiasm were apparent in the prison labor debate and there were repeated statements about equal pay for equal work and it took some practical recital of the difficulties both in and out of prison to insure against a literal adoption of this principle.

All in all these meetings to me were tremendous demonstrations in international understanding. When more than 80 nations from all parts of the globe and with tremendous differences in characteristics and traditions could discuss amicably some of the most troublesome questions confronting democratic civilization today, the manner in which with good temper and intelligence truly re-

markable changes in philosophy as indicated in the resolutions adopted can be achieved is almost incredible.

I have been asked the question, did this international congress do any good? Well, if it is good for men of all shades of opinion to get together and discuss the basic principles on how to train their erring citizens, then I say yes.

If it is good for men, through a common language and whether black, white, brown, or yellow in complexion, to understand what each other is saying, then I say yes.

If it is good for men from all over the world to have discussions and differences and compromises mixed with a sense of common responsibility and understanding and in good humor to adopt common ideals to be carried into operation by the United Nations, then I say yes.

May I close with just one thought. We have stood more or less firmly for certain principles of penal administration; occasionally doubts have assailed us as to whether we can continue to stand by these principles resolutely and intelligently. If that has been a challenge to us in the past, it is much more a challenge to us from now on where most of the countries of the world have adopted as their basic principle the idea that rehabilitation is a substitute for punishment. We must more than ever maintain our own adherence to the principles of 1870.

Will these international meetings do any good? It will if we in the United States continue, by resolute and intelligent devotion to these principles, set the example for those in other countries who are being impressed by them.

## APPENDIX C

### DECLARATION OF PRINCIPLES\*

of the

AMERICAN CORRECTIONAL ASSOCIATION

as adopted by the

American Congress of Correction

1960

#### PREAMBLE

The American Congress of Correction, to reaffirm the basic ideals and aspirations of its membership, to encourage a more enlightened criminal justice in our society, to promote improved practices in the treatment of adult and juvenile offenders, and to rededicate its membership to the high purposes stated by its founding leaders in 1870, does adopt this revised Declaration of Principles.

*Principle I.* The prevention and control of crime and delinquency are urgent challenges to the social sciences. The growing body of scientific knowledge, coupled with the practical wisdom and skill of those professionally engaged in society's struggle with the problem of criminality, provide the soundest basis for effective action.

*Principle II.* The forces for the prevention and control of crime and delinquency ultimately must find their strength from the constructive qualities of the society itself. The properly functioning basic institutions—such as the family, the school and the church, as well as the economic and political institutions—and a society united in the pursuit of worthwhile goals are the best guarantees against crime and delinquency. The willingness of the society to maintain a rationally organized and properly financed system of corrections, directed toward the reclamation of criminals and juvenile delinquents, is a prerequisite of effective control.

*Principle III.* Both punishment and correction are at present our methods of preventing and controlling crime and delinquency. Further improvement and expansion of the correctional methods should be the generally accepted goal, fully in line with the spirit of the penal reform of the past century and our current correctional progress.

*Principle IV.* Traditionally, violators of the criminal law have been differentiated into those who are mentally sick and should

\* The members of the American Correctional Association express their deep appreciation for the long and arduous months of unselfish and competent labor spent by Dr. Peter P. Lejins, Chairman, Richard A. McGee and Dr. Benjamin Frank, the Committee on the Revision of the Declaration of Principles, which resulted in such a clear and enlightened statement of the Association's purpose and ideals.



be handled as such and those who are considered criminally responsible. The best legal and psychiatric knowledge should be employed to define this distinction.

*Principle V.* Until the guilt of the suspected offender has been established in the course of due process of law, he should be considered innocent and his rights as a free citizen should be respected, except for such restraints as are indispensable to insure the proper investigation and trial.

*Principle VI.* If, as a result of a miscarriage of justice, an individual has been made to suffer, he should receive reasonable indemnification.

*Principle VII.* The correctional facilities, comprising both institutional and non-institutional treatment—probation and parole—should be planned and organized as an integrated system under a central authority responsible for guiding, controlling, unifying and vitalizing the whole.

*Principle VIII.* The variety of treatment programs corresponding to the different needs of the offenders suggests a diversification of correctional institutions resulting in a system of specialized institutions so classified and coordinated and so organized in staff and program as to meet the needs of those offenders who present specific problems. The spirit of continued experimentation with new types of institutions and agencies which show promise of more effective results should be encouraged and supported.

*Principle IX.* Repeated short sentences imposed for recurring misdemeanors or petty offenses, are ineffective, both as means of correction and as a punitive deterrent. These sentences often are a contributing factor in the career of the petty recidivist. An integrated system of control by means of special institutional facilities and community supervision is essential for the solution of this problem. Further research and experimentation with agencies and institutions of other than the conventional type offer the greatest promise.

*Principle X.* The architecture and construction of penal and correctional institutions should be functionally related to the programs to be carried on in them. The great variety of existing programs, to be further diversified in the future, indicates the need for a similar variety and flexibility of architectural design and type of construction. The building standards and technological advances of the day should be reflected in these institutions. The current scepticism about inordinately large institutions suggests the desirability of institutions of moderate size, which may be more costly to build and operate, but which lend themselves better

to the fulfillment of the objectives of a good correctional institutional program.

*Principle XI.* The organization and administration of correctional institutions and agencies is one of the more complex areas of public administration and deals with one of the most involved of social problems. It is essential that the administration of the correctional agencies meet the highest standards of public administration and that all employees be selected in accordance with the best available criteria and serve on the basis of merit and tenure systems.

*Principle XII.* The special and complex problems characteristic of criminal and delinquent behavior imply the need for suitable personality traits and specialized skills on the part of the personnel and hence the need for special professional education and training of a high standard, including pre-service and continued in-service training.

*Principle XIII.* Correctional institutions and agencies can best achieve their goal of rehabilitation by focusing their attention and resources on the complete study and evaluation of the individual offender and by following a program of individual treatment.

*Principle XIV.* The sentence or disposition determining the treatment for the offender should be based on a full consideration of the social and personality factors of the particular individual.

In the many jurisdictions these investigations may be made at different levels, so long as the essential information is available to the court or treatment authority at the time crucial case decisions are to be made.

*Principle XV.* A punitive sentence should properly be commensurate with the seriousness of the offense and the guilt of the offender. Inequality of such sentences for the same or similar crimes is always experienced as an injustice both by the offender and society. On the other hand, the length of the correctional treatment given the offender for purposes of rehabilitation depends on the circumstances and characteristics of the particular offender and may have no relationship to the seriousness of the crime committed. In a correctionally oriented system of crime control, the indeterminate sentence administered by qualified personnel offers the best solution.

*Principle XVI.* The principles of humanity and human dignity to which we subscribe, as well as the purposes of rehabilitation require that the offenders, while under the jurisdiction of the law enforcement and correctional agencies, be accorded the generally accepted standards of decent living and decent human relations.

Their food, clothing and shelter should not be allowed to fall

below the generally accepted standards, and they should be afforded the conventional conveniences made possible by our technological progress. Their health needs—both physical and mental—should be met in accordance with the best medical standards. Recreation should be recognized as a wholesome element of normal life.

*Principle XVII.* Religion represents a rich resource in the moral and spiritual regeneration of mankind. Especially trained chaplains, religious instruction and counseling, together with adequate facilities for group worship of the inmate's own choice, are essential elements in the program of a correctional institution.

*Principle XVIII.* Rewards for conformance to the highest values of our culture should be given precedence over fear of punishment in guiding the development of human character in correctional systems as well as in society at large. Enlightened self-interest must be emphasized and made operative at all times.

*Principle XIX.* No law, procedure or system of correction should deprive any offender of the hope and the possibility of his ultimate return to full, responsible membership in society.

*Principle XX.* Moral forces, organized persuasion and scientific treatment should be relied upon in the control and management of offenders, with as little dependence upon physical force as possible.

*Principle XXI.* The task of evaluating the individual offender and developing the most appropriate treatment program must draw upon all the available knowledge and professional skill represented by sociology, psychology, psychiatry, social case work and related disciplines. Specialists and technicians from these fields must be welded into a diagnostic and treatment team by competent administrators, so that the disciplines they represent may become the core of the correctional treatment program.

*Principle XXII.* To assure the eventual restoration of the offender as an economically self-sustaining member of the community, the correctional program must make available to each inmate every opportunity to raise his educational level, improve his vocational competence and skills, and add to his information meaningful knowledge about the world and the society in which he must live.

*Principle XXIII.* To hold employable offenders in correctional institutions without the opportunity to engage in productive work is to violate one of the essential objectives of rehabilitation. Without in any way exploiting the labor of involuntary confinees for financial gain, or unduly interfering with free enterprise, it is not only possible but imperative that all governmental jurisdictions give full cooperation to the establishment of productive work pro-

grams with a view to imparting acceptable work skills, habits, attitudes and work discipline.

*Principle XXIV.* Some of the criminal law violators who are found by the courts to be criminally responsible, but who are abnormal from the point of view of the modern disciplines of psychiatry and psychology, are in need of psychotherapy. Diagnostic and treatment facilities for such mentally abnormal offenders should be further developed at the appropriate stages of the correctional process.

Psychiatric and psychological services should be provided for the pre-sentence investigations of the courts; out-patient clinics for the use of the non-institutional treatment agencies—probation and parole; and psychiatric and psychological services within the penal and correctional institutions, even to the extent of developing special institutions for this type of offender.

*Principle XXV.* Recent research in the community aspects of the institutional populations suggests the importance of the group approach to the problem of correctional treatment. There is a need for more attention to the implications of this new method as well as the need to support and promote experiments and demonstration projects.

*Principle XXVI.* The exercise of executive clemency in the pardon of criminals is a question of great delicacy and difficulty. The use of this power should be limited largely to cases of wrongful conviction, or of excessive sentences constituting injustice, or, in rare instances, where extreme hardship is involved and executive dispensation is warranted. The practice of releasing large numbers of prisoners by executive clemency is generally condemned. The use of executive clemency or pardon to restore civil rights to a fully rehabilitated person who has established a record of responsible living for a period of years is, on the other hand, to be commended.

*Principle XXVII.* Suitable employment for a discharged or paroled offender is one of the major factors in his rehabilitation and the regaining of his lost position in society. The most forceful efforts and comprehensive methods should be exercised to secure such work. An understanding, favorable attitude and the participation of organized labor and management should be actively sought.

*Principle XXVIII.* Probation has come to be accepted as the most efficient and economical method of treatment for a great number of offenders. To enhance the achievement of the full potentialities of probation, mandatory exceptions to the use of probation with respect to specific crimes or to types of offenders should be eliminated from the statutes.

Current research indicates great possibilities for developing specific types and degrees of probationary supervision adapted to the needs of the individual offender.

*Principle XXIX.* With a few possible exceptions, all offenders released from correctional institutions should be granted the earliest date consistent with public safety and the needs of rehabilitation. Decisions pertaining to an individual's parole should be made by a professionally competent board. The type and degree of supervision should be adapted to the needs of the individual offender.

*Principle XXX.* The collection and publication of criminal statistics designed to provide information on the extent and nature of criminality and juvenile delinquency and on the various phases of the correctional process is indispensable for the understanding of crime and for the planning and evaluation of correctional and preventive measures.

Such statistics are necessary and should be developed on the national, state and local levels and should consist of statistics of the offenses known to the police, arrest statistics, judicial statistics, probation, institutional and parole statistics as well as criminal career records.

*Principle XXXI.* Research and the scientific study of the problems of juvenile delinquency and criminality and of the methods of dealing with these are essential prerequisites for progress. Through its educational, research and governmental institutions society should sponsor, finance and carry out both basic and applied research in this area. The law enforcement and correctional institutions and agencies should lend their support, take initiative and themselves engage in appropriate research as an indispensable part of their effort to improve their performance.

*Principle XXXII.* In a democracy the success of any public agency, including that of correctional institutions and agencies, depends in the final analysis on popular support. An adequate financial base, emphasis on the adequacy of personnel and, in general, insistence on an alert and progressive administration in corrections is the responsibility of the public and a function of its enlightened concern with crime and delinquency problems.

*Principle XXXIII.* The correctional process has as its aim the re-incorporation of the offender into society as a normal citizen. In the course of non-institutional treatment the offender continues as a member of the conventional community. In the course of his institutional stay constructive community contacts should be encouraged. The success of the correctional process in all its stages can be greatly enhanced by energetic, resourceful and organized citizen participation.

**FINANCIAL STATEMENT**  
**THE PRISON ASSOCIATION OF NEW YORK**  
**GENERAL FUND**  
**STATEMENT OF INCOME AND EXPENSES**  
**YEAR ENDED DECEMBER 31, 1960**

**INCOME**

Donations—Special purposes		
The Greater New York Fund.....	\$2,871 00	
Grand Street Boys Fund.....	1,087 23	
Other Funds.....	2,837 00	
Total.....	6,795 23	
Donations—unrestricted.....	33,766 57	\$40,561 80
Endowment Income		
Dividends on stock.....		37,606 22
Total Income.....		\$78,168 02

**EXPENSES**

General administration.....	\$24,816 53	
Relief—prisoners and families (cash, food, clothing, etc.).....	22,560 99	
Relief—administration.....	6,763 00	
Employment—administration.....	6,044 00	
Appeal—administration.....	6,453 60	
Travel expenses.....	389 70	
Printing and stationery.....	1,496 14	
Postage.....	472 98	
Telephone and telegraph.....	313 84	
Auditing, legal, legislative services.....	655 00	
Periodicals, custodial fees and miscellaneous.....	3,761 17	
House maintenance.....	4,926 31	
U. S. old age benefits tax.....	1,019 21	
Total Expenses.....		80,072 47
Excess of Expenses over Income.....		\$1,904 45

**AUDITOR'S OPINION**

We have audited the books, accounts, minutes and other records of The Prison Association of New York for the year ended December 31, 1960. In our opinion the statement of income and expenses shown above presents fairly the results of the operation for that year.

WESTER, HORNE & ELSDON,  
*Certified Public Accountants*

New York, N. Y.  
 April 26, 1961

## CONSTITUTION AND BY-LAWS

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

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

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

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

### ARTICLE FIRST

The objects of the association shall be:

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

### ARTICLE SECOND

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

be officers of the society, and not more than twenty-five shall be persons other than officers.

#### ARTICLE THIRD

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

#### ARTICLE FOURTH

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

#### ARTICLE FIFTH

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

#### ARTICLE SIXTH

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

#### ARTICLE SEVENTH

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

#### ARTICLE EIGHTH

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

#### ARTICLE NINTH

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

#### ARTICLE TENTH

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

#### ARTICLE ELEVENTH

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

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

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

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

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations, relative to the management and disposition of the estate, and concerns of said association and the management, government, instruction, discipline, and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expendi-

tures of said executive committee and generally all such facts and particulars as may exhibit the operations of the said association.

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

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

#### BY-LAWS\*

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

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

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

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

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

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

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

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

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

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

VI. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep

the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all meetings of the committee.

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

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

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

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

It shall be the duty of the committee on detentions to inquire as far as may be practicable or necessary into the causes of commitment of persons held in institutions of the Department of Correction of the City of New York, and, when deemed desirable, to adopt available measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto. It shall further be the duty of the committee, when arrangements are made therefor, to extend its work to jails, penitentiaries, reformatories and prisons outside of the City of New York and within the State of New York.

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

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

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

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

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

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

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

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

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

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

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

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

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

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