

STATE OF NEW YORK

THE ONE HUNDRED AND SEVENTH
ANNUAL REPORT

OF THE

Prison Association of New York

135 East 15th Street, New York

1951



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PREFACE

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 seventh of the series.

Paragraph 6 of Article XI of the act incorporating the Prison Association of New York provides that "the said executive committee" (of the Prison Association), "by such committees as they shall from time to time appoint, shall have power, and it shall be their duty to visit, inspect and examine all the prisons of the State, and annually report to the Legislature their state and condition and all such other things in regard to them as may enable the Legislature to perfect their government and discipline."

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

IN MEMORIAM

SAM A. LEWISOHN

As a financier, philanthropist, patron of music and art, penologist, author and humanitarian, Sam A. Lewisohn, son of a distinguished father, carved out many careers during an active life. Continuing the interest of his father, Adolph, in the field of correction embracing probation, reformatories, prisons, parole and crime prevention, Mr. Lewisohn helped substantially to make the family name synonymous with progressive achievement. His intense interest and the zealously of his labors reflected a determination to have something more than his name identified with an official post or a particular project. He joined with his father in combating the lease and contract prison labor systems, resulting finally in 1929 in the passage by Congress of the Hawes-Cooper bill. This keystone legislation eliminated the practice of exploiting the labor of prisoners for private gain. This alone is a monumental achievement in which both father and son gave liberally of their means, time, and labor towards fulfillment.

As a member of the Board of Managers of the New York City Reformatory, Mr. Lewisohn had his initial experience with the important subject of parole. In 1927 Governor Alfred E. Smith named him a member of the State Commission of Correction and he served, with distinction, for many years. Called upon by Governor Franklin D. Roosevelt in 1930 to propose a remedy for the inadequate and scandalous parole situation in our State, he was well prepared to lead his colleagues on the committee that brought forth a plan resulting in the present well organized and administered parole system in this State.

Following the riots at Clinton and Auburn Prisons in 1929, the Legislature authorized the appointment of the Commission to Investigate Prison Administration and Construction, generally referred to as the "Lewisohn Commission". Mr. Lewisohn served as chairman and during the three years of the Commission's existence there resulted marked progress in the renovation of old prisons, and the construction of a new institution at Wallkill denoting many departures from the conventional type. The establishment of a Division of Education within the Department of Correction, and the broad re-direction of the prison program from emphasis mainly on the punitive to that of rehabilitation also resulted from the Commission's effort. It is agreed that this Commission made a marked turning point toward progress. He likewise was interested in probation and in attempts to give guid-

ance to youthful offenders in their readjustment in the community. He joined wholeheartedly with his colleagues on the Executive Committee of The Prison Association of New York in support of the Central Harlem Street Clubs Project.

He impressed President Roosevelt with the desirability of holding a National Conference on Parole. Held at the National Capitol in April 1939, the Conference was participated in by outstanding jurists and civic and correctional leaders. There resulted the writing of the Declaration of the Principles of Parole which will serve as a world-wide guide for years to come.

During his sixty-six years, regardless of heavy responsibilities in business, Mr. Lewisohn found time to think and to act in behalf of his fellowmen, not only in the fields of labor and management but also for those who had fallen by the wayside and whom he characterized as "misguided adventurers". He was a realist and never permitted himself to be swayed by sentimental trends, keeping the public welfare foremost in mind.

In 1945 Mr. Lewisohn had the distinction of being the first businessman to be elected President of the American Prison Association. His untimely passing deprives his friends and colleagues in the correctional field, together with those who are in prison, of one whose interests and labors can not be replaced.

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THE PRISON ASSOCIATION OF NEW YORK

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**ONE HUNDRED AND SEVENTH ANNUAL REPORT OF THE
PRISON ASSOCIATION OF NEW YORK**

HON. FRANK C. MOORE,

Lieutenant Governor of New York:

SIR.—In accordance with Chapter 163 of the Laws of 1846, we have the honor to present the One Hundred and Seventh 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 EDWIN O. HOLTER, *President*

E. R. CASS, *General Secretary*

THE NEW YORK TIMES

Saturday, July 14, 1951

PRISON ASSOCIATION

It is a pleasure to say, in commenting on the annual report of the Prison Association of New York, 135 East Fifteenth Street, that in 1950 this valuable agency continued relentlessly its quest for more effective crime prevention, study and treatment. For more than a century the association not only has been a keen observer but also has been a quick translator of thought into action in the checking of crime.

Faithfully this group has sought to bring institutional practices into harmony with humane treatment and understanding of prisoners. It has pioneered in the introduction of such reforms into the state's penal system as probation, the indeterminate sentence, parole and the reformatory idea for young offenders. Never content with leaving prison conditions as they are, the association has worked unceasingly for progress in all phases of the correctional processes.

While conceding that in our society "the day will never come when there will be no more crime," the association feels that crime can be considerably reduced through preventive work, through enlightenment and through the more efficient functioning of those governmental agencies that deal with crime. We share the agency's belief and its hope.

February 4, 1952

To the Honorable Members of the Senate and Assembly:

In accordance with Chapter 163 of the Laws of 1846, we have the honor to present the following recommendations to the Legislature as a part of the 107th Annual Report of The Prison Association of New York, and urge that they receive your serious consideration.

Respectfully submitted,

THE PRISON ASSOCIATION OF NEW YORK

E. O. HOLTER, *President*

E. R. CASS, *General Secretary*

ON BEHALF OF IMPLEMENTATION

One of the many words to gain new meaning during the war years was "implementation". The many military directives originating in headquarters around the world used a wide variety of derivations of "to implement". Another well-worn word was "activate". In either case, and narrowing the matter down to the local correctional scene, we see a clearly defined need to apply both words to the wealth of data contained in surveys, studies and reports available for consideration.

Rather than call for an extensive survey of the correctional process in New York State we urge, instead, serious evaluation of the many findings already at hand. In few words we say that if the results of the surveys made to date, beginning with the Commission to Investigate Prison Administration and Construction, known popularly as the Lewisohn Commission and appointed in 1930, and coming down through the findings of the Governor's Committee of One Hundred for Children and Youth, could be coordinated and utilized to their fullest advantage, New York's correctional system would be the most outstanding in the nation.

We do not lack surveys and findings—but we do lack their adequate implementation.

Each of the numerous surveys have found their place in our correctional thinking, but we have lagged far behind their activation. Months and frequently years of effort have gone into each of the studies and in some cases much of value has resulted. Still more of value lies dormant within their covers.

Instances could be recounted where survey findings have been put into practice over the years, only to fall by the wayside from an administrative point of view because of meagre budgetary sup-

port. The depression days of the 1930's witnessed incidents of this nature. The dropping of professional personnel and the abandonment of the Central Guard School are but two instances of sound recommendations vanishing in the fog of pennywise economy of the day.

Insofar as the institutional care of offenders is concerned one of the most inclusive documents to date is the report of the Governor's Committee on One Hundred for Children and Youth (entitled "The Four Million") which pointed up New York's needs in connection with the 1950 Mid-Century White House Conference for Children and Youth. It should be noted that the Prison Association was active both in membership on the Governor's committee and sub-committee chairmanships of groups studying various aspects of treatment of the adolescent offender.

Another noteworthy study conducted under private auspices was that entitled "Youth Within Walls" published by the Community Service Society of New York, and authored by Bertram Beck. This report was basically a detailed analysis of the Reception Center, Cossackie and the Elmira Reformatory, and calling for the creation of a "Youth Division" within the Department of Correction.

Other studies have been completed or are pending. One now in process by the State Youth Commission, and requested by the Governor in his 1951 message to the Legislature, is giving particular attention to both laws and institutional procedures affecting the adolescent offender. Recently the district attorney of New York County devoted attention to the results of the Youthful Offender Law and made recommendations regarding correctional facilities.

In addition, the many annual reports of The Prison Association of New York have contained recommendations and suggestions for a more effective correctional system generally, including court reorganization and other measures over and above institutional procedures. It should be voiced at this point that we are hopeful of considerable progress on the part of the new commissioner of correction, Edward J. Donovan. His background includes over a quarter of a century in the field of correction, including probation and parole. His knowledge, insight and experience coupled with the various suggestions and recommendations included in the many studies and surveys referred to above, together with his understanding of what is needed in the way of progress, should be the basis for worthwhile achievement. It is recognized of course, that despite his desire to move forward the commissioner of correction cannot succeed altogether without financial and other assistance relating to personnel and facilities. It is beyond the reach of one man's best efforts and desires, and it is dependent in large measure on legislative and public support.

One of the pressing needs within the State's correctional structure as brought out by some of the surveys, as well as by observers qualified to comment, is that of continuing research. As matters stand now the State spends nearly twenty-five million dollars a year for the operation of its correctional department but not one penny is diverted to sound research. The establishment of a division of research within the department should be given serious consideration, as will be discussed later.

As we have indicated in years past, New York State is not in need of additional physical facilities for the housing of offenders. Neither is the State in need, basically, of extensive legislation in the field. On the contrary, the State is in need of legislative support of the implementation of findings of sound studies conducted within the past few years. Likewise, legislative support should be given to the administrative authorization of progressive steps leading to the more positive rehabilitation of offenders.

The Association again offers its assistance and expresses publicly its confidence in the leadership of the new corrections commissioner. The task ahead is far from an easy one, but the interest and co-operation of the private agencies in the correctional field may be counted upon to the fullest degree.

Included in the following Recommendations are many submitted by the Association in comparatively recent years. We continue to feel that their activation is required in the best interests of correctional progress in this State. While some of our Recommendations have not always met with fulfillment many have, nevertheless, in time, brought about favorable results. In this connection it is worthwhile to note the summary of accomplishments in our 100th annual report for the year 1944 and subsequent reports.

I. UTILIZATION OF MAN-POWER AND FACILITIES OF STATE CORRECTIONAL INSTITUTIONS FOR MOBILIZATION NEEDS

We again urge full legislative support to the mobilization of prison man-power and facilities in the best interests of the current defense effort.

Comment:

Beginning as far back as 1940, the Association urged that the facilities and man-power of New York's prisons be geared to the defense effort. All during World War II prisoners in this State and elsewhere contributed their labors in a highly commendable manner to the protection of the home front. Unfortunately, it is again time to call for preparedness. In 1951 we urged legislative support to the approval of the use of prison labor in the direction

of defense. We call attention to a detailed set of recommendations contained in our Recommendation I on this subject, in our 1950 annual report.* These recommendations called for preparations necessary to put the correctional department on a war footing if and when necessary; legislative reordering with appropriate defense officials of the availability and readiness of the prisoners of this State to contribute their labor to the mobilization program; an inventory of man-power and facilities; an easing of limitations placed upon prison labor insofar as they may relate to the production of war goods; and finally, that the legislature observe with a critical eye any attempts to curtail existing prison industries. We urge renewed emphasis on these recommendations in 1952.

II. COORDINATED CORRECTIONAL PROGRAM

The Association urges for the sixth consecutive year that legislative support be given to developments leading toward a more coordinated correctional program.

Comment:

In other years we have urged the establishment of a legislative commission to conduct a thorough review of the State's correctional process. This year, however, in view of new administrative direction of the correctional department, we point up the need for the adoption and implementation of many of the findings of existing surveys and studies and urge that the Legislature give whatever support is required. We are more convinced than ever of the need for coordination based on the many guideposts now in black and white. The well-knit plan of operation that we have so long urged still remains to be realized.

III. DIVISION OF RESEARCH—DEPARTMENT OF CORRECTION

As a step toward the coordination of the correctional program, we urge that legislative support be given the establishment of a division of research within the department of correction.

Comment:

In the interests of the coordination of the correctional program we have recommended, we feel the establishment of a division of research within the correctional department to be one of the pressing needs. Surely the annual expenditure of twenty-five million dollars should produce something more than custody and

* The One Hundred and Sixty annual report of The Prison Association of New York—1950. Legislative Document (1951) No. 40, page 13.

maintenance. It should result in a body of findings upon which correctional treatment of the future could be based. The effect of the continuous parade of inmates in one gate and out another is meaningless as such. The impact of its strength wavers after the parade goes by long enough. The rehabilitation of prisoners—an average of some 17,000 at a time—is being lost in the major emphasis on safe custody. Qualified research personnel could well capture some of the impressive details of the passing parade and point them up for positive action if only they were present to do so.

Research is far from a luxury; it is considered an essential in the professions and industry. In fact, the State stands to gain financially through the perfection of treatment techniques based on sound research.

IV. REVIEW OF SEX OFFENDER LAW

It is recommended that a legislative review of Chapter 525, Laws of 1950, (Sex Offender Law) be conducted in the light of its practical application and results achieved thus far.

Comment:

The passage of Chapter 525, Laws of 1950, usually referred to as the Sex Offender Law, marked one of the most noteworthy advances in the modernization of criminal judicial procedure. It will be recalled that the law resulted after much consternation by citizens and private and public agencies over the increasing number of sex offenses following the war. A law is as meaningful as its application and administration. Those responsible for its administration require funds and personnel to make it effective for the best interests of the people. Its efficacy is, obviously, dependent upon its use by the courts. The courts, however, would naturally be reluctant in its application if there were a lack of funds, professional personnel and adequate treatment facilities.

Now, some two years after the law became operative, we need to ask such questions as: What co-operation in the use of the law is being received from the courts?—What has been done to provide the necessary professional personnel?—What has resulted in the way of research leading to increased knowledge of basic causation of sex offenses?—What has been developed in the direction of improved treatment techniques?—What handicaps exist in the application of the law?

The relatively low number of cases in which this law is operative, would seem to indicate that certain barriers exist to prevent its most effective use. We urgently recommend that a legislative review be made of the sex offender law.

V. COMMITMENT OF PRISONERS

As an aspect of a coordinated correctional process, it is recommended that all male felony prisoners be committed direct to the State Department of Correction rather than to specific institutions.

Comment:

Commitment of male felony prisoners over the age of 21 is now governed by the judicial district of the conviction. Whether or not a prisoner finds his way to Sing Sing or Attica or Dannemora is dependent upon the geographical locality of the conviction. We feel this to be an unwise procedure and recommend that the department of correction receive all prisoners to be classified for assignment to the institution best suited to fit the individual inmate's needs. We readily acknowledge that the activation of this recommendation would require further study from an administrative standpoint, but hasten to point out that ample precedent has been established in correctional circles for its adoption. The classification system of the United States Bureau of Prisons is an illustration. Likewise the acceptance of the plan as it relates to the 16 to 21 year age group directed to the Reception Center is another indication that the State has accepted this principle. The value of the screening process has been amply demonstrated in this and other areas. The transfer policies in the correctional department of the State have lacked a scientific basis for some time. The overcrowding of institutions, disciplinary problems, the separation of prisoners for their own protection, and other relatively incidental reasons have governed the shifting of prisoners among our numerous institutions. The time has arrived when a more scientific plan is called for.

The legislative intent for the scientific study of offenders is set forth in sections 148 and 149 of the Correction Law providing for the establishment of psychiatric and diagnostic clinics in correctional institutions as the commissioner of correction may direct. As is stated in the law, "the work of the clinics shall include scientific study of each such criminal, including his career and life history, investigation of the cause of crime, and recommendation for the care, training and employment of criminals with a view to their reformation and to the protection of society. Each of the different phases of the work of the clinics shall be so coordinated with all the other phases of clinic work as to be a part of the unified and comprehensive scheme in the study and treatment of such prisoners. After classification in the clinics the inmates sentenced to state prison shall be certified to the warden and recommendation made to the commissioner of correction as to their disposition. The industries

of the several prisons shall be so organized that inmates can be sent to the institutions best suited to their mental and physical capacity and adaptability."

In this instance the activation of the provisions of the law is necessary, and the Legislature is urged to give its support for personnel and facilities in this direction.

VI. EXTENSION OF YOUTHFUL OFFENDER LAW

It is recommended that the provisions of the Youthful Offender Law be extended to include those 19 and 20 years of age.

Comment:

Title VII, Section 913-e, Code of Criminal Procedure, requires amendment to include the 19 and 20 year age groups under the provisions of the Youthful Offender Law. At the present time the law provides only for those 16 through 18. We concur in the recommendation of the district attorney of New York County, and officials of the probation department of the Court of General Sessions in this recommendation.

VII. AMENDMENT OF THE YOUTHFUL OFFENDER LAW CONCERNING DETERMINATION OF ARREST

The Association recommends that Title VII, Section 913-n of the Code of Criminal Procedure be amended to harmonize with the basic philosophy upon which the Youthful Offender Law is based, namely, the protection of certain deserving youthful first offenders.

Comment:

The law now provides that determination as a Youthful Offender is not to be deemed a conviction. Section 913-n of the Code of Criminal Procedure stipulates that such a determination does not require a youth "... be denominated a criminal by reason of such determination...". It is our opinion that if conviction need not legally be a matter of public information, surely the act of being taken into custody on the same offense should not be a matter of public record. Through the year we have had numerous complaints from officials who have had first hand contact with this problem. Particularly do probation officers meet with complications resulting from the inequity of the law. For example, enlistment officials of the armed forces frequently reject applicants on the basis of the arrest element alone. It is obvious that the original intent of the Legislature in passing the act in the first place was to protect deserving first offenders. The exclusion of the arrest factor has long plagued those who are daily concerned with the administration of the law.

It is our recommendation that Section 913-n be amended to read: ". . . and no youth shall be denominated a criminal by reason of such determination, nor shall such determination be deemed a conviction, *nor shall the taking into custody of a youth for an offense for which he is subsequently adjudicated a youthful offender be deemed an arrest.*" The italicized portion of the foregoing sentence constitutes new wording that should be added to the present law.

VIII. TREATMENT OF NARCOTIC ADDICTS

It is urged that the Legislature give close consideration to the findings of the Attorney General's report on the narcotic situation as submitted to the Legislature on January 13th, 1952. We recommend also that the Governor's desire to continue the study be approved.

Comment:

Much has been said over the years as to appropriate treatment techniques for narcotic addicts, but until recently little had been developed that promised any degree of security. In view of the myriad suggestions accumulating over the months we have refrained from making specific recommendations pending a full study by competent authorities. There has now been developed, by the Attorney General as well as by various private groups including the Welfare Council of New York City, a plan of action that should receive legislative approval. It is not necessary to repeat here the many excellent recommendations of the Attorney General, except to add that they should receive priority in legislative thinking. At the same time we urge caution to the extent that ill-advised legislation based solely on the emotional aspect of the problem be disapproved in favor of more scientific findings.

We urge that special attention be devoted particularly to two aspects of the problem, namely, enforcement and treatment. Considerably more personnel is required to combat the introduction of narcotics into the State. The comparative handful of officers now assigned to enforcement of narcotic laws is far from adequate, and immediate action is necessary. Treatment facilities should be expanded and removed from the realm of criminal proceedings. As the Attorney General has stated, "The need is of immediate urgency . . .".

IX. TREATMENT OF CHRONIC ALCOHOLICS

It is recommended that legislative approval be given the Governor's recommendation that additional funds be made available for the establishment of treatment facilities and research in the problem of chronic alcoholism.

Comment:

Probably no other single problem has so long baffled those who have tried for many long years to find an adequate solution as has that of the treatment of the chronic alcoholic. For many decades local and state groups have campaigned for one kind of facility or another—for this plan and that plan. Dating back over one hundred years we find official interest in the problem. As a matter of fact, all through the years success has been wanting. Not until the advent of Alcoholics Anonymous, which was followed by increased public interest in the field, has there been any real promise of hope in the way of lasting treatment. The State itself has not been among those who have expressed serious anxiety over the problem. The Governor's comment to the Legislature this year (1952) is one of the few instances of official acknowledgment of the scope of the problem. Estimating some 75,000 alcoholics in the State, the Governor made reference to the research clinic in Buffalo and called for the establishment of a clinic in the New York City area. Of significance also is his urging for state-aid on a shared cost basis to qualified clinics in other areas. We heartily endorse these recommendations and urge their unqualified support by the Legislature.

X. CORRECTIONAL INDUSTRIES

As an aid to the development of work programs for prisoners, and as an aid to their coordination in the best interests of the public, we again urge that an advisory committee on correctional industries be authorized by the Legislature.

Comment:

We feel the authorization of such a committee is urgently needed in view of mobilization needs and demands, and the necessity of providing sufficient and adequate industrial programs for prisoners. In this instance, as in others, ample precedence is noted. In the State of California vast strides have been made through the use of an advisory committee on correctional industries. The Federal Prison Industries, Inc., is another illustration of the value of such a group. The composition of the committee should include two persons representing industry, two representing labor, two management, one agriculture, and one from the public at large. The group should be appointed by the governor and serve without salary. The commissioner of correction should be designated as chairman of the committee. The Lewisohn Commission, referred to previously, made this recommendation in 1931—twenty-one years ago. It is as worthy of adoption today as it was more than two decades ago.

XI. EXTENSION OF THE POWER OF THE PAROLE BOARD IN CERTAIN CASES

The Legislature is urged to authorize the Board of Parole to determine and specify the portion of the remaining maximum term to be served by an offender when the remainder of the first term is over five years in those cases of parolees committing felonies while on parole.

Comment:

The State Board of Parole concurs in this recommendation and has, itself, urged its adoption for several years. This discretionary power should be within the province of the parole board with the proviso that it not be applicable except in those cases where at least five years remain on the first term. The statutes now provide that the entire sentence on the first term is to be served before service of the second sentence can become effective. This is a matter that should be determined on the basis of each individual case in keeping with the greatest value of the theory of parole. In 1945 this power was granted by Chapter 678 as it applies to Elmira Reformatory inmates, and its application to other inmates is urged.

XII. RE-ESTABLISHMENT OF CENTRAL GUARD SCHOOL

It is recommended that legislative support be given to the re-establishment of the Central Guard School in the Department of Correction.

Comment:

While it is recognized that this is primarily a budgetary problem, the Association urges again that the school be re-established. Prior to its cessation of activity in the late 1930's because of economy measures, the school had earned an excellent reputation. Looked upon by correctional administrators everywhere as one of the more hopeful developments within the field, the record of the school was well established. The personnel of a department as large as the State's correctional unit requires constant in-service training. While this can and is being done on a part-time classroom basis, the need is for a concentrated effort that only a well administered centralized school can offer. Formerly maintained at Wallkill Prison, the setting and physical facilities were excellent. Related as closely as they are to personal problems, correction officers should have at their disposal the very best of training techniques and facilities. Institutional life at best tends to become routinized, and to offset the deadly effects of necessarily strict routine periodic refresher

training is necessary. While the school could be re-opened by administrative direction, funds would be required for its operation and it is at this point that legislative approval is necessary. The appropriation of funds for training purposes would, in the long run, result in savings to the taxpayer through the improvement of personnel and the development of progressive treatment techniques.

XIII. CIVIL SERVICE STATUS TO COUNTY AND LOCAL PENAL INSTITUTION PERSONNEL

It is recommended that all custodial personnel engaged in the operation of locally operated confinement units be under the provisions of civil service.

Comment:

Recognizing that correction is gaining a professional status, thereby calling for career public servants, we again urge that legislative consideration be given to the application of civil service provisions to custodial personnel engaged in the operation of county and local confinement units. Personnel of the State and New York City correctional departments have long been within the civil service, and there is no logical reason why similar personnel in other local units should not be so protected. The matter of protection is, of course, two-fold. First, the taxpayer is protected through the assurance that interested personnel will not be dropped simply for political reasons. Further, the taxpayer is protected by virtue of standards of civil service which should serve to prevent the employment of misfits. Secondly, the protection is applied to the employee and the insecurity of the politically governed job becomes a thing of the past. Correctional work requires the best possible personnel from the point of view of personality considerations, soundness of character, training and experience, and appointment through civil service is the only answer.

XIV. CHANGE OF TITLE FROM PRISON GUARD TO CORRECTION OFFICER

In keeping with the professionalization of correctional service we urge that legislative steps be taken to change the title of guards to correction officers.

Comment:

In order to standardize the title of those daily engaged in the custody of prisoners, and in keeping with the professional standards of the service, the Association urges that the term "correction officer" be legally substituted for the variety of terms now

used. The Correction Law refers to "guard" and other terms are used, including keeper, prison guard, prison officer, etc. Official titles in numerous other areas outside the State of New York are noted as "correction officer". Uniformed officers should be considered as more than guards. They are, in large measure, responsible either directly or indirectly for the ultimate rehabilitation of inmates. We urge that this recommendation be adopted.

XV. AMENDMENT TO SEX OFFENDER LAW

The Association recommends that Section 690, Article 66, of the Penal Law be amended to provide for the discretionary application of the minimum term of one day to the maximum of life (under the provisions of Chapter 525, Laws of 1950) for the crime of sodomy, second degree.

Comment:

Experience with the new sex offender statutes of 1950 has determined that an inconsistency exists with relation of the law to the crime of sodomy. This offense in the first degree is punishable by the new law at the discretion of the court, as is assault in the second degree with intent to commit sodomy. However, sodomy in the second degree is not punishable through application of the new law. It is recommended, therefore, that Section 690, sub-section 5, of the Penal Law be amended to provide the new indeterminate sentence provisions in the event of conviction of sodomy, second degree.

XVI. MISCELLANEOUS

In his January 9th, 1952 message to the Legislature, the Governor gave emphasis to the need for restraint in the appropriation of funds for new or expanded services. Among other things he stated, "It must come down then to a matter of restraint, decision and choice to determine which needs shall be given priority out of our existing revenues under existing conditions."

In keeping with the obvious need for economy in government in these days of national emergency, we list below those recommendations that should be kept alive despite the trend of the times. They are important, and when conditions are more propitious we intend to renew them in a more vigorous manner.

1) Aid to the indigent offender

The Judicial Council should eventually explore the need for adequate representation of indigent offenders. Whether this be in the eventual form of a Public Defender or otherwise requires further expert exploration.

2) Compensation for inmates of Napanoch Institution for Male Defective Delinquents, Elmira Reformatory, and Woodbourne Correctional Institution

Legislative approval should be given in order that those inmates enumerated above be eligible to receive some incentive wages as paid to the inmates of other state correctional institutions.

3) Provision of internships within the Division of Parole and the Department of Correction

In the interests of the development of a career group within the correctional units of the state, legislative authorization is recommended for the subsidization of qualified interns. In co-operation with various universities within the State the intern program should be expanded.

4) Improvement of probation

The Association's long interest in the development of probation, dating back to more than 50 years ago when the first probation law in New York was drafted in the office of the Association, causes us to repeat a recommendation of some years standing. We urge again that State subsidies be provided for the establishment of probation services in those counties not now utilizing this long accepted correctional technique. Inmates committed to the Reception Center from those counties not having probation services lack complete accounts of their social backgrounds and thus hamper the effective operation of the Center's services. It is felt, too, that the development of probation would lead toward fewer offenders being committed to institutions in those areas. As matters stand now the lack of probation services virtually forces commitment in lieu of probation. We feel that the powers of the State Probation Commission should be extended to make it more than an advisory body.

5) Examination into sentencing process

Eventually the Law Revision Commission should be authorized to conduct an examination into the sentencing processes of the various courts. While this would be a time-consuming process, the disparity of sentencing requires an exploratory study and we hope someday to witness the activation of this recommendation.

AN INVENTORY OF 1951

The following represents in brief the wide and various interests of the Association through the year, in keeping with the purposes of its origin. Fortunately, the founders of the Association were men of courage and wide vision, and did not confine the Association's format of activity to a small segment of the crime problem. Obviously it is impossible to recount in detail every aspect of our day by day work but suffice it to say that the record herewith and the files of the Association will confirm the strong desire to keep faith with the public trust and the spirit of the founders.

PRISONERS IN DEFENSE MOBILIZATION

We continue to keep the potentials under this proposal before the Director of the Office of Defense Mobilization. During the year, through the combined efforts of The Prison Association of New York and The American Prison Association arrangements were made whereby James W. Curran, Superintendent, State Use Industries, Maryland Department of Correction was designated to represent the prison people of the country at the National Capitol. His task was to alert the various governmental departments and agencies to the need of giving consideration to the use of prison labor in the National defense effort and also to give fair consideration in the matter of control and distribution of raw materials for the operation of the industries of the various institutions.

The personal interest of Mr. Charles E. Wilson was developed and various sources in Washington were instructed to give at least opportunity for consultation and explanation. It was fortunate for the prison people of the country and this, of course, means the citizenry of the various states since the institutions are those places maintained by the taxpayers, to have Mr. Curran in Washington on a part time basis. It can be very definitely stated that no branch of the government was overlooked by Mr. Curran in his door to door efforts to discharge the difficult and not too popular assignment given him. During the year there was a growing interest in favor of utilizing prison labor for the defense effort but the general consensus seemed to be that this reservoir of man power should not be tapped until necessity required and apparently that state had not yet been reached. The usual hostility to prison labor was not entirely removed although not vigorously manifested. This usual opposition was softened somewhat by the record of the excellent showing made by prison labor during World War II, also by inmate contributions to blood banks, medical experiments and the purchase of bonds. The situation at this writing is that a foundation, so to

speak, has been built through the alerting of responsible leaders in Washington so that when the need arises there should be no delay or difficulty in setting into motion once more the labor of prisoners for the national welfare.

NARCOTIC ADDICTION

Prior to the spring of 1950 private agencies in New York City showed no unusual concern about the problem of narcotic addiction, with particular reference to its existence among teen-age youth. On different occasions there would be a news item about a raid by the local police or the Federal authorities but, in some respects, that had come to be regarded as routine.

Late in 1950 the Conference Group on Correctional and Allied Services of the Welfare Council urged that a special committee be established to thoroughly investigate the problem of narcotic addiction. This committee was to be urged to give particular emphasis to the situation as it pertained to youth. A slight increase in the number of narcotic commitments to the State Training School at Hudson pointed up interest in the matter. At about the same time the New York City Youth Board indicated its alarm and subsequently the Board of Directors of the Welfare Council authorized the establishment of a Committee on Narcotic Addiction. The Chairman of the Committee was Mrs. Sylvia Singer, Assistant District Attorney of New York County. Ultimately the Committee consisted of over fifty persons representing public and private agencies concerned with the problem. During 1951 their report was made public and embodied a number of worthwhile recommendations which should be given serious consideration by the Legislature in considering a permanent program to curb narcotic addiction. The New York World Telegram and Sun, through its feature writer, Edward Mowery, stirred up considerable public interest.

In its 106th Annual Report The Prison Association directed attention to the various problems identified with drug addicts received at the Penitentiary on Rikers Island.

The 1951 session of the Legislature received a liberal number of resolutions and bills intended to cope with the problem. Most of the bills remained in Committee and the most significant outcome of a suddenly aroused public was the authorization for the appointment of a commission to be headed by the Attorney General to study the narcotic problem and to report to the Legislature early in January of 1952. The Prison Association gave support to the creation of the study commission and, likewise, support to some of the bills introduced. We favored the appointment of a commission to open the way for further examination and study of the problem and also to evaluate and tie together so far as practicable the many proposals coming from numerous sources. We favored the commission

idea again because of our observation in other years when there was so much concern about the sex offender with so many and varied remedies being offered by different sources. A commission, on appointment by the Governor, undertook to study this problem and was able to proceed with the benefit of medical knowledge and research. One of the principal achievements was the enactment (Chapter 525) of the so-called Sex Offender Law during the 1950 session. The problem of the sex offender is not of course entirely solved, nor can it be expected that the findings and proposals coming from the Attorney General's Commission on Drug Addiction will be the final answer. However, it can be expected that the adoption of the various proposals, to whatever extent seems advisable and feasible, will be a substantial move in the direction of progress. At this writing Attorney General Nathaniel L. Goldstein has submitted his recommendations and because of the value that we attach to them in accord with our own views and experience, we urge their most serious and favorable consideration. We agree with Governor Dewey and the Attorney General that the work of the Commission should be continued for another year and are including this in our recommendations to the Legislature.

CITY PRISON—MANHATTAN

On October 2nd, 1951 Commissioners Schoenfeld and Cass again in their dual capacity, representing the State Commission of Correction and The Prison Association of New York, inspected the City Prison of Manhattan at 125 White Street. The conditions, which they found to be serious and gave them considerable concern, are set forth in excerpts of the official report of the inspection and the report of a follow-up inspection on November 13th, 1951 that follows:

Albert Williams, Commissioner of Correction, Herman J. Ruthazer, Warden.

Custodial Staff

The custodial staff consists of a warden, a deputy warden, 6 captains, 112 male correction officers, and 1 female correction officer. The staff as now constituted is 5 under the quota of 118. The staff works on eight hour shifts.

Population

The total population at the time of inspection was 1266, according to a signed letter by Warden Ruthazer dated October 4, 1951. The normal capacity of the institution is 951. The daily average has increased since the opening of the institution on November 9, 1941 at the rate of about 50 per year. The highest daily count since

its opening was 1,272 on September 24, 1951. The population was designated as follows:

	Total	Adult	Adolescent
General Sessions			
a) Awaiting Trial	390	339	52
b) Awaiting Sentence	234	213	21
Special Sessions			
a) Awaiting Trial	136	116	20
b) Awaiting Sentence	107	96	11
Magistrates Courts	168	147	21
Parole Violators	22	22	0
Witnesses	8	8	0
Awaiting Transfer	33	26	7
Federal Prisoners	4	4	0
Miscellaneous	18	18	0
Institutional Help			
a) City Prison Manhattan	114	114	0
b) Women's House of Detention	21	21	0
c) Bellevue Hospital	7	7	0
d) Criminal Courts Building	4	4	0
Totals	1,266	1,134	132

This institution was designed to replace the long condemned city prison familiarly known as "The Tombs". The congestion and inability to separate and classify prisoners in accord with the requirements of the law at the time of this inspection was a sharp reminder of some of the evils of the former city prison. For, except, prisoners are sleeping two on a cell in some sections and the fact that there is only one bed in each cell makes it necessary for one to sleep on the floor. On the third floor particularly, the condition is intolerable. This is a dormitory arrangement with normal accommodations for 118. However, at the time of inspection the population numbered 252. This requires the use of double beds in many of the cubicles and also the placing of double beds in the narrow corridors. The congestion in this particular area, especially considering its size, is something without parallel in any similar institution in the State.

The population was distributed as follows:

11th Floor—Witnesses, the warden's apartment and the chapel. There were 8 witnesses in a dormitory. The five cells on the west end of the witness section are not used.

10th Floor—This floor is intended for boys. Is being used for boys and men because of the congestion. There were 26 adults housed with the boys. The day room in this area was not in use at the time of inspection and its more frequent usage would relieve the congestion in the central corridor of the two cell block areas.

9th Floor—This floor is intended for second offender boys—those usually between the ages of 19 and 20. There were 15 adults housed with the boys.

8th Floor—This floor is for drug addicts, observation cases and homosexuals, with no particular age separation considering the group as a whole. The count on this floor, incidentally, was 194, with capacity for 122. The overflow (82) slept on the floor.

7th Floor—Reserved for homicide cases and others referred to as serious felonies.

6th Floor—For felony cases.

5th Floor—For felony cases of not too serious character.

4th Floor—Also for what is known as light felony cases and those drug addicts who are over the effects of the withdrawal treatment. There are also misdemeanants referred to as "Bowery derelicts".

3rd Floor—Dormitory with cubicle layout. This is the worst spot in the institution from the standpoint of overcrowding and unsatisfactory design. Supervision under normal circumstances is difficult, and under present conditions is impossible.

2nd Floor—Kitchen and mess hall. The third floor prisoners are fed on the second floor; other prisoners are fed on their respective floors through portable food containers. It was stated that 500 pounds of swill, or about seven or eight cans result each day. This would seem to require close study.

1st Floor—Receiving room, visiting rooms, administrative offices. There were 8 prisoners in this area awaiting assignment to various floors.

It is a pitiful and distressing observation, on the 10th floor, to see so many young faces herded in limited quarters, and some for long periods of time. Despite the efforts to provide some exercise and the showing of motion pictures in the chapel, the greater part of each day is spent in aimless inactivity. The evils of having nothing particular to do all day long, and in close association with those of varied experiences in delinquency and crime, are glaringly obvious. Furthermore, the long periods of detention under such conditions simply add to the problems of those institutions later receiving most of these inmates. For those inmates who are ultimately to be placed on probation or discharge, this close detention can not be other than **damaging morally and physically.**

The recreation roof is intended for both adults and minors. It was said that on Mondays inmates from the first floor are allowed to exercise in the open, on Tuesdays the sixth floor, on Wednesdays the seventh floor, on Thursdays the eighth, and on Fridays the ninth floor. The witnesses on the eleventh floor are given opportunity on Mondays. The boys on the tenth floor, it was said, are allowed to use the roof exercise area every morning and also on Monday, Wednesday and Friday afternoons.

Although there is no question that the boys particularly are eager for the opportunity to exercise in the open, it was regretfully noted that they were not using the available space on the roof but were instead housed in congested fashion on the tenth floor as noted above. Outdoor recreation provides prisoners a chance to occupy their minds more wholesomely and to air their bodies. The adult prisoners, it is said, are not so anxious to use the roof area and at the time of the inspection there were only 28 adults from the sixth floor out of a total of about 117. It should be noted that the exercise areas were designed for the benefit of the inmates and it was intended that they be used to the fullest extent, especially since they are escape-proof, requiring limited supervision.

It is evident that the warden and his staff members are dealing with a very difficult situation due to the overcrowded conditions and the inadequate ventilation. It seems difficult to get enough good air into the institution and the closeness of the atmosphere on some of the floors at the time of inspection was somewhat deadening and near to the point of causing nausea.

Summary Comment

The serious congestion of population is due largely to three basic causes:

- 1) The accumulation of court cases during the vacation season.
- 2) The holding of persons awaiting transfer to Hart Island in care of the City Department of Welfare. These men are held pending investigation and the signing of a waiver, which usually takes about two weeks following conviction.
- 3) The influx of narcotic cases held for the Court of Special Sessions.

Recommendations

The City Prison, Manhattan, is intended to serve as a temporary place of detention for those awaiting action of the Grand Jury or the various courts. The increase in population over the summer vacation period represents a serious problem. This institution is nothing more than a large-sized county jail and the demoralizing effects of county jail life, as affecting both old and young, are well

known to experienced observers. It is reasonable to assume that the public pays substantially for the education in criminal ways which long detention awaiting grand jury or court action makes possible. Ways and means to noticeably reduce the effects of long summer schedules are overdue.

It is recommended that:

- 1) the various courts committing prisoners to the City Prison, Manhattan, give their most serious consideration to devising ways and means within their sphere of influence and control to keep the population of the institution at a minimum,
- 2) the officials of the City of New York give serious study to the size of this institution to properly house and separate prisoners, as required by law,
- 3) the Department of Correction of the City of New York devise ways and means to utilize space in other institutions under its control to relieve the congestion at the City Prison, Manhattan,
- 4) continued effort should be made to hasten the disposition of those cases awaiting transfer to Hart Island under the care of the New York City Department of Welfare,
- 5) an effort be made to speed up the disposition of narcotic cases,
- 6) the outer gates of the cell blocks on the various floors, particularly on the fourth floor, be kept locked to safeguard the correctional personnel and to avoid a surprise occurrence,
- 7) every effort be made to relieve the highly unfavorable conditions prevailing in the dormitories on the third floor,
- 8) the matter of a residue of about 500 pounds of swill each day be given expert study.

Supplementary Report

On November 13th Commissioners Schoenfeld and Cass visited the City Prison, Manhattan and noted progress as follows:

1—Decrease in Population:

On October 2nd—population was 1,266—normal accommodations for 951
 On November 2nd—890
 On November 3rd—903
 On November 9th—906
 On November 10th—980
 On November 13th—1054—Classified as follows:

Court of General Sessions:

Nov. 13th Oct. 2nd

Court of General Sessions:

a) Awaiting action of Grand Jury.....	86
b) Awaiting trial	191
c) Convicted & awaiting sentence.....	209
Total	486

624

Special Sessions Court:

a) Awaiting trial	152
b) Awaiting sentence	43
Total	195

243

Magistrates Courts	150	168
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Parole Violators:

a) State cases	25
b) City Parole Commission cases	3
Total	28

22

Witnesses	10	8
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Awaiting Transfer:

a) To City Reformatory	2
b) To Workhouse	23
c) To Elmira	6
d) To Elmira Reception Center	6
e) To State prison	11
Total	48

33

Miscellaneous:

a) Federal cases & stopovers on court orders	27
Total	110

114

2—Transfers have been made to Rikers Island, especially among those awaiting sentence—Court of Special Sessions.

3—Transfers to Raymond Street Jail—of probation cases—that is, those who are likely to go to Hart Island, under Department of Welfare.

4—Transfers to Raymond Street Jail—of 22 inmates assigned to the Women's House of Detention, for work.

5—Light Felony Cases—Court of General Sessions. These cases have no warrants for parole violation and are likely "to take a plea". They will go to City Prison, Richmond, not to exceed 15 in number.

6—Courts More Active

7—Inmates on 8th Floor—Some inmates are still sleeping on the floor, particularly on the eighth floor, accommodations for 152. On November 13th there were 168 inmates—46 sleeping on the floor.

8—Roof Exercise Area—Both being used at 2:50 P.M. on Tuesday, November 13th—the East Side for boys, West Side for older prisoners.

The tenth floor reserved for boys was empty. This was in striking contrast to the condition found on October 2nd when the tenth floor was crowded with boys. They were not even using the day room located between the cell blocks.

On October 2nd and November 13th, the boys had been to a short movie in the chapel but on the 13th they had both the movie show and the open-air exercise opportunity.

9—There now exists an awareness on the part of the Courts and the District Attorney, the Probation Service, and the Department of Welfare that there is need to expedite the handling of cases in the City Prison, Manhattan.

YOUTH WITHIN WALLS

The Community Service Society conducted a survey of institutions in New York State for adolescent offenders. This was written by Bertram M. Beck under the general direction of Leonard Harrison who has long been an earnest and qualified observer of problems relating to juveniles and adolescents. Copies of the report were submitted to The Prison Association and to officials in the State Department of Correction and other bodies. Unfortunately, the immediate response from some of the officials was hostile and reflected a lack of a comprehensive understanding of the report. Rather than take the time to study the report in detail they proceeded to make immediate verbal outbursts.

Shortly afterward the General Secretary of The Prison Association presided at an open meeting arranged by the Welfare Council. This was the first time that the report had been given public hearing and provided opportunity for open discussion of many of its controversial aspects. The meeting was publicized in the New York Times on March 8th and the Welfare Council's weekly bulletin "Better Times".

The Prison Association took the position that while there might be some disagreement with the findings and recommendations contained in the report, it did contain a wealth of progressive thinking and valuable suggestions in the interest of progress, and therefore should be received by officials and all others concerned in a calm and dispassionate manner.

Regarding follow-up legislation during the 1951 session, the General Secretary counselled that various conditions made it desirable to await the publication of the report of Governor Dewey's Committee of One Hundred working in conjunction with the Mid-Century White House Conference on Children and Youth, so that there could be a combined forward movement with the added weight and prestige of the Governor's Committee of One Hundred report.

NEW YORK STATE CITIZENS' COMMITTEE OF ONE HUNDRED FOR CHILDREN AND YOUTH

The final report in book form of the New York State Citizens' Committee of One Hundred for Children and Youth was received on August 8th. The report entitled, "The Four Million," includes contributions of committees headed by Mr. Cass and Mr. Wright who were chairmen of separate subcommittees, namely Subcommittee No. 7—Status of all Institutions for Males 16-21, under Mr. Cass and Subcommittee No. 9—Jails, Lockups and Penitentiaries, under Mr. Wright.

In correspondence with Mr. Samuel R. Milbank, chairman of the Committee of One Hundred, it was stressed that every effort be made to translate the exceptionally fine thinking, experience and

recommendations into practical operation so that the endeavor identified with the report would not be lost or resolve itself into another volume for library custody. It is gratifying to report that practically no changes were made in the findings of the two subcommittees mentioned above.

It will be recalled that we participated in the Midcentury White House Conference on Children and Youth in Washington, D. C. in December, 1950.

STUDY OF LAWS AND INSTITUTIONS RELATING TO OFFENDERS BETWEEN THE AGES OF 16 AND 21

This study was promised by Governor Dewey in his message to the 1951 Legislature and was in progress during the year. It will cover some of the same ground as the study made by the Community Service Society and the Governor's Committee of One Hundred for Children and Youth.

The Governor selected Mr. Whitman Knapp, former Assistant District Attorney during the Governor's term in that office, to head the study. He has had the advantage of a considerable amount of observation, findings and general material already available and it is hoped that he will be able to add to this in a way that will be all the more convincing regarding the need for various changes in the laws and institutional administration. The Governor is to be commended for his action and of taking notice of the comment and criticism that has been made from time to time relating to the handling of the young offender. Of course the big hope is that the combined efforts of both the State and private interests will be welded finally into concrete fulfillments. It would be an unhappy observation to have all of this effort which has been accumulating and gathering strength in recent years come to naught except for the filing of attractive reports.

GROVELAND, FLORIDA INCIDENT

The Rev. Paul Moore, Jr. a member of our Executive Committee reported on his investigation of the Groveland, Florida case which involved the death of one prisoner and the critical wounding of another by the Sheriff of Lake County. These prisoners were being transferred from the State Penitentiary to a county jail for further court action. At the time of the shooting Mr. Moore was in Groveland to observe a hearing for a change of venue. He was representing the Committee of One Hundred and the National Association for the Advancement of Colored People and his report described the incident as an affront to human decency and civilization. At Mr. Moore's suggestion the following telegram was sent to the Attorney General of the United States in the name

of The Prison Association of New York, and another one was sent by The American Prison Association. The telegram read as follows:

HON. J. HOWARD McGRATH
ATTORNEY GENERAL
DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

NOVEMBER 8, 1951

RESPECTFULLY URGE THAT FULL, IMMEDIATE AND IMPARTIAL INVESTIGATION BE MADE OF CIRCUMSTANCES SURROUNDING WOUNDING AND DEATH OF TWO NEGRO PRISONERS, NAMELY WALTER IRVIN AND SAMUEL SHEPPARD, IN GROVELAND, FLORIDA INCIDENT, ON THE BASIS OF REPORTS COMING TO OUR ATTENTION FULL INQUIRY BY FEDERAL GOVERNMENT OF ALLEGED DENIAL OF CIVIL RIGHTS IS STRONGLY URGED.

E. R. CASS
GENERAL SECRETARY

On November 13, 1951 a letter was received from Assistant Attorney General James M. McInerney, acknowledging the receipt of our telegrams dated November 8, 1951 relative to the shooting of two prisoners by the sheriff of Lake County, Florida. The letter stated that the Department was conducting a full investigation of the matter with a view to determining whether or not a violation of federal criminal law was committed in connection therewith, and if so, that appropriate action would be taken.

LASHINGS AT COLORADO STATE PRISON

During July the newspapers reported a riot at the Colorado State Penitentiary at Canon City, which was followed by lashings of the five inmates who were responsible. A telegram was sent to the Governor of Colorado, Hon. Dan Thornton, dated July 23rd, reading as follows:

The American Prison Association has noted with deep concern press reports to the effect that certain inmates of the Colorado State Penitentiary who had been involved in an escape were when recaptured subjected to severe beating. The Association has on several occasions and most recently in 1946 gone on record as strongly opposed to corporal punishment. The present example of the survival of a discredited practice is to be deplored. The Association urges that steps be taken by the appropriate authorities of the State of Colorado to prevent any repetition.

The following reply was received from Governor Dan Thornton of the State of Colorado:

Thanks very much for your recent letter regarding conditions at the Colorado State Penitentiary. The Director of Institutions, the Board of Institutions, and I, personally, made a complete investigation of the incident and the board has made certain recommendations that were put into effect immediately.

We have prohibited any further whippings or floggings of any kind and are employing a business manager to take care of the business management of the penitentiary, as well as instituting several other policies that will tend to improve conditions in general.

I appreciate your interest in the matter.

STREET CLUBS PROJECT

In our report for the year 1950* we explained the origin of the Street Clubs Project and our close interest with the study which covered a three year period. Likewise we included a discussion of its findings. Additional material of value showing the spread of the influence of the report is contained in the following comment from the April 6, 1951 issue of *Better Times*, official publication of the Welfare Council of New York City:

The far-reaching effect of the Central Harlem Street Clubs project on workers among adolescents may be judged from the fact that it is being translated into French for use by French workers, that Columbia Pictures Corporation of Hollywood has asked to make a film out of the material, and that continuing orders are being received from many areas for the report published under the title "Working with Teen-age Gangs". Organizations or individuals in 21 states have purchased as high as six to ten copies for staff associates since the findings were announced by G. Howland Shaw, chairman of the Welfare Council's Committee on Street Clubs, last November. National magazine publicity carried reports to far parts of the world.

The Canadian provinces of British Columbia, Ontario, and Quebec have requested copies, James R. Dumposon—consultant to the Welfare Council on correction and delinquency—points out, also organizations in Bristol, London and Oxford, England; Paris, France; and Johannesburg, South Africa. The Department of State has also sent a copy to the U. S. Information Center in Oslo, Norway.

Twenty-eight colleges or universities have already put the report to use, and daily orders are now coming in from editors, libraries, program directors with the armed services, school authorities, welfare and public assistance administrators, judges, psychiatrists, hospital executives and directors of reformatories in addition to the expected requests from youth leaders in settlements, churches, camps, social agencies, and from probation officers.

Research Analysis

A professional research analysis of the project on a highly technical and social work level is about completed. This study will bring forth the evaluations and interpretations not fully disclosed in the report presented in November, 1950, referred to above.

THE READER'S DIGEST

At various times through the year the Association renewed its activity with *The Reader's Digest* and assisted its staff members in the planning and preparation of articles dealing with correctional problems. In June we assisted in arranging a plan which made possible the distribution of month old copies of this publication to correctional institutions throughout the country. This was arranged through the interest of the publisher, Mr. DeWitt Wallace, with the details being handled by Mrs. Irene Franz of The Digest staff. Later in the year it was learned that nearly three

* 106th Annual Report of The Prison Association of New York, Legislative Document 1951 (No. 40).

hundred correctional institutions now receive copies at the rate of 8,500 per month or 102,000 per year. The Digest has on file more than a hundred complimentary letters from institutional administrators praising this plan. At the Congress of Correction in Biloxi The Digest presented an exhibit of their educational material, and correctional administrators in attendance immediately accepted their services. Noteworthy of mention is the unanimous action of approval and gratefulness of the Wardens' Association meeting with the American Prison Association at Biloxi in October.

Also in June we arranged a luncheon with Commissioner Frederick A. Moran, Chairman of the State Board of Parole and Mr. James Finan of the Digest staff. *The Reader's Digest*, with its tremendous circulation throughout the world is an excellent source for the dissemination of information concerning correctional progress.

"MY SIX CONVICTS"

The year 1951 witnessed the publication of one of the most controversial books written in the past few years dealing with the correctional problem. Written by a psychologist, Donald Powell Wilson, the book was for several months in the best seller class, having been the February selection of the Book-of-the-Month Club. Various national magazines, including *Life* and *Atlantic Monthly*, devoted a number of pages to excerpts. In addition, the author appeared on radio and television programs and later conducted a lecture tour throughout the country.

The point of the controversy was whether or not the book was fiction or non-fiction. Released by the publishers as non-fiction those who had any understanding at all of the prison problem immediately recognized that the greater part of its content was fictional. The Association, following extensive investigation, went on record as deploring the publication of the book, claiming that it had retarded correctional progress in this country. The scene of the action was supposed to have taken place at the United States Penitentiary, Fort Leavenworth, Kansas in the early thirties. The Director of the United States Bureau of Prisons took issue with the author's comments and in the May-June 1951 issue of *The Prison World*, official publication of The American Prison Association, we included an extensive discussion under the title "Whose Six Convicts Were They?", including correspondence with the publisher concerning the background of the book. The article had unusually wide circulation and received innumerable comments in the press throughout the country, in magazines and radio coverage. It is our opinion that there was considerable mis-statement of fact and we have reason to believe that a pro-

fessional ghost-writer contributed to the popular style of presentation. The following quotation by the General Secretary was included:

"My Six Convicts" impresses me as being a professional re-write job built around highly incredible circumstances and jazzed up in Hollywood fashion to make for popular sale. The acceptance of the book by a glibble public is deplorable and a source of discouragement to those who have brought the Federal Prison System to a high level of operation and leadership. The apparent casual acceptance of this book by the Book-of-the-Month Club raises serious doubts as to the value of this body as a medium of sound public education. The American Prison Association, in the interests of justice and fair play, views with grave concern the dissemination of this type of literature. The requirement of twenty years for fermentation of an exceedingly brief experience of twenty months and ten days, and not three years as stated in the book, is further question of the competency of the author to contribute to public enlightenment.

The Association does not look with favor on this type of publicity and feels it is detrimental to the best efforts of those who are attempting to make for progress.

NEW YORK STATE WELFARE CONFERENCE

The Association was represented at the New York State Welfare Conference meeting in Buffalo in November through the presence of the Assistant Secretary, Mr. Wright. He presided at one of the sectional meetings sponsored by the Section on Delinquency which had Warden Walter B. Martin of Attica Prison and John B. Costello, Superintendent of the New York State Agricultural and Industrial School at Industry as speakers.

NATIONAL JAIL ASSOCIATION

Mr. Wright continues his affiliation as Executive Secretary of the National Jail Association, having held this responsibility since the formation of the group in 1935. The Board of Directors of the Association met at least once in the office of the Prison Association and in May sponsored its Fifth Regional Forum on Jail Problems at Asheville, North Carolina. The Forum was attended by nearly one hundred jail administrators from the southern area and proved to be unusually helpful in view of the extensive program and the excellent cooperation of the jail inspection staff of the United States Bureau of Prisons. It was gratifying to note the eye-opening value of the practical demonstrations regarding food service and the handling of prisoners and the interest shown in the discussion. It is not an exaggeration to say that this was the first opportunity that various jail wardens and sheriffs had to meet face to face, so to speak, the value of approved administrative methods and modern thinking.

NATIONAL COUNCIL OF CHURCHES OF CHRIST IN AMERICA

Through our Assistant Secretary, Mr. Wright, we maintained an active affiliation with the Commission on Ministry in Institutions of the National Council of Churches. His membership on this body dates back to 1937 and he was active through the year in the various functions of the Commission. Of primary importance is the responsibility of the Commission for nominating Protestant chaplains within the institutions of the United States Bureau of Prisons. This includes interviewing of prospective candidates, as well as attendance at meetings of the Commission. Mr. Wright is also a member of the Personnel Committee of the Commission and was elected Vice Chairman of the Commission in 1951.

WELFARE COUNCIL OF NEW YORK CITY

We retained our active affiliation with and membership in the Welfare Council of New York City as we have done each year since its founding a quarter of a century ago. On May 1st Mr. Raymond Hilliard, formerly Commissioner of Welfare of the City of New York accepted the appointment as Executive Director of the Council. Later in the year and at the invitation of Mr. Hilliard, representatives of the Association with others representing the correctional interest in this area met with the Director on problems relating to the functioning of the Council in the correctional field. Through its staff members, the Association has been active in three of the Council's conference groups, namely those concerning correction, family service, and employment and vocational guidance. Mr. Wright, Assistant Secretary of the Association, maintained his membership on the Steering Committee of the Conference group on correctional and allied services.

ALCOHOLICS ANONYMOUS

On May 23rd the annual dinner meeting of the Westchester County Alcoholic Anonymous group was held at the Westchester County Penitentiary at East View. Mr. Wright represented The Prison Association of New York and extended its greetings. This is an annual dinner arranged by Warden Paul R. Brown of the Penitentiary as an indication of their appreciation for the excellent cooperation received by members of various Alcoholics Anonymous groups throughout the County. Each Monday night a meeting is held at the Penitentiary under the sponsorship of one of the County groups. This takes place week after week and the results have been most satisfactory. At the dinner meeting Dr. Dudley Miller, Director of the Connecticut Commission on Alcoholism, was the principal speaker. Reports received from other areas show that Alcoholics Anonymous is being increasingly employed and approved

and is regarded by practical observers as a very hopeful development.

NEW YORK SCHOOL OF SOCIAL WORK COMMITTEE

Continuing affiliation with a special committee established by the New York School of Social Work to prepare a correctional curriculum, the Association was represented by the General Secretary and the Assistant Secretary in various meetings held during the year. The School is gradually expanding its program in correctional administration and at least one new course was added to the curriculum in 1951 dealing with the care and treatment of problem children in institutions. We regard this as a hopeful indication of a more realistic viewpoint and a better balanced integration of the practical and theoretical aspects of correctional needs and problems.

81st ANNUAL CONGRESS OF CORRECTION

The Association completed another year of its long affiliation with The American Prison Association and it will be recalled that the two groups have worked hand in hand through the years since the establishment of the national body in 1870. Likewise it will be recalled that the General Secretary of The Prison Association of New York at that time was Dr. E. C. Wines who was largely responsible for the establishment of The American Prison Association. He was also General Secretary of the national body for a number of years.

The Congress of Correction in 1951 was held in the State of Mississippi during the week of October 21st. With 46 states, the District of Columbia, Canada, Norway, England, the Netherlands, and Japan represented, the Congress, sponsored by The American Prison Association, hit one of its all time records for national representation. Meeting at the Hotel Buena Vista, in Mississippi's Gulf Coast City of Biloxi, the Congress was attended by more than 600 registered delegates and many others from local areas.

Following a new form of meeting schedule which provided more time for sectional and group meetings, the Congress was adjudged a success by those attending. This year for the first time the regular general sessions were dispensed with excepting the opening and closing sessions and a special review general session which preceded the annual business meeting. The new format was in keeping with the desires of the Board of Directors and its general success will undoubtedly assure its continuation in the future.

In view of the state of national emergency considerable discussion was devoted to the place of prisons and prison labor in the production program for defense. For the past year the Association

has been active on the Washington scene acquainting the appropriate authorities with the production potential of prisoners, and a number of correctional institutions are already working on defense orders. The consensus of opinion is, however, that the majority of prisoners in confinement should be used in the expansion of production of defense goods. The excellent showing made by prisoners during World War II is a matter of history, and prison industry authorities attending the Biloxi meeting were of the opinion that state prison industries could provide \$200,000,000 worth of goods annually if they were given the green light to proceed. Work hours would have to be extended and incentives provided for quantity and quality of production. The incentive to prisoners to double their efforts would, of course, stem from the fact that they would be engaged directly in the defense program, and helping their nation in times of emergency.

The problem posed by the sex offender was discussed by various groups, particularly those identified with medical interests. Claiming that the spirit of revenge so discolors the facts of the problem as to seriously handicap medical criminologists, the President of the Medical Correctional Association, Dr. Lowell S. Selling of Florida, said that typical public thinking today brings down "... on sex offenders a certain amount of conditioned responses by the police or public which very definitely hinders our efforts to treat them." Claiming that there is a reasonable chance of minor sex offenders being cured, the medical authority stated there is an important need for an understanding public to whom they can return.

Crime prevention authorities, particularly James B. Nolan, sixth deputy police commissioner of New York City and Dr. Lois Higgins of the Chicago Police Department, were emphatic in stating that community crime prevention programs can no longer be placed at the doorstep of a few police officers, but that they must be developed on the basis of acknowledged skills and capacities to identify delinquent youth. Noting the place of the correctional institution in the crime prevention process, Commissioner Nolan indicated that "the correctional institution becomes a phase that must be taken only in very specific cases and must be predicated upon its therapeutic value and not allowed to become a 'catch-all' for every case, many of which should be treated in the community".

In addition to the numerous discussion sessions, the Congress program featured practical demonstrations in jail and prison management. One such demonstration sponsored by the National Jail Association was put on by representatives of the culinary department of the United States Bureau of Prisons. Under the topic "Dollars and Diets" Mr. S. T. Sale, culinary supervisor of the Bureau of Prisons, showed how to prepare and serve the right and

wrong types of institutional meals. Noting that the attractively prepared meal costs less than the unattractive one, Mr. Sale's demonstration included many helpful hints and "tricks of the trade" in the service of food. Various visual aid techniques were demonstrated by others from the Bureau.

With a schedule of concurrent meetings on probation and parole, the National Probation and Parole Association, an affiliate of The American Prison Association, devoted considerable time to a full airing of these two closely related subjects.

The Association's Committee on Personnel Standards and Training gave final approval to two reports, one on standards of in-service training of correctional officers, and the other on a suggested college curricula for correctional service education. It is anticipated that both of these reports will be available in printed form at a later date.

Other groups affiliated with the parent body, and meeting in connection with the Congress of Correction, included the Correctional Education Association, Correctional Service Associates, National Chaplains' Association, Wardens' Association, the International Prisoners' Aid Association, Penal Industries Association, in addition to the Association's standing committees on crime prevention, citizen participation, classification and case work, institution libraries, and research and planning. At the annual business meeting a new committee was authorized, namely, the committee on study and treatment of narcotic addiction.

Among the resolutions adopted were those emphasizing the need for expansion of prison industries in the defense effort; the placing of greater emphasis on research in the correctional field and the development of a clearing house for research needs and available resources; extending institutional programs designed to eradicate illiteracy among inmates; the modification of existing restrictions which now preclude parolees and other discharged inmates from joining the armed forces; the authorization of a committee to explore the problem of evaluating adult correctional institutions in keeping with accepted standards.

The 82nd Annual Congress of Correction will meet in Atlantic City, New Jersey, during the week of October 5, 1952, this decision having been made at the 1950 meeting. The 1953 meeting will be held in Toronto, Ontario, Canada, in the Fall of that year.

At the annual business meeting retiring President Joseph E. Ragen, Warden of Illinois State Penitentiary, Joliet, welcomed the newly elected President, James W. Curran, Superintendent of State Use Industries, Maryland Department of Correction, Baltimore. Mr. Curran, formerly a vice president, has been the Association's special consultant on prison labor in Washington and will continue in this capacity.

Vice presidents elected were Norman Fenton, California; General Ralph B. Gibson, Canada; Miss Nina Kinsella, West Virginia; Kenyon J. Scudder, California; and Walter M. Wallack of New York. E. R. Cass was re-elected General Secretary. John L. Schoenfeld, re-elected Treasurer, and Roberts J. Wright, re-elected Assistant General Secretary. The Executive Committee consists of Robert P. Balkcom, Jr., Georgia; Miss Elizabeth Kates, Virginia; G. Howland Shaw, Washington, D. C.; Will C. Turnbladh, New York.

NATIONAL CHAPLAINS' CONFERENCE

On May 22 and 23 the National Chaplains' Association sponsored a two day regional meeting for chaplains with several open meetings for the public, at the Salvation Army Headquarters in New York. The meeting was addressed by chaplains and wardens as well as the Director of the United States Bureau of Prisons. The staff of the Prison Association contributed a portion of their time in planning the conference and we felt that this was of particular value in view of the renewed interest on the part of the chaplains' group. The regional conference was unusually well attended and will undoubtedly be the forerunner of subsequent conferences in other years.

COUNCIL OF STATE GOVERNMENT

Mr. Wright was again invited by the Council of State Governments to prepare an article on correctional progress in the country for the 1951-1953 annual publication of the Council, known as the BOOK OF THE STATES. He prepared a similar article two years ago and has been asked to make this additional contribution for the next edition.

INSPECTIONS BY COMMISSIONER SCHOENFELD

Reporting as the Chairman of the Committee on Detention of the Prison Association of New York, Commissioner Schoenfeld presented the following summary as of October first:

Since January 1, 1951, 69 places of detention in the 5 boroughs of the City of New York, Nassau and Suffolk Counties, plus several upstate institutions were personally visited and inspected.

A lengthy report was submitted to Commissioner Williams regarding the unsatisfactory conditions at the Night Court Detention Pens in Manhattan.

At the time of the above visits and inspections, civilian defense was discussed, and assurance was given that proper arrangements are being made.

Improvements—We have received many replies that the recommendations made during the visits and inspections are being complied with. The Police Department of the City of New York also has made a number of improvements, such as painting, providing additional heating facilities, and many other minor repairs.

The detention quarters at Police Headquarters have been completely repainted, and all the old style lattice bunks have been replaced with joint-tight, vermin-proof wooden bunks which have proven to be more economical and sanitary.

We have received communications from the Chief Inspector and the Fifth Deputy Commissioner of the Police Department of the City of New York advising that they are complying with our recommendation pertaining to water conservation, and that flushing systems will be installed in all places of detention with individual flush fixtures for each cell. This will effectively replace the outmoded system whereby a many as 6 and 8 lavatories were on one flush—using 48 gallons of water. The individual flush will only require 6 gallons of water.

Escapes—There have been approximately 8 escapes from detention quarters of the Police Department, City of New York, both male and female. Three have been apprehended. On each occasion, the places where the escape occurred were visited and written reports were sent to the Police Departments. In 4 instances, complaints were filed against the police officers, and they are awaiting departmental trial.

Sing Sing Prison—At the request of the foreman of the Grand Jury of Kings County, Commissioners Cass and Schoenfeld made arrangements and accompanied the Grand Jury on their visit and inspection of Sing Sing Prison, Ossining, New York on September 26, 1951.

DETENTION OF FEMALE PRISONERS BY NEW YORK CITY POLICE DEPARTMENT

During the month of April Commissioner Schoenfeld, acting for both the State Commission of Correction and The Prison Association addressed a letter to Police Commissioner Thomas F. Murphy regarding places of detention for women in police custody. Commissioner Murphy took notice of the situation and subsequently changes were made in accord with the suggestions made by Commissioner Schoenfeld. This means that the 14th and 19th Precinct station houses which are equipped with cells for detaining female prisoners will be used for all such cases in the Borough of Manhattan. Also, when the order became effective all female prisoners arrested in precincts south of 65th Street are to be detained in

the 14th Precinct station house, and those arrested in precincts north of 65th Street are detained in the 19th Precinct station house. A letter from the Chief Inspector of the Police Department later advised that the 28th Precinct Detention Quarters was ordered closed. In his correspondence with the Police Commissioner, Commissioner Schoenfeld reminded him that during the seventeen years of campaigning prior to the establishment of the Women's House of Detention in New York City, the slogan was "Keep women prisoners out of police station lockups". It, therefore, can be seen how anxiety is aroused when there is even a minimum use of police lockups for the detention of women prisoners.

COURT OF GENERAL SESSIONS INSTITUTE

On February 3rd Mr. Wright presented a paper at one of the sessions of the Twenty-first Annual Institute conducted by the Probation Department of the Court of General Sessions. Speaking on the subject, "The Community's Responsibility for the Disturbed Personality", he presented the problem as seen by the correctional administrator. Approximately 100 persons were in attendance.

MIDDLE ATLANTIC STATES CONFERENCE OF CORRECTION

Representing The Prison Association of New York and The American Prison Association, Mr. Wright attended the Middle Atlantic States Conference of Correction at Atlantic City on April 5, 6 and 7. Participating in this regional meeting were numerous representatives from the New York State Division of Parole, as well as some one hundred other parole and probation officials from the middle Atlantic region. Papers presented and topics discussed related to treatment of sex offenders; the role of inmate participation in correction administration; developing employment opportunities for parolees; current developments in interstate cooperation; and the helping of families to face their problems. The chairman of the New York State Board of Parole was one of the discussion leaders.

PHILIPPINE PRISON SYSTEM

We have been in touch with the Bureau of Prisons of the Philippine Government in response to their request for assistance in the development of a treatment program. Their largest prison is of modern design and is located twenty-five miles south of Manila and known as New Bilibid. This institution was visited numerous times by Mr. Wright in connection with official naval duties during World War II. In view of his familiarity with the physical surroundings, we were enabled to handle their request with more ease than otherwise would be the case.

One question raised by Philippine officials related to payment of compensation to prisoners injured in the performance of their duties. We have asked various authorities in the United States to correspond with the Philippine people on this problem.

STATE DIVISION OF PAROLE

On June 14th and 15th at the invitation of the chairman of the State Board of Parole, Commissioner Frederick A. Moran, Mr. Wright attended a two-day meeting of the Executive Council of the Parole Division at Albany. The Council is composed of the district area directors, the chief parole officer, and one or two others, and meets monthly to discuss problems of parole administration. Opportunity was afforded Mr. Wright to present a number of problems in which the Association is interested and he was urged to attend as many of the regular monthly meetings as is possible in the future.

In view of the fact that this is the top planning Board within the Division, it affords excellent opportunity for the Association to be identified with policies and procedures. This is in keeping with our long standing relationship to the parole situation in this State.

CHILDREN IN JAIL PROJECT

At the request of Austin H. MacCormick, executive director of the Osborne Association, we have been asked to lend our services to a proposed project to remove children from jails in certain sections of the country. It is anticipated that one of the foundations will lend its support and possibly set up one or two demonstration projects; perhaps in some of the southern states where the problem of children in jail is prevalent. An informal committee has been formed of representatives of various correctional agencies, including Justice Polier of the Children's Court and other jurists. It should be kept in mind that the problem of children in jail does not have bearing to the State of New York, or any of the institutions of the City of New York. The law specifically prohibits the jailing of persons under sixteen years of age in this State. In many states, however, no such statutory provisions prevail and the problem is acute.

NORTH CENTRAL STATES WARDENS' CONFERENCE

Mr. Wright attended the Fifth Annual meeting of the North Central States Wardens' Conference at Cedar Rapids, Iowa, on May 4th and 5th. There were approximately 25 institutional heads of the Midwest area in attendance. He conducted one of the afternoon discussions on the question of Prisons and Defense Mobilization, and also a discussion relating to the book, MY SIX CONVICTS.

Also in attendance was Warden Joseph E. Ragen of the Illinois State Penitentiary and President of The American Prison Association.

CENTRAL STATES CORRECTIONS CONFERENCE—MILWAUKEE

From April 22nd to 25th, Mr. Wright substituted for Mr. Cass who was unable to attend, representing the Association at the Central States Corrections Conference. This is an important group among a number of regional meetings held annually and we feel it most advantageous to be represented and to participate in the various programs. This particular group, representing 11 States, was attended by 300 delegates.

NATIONAL CONFERENCE OF SOCIAL WORK

Enroute to the meeting at Asheville, North Carolina of the National Jail Association, Mr. Wright represented the Prison Association at the National Conference of Social Work at Atlantic City in May. We have long been affiliated with this body and the membership of the General Secretary has been recognized as one of the lengthiest at the meetings.

ST. LAWRENCE UNIVERSITY INSTITUTE

During the week of August 12th Mr. Wright participated in the Annual St. Lawrence University Institute on Delinquency and Crime, which is sponsored jointly by the University and the State Departments of Correction, Parole, Mental Hygiene, and the Youth Commission. The Institute consisted of fulltime courses and a variety of correctional subjects, and was attended by 250 professional workers. Mr. Wright was on the faculty of the Institute and conducted one of the general sessions and also participated as a scheduled discussant in one of the evening sessions. The University authorities have indicated that the Association should again be represented in 1952.

The *New York Times* on August 17th and 20th contained news and editorial comment concerning the Institute and the item on the 17th made reference to our participation. The editorial comment on August 20th was urged and supported by Mr. Wright and related to the need for the appointment of an experienced and capable man for the post of State Commissioner of Correction.

BOOK—"CONTEMPORARY CORRECTION"

Dr. Paul W. Tappan, professor of criminology of New York University, has added a new book to the correction field entitled "*Contemporary Correction*". The contributors to the book include

various authorities in the field such as wardens, probation and parole personnel, and numerous others. The book is published by McGraw-Hill Book Company and should be widely accepted within the field. Mr. Wright contributed a detailed statement on the subject of jails and other institutions for misdemeanants. Most of the contributors have lectured at New York University over the past few years in conjunction with Dr. Tappan's course on correctional administration.

NATIONAL PROBATION AND PAROLE ASSOCIATION

At the request of the executive director and the director of parole of the National Probation and Parole Association, Mr. Wright met with a committee to discuss the compilation of a new "parole packet" to be made available by that Association. The meeting was held in Philadelphia on January 12th, and attended by Dr. G. I. Giardini, executive director of the Pennsylvania Board of Parole; E. J. Hendrick, Chief United States Probation Officer, Philadelphia; R. E. Wise, director of parole of the National Probation and Parole Association; and Mr. Wright. Discussion concerned various types of literature to be included in the packet, as well as the prespective mailing list to receive this literature. Subsequent conferences were held in New York during the remainder of the year leading toward the eventual publication of the packet.

G. HOWLAND SHAW ESSAY CONTEST

Continuing his active interest in correctional affairs, Mr. Shaw, a member of our Executive Committee, sponsored this year an Essay Contest open to correctional officers throughout the country. In other years the contest has been available to prison inmates but it was felt that the time was appropriate for custodial personnel to participate in a contest. Prizes have been established by Mr. Shaw and judges of the contest are Messrs. Shaw; Walter M. Wallack, warden of Walkkill Prison; James V. Bennett, Director of U. S. Bureau of Prisons, Washington, D. C. and Mr. Wright of our staff. A considerable number of entries were received and awards will take place after the first of next year.

FEDERAL CORRECTIONAL INSTITUTION—DANBURY

At the invitation of the warden and the educational staff, Mr. Wright again visited this Institution and discussed employment problems with groups of prisoners about to be released. The visits were made on May 31st and June 21st and these visits continue a long standing relationship of the Association with this Institution, and afford opportunity to present up-to-date information on employment possibilities to prisoners whose release date is near at hand.

NEW YORK STATE CIVIL SERVICE EXAMINATION

Mr. Wright was invited to participate as one of an examining panel of five persons to conduct oral examinations for the position of assistant district director of the State Division of Parole. Following a preliminary conference of the panel members on November 7th, the examination was conducted the entire day of November 12th, at Buffalo, New York. A second examination was conducted in New York City on November 21st. Vacancies exist in the three parole districts, namely, Buffalo, Albany and New York. The examination is known as the Group Oral Plan and makes possible a more scientific selection of personnel, especially in higher echelon professional position reached through promotional examination.

PROPOSED EXAMINATION—CHIEF PROBATION OFFICER

During August the Association was requested by the Municipal Civil Service Commission to make detailed comment on a proposed announcement for a promotion examination to the position of chief probation officer of the Magistrates' Court, Domestic Relations Court and Court of Special Sessions. The announcement draft consisted of a lengthy and detailed statement of requirements and the request of the Commission is one of the few times that they have solicited the counsel of private agencies in the correctional field. In our reply we complimented the Commission for their foresight and interest in securing professional guidance and we also pointed out that the salary level for the proposed position was too low to attract the best possible personnel. It was noted that probation officers in the Court of General Sessions and in Kings County Court receives a higher salary than the chief probation officer would under the provisions of the announcement under discussion. We also pointed out that the announcement lacked provision for administrative experience and ability, and we felt that eight years' experience might not be sufficient for the highly specialized position of chief probation officer.

SURVEY CONDUCTED BY ALFRED HOPKINS ASSOCIATES

On October 4th Mr. Wright had a preliminary conference with Clarence B. Litchfield of Alfred Hopkins and Associates relating to an extensive year's survey being conducted by him for the New York City Department of Correction. The survey is in final stages of preparation and is being made under contract to the City. On November 2nd, Mr. Cass, in company with Mr. Schoenfeld, Commissioner Williams of the New York City Department of Correction and several of his staff, had further conference with Mr. Litchfield. Mr. Cass noted that the project under Mr. Litchfield's direction has resulted in a thorough and detailed analysis from a

long-range point of view of the various problems faced by the City Department of Correction. Mr. Litchfield's plan, if and when it is put into effect, will cover a ten-year period.

VETERANS' PREFERENCE

During the 1951 session we strongly opposed the bill introduced by Assemblyman Bernard Austin, Assembly Introductory 417, print 418, to repeal Section 6 of Article 5 of the Constitution, and to insert a new section.

Section 6 was a recent addition to the Constitution approved by the people. It provides for a more equitable rating of disabled and non-disabled veterans regarding civil service examinations and promotions. The purpose of the repeal is to return to the former carte blanche preference of all veterans in arriving at civil service ratings. The injustice of this was apparently evidenced by the people when they voted for adoption of Section 6 which became operative January, 1951.

HART ISLAND PROJECT FOR HOMELESS MEN

We believe wholeheartedly in the proposal to use the buildings and facilities on Hart Island for homeless men. We commend the combined action of the New York City Department of Correction and the City Department of Welfare to make the project a reality. Unfortunately it became the center of a complex situation involving reimbursement by the State to the City of welfare funds. While the Department of Welfare has had the use of the Island for about a year it has not been possible to accept more than about three hundred inmates at any one time. It is hoped that during the 1952 session of the Legislature it will be possible to agree upon a plan whereby the required financial support can be had in order to carry through the project in the interest of community welfare and protection. Efforts have been made in the past to cope with the problem of vagrancy and alcoholism but the net result is that the problem is still very much with us and requires unceasing application of thought and experimentation for greater success. The Hart Island project is in this direction. Therefore, we have given it support at every opportunity.

FOREIGN VISITORS

Our Association continues to be a kind of focal point for foreign visitors. Through the years officials and others come to us referred directly by their home governments, our State Department or the Federal Bureau of Prisons. It has come to be regarded by many of them that they have a New York office which coincides, of course, with the office of The Prison Association of New York. This

friendly and cooperative relationship proves of mutual value and we are happy to have been in a position through the years to render such service. It is required that they be given letters of introduction to department heads, institutions within the New York City area, and in some instances to various states through the country. During the year 1951 we had visitors from England, Japan, Brazil, Cuba, Puerto Rico, France, Turkey, Australia, Denmark and Germany. Among the foreign visitors one group coming to our attention through the British Embassy in Washington consisted of the Royal Commission on Capital Punishment. It was our pleasure to assist the Commission through conference and visits to courts and institutions. The Chairman of the Commission was the distinguished jurist, Sir Ernest Gowers, G.B.E., K.C.B. On behalf of the Royal Commission on Capital Punishment and under date of June 25th, 1951 the Chairman addressed the following communication to the General Secretary:

Dear Mr. Cass:

I am writing on behalf of my colleagues to thank you most sincerely for the valuable help which you gave us on our recent visit to New York. It was very good of you to spare the time to go with us to Sing Sing and to give us the pleasure of your company as well as the benefit of your wide knowledge of American prison administration, and we greatly appreciated your kindness.

Yours sincerely,
(Signed) ERNEST GOWERS

REMARKS OF GUEST SPEAKERS

To add to the interest and knowledge of our Executive Committee the practice of inviting a guest speaker to the monthly meetings was again followed. The knowledge and experience of these outstanding guests identified with various activities intended for the public welfare is definitely helpful.

Remarks of Police Commissioner Thomas F. Murphy

In introducing The Honorable Thomas F. Murphy, Commissioner, Police Department of the City of New York, former Police Commissioner Mulrooney paid tribute to him for the ability he has demonstrated in various avenues of public service and stated that the people of New York were indeed fortunate to have a man of the caliber of Commissioner Murphy as their police chief. Noting particularly the decrease in police manpower since his time as commissioner, Mr. Mulrooney stated that in 1934 there were nearly 19,500 persons attached to the department. He indicated that the figure should be at least 23,000 to provide adequate protection in all sections of the city. The full support of the Prison Association was assured to Commissioner Murphy and Mr. Mulrooney urged him to call upon our services at any time.

Speaking informally, Commissioner Murphy noted the pleasure that was his in being able to talk in an off-the-record fashion with the Executive Committee of the Association. As other public officials before him have stated, he said a body such as ours is in the unique position of being able to be of tremendous assistance to public servants. The major task facing him when he accepted appointment as commissioner of the Police Department was to restore the confidence of the public in the force. Out of a group of 18,000 men, Commissioner Murphy indicated that most of them had to stand the condemnation which rightfully belonged to perhaps less than fifty. He pointed out the extremes to which this condemnation took form in citing several cases of police officials who were the subject of much unfavorable comment in their neighborhoods. He also noted that the children of honest officials had to withstand harsh criticism in their school circles. The problem was so acute and personal with the vast majority of police officers that drastic action was necessary. Observing almost immediately that one of the major causes for lack of confidence in the departmental personnel was due to some patrolmen in plain clothes assignments, immediate action was necessary and all such persons so assigned were at once relieved of their detail. The commissioner acknowledged that this move hurt many who were fulfilling their tasks in a commendable manner, but he pointed out that sufficient time was not available to make a detailed study.

Discussing the problem of gambling, the Commissioner felt that the Association could lend its help at the court level. He was of the opinion that many magistrates do not treat gambling cases with the seriousness that they deserve. Noting that some judges "just don't care", the Commissioner felt that small fines would never be the answer to the gambling problem. While gambling will always be noticeable and will undoubtedly always be acknowledged as a frailty of mankind, the Commissioner made a plea for reduction in the problem through a more stringent approach. Feeling that much of the present procedure was nothing more than a waste of time, he urged that judges, particularly, be impressed with the necessity of taking more drastic action as far as the disposal of gambling cases is concerned.

Commissioner Murphy also pointed up the need for public agitation on the subjects of gambling and the increasing use of narcotics among adolescents, stating that drugs are coming in by carload lots from Europe. He put the blame on highly organized rings as well as individual seamen. Terming the rise in drug addiction among young people as "completely frightening", he voiced the opinion that the problem of handling the drug addict should be something more than a police problem. As in the case of chronic alcoholics, personality defects are noticeable in a great majority of

instances and exactly what to do with the addict has long posed a perplexing problem. He indicated that it cannot be solved by hospital treatment alone and expressed the hope that several surveys now underway would come up with more of a solution than has been developed to date.

The Commissioner made comment upon the time necessary to do a thorough job of apprehension with the organized narcotic traffic, pointing out that the task was one of extreme danger to the agents involved and requiring months of preparation and investigation before arrests could be made. This reference was made particularly concerning the recent roundup of narcotic sellers in Brooklyn.

He again made a plea for more personnel, saying that he cannot do the job required of him with only 19,000 men. He feels the increase to be absolutely necessary and the city budget director has received his plea for expansion of the force.

In adjourning the meeting Mr. Holter again expressed the thanks and appreciation of those present for the opportunity of conferring informally with Commissioner Murphy and once more stressed our anxiety to be of whatever assistance possible.

Remarks of the Honorable Morris Ploscowe

Judge Morris Ploscowe of the Magistrates' court spoke on organized crime and revealed a sordid picture of activities on the part of ex-bootleggers and others who are regarded as the principal offenders by the United States Senate Crime Investigation Committee, more generally known as the Kefauver Committee. He spoke with authority on the subject because of his observations of the crime situation over a long period of years, his activities as Executive Director of the American Bar Association Commission on Organized Crime, and finally he aided considerably in writing the report of the Senate Crime Committee. His commendable service is acknowledged in the early pages of the Committee's report. The report, entitled: *Third Interim Report of the Special Committee to Investigate Organized Crime in Interstate Commerce*, covers 195 pages and is now generally available for public examination.

Judge Ploscowe stressed that the seriousness of the crime situation in this country today is that it is no longer a small band of outlaws of the "Jesse James type" but instead constitutes a well organized group operating in fairly well defined areas throughout the country. To these men their criminal activities are regarded as big business, involving huge sums of money and also all kinds of maneuvering for prestige and added gain. They operated somewhat under cover during prohibition days, and in later years put on a front of respectability to camouflage their enterprises. The

Judge also stressed the point that they could not succeed without the help of some persons in various levels of official and political life. He referred to the squiremy action of these people during the public hearings of the Kefauver Committee. It was clear that they were quite uncomfortable in the full view of the public and enlisted the aid of clever counsel and all the various devices at their command to confuse the Committee or conceal the facts.

Judge Ploscowe spoke of the situation as deplorable and a threat to our national welfare. He recounted many interesting parts of the testimony of the mobsters and emphasized that with too many of them, there was no hesitancy in either entirely evading federal tax payment or making ridiculous and untruthful returns. Such daring procedure, it is fair to assume, could not be consummated without some inside official assistance. He stressed repeatedly that dishonesty in public life goes hand-in-hand with mobster operations and the success of the principals to the point where it could dictate to political organizations and thus exercise a control over the nomination and election of public officials.

Judge Ploscowe emphasized the devastating effect that this sordid condition has upon the minds and the morals of our young people. The financial success of the mobster-type is a source of speculation and suggestion to the young mind on the question of whether it pays to become educated and to strive for achievement along legitimate lines and in accordance with the law or to follow the mobster line.

The gist of Judge Ploscowe's remarks was that the public is getting just what it is willing to stand for and that if it is content with conditions as revealed by the Kefauver Committee, there is little hope for any worthwhile change in the future. Finally, he commented that it is a situation that cannot be controlled from the National Capitol and must be dealt with individually by the States and the various small communities.

Mr. Holter expressed the thanks and appreciation of the Executive Committee to Judge Ploscowe for his discussion of a subject of such vital importance to the public welfare.

Remarks of Police Commissioner George P. Monaghan

In introducing the Police Commissioner of the City of New York, the Hon. George P. Monaghan, as one "of the world's busiest men" Mr. Holter offered the wholehearted cooperation of the Prison Association of New York at any time he felt that our services were needed.

Commissioner Monaghan praised the Association for its work and stated that an organization of this type can be of tremendous service to the community as a "watch dog" on correctional affairs. He expressed much pleasure at being able to discuss some of his

problems informally and confidentially with the Executive Committee and reviewed a number of problems which awaited him upon his acceptance of the Commissionship.

The Commissioner stressed the fact that for thirteen years he had been chief Assistant District Attorney of New York County, in charge of the Homicide Bureau. He also indicated that following that period he was Commissioner of the Fire Department and had done much to alleviate many of the personnel problems of that Department during his brief tenure.

One of the Commissioner's current problems is the matter of disloyalty of a small group within the Police Department. Following the breakdown of the graft trials involving prisoner Harry Gross whose refusal to testify wrecked the entire case of the District Attorney of Kings County, Commissioner Monaghan was required to conduct departmental trials of the police officers involved. He stated that it was his desire to secure the best possible legal mind and a completely impartial person to conduct these trials. He indicated his pleasure of obtaining the services of former Federal Judge Simon Rifkind. These trials are now in process.

Commissioner Monaghan indicated his concern with the problem of narcotic addiction and noted that he had increased his personnel of the Narcotic Squad from 30 to more than 300. He has also charged every individual police officer with responsibility for curbing the narcotic traffic and stated that this procedure has already brought excellent results.

The Commissioner likewise noted that he had made special effort to increase the number of policemen.

At the conclusion of his remarks one or two of the Executive Committee members raised a question concerning the need for increased personnel within the Department itself. Commissioner Monaghan stated that the quota was about 20,000 and that the present number of officers totaled slightly below 19,000. It was pointed out that the present staff equals the manpower of the Police Department of 1934 when there was 20% less population in the City of New York. Since that time the staff of personnel dropped to around 14,000 and has since been raised to the present 19,000 level. He also noted that if higher salaries could be paid there would be less difficulty in securing high-grade men.

Remarks of Thurgood Marshall, Esq.

Mr. Moore, deeply interested in the activities of the National Association for the Advancement of Colored People, introduced our guest speaker, Mr. Thurgood Marshall, special counsel for that association. He referred to Mr. Marshall as a lawyer of recognized ability who has been commended by the Supreme Court of the

United States for his diligence and skill in the campaign for just treatment of colored people.

Mr. Marshall said that the national organization was founded in 1909 and has branches in different cities of the United States and a staff of seventy-eight workers. He, as its chief counsel, resides in New York City. The purpose of the association, as he briefly put it, is to remove prejudice from American life. He described the progress made for more justice for the Negro through various legal actions, and remarked that lynching in the South has in some parts given way to legal killing. In this connection he referred to the Groveland, Florida incident about which the Prison Association communicated on November 8, 1951 by telegram with United States Attorney General McGrath.

Mr. Marshall discussed the evils of coerced confessions and no colored persons allowed on juries in many of the Southern states. He deplored the discrimination shown the Negro in the south generally and indicated that while some progress has been made there yet exists the strong hostility based mainly, as he put it, on the fear that the Negro movement has as its main objective social equality. This, he denied. He, however, did not limit this attitude to the South alone. He spoke of the progress being made, again naming the South, for Negroes to have opportunity for learning in colleges and universities. He deplored forced segregation in free life as well as in institutions. He mentioned his observations at the New York City Reformatory in 1938.

The preponderance of Negro labor on road gangs in the South drew his criticism and he said that while there had been some progress made in this connection many of the old evils still in his opinion prevailed, particularly with reference to county highway operations. His over-all emphasis was that his association was not urging social equality but, instead, simple justice for all Americans regardless of race, creed or color. He made the statement that prejudice shows itself in institutions, first because a person is confined, and doubly so if that person happens to be a Negro. He told of a campaign in a Southern state where one of the speakers in arousing his audience came to his climax with the statement, "And do you know, some one of these days a Negro man will come and knock on your door and ask for permission to marry your daughter." On one occasion when this was stated some University students who had been heckling the speaker rather gently asked the question, "Is there anything to prevent her from saying 'no'?"

Mr. Marshall touched upon the narcotic situation and said that it is more serious than most people realize. He termed it a cancerous growth, threatening the health of our nation regardless of race.

The meeting was impressed with Mr. Marshall's frankness and his desire to develop justice and better understanding and tolerance in behalf of people of his own race.

THE ASSOCIATION'S BUREAU OF SERVICE

Employment and Relief Bureau

The present demand for available manpower would be more gratifying were it not so closely limited to men not having institutional records. The Prison Association of New York and similar organizations are daily facing problems posed by this situation. First there is the dubious employer, too willing to reject a prospect who is not of his own choice. Then there is the employer who dares not obligate himself to the placement of the individual being processed for release. These are but two of the numerous setbacks that only invigorate the efforts of the Prison Association of New York in its efforts to secure placements for parolees, discharged prisoners and those men in various institutions awaiting release.

Rehabilitation would be a meaningless word but for the employer possessed of a deep sense of charity for his fellowman. His faith and understanding are the welcome stepping-stones along the hard road to rehabilitation; the reassurance the ex-inmate seeks in pursuit of his ultimate goal—readjustment to civilian life, with restoration of privileges as befitting any useful and respected member of a community. We wish to commend those employers who do not hesitate to accept ex-prisoners as trusted employees. The individual seeking rehabilitation must be prepared to follow a carefully planned pattern, learning first to discharge his duties properly, before he can feel free to accept his cherished rights and privileges. More important is the lesson he will have learned thoroughly—that courtesy and respect must be earned! After that, our ex-inmate will emerge as a self-respecting, law-abiding citizen.

For the past ten years the Employment and Relief Bureau has been under the able supervision of Mr. Harry Schwartz, who is credited with nearly forty years' experience in the field of crime treatment and prevention in New York City. Mr. Schwartz' activities include personal contact with employers, consisting of innumerable visits covering an extensive area and representing equally extensive fields such as commercial houses, factories, mills, garages, laundries, stores, etc. We are pleased to note that where no actual placement may have materialized, our representative, nonetheless, was accorded heartening cooperation on the part of all those visited.

The Bureau serves as more than an employment agency for its clients. The more recurring problems among our clients are financial stress, inadequacy of proper clothing, lack of necessary

transportation to job locations, proper tools, union dues, fees, etc. In each case, aid is granted after thorough investigation. Those clients whose means of self-sustenance have been either temporarily or permanently impaired by retarded health or advanced age, call upon the Bureau to lead them the necessary financial aid to guide them through the critical period of adjustment. In addition, our program deals with the contacting of families and friends, augmented by referrals to the proper welfare agencies in a position to accept cases for permanent and long-range financial aid and support.

As in the past, the Bureau has been deluged with cases worthy of mention; however, limitation of space forbids this, so we have selected a few at random for the reader's consideration.

*B. M., a second offender, served his sentence in exemplary fashion, and at the time of his release, through a job offer submitted by the Prison Association, was given gainful employment with salary adequate to support his wife and child. Our representative happily reports that *B. M. is fulfilling the faith placed in him by both employer and the Bureau.

*L. K., a first offender, was committed for burglary. Like *B. M. he, too, had a wife and child. Prior to his commitment, he spent several years at sea, a contributing reason for his lack of knowledge at skilled labor. At the time of his release from the institution, however, the Prison Association placed him with a large concern where *L. K. is now happily employed while learning a productive trade. His employer reports that he is doing exceptionally well.

*B. P., a third offender, presented an unhappy picture. Still in his twenties at the time of his apprehension, he had a good war record, with an honorable discharge. While in the service he was well adjusted and happy, but after his discharge he became restless due to unemployment. Out of sheer desperation he made an unsuccessful attempt at robbery, for which he was sentenced. At the termination of his sentence, the Prison Association secured a fine job for *B. P. with a large garage where he happily attends to the one task dear to him—the care of autos and motors. He is well adjusted once more and doing very well.

Prior to *N. R.'s arrest for Unlawful Entry, he had been arrested twice for juvenile delinquency, although had not served time for either of the latter. While in the institution, *N. R. was taught a valuable trade, and at the time of his

* All names and initials are fictitious.

parole, the Prison Association secured gainful employment for him. *N. R. has worked steadily at the same job and has proved his worth to the Bureau and to those who have given him a second chance.

Visits to New York City Prison and Sing Sing Prison

The Association is proud of its long standing practice of making contact with those held in the City Prison, Manhattan, as well as Sing Sing Prison, Ossining, charged with or convicted of crime. Prisoners, troubled and otherwise out of contact with friends and relatives, very often write and request an interview. In this phase of our work we are glad to acknowledge the excellent cooperation of Warden Herman J. Ruthazer of the City Prison and his staff members; and Warden Wilfred L. Denno of Sing Sing and his staff.

This form of service has proved invaluable in protecting prisoners from designing persons, and preventing exploitation in time of trouble. This is particularly true regarding legal services and it has been our privilege to refer to the Voluntary Defenders Committee of the Legal Aid Society, those prisoners who are without funds, and thus feel secure with the knowledge that they will receive the best kind of legal guidance and service.

At this point it is our custom to present a few excerpts from letters written to us by clients expressing their appreciation. It is only fair to state that while the various letters may differ widely in general appearance and construction, they are identical in depth of feeling and appreciation.

From *P. L. . . . "Your wonderful letter and good news was received. . . . I want to thank you for all you have done for me. I won't let you down, Sir, that's a promise; it is my desire to stay out of trouble and to show appreciation to you would make me try hard to be a faithful, efficient worker. This is my chance to redeem myself and prove to society that I am worthy of trust. . . ."

*T. H. writes . . . "Many thanks for your recent visit and concern in my behalf. It is heartwarming for a man to know that there is still some people left in this world who are interested in what happens and becomes of a man during and after his confinement."

And *L. R. says in part . . . "I received your letter stating that you have submitted a job for me to the parole board for investigation and I am writing you this letter to let you know

* All names and initials are fictitious.

that I appreciate your help and aid in securing employment. I also want you to know that I will do my utmost in every way to make good at the job which has been offered to me. . . ."

From *F. H. . . . "Your very welcome letter of the 6th was just delivered to me and you were quite correct in saying I'd be glad. I'm overjoyed! Thought you might not have enough time or that you would send me another application. Of course I will visit your office if I'm released, not just for the letter of introduction but to thank you for your wonderful assistance. I appreciate it very much. . . ."

And the mother of *C. R. writes . . . "I want to thank you for everything you have tried to do for my son. In words and on paper I can't, but in my daily prayers, I shall always remember you."

From a probation officer comes this report concerning the case of *W. O. . . . "I want to extend my thanks to you not only for your help in this case, but for your wonderful "red tape" free cooperation whenever we have found it necessary to call upon you for assistance. . . ."

And from Warden Herman J. Ruthazer, City Prison, Manhattan, we proudly offer, ". . . I wish to convey to you and your organization, particularly to Mr. Harry Schwartz, the appreciation of the City Prison, Manhattan, staff and myself for your pleasing remarks, and that continued cooperation between both agencies can be assured. . . ."

The purpose and accomplishments of this Bureau are most constructive and highly valuable as can be attested by those we have helped. Letters such as the above are the happy medium whereby close relationship between the Bureau and client is firmly established. It was a letter of appeal that first acquainted our Secretary with the problem of one *R. S. whose most inspiring story can truthfully be entitled:

MISSION ACCOMPLISHED!

During 1942, at which time *R. S. was eligible for parole from Dannemora where he had served twenty-seven years for a serious crime, our Secretary received a letter from him, in the nature of an appeal for employment. The letter contained simple honesty and depth of feeling, stemming from a lonely man's deep-rooted want of friendship and spiritual guidance—a man who had all but abandoned hope for either. His wishes were quickly granted, and our secretary secured

* All names and initials are fictitious.

employment for him. Soon, however, *R. S. grew unhappy at his job—and rightfully so! It seemed that the crew with whom *R. S. had been placed, had deliberately been nursing the job, the better to prolong it, but with the installation of *R. S. who naturally is conscientious and ambitious, things began to hum, much to the distress of the men who no longer could afford to slacken their efforts. They resented this, of course, and never hesitated to demonstrate their ill will, all of which made *R. S. uncomfortable. Our Secretary immediately consulted the employer and advised him of conditions. The employer, in turn, hastened to defend and commend *R. S. All parties concerned concluded it would be more advisable for *R. S. to seek employment elsewhere, which he did. His next job was with a large hospital where he did painting and decorating. His honest nature plagued him to reveal his past to the superintendent, a gesture which undoubtedly must cost him his job, but which could not be denied! Acting in his behalf, our Secretary visited the superintendent. Instantly Mr. Schwartz revealed the nature of his visit and produced the official Prison Association card. The superintendent smiled indulgently, quickly assuring him that he had no interest in *R. S.' past—only his present and future! He further revealed that *R. S. was the most faithful and conscientious employee he ever had. Several months later, however, *R. S. sadly realized that his required chores were steadily diminishing, and because he felt strongly against accepting wages he hadn't rightfully earned, he soon resigned—over the loud protests of the superintendent who was loathe to lose his valuable services.

For the past 6 years, *R. S. has been happily employed by one of New York's leading newspapers.

Now, for the social side of *R. S. A foreigner by birth, he was determined to better himself, so devoted most of his spare time in prison to self-education as well as to the education of others willing to learn. He is a most charitable soul, always willing to extend a helping hand to those less fortunate than himself. More important, he is most eager to help youngsters; to keep them from straying, lest they make the same mistakes he did. He is a decent man, deeply possessed of high morals, having risen far above his past environs. Because of his honesty and forthrightness, people are instantly drawn to him. A little more than a year ago, he made the acquaintance of a gracious little lady whose honesty and simplicity matched his own, so it was small wonder that they fell in love. Just as in the case of all those whose friendship he values highly, *R. S. lost not time in revealing his past. But just as he had

* All names and initials are fictitious.

hoped, it made no difference. They were married recently, with a simple but dignified church ceremony, attended by our Secretary and his wife.

The most precious wedding gift *R. S. could possibly have received soon became more than a cherished dream. With the assistance of the Bureau, his parole was reduced to quarterly visits to his parole officer, and soon after that, he was discharged from parole supervision! He already has started working for full restoration of his citizenship.

To further illustrate this man's sterling character, it is only fitting that we conclude on a note of poignancy. Recently he came to the Bureau, accompanied by his wife. In his two hands, he proudly clutched a small but significant bouquet of roses—ten in all—one beautiful white rose surrounded by nine rich red ones. Like a happy schoolboy, *R. S. explained eagerly, "The roses represent my nine precious years of freedom. The red ones are for each of the nine years since my release from prison, and the white one in the center—pure and unblemished—is for the future. . . ."

Perhaps we are all too willing to accept the profuse thanks of grateful clients, so at this point we wish to reverse the procedure. To *R. S. and the many others like him—please accept our heartfelt gratitude! You men have made it worth the while; providing us with a welcome reward for our efforts.

Statistics for Employment and Relief Bureau for 1951

Office interviews	2,003
Telephone consultations	1,555
Different persons interviewed	1,803
Men released from New York City penal institutions	1,238
Men released from New York State penal institutions	377
Men released from out-of-state penal institutions	60
Men released on probation	39
Relatives of prisoners concerning employment	89
Meals provided	544
Nights lodgings provided	3,708
Employment contacts made by personal visits (approx.)	800
Men placed in employment	460
Men given cash relief	901
Total amount spent solely for relief (includes cash, meals and lodgings)	\$4,101.88

* Includes clients, parole and probation officers, agency and institutional officials.

FAMILY SERVICE BUREAU

Through the year 1951 the Family Service Bureau continued its long-established service of rendering sympathetic understanding and guidance, as well as financial assistance to the wives, mothers,

* All names and initials are fictitious.

and children of men serving terms in federal, state and city prisons. As in the past, since its founding over a century ago, the Association is an agency always ready to lend a helping hand to those faced with the incarceration of a loved one. In broad terms, it is the Bureau's aim to keep the family sound as a unit and as individuals, in order that the prisoner's eventual return to society may be effected under as normal conditions as possible.

Referrals are made to the Bureau from many and varied sources such as institutional authorities, police, parole and probation officers, social agencies, and often through frantic appeals for help in letters from prisoners themselves. Visits are then made to the home, or the wife or mother is asked to come in to talk matters over with the skilled and experienced director of our Family Service Bureau, Miss Joan Scotland. Here they find sympathy and understanding of their whole problem which they so urgently need. For example, one young woman came to the Bureau direct from court with her two small children, after learning that her husband had been sentenced to a term of from 5 to 10 years. This was the first time she was separated from her husband. With no family in New York and not knowing what to do next or where to turn, a correction officer in court, noticing her bewilderment, sent her to the Association. This was the first opportunity she had to talk over her problems. Prior to this she had been consulting with lawyers, worrying whether or not her husband would be found guilty and if so, what sentence he would receive. She had not been able to make plans for the future, but knew that for the next two or three years she must be both father and mother to her children and must provide for their support. Through the interview we were able, first of all, to have her express her feelings, realize her circumstances, evaluate her resources, and then make a decision as to how to live while her husband is incarcerated. Often an interview of this kind is enough to clear a woman's mind of confusion and despair as she gives vent to her pent-up feelings.

After a thorough investigation of the case, financial aid in the form of rent, clothing and food is given as may be necessary to alleviate immediate suffering. This assistance tides the family over until help is arranged through the City Department of Welfare. In most instances the family remains under our care and we attempt to raise its economic level and improve its health standards. This we strive to accomplish through guidance in the better planning of the home and through referrals to settlements and centers, the Police Athletic League, Boy Scouts, and other community resources. During the hot summer months the Bureau arranges placements in camps for mothers and their children.

The limitation of funds of a relatively small private agency does not, of course, permit it to accept full financial responsibility of

cases on a long range basis. We are, however, able to bridge the gap for an emergency period pending acceptance by the public welfare authorities, and to then supplement their allowances with funds for incidental purposes, clothing and other "extras" that make life worth living.

In constant touch with the family, we come to one of our major concerns, namely, the problem of social adjustment of the children. Facing the stigma which society so often imposes upon the family which is frequently unable to move from its surroundings due to the critical shortage in housing, these children (unlike the prisoner who is afforded the protection of prison walls and free from censure by his fellow offenders) must remain to face their small world. It is here that the help and cooperation of the parent is of vital importance. If the mother is over-solicitous and too protective in her attitude, or if, on the other hand she has developed a feeling of indifference towards the child, both of which attitudes stem from an unfounded fear that the child may have inherited the criminal tendencies of the father, the natural growth and development of the child with relation to society will be seriously impaired. It is necessary, therefore, that the worker attempt to make the mother see that on the one hand love and affection must not be denied the child, and on the other, that the opportunity to mingle normally with other children must be granted. Here again we have recourse to cooperating agencies such as those mentioned above. In extreme cases, where psychiatric help is needed, referral is made to a clinic or hospital.

We maintain a close affiliation with the families under our care through periodic home visits. Frequently, in these days of highly professionalized social work, agencies lose sight of the need for visits with families in their home surroundings. It is a relatively simple expedient to arrange office interviews with clients and then to sit back and await them to call on their own initiative. However, persons experienced in working with families having serious problems, such as the imprisonment of the husband or father, know only too well that the initiative for seeking help may have to originate with the agency rather than with the client. Certain public agencies operating in the field of delinquency prevention have accepted this principle as sound and, on the basis of long experience in the correctional field, we feel that when necessary the agency should take the first step if it is obvious that the client is reticent to do so. For this reason we give emphasis on the need and value of home visits.

Among the variety of miscellaneous services that the Bureau has been able to render due to the flexibility of its working organization have been the following: providing the cooperating agency assumes the responsibility for the train fare, we assume the neces-

sary food and lodging expenses when clients make visits to their relatives in institutions; pay school, camp and settlement fees, and assist clients with their loans to prevent the loss of furniture and other household goods.

At Thanksgiving, during this year as in the past, a Thanksgiving Dinner was provided, and at Christmas time, the Bureau was again a beehive of activity, for it is at this time that the absence of the father is all too keenly felt. Funds for a special Christmas dinner were provided and toys and candy given.

The following are a few typical cases covered during the period:

Mrs. *J came to us because she was not able to secure help from a public assistance agency as her own family had refused to cooperate with the Welfare Department. It was believed, however, that Mrs. *J was making an earnest effort to help herself but could not do this in her present living conditions. We learned that she was living in a four-room apartment occupied by 17 persons. Another home was found for her, and she is now residing in this apartment, with a yard in the back and adequate room space for her seven children, and away from her family with its disruptive influences. Public assistance was subsequently arranged and is now being provided.

When Mrs. *R came to us with her twins, age three, she seemed anxious to learn how to handle them but unable to absorb the principles given by the case worker on a weekly schedule. It was felt, however, that a period of time spent in a parent-child camp, away from the heat of the city, where both the mother and children would receive a vacation, would enable Mrs. *R to absorb these ideas under the leadership of the counsellor and through observation of other mothers managing their children. We gave assistance throughout two summers and the result is a noticeable improvement in Mrs. *R's ability to take care of her home and her children.

The children of Mrs. *D were confused as to who represented the parental authority in the crowded household where they lived with their mother and grandparents. Despite a great deal of sickness, arrangements were made for them by the Bureau to attend a nursery school so that they could be out of the household at least during the day. Home at night after a day of wholesome activity, they no longer irritated the older people. The mother, since she felt more at ease about the situation, was better able to supervise their activity during evenings and over weekends.

* All names and initials are fictitious.

Mrs. *F's son, age 10, has been attending a clinic for a gastric disturbance since the age of three. During a total of five years of being constantly in and out of hospitals, *John had developed an attitude of fear concerning doctors.

Mrs. *F came to us because *John's teeth had become so badly infected that she was afraid he would lose them. She had taken him to a clinic, but because of the large number of patients, he could not be given individual treatment to overcome his fear before work could be begun on his teeth. Through the efforts of our organization, we were able to send *John to a dentist specializing in children's work who was able to help the child overcome his fear and complete the necessary dental work. Mrs. *F came in for the final fee for the dentist's bill and told us *John had gone to the dentist the day before by himself, and was very proud of his accomplishment.

Little *Annette, whose mother died at birth, and whose father was incarcerated, lived with an aunt who was herself being supported by a niece. Last summer, however, it was necessary to place *Annette under foster care as she lost her aunt through death. Since this was the first Christmas that the girl would be away from her family, the Bureau decided to send her a fine doll, with a card enclosed "From Daddy." A letter from the father read, "People like you do so much to restore faith into the hearts of people such as myself—Please believe me to be profoundly grateful."

* All names and initials are fictitious.

Statistics of Family Service Bureau for 1951

Families under supervision January 1, 1951.....	278
New cases received.....	106
Cases reopened.....	4
Total number of cases under supervision.....	388
Cases closed.....	101
Families under supervision, December 31, 1951.....	287
Total amount of cash relief given.....	\$6,878.73
* Office interviews, home and agency visits.....	997
Individuals provided with Christmas dinners and toys.....	740
Children and mothers sent to summer camps.....	12

* This does not include innumerable telephone contacts with agencies, families and institutions.

LEGISLATION—1951

The number of bills introduced was 6,186, about fifty more than in the year 1950. Of this number, 1264 were acted upon. The Governor signed 838 and vetoed 426; the greater number, more than 1,000, were passed during the last few days of the Session. Public hearings were held on less than 2 per cent of the bills. The Governor was required to consider bills at the rate of nearly fifty per day, during the thirty day period after adjournment.

The Association gave attention to 92 bills, of which we approved 66 and opposed 26.

APPROVED BILLS

Failed to reach the Governor.....	32
Vetoed by the Governor.....	15
Signed by the Governor.....	17
To the Secretary of State.....	2
	<hr/>
	66

OPPOSED BILLS

Failed to reach the Governor.....	22
Vetoed by the Governor.....	3
Signed by the Governor.....	1
To the Secretary of State.....	—
	<hr/>
	26

The following is a brief summary of those bills receiving our support or opposition during this Session of the Legislature. We have always regarded as an important phase of our efforts toward fulfillment of the purposes for which the Association was established, the keeping of a watchful eye on the discussions and the bills introduced during legislative days and their relation to progress in the correctional field and public protection generally. The Association makes personal representation in Albany, addresses communications to the various committees, and is requested to give its advice concerning legislation to officials and others. It has a legislative service that enables it to know what bills are being introduced and what action is taken on them from day to day during the Session. It is gratifying to note throughout the years that the opinions expressed by the Association for or against bills are respected and appreciated by not only members of the Legislature but the Governor's office as well.

Approved

RESOLUTION OF SENATE AND ASSEMBLY, *Senate Int. 121, Pr. 121*: To amend article six of the constitution to provide temporary assign-

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ment to the supreme court in counties within the City of New York of judges of the other courts, etc. *To Secretary of State.*

CODE OF CRIMINAL PROCEDURE, *Senate Int. 242, Pr. 242*: To amend the code of criminal procedure, in relation to the age of youths who may be adjudged youthful offenders. *Failed of passage.*

STATE REIMBURSEMENT OF EXPENSES, *Senate Int. 297, Pr. 297*: To amend the penal law and the correction law, in relation to state reimbursement of expenses incurred by counties and cities in connection with the maintenance, clothing, transportation and care of felons and misdemeanants or lesser offenders. *Failed of passage.*

EXTENSION OF TIME, *Senate Int. 308, Pr. 2364*: To amend the civil practice act, in relation to extension of time, in consequence of certain disabilities, to commence actions other than for recovery of real property. *Chapter 263.*

APPEARANCE OF DEPARTMENT HEADS BEFORE LEGISLATURE, *Senate Int. 393, Pr. 393*: To amend the state departments law, in relation to appearance of department heads before the legislature. *Failed of passage.*

MENTAL DEFECTIVES ON PAROLE, *Senate Int. 395, Pr. 1787*: To amend the correction law, in relation to the discharge of mental defectives on parole. *Chapter 297.*

EMERGENCIES IN CORRECTIONAL INSTITUTIONS, *Senate Int. 396, Pr. 396*: To amend the correction law, in relation to emergencies in correctional institutions. *Failed of passage.*

TREATMENT IN OUTSIDE HOSPITALS, *Assembly Int. 707, Pr. 709*: To amend the correction law, in relation to authorizing diagnosis and treatment in outside hospitals in certain cases. *Chapter 711.*

COMPENSATION AND EXPENSES OF MEMBERS OF COMMISSION, *Senate Int. 398, Pr. 398*: To amend the correction law, in relation to compensation of members of the commission of correction. *Failed of passage.*

CONVICTS' DEPOSITS, *Senate Int. 399, Pr. 2247*: To amend the correction law, in relation to convicts' deposits. *Failed of passage.*

YOUTHFUL OFFENDERS DEFINITION, *Senate Int. 481, Pr. 481*: To amend the code of criminal procedure, in relation to the ages of youths who may be adjudged "youthful offenders". *Failed of passage.*

PENITENTIARY, GUARDS AND CORRECTION OFFICERS, *Senate Int. 498, Pr. 498*: To amend the correction law, in relation to providing

certain standards for the hours of duty, and overtime duty compensation of penitentiary guards and correction officers employed by the political subdivisions of the state. *Failed of passage.*

GIRLS' TERM COURT, *Senate Int. 691, Pr. 3013*: To establish in and for the City of New York a court for girls sixteen to twenty-one years of age, to be known as the girls' term, providing for its organization and defining its power, jurisdiction and procedures, and repealing article nine-b of the New York City criminal courts act. *Chapter 716.*

YOUTH CORRECTION AUTHORITY LAW, *Senate Int. 702, Pr. 705*: Relating to the correction and rehabilitation of persons between the ages of sixteen and twenty-one convicted of violations of law, constituting chapter sixty-seven-a of the consolidated laws. *Failed of passage.*

SALE OF NARCOTIC DRUGS, *Senate Int. 725, Pr. 3025*: To amend the penal law, in relation to sale of narcotic drugs to minors. *Failed of passage.*

STUDY OF PROVISIONS OF LAW RELATING TO CONTROL OF NARCOTICS, *Senate Int. 726, Pr. 3268*: Authorizing and empowering the attorney general with the assistance of the interdepartmental health council and other governmental and private agencies to make a comprehensive study of existing provisions of law relating to the control of narcotics and their use; to evaluate present law enforcement, penal and rehabilitative procedures and the adequacy thereof, and to make recommendations for such changes in law and procedures as may be necessary or desirable to insure adequate control of narcotics and their use, and to improve procedures in connection therewith; and making an appropriation therefor. *Chapter 528.*

BUREAU OF NARCOTIC CONTROL, *Senate Int. 727, Pr. 730*: To amend the public health law, in relation to creating a bureau of narcotic control in the state health department. *Failed of passage.*

COMMITMENT OF DRUG ADDICTS, *Senate Int. 728, Pr. 3259*: To amend the public health law, in relation to commitment of drug addicts. *Vetoed.*

STATE HOSPITAL TREATMENT OF DRUG ADDICTS, *Senate Int. 730, Pr. 733*: Providing for the acquisition of a site and for the construction of a state hospital for the treatment and rehabilitation of narcotic drug addicts, the cost to be paid out of the capital construction fund; authorizing and directing the superintendent of public works to prepare the necessary plans and specifications and making an appropriation therefor. *Failed of passage.*

DISCHARGE OF ADDICTS, *Senate Int. 731, Pr. 734*: To amend the public health law in relation to discharge of addicts. *Vetoed.*

COMMITMENT OF DRUG ADDICTS, *Senate Int. 732, Pr. 3260*: To amend the public health law, in relation to commitment on complaint and certification of drug addicts. *Failed of passage.*

COMMUNICATION WITH INMATES IN CERTAIN INSTITUTIONS, *Senate Int. 793, Pr. 796*: To amend the penal law, in relation to communication with inmates in certain institutions. *Failed of passage.*

SALE OF NARCOTIC DRUGS, *Assembly Int. 952, Pr. 3678*: To amend the penal law, in relation to the punishment for the sale by unauthorized persons of narcotic drugs. *Vetoed.*

SEX OFFENDERS INVOLVING CHILDREN, *Senate Int. 948, Pr. 961*: To amend the correction law, in relation to extending and providing for the continuation of parole supervision over persons hereafter convicted of sex offenses involving children. *Failed of passage.*

COMMITMENTS TO HART ISLAND, *Senate Int. 1165, Pr. 1186*: To amend the social welfare law, in relation to assistance to certain needy persons committed to Hart Island, in the City of New York, and providing for reimbursement therefor by the State. *Failed of passage.*

SYRINGES AND NEEDLES, *Senate Int. 1330, Pr. 1360*: To amend the public health law, in relation to the sale of hypodermic syringes and needles. *Failed of passage.*

PRISON OFFICER TRAINING SCHOOLS, *Senate Int. 1338, Pr. 1368*: To amend the correction law, in relation to the establishment of prison officer training schools. *Failed of passage.*

QUALIFICATIONS FOR CORRECTIONAL OFFICERS, *Senate Int. 1341, Pr. 1371*: To amend the correction law, in relation to the qualifications to be required for appointment as guard, keeper, or correction officer in penitentiaries or departments of correction of municipalities. *Failed of passage.*

CONCURRENT RESOLUTION OF SENATE AND ASSEMBLY, *Senate Int. 1378, Pr. 1408*: To amend article six of the constitution to provide temporary assignments to the supreme court in counties within the city of New York of judges of the other courts, etc. *To Secretary of State.*

ELIGIBILITY FOR PAROLE AND REDUCTION OF SENTENCE, *Assembly Int. 1601, Pr. 1627*: To amend the penal law, in relation to eligi-

bility for parole and discretionary reduction of definite sentences for certain prisoners convicted of burglary or robbery in the first degree, or attempts to commit such crimes, as second or third offenders. *Vetoed.*

CRIMINAL PROCEDURE IN RELATION TO BAIL, *Assembly Int. 1705, Pr. 1737*: To amend the code of criminal procedure, in relation to bail of persons charged with that kind of sodomy or rape designated as a misdemeanor. *Chapter 708.*

MOTOR VEHICLES USED IN VIOLATION OF NARCOTIC LAWS, *Senate Int. 1454, Pr. 3222*: To amend the penal law, in relation to motor vehicles used in violation of narcotic laws. *Failed of passage.*

ISSUANCE OF SUMMONSES BY POLICE OFFICERS, *Assembly Int. 1703, Pr. 1735*: To amend the penal law, in relation to the issuance of summonses by police officers in the City of New York after arrest in certain cases of disorderly conduct. *Vetoed.*

SEALING OF RECORD OF CONVICTION, ETC., *Assembly Int. 1802, Pr. 3451*: To amend the penal law, in relation to sealing the record of conviction, fingerprints and photographs of certain rehabilitated youthful offenders. *Vetoed.*

EFFECT OF ADJUDICATION, *Senate Int. 1464, Pr. 1850*: To amend the code of criminal procedure, in relation to the effect of an adjudication as a youthful offender. *Failed of passage.*

DIVISION OF PSYCHIATRY, *Senate Int. 1467, Pr. 1519*: To amend the correction law, in relation to authorizing and providing for the establishment of a division of psychiatry in the correction department. *Failed of passage.*

TEMPORARY STATE COMMISSION, *Senate Int. 1468, Pr. 1520*: Creating a temporary state commission to study the operation, administration and effectiveness of the correctional techniques and processes of the state with the view and for the purpose of recommending such changes and improvements therein as will most effectively control and prevent juvenile delinquency, rehabilitate offenders against society, and establish a coordinated, statewide correctional system, and making an appropriation therefor. *Failed of passage.*

DEFINITION OF ACCESSORY, *Senate Int. 1562, Pr. 1631*: To amend the penal law, in relation to definition of accessory. *Vetoed.*

APPOINTMENT—MEDICAL EMPLOYEES, *Senate Int. 1755, Pr. 1833*: To amend the mental hygiene law, in relation to the appointment of certain medical employees. *Chapter 490.*

RECORDS, FINGERPRINTS, AND PHOTOGRAPHS, *Senate Int. 1767, Pr. 1845*: To amend the code of criminal procedure, in relation to deletion of records and destruction of fingerprints of youthful offenders. *Vetoed.*

FOOD AND LODGING FOR JURORS, *Senate Int. 1804, Pr. 1885*: To amend the county law, in relation to place where food and lodging for jurors kept together pending a trial and deliberation thereon may be provided in counties wholly included within a city. *Vetoed.*

PERMANENT MOTOR VEHICLE NUMBER PLATE, *Senate Int. 1878, Pr. 1971*: Provides for issuing permanent motor vehicle number plate with removable date tag, subject to discretion of motor vehicle Commissioner. *Chapter 564.*

VIOLATIONS OF PUBLIC HEALTH LAW WITH RESPECT TO NARCOTIC DRUGS, *Assembly Int. 2418, Pr. 3680*: To amend the penal law, in relation to violations of the public health law with respect to narcotic drugs. *Chapter 529.*

FELONY COMMITTED WHILE ON PAROLE, *Assembly Int. 2400, Pr. 2506*: To amend the correction law, in relation to crimes committed outside the state while on parole or in violation of conditions annexed to discharges. *Vetoed.*

TESTIMONY OF PRISONERS, *Senate Int. 2174, Pr. 3162*: To amend the code of criminal procedure, in relation to testimony of prisoners. *Vetoed.*

ILLEGAL TRAFFIC IN NARCOTIC DRUGS, *Assembly Int. 2718, Pr. 3749*: To amend the penal law, in relation to punishment for illegal traffic in narcotic drugs. *Chapter 530.*

LIMITATION FOR PROSECUTIONS, *Senate Int. 2296, Pr. 2453*: To amend the code of criminal procedure, in relation to limitation for prosecutions. *Failed of passage.*

POWERS OF STATE COMMISSION OF CORRECTION, *Assembly Int. 2470, Pr. 2589*: To amend the correction law, in relation to powers of the state commission of correction to close unsafe, unsanitary or inadequate hospital prison wards. *Chapter 300.*

INDETERMINATE SENTENCES, *Senate Int. 2494, Pr. 2662*: To amend the penal law, in relation to indeterminate sentences of one day to life. *Chapter 166.*

COST OF CARE AND SUPPORT BORNE BY PRISONER, *Senate Int. 2531, Pr. 2699*: To amend the correction law, in relation to payment of

cost of his care and support by a person confined to prison. *Failed of passage.*

DIVISION OF PAROLE, *Senate Int. 2575, Pr. 3174 & Senate Int. 2576, Pr. 2744*: To amend the executive law, in relation to functions, salaries, powers and duties of Board of Parole. *Failed of passage.*

INDUCING USE OF NARCOTIC DRUGS, *Senate Int. 2628, Pr. 2796*: To amend the penal law, in relation to the inducing of the use of narcotic drugs. *Vetoed.*

POSSESSION OF NARCOTICS, *Senate Int. 2629, Pr. 3274*: To amend the penal law, in reference to possession of narcotics. *Vetoed.*

DRUG ADDICTS—MINORS, *Senate Int. 2646, Pr. 2814*: To amend the public health law, in relation to drug addicts who are minors. *Vetoed.*

PROCEEDINGS FOR REHABILITATION OF CERTAIN OFFENDERS, *Senate Int. 2755, Pr. 2923*: To amend the code of criminal procedure, in relation to the rehabilitation of certain persons convicted of felonies or misdemeanors in the State of New York. *Failed of passage.*

TEMPORARY BRANCHES OF STATE TRAINING SCHOOLS, *Senate Int. 2761, Pr. 2929*: To amend the social welfare law, in relation to operation and maintenance of temporary branches of state training schools. *Chapter 298.*

SALE BY UNAUTHORIZED PERSONS OF NARCOTIC DRUGS, *Assembly Int. 952, Pr. 3678*: To amend the penal law, in relation to the punishment for the sale by unauthorized persons of narcotic drugs. *Vetoed.*

RESCUE OF A PRISONER, *Assembly Int. 963, Pr. 3609*: To amend the penal law, in relation to prisoners. *Chapter 525.*

EXECUTION AND RETURN OF WARRANT, *Assembly Int. 1376, Pr. 1395*: To amend the code of criminal procedure, in relation to execution and return of warrant. *Chapter 492.*

CORRECTION LAW, ETC.—AMEND GENERALLY, *Assembly Int. 2260, Pr. 2351*: To amend the correction law, the military law, the tax law and the code of criminal procedure, generally. *Chapter 487.*

PUNISHMENT FOR SECOND OR THIRD OFFENSE OF FELONY, *Assembly Int. 2401, Pr. 2508*: To amend the penal law, in relation to punishment for second, third or fourth conviction of felony. *Vetoed.*

PROCEDURE RELATING TO RESENTENCING, *Assembly Int. 2666, Pr. 2815*: To amend the penal law, in relation to procedure relating to resentencing. *Chapter 605.*

CRIMINAL HOSPITAL ATTENDANTS, *Assembly Int. 2842, Pr. 2991*: To amend the civil service law, in relation to change of title of criminal hospital attendants in the Department of Correction. *Failed of passage.*

COMMISSION TO STUDY ALCOHOLICS, *Assembly Int. 2960, Pr. 3109*: Providing for the establishment of a temporary commission to study the needs of chronic non-rehabilitable alcoholics, and making an appropriation for the expenses of such commission. *Failed of passage.*

INVESTIGATION AND REPORT BY QUALIFIED PROBATION OFFICER, *Assembly Int. 3012, Pr. 3161*: To amend the code of criminal procedure, in relation to requiring investigation and report by qualified probation officer before adjudication as youthful offender. *Failed of passage.*

Opposed

CENTRAL YOUTH TERM FOR YOUTHFUL OFFENDERS, *Senate Int. 486, Pr. 486*: To amend the New York City criminal courts act, in relation to authorizing and providing for the establishment of a central youth term of the city magistrates' courts with jurisdiction over youthful offenders. *Failed of passage.*

LIFE IMPRISONMENT FOR FELONY MURDER, *Senate Int. 509, Pr. 509*: To amend the penal law, in relation to recommendation by jury. *Failed of passage.*

PUNISHMENT FOR MURDER IN FIRST DEGREE, *Senate Int. 510, Pr. 510*: To amend the penal law, in relation to abolishing capital punishment. *Failed of passage.*

CORRECTION OFFICERS—LIMITATION OF HAZARD, *Senate Int. 545, Pr. 545*: To amend the general municipal law to provide certain standards for the limitation of hazard, and the appointment of prison officers in departments of correction in cities of the state. *Failed of passage.*

CLARIFYING PROVISIONS RELATING TO PRISONER'S VISITATION RIGHTS, *Senate Int. 717, Pr. 720*: To amend the correction law, in relation to clarifying the provisions of section one hundred thirteen thereof, relating to the right of a prisoner to visit during the last illness of a near relative and to attend the funeral of such relative. *Failed of passage.*

REMAND PENDING INVESTIGATION, *Senate Int. 812, Pr. 3160*: To amend the New York City criminal courts act, in relation to remand pending investigation. *Chapter 596.*

RESENTENCE OF PRISONERS, *Assembly Int. 801, Pr. 2477*: To amend the New York City criminal courts act, in relation to the resentence of prisoners committed to reformatories for women. *Vetoed.*

RETURN OF UNUSED NARCOTIC DRUGS TO PHYSICIANS, ETC., *Senate Int. 847, Pr. 860*: To amend the public health law, in relation to the failure to return unused portions of narcotic drugs to the physicians, dentists and veterinarians furnishing the same. *Failed of passage.*

PUNISHMENT FOR FOURTH CONVICTION OF FELONY, *Senate Int. 864, Pr. 877*: To amend the penal law, in relation to punishment for fourth conviction of felony and eligibility for parole of such offenders. *Vetoed.*

EXPENSES FOR TRANSPORTING PRISONERS, *Senate Int. 902, Pr. 915*: To amend the correction law, in relation to state reimbursement of expenses incurred by counties and cities in conveying prisoners to state prisons. *Failed of passage.*

SECOND OR THIRD OFFENSE OF FELONY, *Senate Int. 927, Pr. 940*: To amend the penal law, in relation to second and third felony offenders. *Failed of passage.*

NECESSARY EVIDENCE FOR ABDUCTION OF FEMALES, *Senate Int. 928, Pr. 941*: To amend the penal law, in relation to evidence necessary for convictions for kidnapping of females under circumstances amounting to abduction. *Failed of passage.*

SUSPENSION OF JAIL SENTENCE, *Senate Int. 969, Pr. 984*: To amend the penal law, in relation to suspension of jail sentence on condition that a fine be paid. *Failed of passage.*

EXPERIENCE RATINGS GIVEN DISABLED VETERANS, *Senate Int. 1116, Pr. 1131*: To amend the civil law, in relation to experience ratings given disabled veterans. *Failed of passage.*

DETENTION OF PERSONS CHARGED WITH CRIME, *Senate Int. 1123, Pr. 1144*: To amend the correction law, in relation to providing for the detention of persons awaiting arraignment as well as for the detention of persons awaiting hearing or trial. *Failed of passage.*

BRUSH-MAKING IN PRISON, *Senate Int. 1374, Pr. 1404*: To amend the correction law, in relation to brush-making. *Failed of passage.*

EMPLOYEES OF THE CIVIL DIVISIONS OF THE STATE, *Senate Int. 1436, Pr. 1488*: To amend the correction law, in relation to the hospitalization, and compensation while unable to perform duty,

of penitentiary guards and correction officers employed by the civil divisions of the State. *Failed of passage.*

POWER OF CITY MAGISTRATES, *Senate Int. 1565, Pr. 1634*: To amend the code of criminal procedure, in relation to power of city magistrates to admit certain persons to bail upon the consent of the district attorney. *Failed of passage.*

PUNISHMENT FOR MURDER IN FIRST DEGREE, *Senate Int. 1569, Pr. 1638*: To amend the penal law, in relation to recommendation by jury of life imprisonment for murder in first degree. *Failed of passage.*

DISCLOSURE OF PRIVILEGED INFORMATION, *Senate Int. 1622, Pr. 2031*: To amend the civil practice act, in relation to making privileged information relating to probationers or parolees acquired by a probation officer or parole officer in the performance of his duties. *Failed of passage.*

CIVIL SERVICE STATUS—COUNTY EMPLOYEES, *Senate Int. 1883, Pr. 1976*: To amend the county law, in relation to providing civil service status for county jail employees in counties outside the City of New York. *Failed of passage.*

INVESTIGATION OF PROBATION REPORTS, *Senate Int. 2046, Pr. 2161*: To amend the code of criminal procedure, in relation to providing that defendants be entitled to copies of certain probation reports. *Failed of passage.*

CIVIL SERVICE APPOINTMENTS AND PROMOTIONS, *Assembly Int. 417, Pr. 418*: Proposing an amendment to article five of the constitution, in relation to civil service appointments and promotions, and retention of veterans in civil service, and repealing section six of such article, relating thereto. *Failed of passage.*

ADOLESCENTS' COURT WITH ITS POWERS AND DUTIES, *Assembly Int. 688, Pr. 690*: To amend the New York City criminal courts act, in relation to the creation and establishment of an adolescents' court for the City of New York and defining its powers and duties. *Failed of passage.*

FORFEITURE OF BAIL, *Assembly Int. 1346, Pr. 3453*: To amend the code of criminal procedure, in relation to forfeiture of bail. *Vetoed.*

COMPETITIVE CLASS OF CIVIL SERVICE, *Assembly Int. 1731, Pr. 1776*: Proposing an amendment to section five of article nine of the constitution, in relation to placing the office of sheriff in certain counties in the competitive class of the civil service. *Failed of passage.*

DRAFT OF STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS

Draft prepared by the International Penal and Penitentiary Commission at the request of the United Nations¹

In view of the long affiliation of the Prison Association of New York with the International Penal and Penitentiary Commission, dating back to its establishment in 1872, and in keeping with the request of the former Secretary General of the IPPC, Professor Thorsten Sellin, we take pleasure in presenting this Draft of Standard Minimum Rules for the Treatment of Prisoners. Prepared by a special committee of persons thoroughly familiar with correctional administration, as noted by Dr. Sellin in his Introductory Note, the draft is given this publicity to acquaint correctional personnel in this country with what is being done internationally with relation to the treatment of prisoners.

The usefulness of the IPPC in the preparation of these minimum rules for worldwide benefit is refreshing to note because of the early pioneering and stimulating identity with its establishment by Dr. E. C. Wines, general secretary of the Prison Association of New York in 1870. Dr. Wines, it will be recalled, was outstanding for his influence in establishing the American Prison Association in 1870, and was, for many years, its general secretary.

INTRODUCTORY NOTE

By THORSTEN SELLIN

In 1933, the International Penal and Penitentiary Commission approved a set of standard minimum rules for the treatment of prisoners which was later endorsed by the League of Nations. In 1949, the Commission decided to begin a revision of the rules and at the same time, the first International Committee of Experts on the Prevention of Crime and the Treatment of Offenders convened by the United Nations Secretariat recommended that the UN undertake the preparation of standard minimum rules for the treatment of prisoners with the hope that some international agreement might be arrived at. The Commission also recommended that the rules of 1933 be used as the point of departure.

When the United Nations Secretariat learned of the decision taken by the IPPC it requested the Commission to proceed with its revision and to submit the results to the United Nations for further action. The Commission entrusted the preliminary work

¹ This draft, approved by the International Penal and Penitentiary Commission, July 6, 1951, constitutes a revision of the Rules adopted by the Commission in 1933.

to a subcommittee consisting of Mr. Lionel Fox, Chairman of the Prison Commission of England and Wales; Mr. Paul Cornil, General Secretary of the Ministry of Justice of Belgium, Professor of Criminal Law at the University of Brussels and formerly director of the Prison Administration of Belgium; Mr. Hardy Göransson, Director of the Prison Administration of Sweden; Mr. Charles Germain, Director of the Prison Administration of France; Mr. Luigi Ferrari, Director of the Prison Administration of Italy; and Professor José Belezos dos Santos, Dean of the Law School, University of Coimbra, Portugal. The committee met on various occasions and their proposals were discussed at two plenary meetings of the Commission in 1950 and 1951. At the final meeting of the Commission in July 1951 several days were devoted to the preparation of the present draft. It may be of interest to know that at this meeting over a dozen heads of national prison administrations were in attendance as delegates to the Commission. The draft can therefore be regarded as largely a product of the combined experience of practical prison administrators. Perhaps it should be added that the word "minimum" retained in the title of the draft should, in the opinion of most members of the Commission, be eliminated. It was retained merely because the 1933 rules were considered as minimum rules. In their present form, the rules should probably be regarded as establishing a standard which could hardly be referred to as minimum standards.

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PRELIMINARY OBSERVATIONS

1. The following Rules are not intended to describe in detail a model system of penal institutions. They seek only to set out the elements of what is generally accepted, in the best developed systems of today, as being good principle and practice in the treatment of prisoners and the management of institutions.
2. The General Principles which precede the Rules are intended to show the spirit in which penal institutions should be administered and the purposes at which they should aim, in accordance with the general consensus of contemporary thought.
3. In the wide variety of legal, social, economic and geographical conditions of the world, it is evident that not all of the Rules are capable of application in all places and at all times. They should, however, serve to stimulate a constant endeavour to overcome practical difficulties in the way of their application, in the knowledge that they represent, as a whole, the minimum conditions which are accepted as suitable by the General Assembly of the United Nations.
4. In particular, difficulties may be found in the application of the Rules in systems of penal institutions of colonial and other dependent territories, especially where they are sparsely populated or under-developed. It is hoped, however, that metropolitan governments responsible for such territories will use their best endeavours to ensure that both the principles and the practice of the Rules are followed to the maximum extent compatible with the conditions and resources of these territories.
5. On the other hand, the Rules cover a field in which thought is constantly developing; they are not intended to preclude experiment, provided it seeks to further the purposes set out in the General Principles. It will always be justifiable for a central administration to authorize departures from the Rules in this spirit.
6. Part I of the Rules covers the general management of institutions and is applicable to all categories of prisoners, criminal

or civil, untried or convicted, including prisoners subject to 'security measures'. Part II contains rules applicable only to the special categories of prisoners dealt with in the different sections.

7. The Rules do not seek to regulate the management of institutions set aside for young persons such as Borstal institutions or correctional schools, but in general Part I would be equally applicable in such institutions.

GENERAL PRINCIPLES

1. The purpose and justification of a sentence of imprisonment is to protect society against crime. The punishment inherent in the sentence is primarily the deprivation of liberty with the inevitable consequences of compulsory confinement and segregation from normal society. The purpose of the prison in carrying out that punishment should be to ensure, so far as possible, that its intention is fulfilled by the return of the offender to society not only willing but able to lead a normal well-adjusted and self-supporting life as a good member of society.
2. To this end, the institution should utilize all the remedial, educational, moral and spiritual forces which are appropriate and available, and should seek to apply them according to the special needs of each prisoner.
3. The régime of the institution should seek to minimize any differences between the life inside its walls and normal life outside which tend to lessen the self-responsibility of the prisoners or the respect due to their dignity as human beings.
Before the end of the punishment it is desirable that the necessary steps be taken to ensure for the prisoner a gradual return to normal life in society. This aim may be achieved, depending on the case, by a pre-release régime organized in the same institution or in another appropriate institution or by release on trial under effective supervision.
4. The treatment of prisoners should emphasize not their exclusion from the community, but their continuing part in it. The normal agencies of the community should, therefore, be enlisted wherever possible to assist the staff of the institution in the task of social rehabilitation of the prisoners; there should be in connection with every institution social workers charged with the duty of maintaining and improving all desirable relations of a prisoner with his family and with valuable social agencies; steps should be taken to safeguard the civil rights, social insurances, and other social benefits of prisoners.

5. The medical services of the institution should seek to remove any physical or mental defects which may hamper a prisoner's rehabilitation. In particular, they should include a psychiatric service for the diagnosis and, in proper cases, the psycho-therapeutic treatment of states of mental abnormality. It is desirable that a separate institution, under medical management, should be used for the observation and treatment of the mentally abnormal. It is also desirable that steps should be taken, by arrangement with the appropriate authorities, to ensure the continuation of treatment after release and the provisions of social-psychiatric after-care.
6. a) Since the fulfilment of these principles requires individualization of treatment and a flexible system of classifying prisoners in groups for this purpose, it is desirable that such groups should be distributed in separate institutions suitable for the treatment of each group.
- b) These institutions need not provide maximum security for every group. It is desirable to provide varying degrees of security according to the needs of different groups. Open institutions, which provide no physical security against escape, but rely on the self-discipline of the inmates, provide the conditions most favourable to rehabilitation for carefully selected prisoners.
- c) It is desirable that the number of prisoners in maximum or medium security institutions should not be so large that the individualization of treatment is hindered. In some countries it is considered that the population of such institutions should not exceed five-hundred. In open institutions the population should be as small as possible.
- d) It is equally undesirable to maintain prisons which are so small that proper facilities cannot be provided.
7. It is desirable in principle that young persons¹ should not be sentenced to imprisonment. Where this is unavoidable, every precaution should be taken to separate them from older prisoners, if possible in separate institutions accommodating no more than two-hundred inmates, and their re-education and rehabilitation should be the sole aims of the régime.
8. A humane, efficient and well-organized system of after-care is essential to the success of a system of penal institutions. It should be recognized that the responsibility of the system does not cease with the liberation of a prisoner, but continues until he is re-established as a self-supporting citizen.

¹ The maximum age for young prisoners must be fixed according to the legislation of each country, but should include at least all young persons who come within the jurisdiction of juvenile courts.

PART I

RULES OF GENERAL APPLICATION

BASIC PRINCIPLE

1. The following rules shall be applied impartially. There shall be no discrimination on grounds of race, colour, religious or political belief, social standing or otherwise.
- On the other hand, it is necessary to respect so far as possible the religious observances and rules of conduct of the group to which a prisoner belongs.

REGISTER

2. a) In every place where persons are imprisoned there shall be kept a bound registration book with numbered pages in which shall be entered in respect of each prisoner received:
- (1) information concerning his identity;
 - (2) the reasons for his commitment and the authority therefor;
 - (3) the day and hour of his admission and discharge.
- b) No prisoner shall be received in an institution without a valid commitment order of which the details have been entered in the register.

SEPARATION OF CATEGORIES

3. The different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. Thus,
- a) men and women shall so far as possible be detained in separate institutions. In an institution which receives both men and women the whole of the premises allocated to women shall be entirely separate;
 - b) untried prisoners shall be kept separate from convicted prisoners;
 - c) persons imprisoned for debt and other civil prisoners shall be kept separate from convicted prisoners;
 - d) young prisoners shall be kept separate from adults, except where a departure from this rule is authorized by the central administration in the interest of the young prisoners.

ACCOMMODATION

4. a) Where sleeping accommodation is in individual cells, each prisoner shall occupy a cell by himself. If, for special reasons, such as temporary overcrowding, it becomes necessary for the central administration to make an exception to this rule, it is not desirable to have only two prisoners in a cell.
- b) Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular supervision by night, except in institutions with a system of trust.
5. All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, lighting, heating and ventilation.
6. In all places where prisoners are required to live or work,
 - a) the windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;
 - b) artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.
7. The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.
8. The bathing installations shall be adequate to enable every prisoner to have a bath or a shower at least once a week.
9. All parts of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.

PERSONAL HYGIENE

10. Prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.
11. In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and of the beard and to enable men to shave regularly.
12. Every prisoner shall be required to have a bath or a shower at least once a week.

CLOTHING AND BEDDING

13. a) Every prisoner who is not allowed to wear his own clothing shall be provided with an outfit of clothing, including underclothing, suitable for the climate and adequate to keep him in good health. Such clothing shall in no manner be degrading or humiliating.
- b) The clothing provided shall be clean when issued and kept in proper condition. Underclothing shall be washed regularly.
- c) In exceptional circumstances, such as appearance in court or participation in his marriage ceremony, a prisoner shall be allowed to wear his own clothing.
14. If prisoners are allowed to wear their own clothing, arrangements shall be made on their admission to the institution to ensure that it shall be clean and fit for use. Underclothing shall be changed and washed regularly.
15. Every prisoner shall be provided with a separate bed, and with separate and sufficient bedding which shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness.

FOOD

16. a) Every prisoner shall be provided with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.
- b) Every prisoner shall be able to obtain drinking water at all proper times.

EXERCISE AND SPORT

17. a) Every prisoner who is not employed in out-door work shall have where practicable one hour, and in any case not less than half-an-hour, of exercise in the open air daily if the weather permits.
- b) Young prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise, and where possible space and equipment therefor should be provided.

MEDICAL SERVICES

18. a) At every institution there shall be available the services of a qualified medical officer who should have some knowledge of psychiatry.
- b) Sick prisoners who require specialist treatment shall be transferred either to specialist institutions or to civil hos-

- pitals. Where hospital facilities are provided in an institution it shall be equipped and furnished in a manner proper for the medical care and treatment of sick prisoners and staffed by suitably trained officers.
19. a) In women's institutions there shall be special accommodation for the proper treatment of pregnant women, but wherever practicable arrangements shall be made for children to be born in a hospital outside the institution.
 - b) Where nursing infants are allowed to remain in the institution with their mothers they shall be placed in a crèche.
 20. The medical officer shall see and examine every prisoner as soon as possible after his admission, with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures; the segregation of prisoners suspected of infectious or contagious conditions; the noting of physical defects which might hamper rehabilitation, and the determination of the physical capacity of every prisoner for work.
 21. a) The medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed.
 - b) The medical officer shall report to the Director whenever he considers that a prisoner's mental or physical health will be injuriously affected by continued imprisonment or by any condition of imprisonment.
 22. The medical officer shall regularly inspect and advise the Director upon
 - a) the quality, preparation and service of food;
 - b) the hygiene and cleanliness of the institution and the prisoners;
 - c) the sanitation, heating, lighting and ventilation of the institution;
 - d) the suitability and cleanliness of the prisoners' clothing and bedding.

DISCIPLINARY OFFENCES AND PUNISHMENTS

23. The following shall always be determined either by the law or by the lawful decree of the competent administrative authority:
 - a) conduct constituting a disciplinary offence;
 - b) the types and duration of punishment which may be inflicted;
 - c) the authority competent to award such punishment.
 No prisoner shall be punished except in accordance with the terms of such law or decree.

24. a) No prisoner shall be punished unless he has been informed of the offence alleged against him and given a proper opportunity of presenting his defence. The competent authority shall conduct a thorough examination of the case.
 - b) Where necessary and practicable the prisoner shall be permitted to make his defence through an interpreter.
25. Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishment shall be completely prohibited as punishments for disciplinary offences.
26. a) Punishment by close confinement, reduction of diet, or any other method that may be prejudicial to physical or mental health shall never be inflicted unless the medical officer has examined the prisoner and certified in writing that he is fit to sustain it.
 - b) The medical officer shall visit daily prisoners undergoing such punishments and shall advise the Director if he considers the termination of the punishment desirable on grounds of physical or mental health.

RESTRAINTS

27. Instruments of restraint, such as handcuffs, chains and strait-jackets, shall never be applied as a punishment. They shall only be used in the following circumstances:
 - a) For precaution against escape during removal, provided that they shall be removed when the prisoner appears before a judicial authority.
 - b) On medical grounds by direction of the medical officer.
 - c) By order of the Director, if other methods of control fail, in order to prevent a prisoner from injuring himself or others or from damaging property. In such instances the Director shall at once consult the medical officer. A report shall be made to the central administration.
 - d) Instruments of restraint must not be applied for any longer time than is necessary.
28. The patterns and manner of use of instruments of restraint shall be decided by the central administration.

INFORMATION TO AND COMPLAINTS BY PRISONERS

29. Every prisoner on admission shall be provided with written information about the regulations governing the treatment of prisoners of his category, the disciplinary requirements of the institution, the authorized methods of seeking information and making complaints, and all such other matters as are

necessary to enable him to understand both his rights and his obligations and to adapt himself to the life of the institution.

30. *a)* Every prisoner shall have the opportunity each day of making requests or complaints to the Director of the institution or the officer authorized to represent him.
- b)* Every prisoner shall be allowed to make a request or complaint without censorship to the central prison administration, the judicial authority or other proper authorities, through approved channels.

CONTACT WITH THE OUTSIDE WORLD

31. Prisoners shall be allowed under necessary supervision to communicate with their relatives and reputable friends at regular intervals, both by correspondence and by receiving visits.
32. *a)* Prisoners belonging to a foreign nation shall be allowed to communicate with the diplomatic and consular representatives of the State to which they belong.
- b)* Nationals of states without diplomatic or consular representation in the country shall be authorized to communicate with the diplomatic authorities of the State which takes charge of their interests.
33. Means shall be provided for keeping prisoners regularly informed of the more important items of news by the reading of newspapers, periodicals or special institutional publications, by hearing wireless transmissions, by lectures or any similar means.

BOOKS

34. Every institution shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it.

RELIGION

35. *a)* If the institution contains a sufficient number of prisoners of the same religion a regular spiritual minister shall be appointed for them. When the number of prisoners justifies it, a full-time minister shall be appointed.
- b)* A minister so appointed shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his religion at proper times.
- c)* Access to a qualified representative of his religion shall not be refused to any prisoner.

36. Every prisoner shall be allowed to satisfy the needs of his religious life, so far as practicable, by attending the services provided for prisoners of his religion, receiving visits from his appointed minister, and having in his possession the books of religious observance and instruction of his religious denomination.

RETENTION OF PRISONER'S PROPERTY

37. *a)* All money, valuables, clothing and other effects belonging to a prisoner which under the regulations of the institution he is not allowed to retain shall on his admission to the institution be placed in safe-custody. An inventory thereof shall be kept, and it shall be signed by the prisoner. Steps shall be taken to keep them in good condition.
- b)* On the liberation of the prisoner all such articles shall be returned to him, except in so far as he has been authorized to spend money or send any such property out of the institution, or it has been found necessary on hygienic grounds to destroy any article of clothing. The prisoner shall sign a receipt for the articles returned to him.
- c)* Any money or effects received for a prisoner from outside shall be treated in the same way.
- d)* If a prisoner brings in any drugs or medicine the medical officer shall decide what use he may make of them.

NOTIFICATION OF DEATH, ILLNESS, ETC.

38. *a)* Upon the death or serious illness of, or serious injury to a prisoner, or his removal to an institution for the treatment of mental affections, the Director shall at once inform the wife or husband if the prisoner is married, or the nearest relative and shall in any event inform any other person whom the prisoner has requested should be so informed.
- b)* A prisoner shall be informed at once of the death or serious illness of any near relative. In case of dangerous illness or death of a near relative of a prisoner, he may be authorized, whenever circumstances allow it, to go to his bedside either under escort or alone.
- c)* On his transfer to another institution a prisoner shall be allowed to inform his family.

REMOVAL OF PRISONERS

39. When prisoners are being removed to or from an institution, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity or publicity in any form.

INSTITUTIONAL PERSONNEL

40. a) The central administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, capacity and personal suitability for the work that the proper administration of the institutions depends.
- b) The central administration shall constantly seek to awaken and maintain in the minds both of the personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used.
- c) To secure the foregoing ends, personnel shall be appointed on a full-time basis with security of tenure subject only to good conduct, efficiency, and physical fitness. Their salaries shall be adequate to secure and retain suitable men and women, and their conditions of service shall be favourable in view of the exacting nature of the work.
41. Before entering on duty, the personnel shall be given a course of training in their general and specific duties. In order to maintain and improve their professional capacity, this training shall be followed by further courses at suitable intervals.
42. All members of the personnel shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their examples and command their respect.
43. a) The Director of an institution shall be fully qualified for his task by character, administrative ability and training and experience in this field.
- b) He shall not be appointed on a part-time basis.
- c) He shall reside on the premises of the institution or in its immediate vicinity.
- d) When two or more small institutions are under the care of one Director, he shall visit all at frequent intervals. Each of these institutions shall have at its head a responsible resident official.
44. a) The Director, his deputy, and so far as possible the other personnel of the institution shall be able to speak the language of the majority of the prisoners.
- b) Whenever necessary, the services of an interpreter shall be used.
45. a) In institutions which are large enough to require the services of one or more full-time medical officers, at least one of them shall reside on the premises of the institution or in its immediate vicinity.

- b) In other institutions the medical officer shall visit daily and shall reside near enough to be able to attend without delay in cases of urgency.
46. a) In an institution for both men and women that part of the institution set aside for women shall be in the charge of a responsible woman officer who shall have the custody of the keys of all that part of the institution.
- b) To avoid the possibility of malicious allegations, it is desirable that male members of the staff shall not enter the part of the institution set aside for women unless accompanied by a woman officer.
- c) Women prisoners shall be attended and supervised only by women officers. This does not however preclude male members of the staff, particularly doctors and teachers, from carrying out their professional duties with women prisoners.
47. An officer of the institution shall not, in his relations with the prisoners, use force except in self-defence or in cases of attempted escape or persistent insubordination. When he has recourse to force, he must use no more than is strictly necessary.

PART II

RULES APPLICABLE TO SPECIAL CATEGORIES

A. Prisoners Under Sentence

GENERAL PRINCIPLES

48. a) The treatment of persons sentenced to imprisonment shall have as its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their liberation, and to fit them to do so.
- b) To these ends, all appropriate means shall be used, including education, vocational training, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his social and criminal history, his physical and mental capacities and aptitudes, his personal temperament, the length of his sentence and his prospects after liberation.
- c) For every prisoner with a sentence of suitable length, as soon as possible after his admission, the Director of the institution shall be furnished with full reports on all the foregoing matters, and such reports shall always include reports by a medical officer, wherever possible, qualified in psychiatry, on the physical and mental condition of the prisoner.

49. Discipline and order shall be maintained with firmness, but with no more restriction than is necessary for safe-custody and well-ordered community life.
50. The treatment of prisoners shall be such as will encourage their self-respect and develop their sense of responsibility.
51. It is an essential part of the social rehabilitation of a prisoner that any mental or physical defects which might handicap his rehabilitation shall so far as possible be relieved before his liberation, and all necessary medical, surgical and psychiatric services shall be provided to that end.

CLASSIFICATION

52. The purposes of classification shall be
- to prevent contamination by the separation from others of those prisoners who, by reason of their criminal records or bad characters, are likely to exercise a bad influence;
 - to divide the prisoners into classes in order to facilitate their training.
53. So far as possible separate institutions or separate sections of an institution shall be used for the training of the different classes of prisoners.

INDIVIDUALIZATION

54. As soon as possible after admission and after careful study of the individual requirements of a prisoner with a sentence of suitable length, a programme of treatment shall be prepared for him in the light of the knowledge acquired about his needs, capacities and dispositions.

PRIVILEGES

55. Systems of privileges appropriate for the different classes of prisoners and the different methods of training shall be established at every institution, in order to encourage good conduct, develop a sense of responsibility and secure the interest and cooperation of the prisoner in their training.

WORK

56. *a)* All prisoners under sentence shall be required to work, subject to their physical fitness as determined by the medical officer.
- b)* Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day.

- c)* So far as possible the work provided shall be such as will maintain or increase the prisoners' ability to earn an honest living after liberation.
- d)* Vocational training in useful trades shall be provided for prisoners able to profit thereby and especially for young prisoners.
- e)* Within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline, the prisoners shall be able to choose the type of work they wish to perform.
57. The organization and methods of work in the institutions shall resemble as closely as possible those of similar work outside institutions, so as to prepare prisoners for the conditions of normal industrial life.
- The interest of the prisoners and of their industrial training, however, must not be subordinated to the purpose of making a financial profit from an industry in the institution.
58. *a)* It is preferable that institutional industries and farms shall be operated directly by the administration and not by private contractors.
- b)* Where prisoners are employed in work not controlled by the administration, such labour shall always be under the supervision of the institution's personnel, and unless the work is for other departments of the Government the full normal wages for such work shall be paid to the administration by the persons to whom the labor is supplied, account being taken of their output.
59. *a)* The precautions laid down to protect the safety and health of free workmen shall be equally observed in institutions.
- b)* Arrangements shall be made to indemnify prisoners against industrial accident or disease on terms not less favourable than those extended by law to free workmen¹.
60. *a)* The maximum daily and weekly working hours of the prisoners shall be fixed by law or administrative regulation.
- b)* The hours so fixed shall leave one rest day a week and sufficient time for education and other activities required by the system of training in force.
61. *a)* There shall be a system of remuneration to stimulate the industry and interest of prisoners in their work.
- b)* The system shall allow of the prisoners spending at least a part of their earnings on approved articles for their own

¹Consideration should be given to allowing prisoners to participate to the greatest practicable extent in any social insurance schemes in force in their countries.' (From a resolution adopted in August 1950 by the Twelfth International Penal and Penitentiary Congress at The Hague.)

use during their sentences and of sending a part of earnings to their family*.

EDUCATION AND RECREATION

62. Provision shall be made for the further education of all prisoners capable of profiting thereby and special attention shall be paid to the education of illiterates and young prisoners.
63. The mental and physical health of prisoners shall be safeguarded by the provision of recreational and cultural activities.

SOCIAL RELATIONS AND AFTER-CARE

64. Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his family as are desirable in the best interest of both.
65. From the beginning of a prisoner's sentence consideration shall be given to his future after liberation and he shall be encouraged and assisted to maintain or establish such relations with persons or agencies outside the institution as may promote the best interest of his family and his own social rehabilitation.
66. a) Agencies for the purpose of assisting liberated prisoners to re-establish themselves in society shall ensure, so far as is possible and necessary, that liberated prisoners have suitable homes and work to go to, are suitably and adequately clothed having regard to the climate and season, and have sufficient means to reach their destinations and maintain themselves in the period immediately following their liberation.
- b) The approved representatives of such agencies shall have all necessary access to the institution and to prisoners and shall be taken into consultation as to the future of a prisoner from the beginning of his sentence.
- c) It is desirable that such agencies shall be centrally coordinated in order to secure the best use of their efforts.

B. Insane and Mentally Abnormal Prisoners

67. a) Persons who are found to be insane shall not be detained in prisons and arrangements shall be made to remove them to mental hospitals as soon as possible.

*Prisoners should receive a wage. The Congress is aware of the practical difficulties inherent in a system of paying wages calculated according to the same norms that obtain outside the prison. Nevertheless, the Congress recommends that such a system be applied to the greatest possible extent. From this wage there might be deducted a reasonable sum for the maintenance of the prisoner, the cost of maintaining his family and, if possible, an indemnity payable to the victims of his offence. (From a resolution adopted in August 1960 by the Twelfth International Penal and Penitentiary Congress at The Hague.)

Prisoners who suffer from other mental diseases or abnormalities shall be treated in special institutions.

- During their stay in a prison, such prisoners shall be placed under the special supervision of a medical officer.
68. The medical service of the penal institutions shall include a psychiatric service for the treatment of prisoners suffering from mental abnormalities which might be relieved by psychiatric treatment.

C. Prisoners Under Arrest or Awaiting Trial

69. The following rules apply to persons, hereinafter in these rules called 'untried prisoners', who are detained either in police custody or in prison custody (jail) by reason of a criminal charge against them in respect of which their guilt has not yet been determined by the competent court.
70. a) Untried prisoners shall be segregated from convicted prisoners.
- b) Young untried prisoners shall be segregated from adults and shall in principle be detained in separate institutions.
71. Untried prisoners shall sleep singly in separate rooms.
72. a) An untried prisoner shall be allowed to wear his own clothing if it is clean and suitable.
- b) Those who do not wear their own clothing shall be required to wear prison dress, which shall be different from that supplied to convicted prisoners.
73. An untried prisoner shall be offered opportunity to work, but shall not be required to work. If he chooses to work, he shall be paid for it.
74. An untried prisoner shall be allowed to procure at his own expense or at the expense of friends such books, newspapers, writing materials and other means of occupation as are compatible with the interests of justice and the security and good order of the institution.
75. An untried prisoner shall be allowed to be visited and treated by his own doctor or dentist if there is reasonable ground for his application and he is able to pay any expenses incurred.
76. An untried prisoner shall be allowed all reasonable facilities for communicating by letter with his relatives and friends, and for receiving visits from them, subject only to such restrictions and supervision as are necessary in the interests of justice and of the security and good order of the institution.
77. For the purposes of his defense, an untried prisoner shall be allowed to receive visits from his legal adviser and to prepare and hand to him confidential instructions. For these purposes, he shall if he so desires be supplied with writing material.

Interviews between the prisoner and his legal adviser may be within sight but not within the hearing of a police or institution official.

D. Civil Prisoners

78. In countries where the law permits imprisonment for debt or by order of a court under any other non-criminal process, persons so imprisoned shall not be subjected to any greater restriction or severity than is necessary to ensure safe custody and good order. Their treatment shall be not less favourable than that of untried prisoners.

FINANCIAL STATEMENT

THE PRISON ASSOCIATION OF NEW YORK GENERAL FUND STATEMENT OF INCOME AND EXPENSES YEAR ENDED DECEMBER 31, 1951

INCOME

Donations—special purposes		
The Greater New York Fund.....	\$2,689 00	
Other funds	6,401 15	
	<u>\$9,090 15</u>	
Donations—unrestricted	24,334 04	\$33,424 19
Endowment income		
Income on legacy.....	44 62	
Interest on bonds.....	327 30	
Dividends on stocks.....	26,085 57	26,457 49
Total Income		<u>59,881 68</u>

EXPENSES

General administration	23,228 59	
Relief—prisoners and families (cash, food, clothing, etc.)	11,068 61	
Relief—administration	3,903 60	
Employment—administration	4,738 70	
Appeal—administration	4,323 25	
Traveling expenses	279 70	
Printing and stationery.....	632 61	
Postage	473 12	
Telephone and telegraph.....	286 20	
Auditing, legal and legislative services.....	455 00	
Periodicals, custodian fees and miscellaneous.....	1,016 99	
House maintenance	2,589 26	
U. S. Old Age benefits tax.....	360 35	
Total Expenses	<u>53,860 98</u>	
NET GAIN FOR THE YEAR.....		<u>\$6,520 70</u>

AUDITORS' OPINION

We have audited the books, accounts, minutes and other records of The Prison Association of New York for the year ended December 31, 1951. In our opinion the statement of income and expenses shown above presents fairly the results of the operation for that year.

(Signed) WEBSTER, HORNE & ELSDON
Certified Public Accountants

New York, N. Y.
April 8, 1952

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.

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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 expenditures 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 Third 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 third 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 at its monthly meeting on Thursday, December 17, 1931.

† At the February, 1908, meeting of the Executive Committee, section 1 of the By-Laws was amended to provide that the monthly meeting of the committee be held on the second Monday of each month, and that the annual meeting of the Association be held on the second Monday in January of each year. However, at the November meeting the By-Laws were again amended to provide that the monthly meeting be held on the third Thursday of each month, as heretofore, and that the annual meeting of the Association be held on the third Thursday in January of each year.

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.