

STATE OF NEW YORK

THE ONE HUNDRED AND THIRD
ANNUAL REPORT

OF THE

Prison Association of New York
135 East 15th Street, New York

1947



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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 third of the series.

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

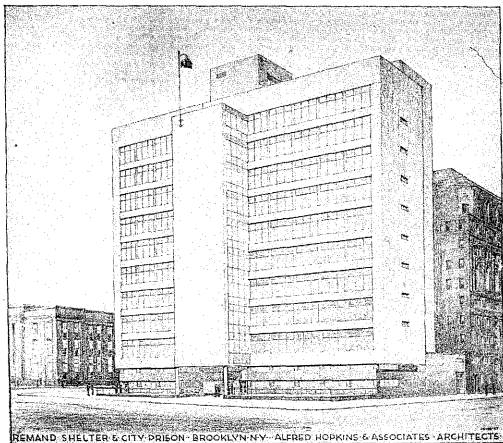
The State law further provides for the printing of 500 additional copies of this annual report at the expense of the State. Additional copies of the full report are purchased from the State printers, at the expense of the Association, for distribution to its contributors and many others, not only in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

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REMAND SHELTER & CITY PRISON - BROOKLYN, N.Y. - ALFRED HOPKINS & ASSOCIATES - ARCHITECTS

Photograph of model Remand Shelter and City Prison, Brooklyn, to displace the long condemned Raymond Street Jail.

THE PRISON ASSOCIATION OF NEW YORK

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* Deceased April 23, 1947.

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ONE HUNDRED AND THIRD ANNUAL REPORT OF THE
PRISON ASSOCIATION OF NEW YORK

HON. JOE R. HANLEY,

Lieutenant Governor of New York:

SIR.—In accordance with Chapter 163 of the Laws of 1946, we have the honor to present the One Hundred and Third 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*

IN MEMORIAM

LEWIS E. LAWES

September 13, 1883-April 23, 1947

With the passing of Lewis E. Lawes, American penology suffers the loss of one of its most colorful yet able figures, and the Executive Committee of The Prison Association of New York a highly valued member. The son of an Elmira Reformatory employee, Mr. Lawes was early introduced to the fine art of being one's brother's keeper. Throughout his career he never lost sight of the intrinsic value of human personality and the presence of some degree of good in every man.

Lewis E. Lawes made a marked contribution to the accuracy of the layman's oft restricted knowledge of the status and progress of penology. It was his purpose to interpret the rigors and fallacies of prison life, as well as its accomplishments, to the common man whose interest in such affairs was too frequently at low ebb. This Warden Lawes performed with a degree of skill and sincerity.

Referring to his penal policy as "an iron hand in a velvet glove" it can be said that here was an administrator who knew what transpired within his institution. This, it might be added for the benefit of the uninitiated, is a word of high praise for a penologist. His twenty-one years of progressive direction of New York's Sing Sing Prison is indisputable substantiation for the comment.

At the age of 20, after three years of Army service, Mr. Lawes began his career as a guard at Clinton Prison, Dannemora, New York. Within the next few years he saw service at Auburn Prison and eight years at Elmira Reformatory where he served with credit until 1914. It was at this institution that his administrative abilities were first brought to wider attention. In response to an appeal of the late Dr. O. F. Lewis, the then General Secretary of The Prison Association of New York, institutional heads in New York State designated younger career personnel to attend special courses under his direction at the New York School of Philanthropy (New York School of Social Work). As a result of his work at the school Dr. Lewis commended Mr. Lawes to the late Dr. Katherine Bement Davis, then Commissioner of the Department of Correction of the City of New York. Subsequently appointed by Dr. Davis to the superintendency of the New York City Reformatory, Mr. Lawes served admirably in that post until 1920.

During this period of his early "apprenticeship" the State was experiencing considerable difficulty at Sing Sing. Known

as the "Wardens' Graveyard" because of its history of fourteen wardens in a decade, the acceptance of the wardenship at that time was popularly known as the "best way of getting out of Sing Sing." In something of a state of desperation Governor Alfred E. Smith, with a personal promise of 100 per cent cooperation, persuaded Mr. Lawes to accept the post of warden at Sing Sing. For the ensuing twenty-one and a half years Sing Sing progressed and ceased once and for all to be known as the "Wardens' Graveyard." Instead, Sing Sing became outstanding for many of its innovations.

Warden Lawes was President of the Wardens' Association in 1922 and of The American Prison Association in 1923. He was appointed a delegate to the 1925 meeting of the International Penal and Penitentiary Commission in England, and likewise a similar meeting in Prague in 1930. At a meeting of the Commission in Berlin in 1935 he was particularly articulate in opposition to the brutalites of the Nazi concentration camps.

Because of his disbelief in the death penalty the Warden was, for many years, honorary president of the American League to Abolish Capital Punishment.

During the last years of his life Warden Lawes gave liberally of his advice and counsel as consultant to the War Production Board and was responsible in large measure for the excellent coordination and production of war materiel by prisoners throughout the nation. One of his last services to The American Prison Association was as a member of the Association's committee on the formulation of a model state correctional plan.

A long time member of the Executive Committee of The Prison Association of New York, he was likewise a director of the Boys' Clubs of America, the Boys' Athletic League of New York City, and other groups.

"He never faltered at any duty," said The New York Times. "Many a prison is a far less brutal, inhuman place today, thanks to Warden Lawes," commented the New York World-Telegram.

No better conclusion to this memorial statement could be made than to repeat the editorial comment of the New York Herald Tribune:

"There, then, was a life's work
superlatively worth the effort."

BE IT, THEREFORE, *Resolved*, That the Executive Committee of The Prison Association of New York at its meeting on May 15, 1947, records its deepest sorrow at the passing of Warden Lewis E. Lawes and extends its sympathy and understanding to his remaining loved ones.

RECOMMENDATIONS

March 5, 1948

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 103rd 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*

IS GOOD HOUSEKEEPING ENOUGH?

The immediate reaction to an inquiry of this nature undoubtedly would be in the form of a second question: Why do you ask?

We ask this question as it relates to the New York State Department of Correction because we feel something more to be necessary in the overall rehabilitation of prisoners than sturdy buildings, clean surroundings, modern facilities and secure custody. To be sure, such factors are vitally important to any correctional system—but good housekeeping alone is not enough.

Through the medium of its annual reports The Prison Association of New York attempts each year to acquaint public officials and private citizens alike with the more basic needs of the correctional program of the City and State of New York.

For over a century the Association has pointed the way toward progress. Frequently some of its recommendations are applicable only to the future rather than the immediate present. In fact, some of those that follow this comment are designed for the years to come but are presented at this time as a blueprint for planning and eventual action.

We feel it to be of the utmost importance that the Association take the lead in directing the layman's attention to some of the fine points of correctional administration and procedure that might otherwise escape attention.

As the record will prove, the Association has, over the many decades of its long period of service, planned for the future. Often immediate action on some recommendations may not be desirable. We reiterate, however, that they constitute the roadbed for future planning.

The Association is convinced that a highly specialized field such as correction requires an independent group in a position to focus attention on the future as well as problems pertinent to the present day.

Is good housekeeping sufficient? We think not. What more, then, is necessary?

No organization or department can hope to achieve progress and retain its position of leadership without a clear cut policy of definition of purpose. No ship can be expected to reach its destination without considerable plotting and charting of its course. No enterprise can hope to succeed unless all concerned are aware of its intentions.

As we have been careful to point out in previous reports there is no need in New York for the construction of new institutions. There is no need for the outlay of an unreasonable amount of money. New York has a wide variety of correctional institutions that with readjustment could be used to meet the requirements of the various types of offenders. The cornerstone of sound prisoner classification has been put into place with the establishment in 1945 of the Elmira Reception Center. The Center, however, is but the solid base on which to build and the people of the State and the Department of Correction will have to recognize this fact before progress may be continued. The Reception Center cannot be expected to work miracles in and of itself regardless of the excellent personnel with which it is staffed and the soundness of its program.

This obviously raises the question of what improvements and changes are necessary if New York is to retain its position of leadership in the correctional field. The answer is not simple; in fact, it is somewhat complex. Ultimately it may be reduced to the necessity of the Department of Correction to thoroughly blueprint its course for the future. The time-worn phrase that a prison must be more than a lockup for long-term offenders remains apt. We have the facilities—we need the plans. We have the good housekeeping, but it is not sufficient to produce prisoners properly prepared to become law-abiding citizens.

What, then, is necessary? These are the elements The Prison Association of New York prescribes for at least a background of future action.

I. A COORDINATED CORRECTIONAL SYSTEM

We repeat our leading recommendation of last year* and urge that a thorough review be made of the State's correctional

* See One Hundred and Second Annual Report of The Prison Association of New York, 1946. Legislative Document (1947) No. 48, Page 13 ff.

process and needs either by a legislative commission with the aid of technical experts and consultants or by a special committee designated by the Governor. This review should provide recommendations for legislative and administrative revisions of existing procedures with a view to effecting a coordinated correctional policy.

Comment:

The Association, in making this recommendation, is emphatic in pointing out that an investigation, as such, is not necessary. This should not be a "head hunting expedition" and the matter of personalities is not of concern. The Department is well equipped with trained personnel capable of achieving notable progress if a definite and specific course is plotted.

The process of prisoner rehabilitation is not something that just happens. The idea of "good housekeeping" can be handled at each institution but the planning of a coordinated and unified correctional system is considerably beyond the realm of the individual institution.

The State of New York has a vast investment in buildings, land and equipment. It has an even more valuable investment in correctional personnel. Its responsibility to its thousands of prisoners likewise cannot be shirked if we are to adhere to the premise that prisons are for the complete protection of society.

A clear cut statement of correctional policy should be the first order of business. As an aid to this fulfillment it is suggested that a *board of strategy*, with the Commissioner of Correction as the head, be utilized, embracing representatives from the State Board of Parole and Departments of Mental Hygiene, Education, and Labor and such other departments as may be appropriate. This group might well be employed to assist in the general process of rehabilitation especially since the Division of Parole, for example, has a specific responsibility relating to post-institutional supervision and guidance of prisoners.

II. COMMITMENT OF PRISONERS

It is recommended that all male felony prisoners be committed directly to the State Department of Correction rather than on the basis of judicial districts as at present.

Comment:

Precedent for this recommendation has been well established by virtue of the Elmira Reception Center authorized by Chapter 554 of the Laws of 1945. All male felony prisoners between

the ages of 16 and 21, excepting those sentenced to life imprisonment and death, are now committed to the Center for observation, study and eventual transfer to the institution best suited to the needs of the individual prisoner. Its commendable record of the past two years gives full substantiation to this recommendation that all male felony prisoners be so committed.

The operation of the Reception Center commits the State to the theory and need for a coordinated commitment and reception procedure. The expansion of its age limits from the present maximum of 21 to include all ages above 16 would result in the most efficient and economical use of the State's correctional facilities.

It is urged that this recommendation be given careful consideration with relation to the recommendation that follows.

III. THE SEX OFFENDER

It is recommended that the Legislature adopt the findings of the Governor's Informal Committee Regarding Improved Methods for Dealing With Sex Offenders, and pass legislation providing for a study and treatment unit at Sing Sing Prison.

Comment:

In 1947 The Prison Association of New York initiated and led the campaign for the provision of improved procedures for dealing with the sexual psychopath. A bill introduced by Senator Thomas C. Desmond (Senate Int. 1432, Pr. 1290) successfully passed both houses of the Legislature but was vetoed by the Governor primarily because it was his opinion that the bill was too broad in its provisions. In his veto message he complimented the efforts made by those interested in this measure and urged that additional study be given to the problem during the year.

As an aid to the conduct of the study the Governor appointed an informal committee consisting of the Commissioners of Mental Hygiene and Correction, the Chairman of the State Board of Parole, and the General Secretary of The Prison Association of New York.

The committee's findings recommend that legislation be provided for the establishment of a study and treatment unit at Sing Sing Prison. The unit's findings after approximately one year of operation will then be used as a basis for legislation, or other steps that may be necessary, to provide improved methods of dealing with the sex offender.

The committee recommends the unit be under the auspices of the New York State Psychiatric Institute, under the direction of Dr. Nolan D. C. Lewis, a world recognized authority.

The Prison Association of New York cannot urge too strongly that the Legislature pass the bill recommended by the committee establishing the unit and providing the necessary funds and procedure for its operation. It is imperative that a well rounded plan be developed, leading to more scientific treatment of offenders of this nature.

IV. DESIGNATION OF RECEPTION INSTITUTION

It is recommended that the present Sing Sing Prison be designated as a receiving prison for male felony offenders over the age of 21 and for certain groups requiring specialized and highly professional treatment.

It is further recommended that the Green Haven Prison be used as a sentence institution in lieu of Sing Sing except for small groups requiring special attention.

Comment:

On many occasions The Prison Association of New York has referred to its more than three decades of urging that a state-wide prisoner classification system be provided. Beginning in 1916 with the slogan "Sing Sing Must Go" the Association has long urged a reception prison. The time is now appropriate for activating this recommendation.

The fact that approximately 75 per cent of Sing Sing's commitments are received from the New York City area justifies its use as a reception prison. As operations develop it may prove advantageous to consider the use of Attica as a receiving prison for other sections of the State.

With the return to the State by the Army of the new Green Haven Prison the facilities are now available to make such a move. With the release of Sing Sing as a long-term sentence institution its facilities could—and should—be converted for use as a reception prison for those over 21. In addition its facilities could well be diverted for the housing and study of such categories of offenders as sexual psychopaths, and others presenting difficult personality and maladjustment problems requiring special study and treatment.

Now is the time to make this change. We urge that legislative support be given to this proposal.

The recently published "Handbook on Classification in Correctional Institutions" compiled by The American Prison Association, in discussing the basic principles of classification, emphasizes that the fundamental purpose of prisons is the protection of the public welfare. "This means," states the Handbook, "not only good custody but that the public welfare can best

be protected by returning as many prisoners as possible to the community, fitted educationally and vocationally in physical and mental health and through changed attitudes and ideals, to take their places as law-abiding citizens." In order to achieve this end result the Handbook points out that, "The necessity of knowing the individual prisoner and his abilities and disabilities became obvious. . . . Classification implies not only a thorough analysis of the individual and the factors in his background and environment, which influenced his personal development but also a procedure by which this information can be utilized as the basis for a well-rounded, integrated program for him, looking toward his improvement as a social being."

In few words, "classification includes not only diagnosis but also the machinery by which a program fitted to an offender's needs is developed, placed in operation and modified as conditions require."

The Prison Association of New York feels it is at this point that the State Department of Correction needs to clarify its correctional policy.

V. DEPARTMENT OF CORRECTION OF THE CITY OF NEW YORK

It is recommended that as a part of the unified State correctional program proposed through these various recommendations careful consideration be given to the acceptance of jurisdiction of those prisoners currently and hereafter serving indeterminate sentences in the Penitentiary of the City of New York.

It is further recommended that the New York City Reformatory at New Hampton be transferred to the State Department of Correction.

Comment:

The Department of Correction of the City of New York constitutes one of the largest correctional systems in the country. Responsible for institutions ranging from small temporary detention units to a large maximum security prison, the Department surpasses in personnel, institutions and prisoners many similar departments operated by other States.

There is no indication that the responsibility and task of the City correctional problem will be lighter or less complex with the passage of time. As a matter of fact, experience has shown the reverse to be true.

The time appears appropriate for the recommendation of certain basic changes—changes that cannot be brought about

through administrative order but changes requiring legislative action.

It has long been the custom for the State to assume responsibility for the care and treatment of adult offenders convicted of felonies. The law implies that all persons with sentences of more than one year should serve their imprisonment in a State-administered penal institution.

The point of variance, as it relates to New York City, concerns the fact that persons sentenced to terms of not more than three years may be committed to the Penitentiary of the City of New York, and thereby become local charges. The City likewise is called upon to accept a number of persons under so-called "Workhouse Indefinite" sentences providing for a two year maximum sentence for certain categories of less serious offenders.

The end result is that the New York City Department of Correction houses and has sole jurisdiction over many prisoners who, had they been convicted on similar charges elsewhere in the State, would be confined in State penal and correctional institutions.

For many years in these Reports, The Prison Association of New York has urged that the State assume full administrative control of the various county penitentiaries. This does not imply county jails but simply the few county-operated penitentiaries. This recommendation has been urged consistently in the interest of centralization of control and administration and the ultimate saving to the taxpayer.

The long range general "streamlining" of the State's correctional process requires consideration of this recommendation. All prisoners committed for indeterminate sentences in the Penitentiary of the City of New York should be confined in an institution to be designated by the State for this purpose in lieu of the present procedure.

The New York City Reformatory should become a part of the State's program in the treatment of the adolescent offender. While there has been considerable improvement in 1947 of this institution it is not the province or function for the City to attempt an involved rehabilitation program for adolescent prisoners. The Reformatory should logically be related to the excellent program and plan of the State's Reception Center.

The New York City Department of Correction always appears to have the dubious distinction of operating at least one institution which has long borne the brunt of public and private criticism. Now that a new City Prison for Brooklyn is nearing the construction stage, thus leading to the abandonment of

the Raymond Street Jail, the New York City Reformatory will be called upon to assume the full blast of criticism.

It should be stated, however, that the present administration of the City Department of Correction has brought about a number of commendable improvements during 1947. The basic point at issue is not what can be done to improve the institution, as such, but what can be done to properly coordinate a reformatory-type institution for adolescent offenders into a unified correctional plan.

We believe that the City should not engage in the business of running sentence institutions with the exception of jails and workhouses. The operation of a reformatory is clearly the function of the State particularly now that the Elmira Reception Center is an actuality. As presently constituted the City Reformatory has no relation whatsoever with the Reception Center, yet in theory it parallels to a considerable degree the State Reformatory also at Elmira.

For years the Prison Association has pointed its finger of criticism at the lack of a sound rehabilitative program at New Hampton. Oftentimes we have gone so far as to urge its complete abandonment unless radical changes were made. This we disliked because, as the record will show, the Association was conspicuous by its efforts nearly fifty years ago in the development of the Reformatory, just as it was in the founding of the entire reformatory movement in this country with the opening of Elmira in 1876.

We urge that consideration be given to the transfer of the City Reformatory to the State, through its Department of Correction, then to be assimilated with the Reception Center and other institutions. The Reformatory has great potentialities. Its plant and site are, on the whole, generally satisfactory but it stands out alone as the sore thumb of our City correctional process.

In these two recommendations we acknowledge the contribution of the Citizens Budget Commission with which organization the Prison Association cooperated in its recent survey of the City Department of Correction. The Association aided in the inspection of institutions and gave benefit of its intimate knowledge and experience of correctional conditions in New York City gained over a long period of time. The Association gave comment and criticism to various drafts of the report and consulted with Budget Commission representatives prior to and during its fact-finding stage. This survey submitted in January, 1948, to the Mayor, outlines administrative and other changes leading to greater economy and efficiency of operation. Some of its recommendations to the Mayor are considerably in the realm

of long-range planning, and are similar to recommendations often made by this Association. Our stand that a city correctional system should not be called upon to operate long-term sentence institutions is a case at hand. The Budget Commission is to be commended for a task well done and the association joins in urging the consideration of its findings as they relate to the City Department of Correction.

VI. RETENTION OF PROFESSIONAL SERVICES IN STATE CORRECTIONAL INSTITUTIONS

It is recommended that medical, psychiatric, psychological, educational and other professional services be retained and expanded within the institutions of the State Department of Correction.

Comment:

It should not be necessary, year after year, to plead for the retention of professional services. Particularly are these services necessary if and when the State presents a clear-cut correctional policy. There can be no argument that if correctional institutions are to fulfill their basic purpose of protecting society, specialized personnel is necessary.

The State of New York is fortunate in that it need not appropriate millions of dollars for new institutions but it will have to take cognizance of the need for professional services at but a very small proportion of institutional costs.

VII. PRISON INDUSTRIES

It is recommended that an advisory committee on correctional industries be authorized by the Legislative within the State Department of Correction to aid in the development of work programs for prisoners.

Comment:

In previous years the Association has recorded pleas for legislative support to the end that prison industries be maintained and expanded as an aid to the rehabilitation of inmates. The impetus of war fervor has long ago ceased to be a stimulant to prison labor. We have now returned to the point where prison labor again assumes a critical level.

Profiting by the experience of other States, notably California, the Association now recommends the provision for an agency within the Department of Correction to assist with devising and planning an intelligent work program contributing

to the training of prisoners and support of institutions and at the same time decrease to a minimum competition with private industry and free labor. Such a committee could facilitate improved understanding on the part of the public of some of the intricate problems surrounding prison labor.

This group should be appointed by the Governor, with the Commissioner of Correction as chairman. It is suggested that two members represent organized labor, two represent industry, one agriculture, and one the public at large, making a total membership of seven to serve without salary.

The Association is of the opinion that the formation of such a group is in harmony with present day procedure of close relationship between industry and labor.

The committee, among other duties, should advise on the suitability of establishing, expanding, diminishing or discontinuing industrial or agricultural enterprises.

The United States Department of Justice through its Federal Prison Industries, Inc., has long had an advisory commission of this nature, as have several of the States.

VIII. THE CHRONIC ALCOHOLIC

It is recommended that the Department of Mental Hygiene accept for the State the responsibility for the long term hospital care and treatment of the chronic alcoholic or problem drinker.

It is further recommended that the Mental Hygiene Law be amended to provide for the certification of problem drinkers to public mental institutions.

Comment:

In these recommendations The Prison Association of New York joins with the Westchester County Joint Committee on Alcoholism with which it has been working in close collaboration during 1947. The Association's primary interest in the alcoholic problem is to urge its separation from the point of view that its treatment is a penal problem. In some particular instances this could conceivably be true but basically jails and prisons are not suitable places for the treatment of alcoholism as such.

At this point we do not take a stand that the problem is a medical, psychiatric, or moral responsibility; we simply state that it is definitely not a correctional responsibility unless the alcoholic committed a crime while under the influence of alcohol. Alcoholism in and of itself is symptomatic of a deep-

seated personality problem that requires far more specialized treatment than is currently available in a jail or prison.

The Association likewise joins with the Westchester Committee in advocating that a "pilot" or experimental unit be established in some locality where general hospital facilities are available. Under the general guidance and direction of the Department of Mental Hygiene further elaboration of the plan should take effect after the "pilot" unit has demonstrated its effectiveness. We need sound scientific experimentation with this problem and strongly urge legislative support to this end.

The recommendations may appear elementary but suffice it to say that despite the numerous experiments conducted in New York State over the past century no formally accepted program is presently available.

IX. TRANSFER TO CERTAIN INSTITUTIONS UNDER THE JURISDICTION OF THE DEPARTMENT OF MENTAL HYGIENE

It is recommended that Section 439A of Article 17 of the Correction Law be amended to broaden the power of transfer from institutions in the Department of Correction to those of the Department of Mental Hygiene.

Comment:

On the basis of official records and findings, it is obvious that there are confined in the institutions for mental defectives (Napanoch, Woodbourne and Albion) some who should not be in correctional institutions. Such persons are inadequate and incapable of adjustment to community life. At the same time they offer no behaviour problems and most have exemplary conduct records and in no way are disciplinary problems. There are some in this category who would benefit and profit from admittance to the more specialized institutions of the Department of Mental Hygiene.

The law presently provides for the transfer of certain individuals *under* 21 years of age and the Association feels that it would be to the best interests of the State to provide for the transfer of some *over* 21.

No age limit is set in Section 134A of Chapter 874 of the Laws of 1945 for the transfer of certain persons from the Department of Mental Hygiene to the Department of Correction. Likewise it is felt that there should not be a restricting age limit affecting transfers from the Department of Correction to the Department of Mental Hygiene.

X. BENZEDRINE TRAFFIC

It is recommended that legislative action be taken so as to provide that the introduction of benzedrine into a penal or correctional institution for other than official use be classified as a felony.

Comment:

Prison administrators throughout the country concede that the introduction of benzedrine into a penal or correctional institution for other than official use as prescribed by duly licensed members of the medical profession is detrimental to the health and morale of prisoners. The fact that benzedrine is not classified as a narcotic, and that no penalty now exists for the introduction of the drug into a place of confinement, adds to the administrative problems of officials. Benzedrine has its proper use as does a narcotic but it likewise may be used to make the equivalent of an intoxicating drink. Benzedrine may be purchased at any drug store without the presentation of a physician's prescription and its ease of purchase adds to the nature of the problem. The State Commission of Correction recently circulated a warning bulletin to institutional administrators pointing out the dangers inherent in the misguided use of this drug. Legislative action as recommended above would serve to reduce to a minimum the traffic in benzedrine that is presently a difficult administrative problem.

XI. EXTENDING POWER OF STATE BOARD OF PAROLE IN CERTAIN CASES

Article 8, Section 219, of the Correction Law should be amended so as to empower in suitable cases the State Board of Parole to determine what portion of a remaining maximum term is to be served by a parolee who commits a felony while on parole.

Comment:

It seems unfair to require every parolee who commits a felony while on parole to serve the time remaining of his original maximum sentence, from the time of his original parole, before starting to serve his new sentence. There are instances where inmates have had a good record on parole for a considerable number of years but make a mistake which results in a new felony charge. Such individuals might have to serve many years on their original sentence before beginning the new sentence. On the other hand, certain individuals are in and out of the

institution several times as parole violators and finally commit a felony perhaps only a few months before the original maximum is up. Such individuals are required to serve only a short time before they begin to serve a new sentence. It is quite evident that this type of individual is a much poorer risk for society than the one referred to above, who has committed only the one offense while on parole.

Chapter 678 of the Laws of 1945 excluded Elmira Reformatory parole violators from the mandatory language of Article 8, Section 210 of the Correction Law.

XII. FIVE YEAR LIMITATION OF SENTENCE AT THE NEW YORK STATE VOCATIONAL INSTITUTION AT COXSACKIE

It is recommended that Section 343 of Article 13A of the Correction Law be amended so as to impose a five year limit on all sentences of those committed to the New York State Vocational Institution at Coxsackie.

Comment:

Particularly in the case of adolescent offenders such as those committed to Coxsackie, it is highly unlikely that an individual would profit by more than five years of confinement. It seems in order, therefore, and in the interests of greater efficiency of administration, to recommend Legislative action through the amendment of Chapter 678, Laws of 1945, which limits the maximum term at Elmira Reformatory.

XIII. IMPROVED PROBATION

It is recommended that the following proposals be given Legislative support in the interest of improved probation service in the City of New York:

- (1) Legislation to raise to the highest possible level of organization and efficiency the eight different and unrelated probation services now in operation in New York City.
- (2) Extension of the authority of the State Probation Commission to the point where its authority will be of greater value to the people of the State than its present limited advisory powers.
- (3) The establishment of a state subsidy for the development of probation in those areas not now utilizing this progressive treatment procedure.

Comment:

The progress of probation in New York State since the date of the first probation law more than 40 years ago is well known. As is the case with other treatment procedures there is room for further improvement. The value of probation lies in its statewide usage and the quality of its administration. The Prison Association of New York is especially concerned with this matter in view of the fact that it was the pioneer agency identified with probation in the Court of General Sessions (Manhattan). For many years the Association stood alone in urging the improvement of probation. The Association believes, however, that the unevenness of probation in New York City should not continue. In the interest of the highest level of procedure, standards and administration a consolidation of existing services is necessarily based upon a careful study of administration and handled by competent leadership.

In the interest of improved probation services in other sections of the State, the Association recommends the extension of the authority of the State Probation Commission beyond the point of its present limited advisory powers.

The subsidy plan as recommended would enable the development of probation in those areas not now in a position to financially sponsor such a service.

The Association agrees in substance with the report submitted to the Mayor of the City of New York in February, 1946, by the State Probation Commission. This report recommended the immediate consolidation of the probation departments of the eight courts involved and stated that: "A consolidated probation department would provide the best means of coordinating and systematizing the probation work in the city, eliminating the duplication of effort and overlapping of functions that now exist. . . . The primary purpose of a consolidated department would be to establish and maintain the highest quality of probation work for the entire city."

Legislation is necessary before the recommendation can be put into effect and the Association repeats its urging of many years past that the Legislature give its long-needed attention to this situation.

XIV. STATE COMMISSION OF CORRECTION

It is recommended that the law be amended so as to remove limitations now placed upon the functioning of the State Commission of Correction. This will involve a study of Sections 401 and 410 of Chapter 606, Laws of 1926, and Sections 46, 47 and 48 of the Correction Law (Chapter 243, Laws of 1929).

Comment:

The Prison Association is largely responsible for the establishment of the State Commission of Prisons, the successor body of which is the present State Commission of Correction. In urging the establishment of the original body, prior to 1894, the Association held that there should be a state financed, independent, freehanded supervisory body to concern itself with the penal and correctional institutions of the State. Under the present arrangement, the Chairman of the State Commission of Correction is the Commissioner of Correction. This was not the case prior to 1926. It is evident that there now exists the anomalous situation whereby the head of the Department of Correction is also the Chairman of the Commission (a Constitutional provision which we do not consider sound). The Commission is required by the Constitution to visit and inspect the institutions designated for the housing of sane adults charged with or convicted of crime. Under present procedure the Commissioner of Correction is in a position somewhat similar to that of the head of a corporation who could control the audit of its books and affairs.

The Association has recommended and continues to recommend that the words ". . . *subject to the direction and control of the Commissioner of Correction*" as applied to the general powers and duties of the Commission be omitted in the chapters and sections referred to above. By deleting the specific "direction and control" language there is less danger of restricting the activities of the Commission or defeating the purposes for which it was established, to wit, freehanded investigation and supervision in the interest of good management and public welfare.

XV. EXAMINATION INTO SENTENCING PROCESS

It is recommended that the Law Revision Commission receive legislative authorization and direction to conduct an examination into the sentencing progress of the various courts with provision of the necessary funds for the completion of the study.

Comment:

It has long been acknowledged that a disparity of sentences is evident throughout the State. The major result of this condition is discontent and a feeling of injustice among those confined in the institutions of the State Department of Correction and other penal institutions within the State. The goal to be attained is the even application of justice dispensed on the basis

of individual consideration rather than stereotyped punishment. The Law Revision Commission is the logical body to conduct such a study and the Association urges legislative support to this end.

XVI. PUBLIC DEFENDER AND DEFENSE ATTORNEYS

It is recommended that the Legislature authorize the judicial Council to explore the question of the advantages and disadvantages of the public defender system and its possible adoption by the various counties as a part of their judicial process.

It is further recommended that the Judicial Council be directed and empowered to investigate complaints by defendants in criminal actions relative to the inadequacy of efforts and, in many cases, failure on the part of some attorneys to render satisfactory service. An undertaking of this nature should be patterned after that employed in curbing "ambulance chasing."

Comment:

The public defender system has long been an integral part of the judicial process in such cities as Los Angeles, Omaha, Columbus, Memphis, Providence, St. Paul, St. Louis, San Francisco, and others; and the States of Connecticut, Mississippi, Nebraska and Virginia. It is apparent that the plan embodies features leading toward the breakdown of the use of court-assigned defense attorneys which too often degenerates into "shyster lawyer" practices. This should be considered of sufficient value to warrant the adoption of the public defender system. It is felt, however, that legislative authorization to the Judicial Council to make suitable inquiry and recommendations is appropriate and advisable prior to making specific recommendations for legislative action.

Concerning the second part of this recommendation it may be stated that the modus operandi employed by some attorneys to obtain compensation constitutes a disgrace in the legal profession. While it is not denied that attorneys should require due compensation for services faithfully performed, it is, however, to be expected that adequate defense in accord with the highest ethics of the legal profession be given in return. Those attorneys who devote more time to finding ways and means of obtaining compensation instead of providing wholly satisfactory services or who urge clients to plead guilty on the alluring promise of receiving the mercy of the court through release or light sentence should not be permitted to trifle with the predicament of their clients or the high standards and honor of their profession.

XVII. TRANSFER OF PRISONERS UNDER THE JURISDICTION OF THE COMMISSIONER OF CORRECTION OF THE CITY OF NEW YORK TO MATTEAWAN STATE HOSPITAL

It is recommended that legislation be provided to expedite the transfer of prisoners certified to be insane and under the jurisdiction of the Commissioner of Correction of the City of New York to Matteawan State Hospital.

Comment:

The procedure involved in transferring a prisoner certified to be insane from institutions of the New York City Department of Correction to Matteawan State Hospital is considered to be cumbersome and time-consuming. Frequently this procedure covers a period of at least four weeks and is obviously not in the best interests of the prisoner concerned. Section 408 of the Correction Law provides the procedure for such transfers. Officials of the New York City Department of Correction must request the Corporation Counsel of the City to apply to the Supreme Court for an examination of the alleged insane prisoner by two qualified examiners. Should the examination result in an affirmative opinion City officials then are required to apply to the court for a commitment order for transfer to Matteawan. At the present time female prisoners in need of hospital care and unusually disturbed male prisoners are sent to Bellevue Hospital but the Hospital need not, by law, accept prisoners of this category and does so only as an accommodation. What is needed is authority enabling the City Commissioner of Correction on certification of qualified psychiatrists and finally subject to the approval of the Supreme Court to transfer such prisoners in need of specialized care for mental disease direct to Matteawan State Hospital. Section 383 of the Correction Law grants authority of this nature to the State Commissioner of Correction in the cases of prisoners under his jurisdiction who are adjudged insane.

The Association urges appropriate amendment to the Correction Law placing in the hands of the New York City Commissioner of Correction authority similar to that now granted to the State Commissioner of Correction.

XVIII. ATTEMPTS TO CURTAIL PRISON INDUSTRIES

The Prison Association again this year departs from its custom of restricting this section of its annual report to recommendations and places on the record an emphatic word of

caution to members of the Legislature. We renew our urgent plea for legislative support to the end that prison industries not be decreased in scope and operation and that they be supported in every way possible.

This comment is made on the basis of long observation of both the prison industrial organization and various deliberate attempts to restrict its progress. We urge the Legislature to be alert to ignore or defeat any attempt by selfish interests to curtail the maintenance of the vocational and industrial operations of the State's penal and correctional institutions. The industries operate under the constitutional authority providing for the State-Use plan of prison industries. Surveys have shown the degree of competition with free labor to be negligible.

The Legislature, working as it does in the best interests of the people as a whole instead of those with axes to grind, should meet such attacks with vigor and conclusive negative action. At the same time we call upon the Legislature to strengthen and encourage the present industrial facilities and operations through appropriations for modern and urgently needed new equipment and trained instructor and sales personnel. We likewise urge the expansion and diversification of prison industries within the provisions of the Constitution.

Legislative support of the prison industrial program can be a vital force toward public protection through the rehabilitation of prisoners.

New York Times Editorial

September 12, 1947

THE PRISON ASSOCIATION

Most of us who keep out of serious trouble with the law probably give little thought to our prisons and jails until a riot occurs or somebody breaks out. In this state the interest we all should have in penal and related matters of great importance to society is represented by The Prison Association of New York. This organization's 102d annual report has now come from the printer and provides, as usual, somber reading. Its recommendations have been presented to the Legislature. Now the full report documents these suggestions and brings home to us once more the many defects in our present handling of delinquents and criminals, jolts us anew into a sense of obligation to correct these defects, and refreshes our gratitude that we have an organization that watches over official handling of these problems.

Of the many topics discussed we shall take note here of only two. "The State of New York has, as the record will show, been active during the past quarter of a century and more in striving to reach an adequate solution to the problem of the chronic alcoholic," says the report, adding with what must be understatement: "Success, however, has not been far-reaching." The fact is that society's failure in this respect is shocking. The other problem is the need and wisdom of more general use of institutional inmates in the growing of food. These are two proposals, surely, on which there can be little argument.

We commend the Prison Association for its steadfast interest in the problems of crime and rehabilitation of those who go wrong and we hope the responsible officials and legislators will follow through.

KEEPING FAITH WITH THE FOUNDERS

Herewith are presented various items to give an idea of the workings of the Association during its 103rd year and the breadth of its interests and activities. Fortunately from its very beginning, the founders had the vision of thorough yet widespread activity all relating to a well rounded approach to and treatment of the problems of criminal behaviour. Through the years the Association has served not only as an unbiased informant to the public of conditions warranting their attention, but as a projector of ideas toward progress. It has pioneered in the shaping of procedures, systems, and organizations both in and out of institutions to make for better understanding and greater efficiency in the correctional field and ultimately for the public general welfare. The brief summary contained in the Association's 100th Annual Report* gives ample proof of the steadfastness to this type of functioning as well as the worthwhile results achieved. It is in accord with this pattern of thinking and action that the Association continues year after year with unceasing devotion and renewed endeavor.

The pages of this summary and the remainder of the report will reveal a desire to keep alert always in the public interest and to move in ways that will gradually bring about those improvements that cannot be achieved immediately.

New York City Department of Correction The Association continues its close contact with the New York City Department of Correction through cooperation with the head of the Department, Commissioner Albert Williams. On the occasion of his appointment, our General Secretary addressed him as follows:

December 30, 1946

My dear Commissioner:

On behalf of this Association allow me to congratulate you upon your selection by the Mayor to fill the important post of Commissioner of Correction of the City of New York.

In the discharge of your duties you will be confronted with many problems and I would like at this time to assure you that this Association, and also the State Commission of Correction, of which I am a member, will be only too glad to be of assistance to you in the interest of progress.

Both the Association and the Commission have no other objective than the development of the City and State correctional systems to the highest possible level.

With best wishes to you for success, I am

Sincerely yours,

(Signed) E. R. CASS
General Secretary

*See beginning page 23 of the Association's 100th Annual Report to the State Legislature.

It has been very gratifying to note through the year the earnestness with which Commissioner Williams approached and treated the various problems within his Department. Many of the recommendations and suggestions made to him officially and otherwise through Commissioners Schoenfeld and Cass, especially those set forth in inspection reports, were complied with to the best of his ability.

At the December (1947) meeting of the Association's Executive Committee Commissioner Williams was the guest of honor and he reviewed the general situation existing in the Department at the time he took office and the steps taken to improve conditions and make for progress. The Prison Association of New York can testify that there has been a marked improvement in the morale and general tone of the Department and that there has been increased efficiency and improved organization and procedure. As one deals with the Department now, the impression is quickly gained that there is someone at its head who knows what is needed and wants something concrete in the way of results. In giving this commendation there is no intention of creating the impression that Commissioner Williams has solved all the problems within his Department. He would be the first one to admit that that is not so. Aside from many details of organization improvement, outstanding is his desire to provide the best possible jail to displace the City Prison in Brooklyn and to improve conditions at the City Reformatory, New Hampton. We were glad to note his cooperation with the Citizens Budget Commission and his general agreement with the findings of that body. These findings, as noted in other parts of this Report, were in harmony with the discussion and suggestions made by the Prison Association in its contact with those having to do with the development of the Report. All of the above is by way of saying that although there is much to be done, the year 1947 under the leadership of Commissioner Williams was a good one for the New York City Department of Correction.

City Prison, Brooklyn

The old Raymond Street Jail was once more brought to public notice by the escape of nine inmates on January 2, 1947. They were men experienced in crime. Commissioners Schoenfeld and Cass, in their dual capacity as members of the Executive Committee of The Prison Association of New York and of the State Commission of Correction, visited the prison while the excitement of the escape was still high and spent several days following the break making observations and holding conference with representatives of the City Department of Correction and the District Attorney of Kings County. At the beginning there were two

theories regarding the escape: One, that the bars of the window through which the prisoners made their exit were sawed from the outside; and two, that they were sawed from within. One thing is certain: The jail has long been outmoded and the condemnation that was directed toward it almost from the beginning of its use has been repeated and emphasized on various occasions through the years and by official and unofficial bodies as well as citizens generally interested in public welfare.

The escape was formally investigated by the Grand Jury of Kings County and our General Secretary, Mr. Cass, appeared before that body on two occasions, having conferred previously with the Chief Assistant District Attorney, Mr. Edward S. Silver. The Grand Jury in its report included various photographs showing parts of the inside of the jail and the grounds outside used by the escapees. It criticized some administrative practices relating to the movement of prisoners within the jail, the selection of trustees, and placed considerable emphasis on the oldness and general unsuitability of the building. Significant in the report is a statement "that there is, as far as we have been able to ascertain, no evidence of corruption of any of the prison personnel, nor was there evidence of connivance between any of the personnel and any prisoners, or between the personnel and any of the persons who aided the prisoners before or after the break." A copy of the full presentment is in our files. A letter to the General Secretary from Chief Assistant District Attorney Edward S. Silver under date of May 22 states in part: "I want to take this opportunity to thank you for your graciousness and cooperation in this matter. Your aid was invaluable."

Under date of January 7th the following letter was sent to Mayor William O'Dwyer commending him:

My dear Mayor O'Dwyer:

It is, indeed, very gratifying to Commissioner John L. Schoenfeld and myself to note from the press that you have directed there be added to the staff of the Raymond Street Jail additional keepers. We understand that the total number is eighteen. This will give Warden Thomas McDonnell the kind of assistance and cooperation that he has heretofore lacked.

It is unfortunate that the recent break occurred after he has done so much to improve the conditions generally as well as the administration of the jail. We have watched him in his various posts through the years and we know that he achieved at the Raymond Street Jail many changes for the better that his predecessors said could not be accomplished.

The Commission has urged for years that there be a new City Prison, Brooklyn. For example in our 1944 inspection report it is recommended "That a new City Prison for Brooklyn be provided when the present restrictions necessitated by the war relating to materials and labor are removed. In this connection, careful planning should be made to provide satisfactory housing not only for adults but adolescents as well." Regarding personnel our recommendation in the same

report reads: "The City Authorities should give the Commissioner of Correction all possible support in maintaining the numerical strength of the custodial personnel of the Department at a level consistent with the requirements for safe and proper detention of those charged with crime."

We are hopeful that much progress will result in the Department under the leadership of Commissioner Williams and both Commissioner Schoenfeld and myself who have known him in the Police Department have pledged our assistance to him in the interest of progress and sound administration.

Sincerely yours,
(signed) E. R. CASS

The following acknowledgment was received from Deputy Mayor John J. Bennett dated January 10th:

Dear Mr. Cass:

Your letter of January 7th to the Mayor has been received. The Mayor has asked me to tell you that he is glad to know that you and John Schoenfeld are pleased at what is being done in connection with Raymond Street. He also wishes you to know that we are proceeding with every possible speed in connection with the matter of a replacement for the old institution.

With kindest regards and hoping to see you one of these days, I am

Sincerely yours,
(Signed) JOHN J. BENNETT

Soon after the above escapes it became evident that the City once more was anxious to replace the Raymond Street Jail with a better type of structure and more conveniently located to the Central Courts Building in Brooklyn. On invitation of the New York City Department of Correction, The Prison Association of New York suggested various architects whose experience and reputation in the field of prison construction justified their consideration for the drawing of plans for a new City Prison. The General Secretary sent a similar communication expressing the opinion of The American Prison Association, and identical action was taken by the New York State Commission of Correction. As a result of thorough investigation and evaluation on the part of the City Department of Correction and the Department of Public Works the firm of Alfred Hopkins and Associates of New York City was selected. The Association is long aware, going back as far as 1915, of the ability of this architectural firm, it having under the inspiration of the Association drawn plans for a new Sing Sing Prison in 1916 and subsequently designed county, state, and Federal institutions reflecting a marked departure from the conventional type of prison architecture.

Mr. Clarence B. Litchfield of the firm of Alfred Hopkins and Associates has been in frequent contact with the Prison Association relative to the development of plans for the new City

Prison, Brooklyn, and both Commissioners Schoenfeld and Cass have had the advantage of frequent contact with Commissioner Williams of the City Department of Correction on the same subject. There is now available a set of plans that should finally produce a City Prison superior to any now existing.

For a detailed discussion of the general layout and features of the new City Prison, the following has been prepared by Commissioner Williams:

CITY PRISON AND REMAND SHELTER

Brooklyn, N. Y.

For many years much has been said about the deplorable conditions existing in City Prison Brooklyn, known as the Raymond Street Jail. City officials, leading citizens and Grand Juries have offered criticism but little had been done to correct the situation. Now, the present City administration proposes to erect a new twelve story City Prison and Remand Shelter adjacent and connected to the Brooklyn Central Courts Building by a tunnel. This arrangement will result in the saving of manpower as well as solve the present problem of transporting inmates.

The new institution will have a capacity of over 800 inmates with provisions for the detention of adolescents that will be completely separated from those of the adults.

The aim of the design of this new structure is to provide:

A. The maximum number of inmates within the appropriation.

B. Security; a plan that would allow for complete security while utilizing a minimum number of employees and guards in case a similar manpower situation arose as confronted all Departments of Correction during World War II.

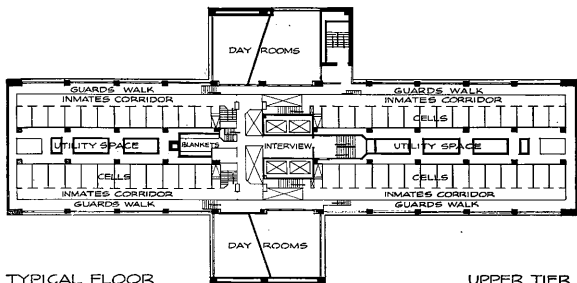
C. Facilities that will help reduce the monotony and stagnation of confinement.

D. Sanitation with regard to cleanliness of the materials and room finishes that will be easy to maintain and keep clean.

E. Proper segregation of inmates.

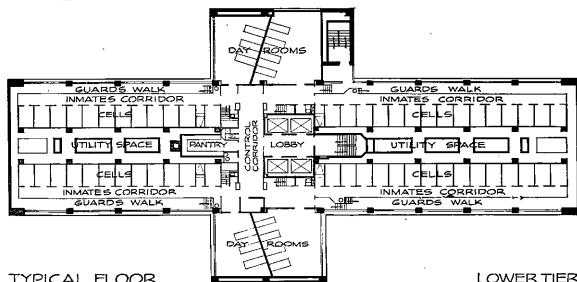
Typical Cell Floor Plan:

The plan provides for the service facilities; such as stairways, ducts for ventilation, elevators, lobby, interview rooms, blanket and pantry rooms being placed in the core of the building. The cells, dayrooms and guards' walks enclose the service facilities and are next to the protected and well lighted outside walls. In order to eliminate the common practice of using the inmates' corridors in front of the cells, four separate dayrooms are provided on each floor for the following reasons:



TYPICAL FLOOR

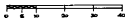
UPPER TIER



TYPICAL FLOOR
BOTH TIERS TOTAL 108 CELLS

LOWER TIER

CITY PRISON
BROOKLYN N. Y.



ALFRED HOPKINS & ASSOC.
ARCHITECTS

TYPICAL FLOOR
City Prison, Brooklyn, N. Y.

A. To place inmates near the central guards' corridor during the day for ready supervision by the officer.

B. To provide rooms where inmates can enjoy the radio or some other form of entertainment, leaving the cells quiet for those who need rest during the day.

C. To provide rooms where hobby or instructional classes can be conducted.

The central guards' station will be in the central guards' corridor with direct supervision of and access to the elevators and stairs leading to other levels through a secure grille, the pantry, and the guards' office where records are kept, and the light and the telephone controls are located. The officer will have good vision and immediate access by his stair to the walks above leading to the blanket storeroom, barber shop and interview rooms. The four day rooms on each floor will be at each end of the guards' corridor separated from it by security vision windows, allowing the officer to give supervision whether he is in the central corridor or on his walk. The four control cabinets operating the locking devices of all the cells are also located in the central corridor. Each typical cell floor will include two tiers of cells with a total of about 112 cells to the floor.

Surrounding the cells and inmates' corridors; against the exterior wall, is a guards' walk separated from the inmates' corridor by a grille to protect the guard from inmate assault. The walk is elevated to allow the officer to view and supervise the upper and lower tiers of cells from the same location.

Cheerful colors will be used throughout the building, keeping in mind that dull color adds to the monotonous and depressive atmosphere of any structure.

Adolescent Facilities:

The ninth and tenth floors will provide for adolescents. The ninth floor will be typical to the adult floors, but the tenth floor will include a gymnasium and library for the exclusive use of the adolescents. The eleventh floor will contain two large areas for outdoor recreation, the combined chapel and auditorium, and the doctors' and dentists' sick call rooms.

Basement Floor:

The basement will have storage rooms, maintenance shops, commissary, tunnel to Courts Building, laundry, pistol range and equipment rooms.

First Floor:

There will be three entrances to the prison, all on the first floor:

A. Service entrance through a supervised sallyport where all supplies and inmates will enter.

B. Administration entrance for lawyers, personnel, and others having business in connection with the institution.

C. Visitors' entrance for inmate visiting.

The first floor provides for three important functions:

A. Administrative facilities including Lobby, Warden's Office, General Business Office, Captains' and Guards' Locker Rooms with briefing space.

B. Receiving room facilities will be so designed that adult inmates enter a separate receiving room, never coming into contact with the adolescents. In order to conserve space and personnel, the same officers will receive both groups. The clean-up and medical examination rooms are the same for both groups, but will be used at different times. Four pens will be available for the daily adult admissions while two reception pens are provided for adolescents. The adults pass to the elevator lobby on the first floor to be delivered to their assigned floors, while the adolescents go to the second floor elevator lobby, still keeping segregated at all times.

C. The lawyers' consultation room will be so arranged that it will be possible for twenty lawyers to hold consultations at the same time.

Second Floor:

The second floor provides for visiting of inmates by relatives and friends. Adults' and adolescents' visiting hours will be at different times. The visitors' waiting room, with space for 65, leads directly to the street entrance. The cashier's window and package receiving rooms are near the entrance, as is the booking desk where visitors report their arrival and departure and from where inmates are informed of their visits. There will be 41 security type visiting booths entered by inmates from their waiting rooms near the center of the building while the visitors' waiting room is at one end.

The central library will also be located on this second floor where books, games, and other recreational facilities will be kept by the librarian for the use of the inmates. The inmates on the floors above will receive books and other quiet games by means of supervised delivery.

A guards' tower over the sallyport at the service entrance, guards' room over administrative entrance (giving supervision of the building frontage, lobby, public business office and general business office) as well as record storage space are also on the second floor.

Third Floor:

The third floor will contain the main kitchen, three dining rooms and material witness facilities. The captains' dining room will have 12 seats while the rest of the employees and officers will use the cafeteria served dining room with approximately 50 seats. The assigned inmate help will also have cafeteria service in their dining room with a seating capacity of 88. The material witnesses will be housed on this floor for the availability of lawyers and visitors who go directly to the visiting room in the witness section. There will be 36 cells in the material witness section as well as a dayroom, pantry, barber shop and linen room.

Exterior Design:

The exterior masonry walls will be limestone above the third floor and polished green block granite below. Provision is being made for all the light possible within the building as large glass areas will be provided. Two thirds of the window area on each floor will be solid translucent glass block, set in steel grillage; the remaining one-third will be opening ventilators to protect the structure against any possible interruption of the ventilation system and for additional ventilation on hot days.

This new skyscraper type prison will be the most modern of its kind in the country.

The Sexual Psychopath

In our 1946 Annual Report to the Legislature we recommended the enactment of a sexual psychopath law and followed it with a bill drawn for us by Magistrate Morris Ploscowe of the City of New York. He is well acquainted with the problem having contributed considerably to the preparation of a report entitled "Report of Mayor's Committee for the Study of Sex Offenses."* He also served as Chief Clerk of the Court of Special Sessions before becoming a City Magistrate.

The press of New York City and upstate as well gave considerable notice to the Association's recommendations to the Legislature emphasizing in particular the one relating to the chronic alcoholic and the other, the sexual psychopath. There was introduced by Senator Thomas C. Desmond Senate Int. 1432, Pr. 2790. The bill passed the Senate on March 11th and the Assembly on March 18th, but was disapproved by the Governor. Governor Dewey vetoed the bill because of his observation that it was too far-reaching, but he nevertheless indicated his appreci-

* Published by City of New York, F. H. LaGuardia, Mayor. Study covered period 1930-39, inc.

ation of the seriousness of the problem toward which the bill was directed, as shown in the part of his veto message reading as follows:

The problem to which this bill is directed is one of the most serious in the field of criminology. Nevertheless, despite our lack of a proper system for handling the problem, we are not justified in engaging upon any program which is not reasonably sound and properly considered, and most certainly, in the process we should not demolish the important safeguards that surround personal liberty in our State. I am most anxious that we continue our efforts to develop a good system for the handling of the sexual psychopath. I am confident that the many sincere people who sponsored this measure will continue their efforts and in consultation with the State Department of Correction, the State Department of Social Welfare and the State Division of Parole, will be able to work out satisfactory legislation to meet this important problem at the next session of the Legislature.

During the year Governor Dewey and members of his cabinet have indicated their continued interest in the problem and our General Secretary has participated in the discussions and planning. During the early part of 1948 there will be an announcement of a plan by the Governor to conduct an experiment in one of the State institutions, probably Sing Sing Prison, under the guidance of a qualified and trained personnel to be provided through the State Department of Mental Hygiene. The purpose of this will be to gather as much information as can be had regarding sex offenders and to develop to whatever extent is possible therapeutic procedures. It is hoped that this plan will result in a substantial contribution for the solution of a baffling problem which has too often resulted in serious consequences in various communities arousing the horror and wrath of the public.

**Citizens
Budget
Commission
Survey**

Early in 1947 Mayor O'Dwyer referred to the Citizens Budget Commission a proposal that there be consolidation of the Police, Fire, and Correction Departments. Our General Secretary at once addressed a letter to Colonel Harold Riegelman, Counsel of the Citizens Budget Commission, indicating our interest and offering our services. This offer was gratefully acknowledged. There followed contact with the staff of the Commission. At a meeting with their staff in October there was considerable discussion on the general proposal and the details involved. We expressed the opinion that little was to be gained if anything by the merger of the Department of Correction with other departments and it was interesting to note that those who represented the Budget Commission seemed to entertain the same view. Later the study of the Department of Correction was turned over, with the approval of the Mayor,

to Magistrate Morris Proscowe who soon made contact with The Prison Association of New York. We again discussed many problems relating to the Department of Correction and related proposals, outstanding among them being the question as to just where the lines should be drawn between City and State responsibility in the matter of housing and dealing with certain types of prisoners. At our suggestion and in company with our Assistant Secretary, Magistrate Proscowe made various institutional observations and visits, spent considerable time in the library of the Association, and studied various reports and documents borrowed from our library. Before the end of 1947 Magistrate Proscowe conferred with the Association on a draft of his report. It was studied in full and with care. Various corrections were made, inserts suggested to enlarge or improve the report, and on the whole the report was approved. One exception, however, is that we are not ready to go to the extent of recommending the abolition of the New York City Parole Commission. The final draft of the report differs only slightly from the original and its content is on the whole in harmony with our observations, thinking, and recommendations relating to the various problems and situations. We commend the Mayor for directing that the various proposals be studied and we are pleased to have played a part in helping to develop the report. Some of the recommendations undoubtedly will be disputed and some regarded as a long way from fulfillment. However, the report itself served as one more beacon light for those who are anxious to make for progress and it is hoped that both the State and City officials involved will come together for discussion and that concrete action conforming with the recommendations will follow. For further reference to this study by the Citizens Budget Commission see page 20.

**Green Haven
Prison**

This prison was completed a short time before the war and is located in Dutchess County about fifteen miles northeast of Beacon. Soon after the outbreak of the war, the prison was leased to the Army and is to be returned to the State in January of 1948. With the State again in control of the institution, the question arises: How shall it be used, and does it make possible the whole or partial discontinuance of Sing Sing as a major housing unit and the restriction of its facilities for limited and specialized utility. In this connection on October 6, 1947 the following letter was addressed to the Governor's Counsel, Mr. Charles D. Breitler:

Dear Mr. Breitler:

So as to assure you of our continued interest, we note with satisfaction that the Army is to release Green Haven about the first of the

year—this having been confirmed by Commissioner Lyons at our last Commission meeting and again by an Army Colonel in the Correction Division of the Army when I met him last week at the Federal prison at Danbury, Connecticut.

With the certainty of Green Haven again becoming available for State use, it would seem a good time to re-study the whole situation as relates to the future of Sing Sing and its place and general utility in our correctional system. I recall that as far back as 1916 we campaigned under the slogan, "Sing Sing Must Go." The thought then was to get rid of the old cell blocks and a large prison at that location and to have instead a smaller unit to serve as a receiving and classification center such as the one at Elmira now serves for younger prisoners. This plan never worked out, not because it was impracticable but because of the varied views and changing controls which are so characteristic in the field of correction.

As a result of the fumble that was made in those earlier years regarding Sing Sing we have succeeded, of course, in finally getting rid of the old cell block, but we have nevertheless a kind of hodge-podge prison difficult in many ways to administer. This is no reflection on the head of the institution or the staff. I am referring to the physical layout which exists today despite the fact that it did not draw general approval, but instead reflects mainly the ideas, enthusiasm, and professional ego of a former State architect.

Green Haven offers opportunity for a streamlined administration. The Army, I think, will leave it in a better state than when it was taken over, and furthermore the grounds both in and outside of the walls have been graded and otherwise improved with no cost to the State and with ultimate benefit.

I write you the above and suggest that there is a good opportunity ahead for the Governor and his administration to march forward again as he did recently at Elmira in the organization and functioning of our State Department of Correction. I hope you will be interested and that you will be willing to talk over the situation.

Incidentally, Sing Sing could be used not only as a receiving unit but also in part for the separate housing of the sexual psychopaths who give so much trouble not only in the community but in institutions as well. You will recall that we attempted legislation in this connection last year and I think that we now have a better bill. However, to implement its usefulness if it becomes law a separate institution or a part of an existing one is essential.

With kindest regards and best wishes,

Sincerely yours,

(Signed) E. R. CASS
General Secretary

Relative to our recommendation to the 1948 Legislature and further discussion on the proposal for the future of Green Haven and Sing Sing, see our Recommendation IV on page 17.

The Chronic Alcoholic

We continue our interest in the chronic alcoholic because we observe them daily in the community, among our clients, and in institutions. These people are their own worst enemies and are too often a burden and menace to the community. What to do or what can be done for them apparently remains the challenging question. The problem has not been solved by the medical profession although more earnest endeavor is needed, nor by the

social worker, the clergy, and others. We hear encouraging reports concerning Alcoholics Anonymous but that approach is still comparatively young for its techniques to be relied upon as final. We are still of the opinion that the problem is too serious and deep-rooted to permit easy solution and that it requires the renewed and continued interest of the State. Earlier approaches by the City of New York and the State are referred to in our 1946 Report, see page 17.

During January 1947 there was held at the Academy of Medicine a conference on the chronic alcoholic. The extent and the difficulty of the problem was freely presented and the general conclusion was that the Legislature be requested to appoint a State commission to develop ways and means of control and treatment. This coincides with the substance of our earlier conclusion and one of our 1946 recommendations to the Legislature. During 1947 there was introduced in both Houses a resolution urging that the State undertake a study of the chronic alcoholic. This was a follow-up of the Association's recommendation to the Legislature and it received good press notice throughout the State. The resolution, however, did not receive legislative approval. We also urged the Governor through his Counsel to have the State examine into the problem of the chronic alcoholic and it was finally stated that a survey is to be made by the Interdepartmental Health Council. At this writing the findings and recommendations of that body have not been revealed.

Our Assistant Secretary, Mr. Wright, serves on the Westchester Joint Committee on Alcoholism which came into being about a year ago at the suggestion of Warden Paul R. Brown of the Westchester County Penitentiary supported by the White Plains Rotary Club. This Committee has been an earnest, active body made up of qualified persons who know the problem on the basis of their official duties or their observations and studies as progressive citizens.

At the request of the Governor's Interdepartmental Health Council and the Chairman of its Subcommittee on the Problem Drinker, a detailed statement was submitted for their consideration. This statement consisting of five basic recommendations urged that the State accept the responsibility for providing facilities for care and treatment of chronic alcoholics in need of long term hospital attention. It was also recommended that the State Department of Mental Hygiene was the department best suited to meet the needs of the problem drinker. It was likewise recommended that the Mental Hygiene Law be amended to provide for the certification of problem drinkers to public mental institutions. The final recommendation urged the establishment of an experimental or "pilot" unit to be equipped and

staffed with specialized services for dealing with the chronic alcoholic. This should be at some location where general hospital facilities are presently available. The Committee felt that considerable experimentation is necessary before further specific recommendations could be made.

**Elmira
Reception
Center**

We continue to spread the value of the Elmira Reception Center established by Chapter 554 of the Laws of 1945. It is headed by Dr. Glenn M. Kendall and is designed to serve as a better means of distribution to various institutions under the control of the State Department of Correction and to provide a more satisfactory program of study and treatment for offenders from the ages of 16 to 21. We hold high hope for the success of this Reception Center because, as has been previously stated, its purpose and existence is in harmony with our thinking and efforts over a long period. In May of 1947 at Asheville, North Carolina, on the occasion of the meeting of the Southern States Probation and Parole Conference and the Southern States Prison Conference, our Assistant Secretary, Mr. Wright, addressed a gathering on the subject of the Elmira Reception Center. He did likewise at the meeting of the Central States Probation and Parole Conference at Columbus, Ohio, in June; in October he addressed the Massachusetts Conference on Social Work in Boston. In a letter from the Governor's Counsel, Mr. Charles D. Breitel, under date of June 3rd relating to a desire to spread the gospel, so to speak, regarding the Reception Center, he said in part: "I am deeply interested and appreciate very much your usual cooperation."

**Crime
Pictures**

On December 3rd the Motion Picture Association of America through its Director, Mr. Eric Johnston, announced revision of their regulations and codes to halt the production of pictures glorifying the criminal and making crime inviting to young people. This is recognition of a long standing and growing complaint to the industry regarding certain types of pictures. In the name of The Prison Association of New York and The American Prison Association, the General Secretary addressed a letter to Mr. Eric Johnston commending him and his associates for the action taken. A similar letter by the General Secretary appeared in the New York Sun of December 5th, the New York World-Telegram of December 8th, and in the New York Times of December 15th. Future pictures will be watched with interest in view of the reported change of policy. Mr. Eric Johnston in his letter of reply made the very pertinent statement that "the

motion picture industry has a responsibility to emphasize the decent and wholesome aspects of American life and play down that which is evil and sordid."

**Detention Pens—
Mulberry Street**

Commissioners Schoenfeld and Cass in their daily capacity with respect to the State Commission of Correction and the Prison Association, have endeavored to eliminate the use of the detention quarters at 300 Mulberry Street and to provide for a more suitable place. This resulted during the year in various inspections and observations, contacts with the Chief Magistrate, the Police, and the Department of Correction, but without the achievement of the desired objective. All concerned agree with our protest, but the difficulty seems to be to find an immediate solution due to the lack of facilities. The situation is complicated by the use of the Essex Market Court Building by the Police Athletic League under the direction of Deputy Commissioner Nolan. At a meeting of the State Commission of Correction the matter was again discussed and left open for further conference with the various officials involved with the hope that eventually a solution will be found.

**Prison Ward
Bellevue**

Commissioner John L. Schoenfeld on behalf of the Association reported early in 1947 on the deplorable conditions found in the Prison Ward, Bellevue Hospital. These included glaring examples of bad sanitation and housekeeping. He at once brought his findings to the notice of the hospital management and Commissioner Williams of the Department of Correction. As a result immediate steps were taken by the various authorities concerned to remedy conditions.

During the year both Commissioners Schoenfeld and Cass directed attention to two other conditions in this prison ward relating to the handling of money belonging to prisoners, and the other the need for the installation of structural safeguards to prevent escapes and to make for improved facilities for visits. As a result plans have been drawn and approved and contracts let relating to the structural alterations and Commissioner Williams has issued a departmental order requiring careful notation as to the receipt of money and valuables taken from prisoners and the return of same.

**Discharge Money—
Prisoners
Rikers Island**

Prisoners are released from Rikers Island with only carfare money, usually about ten cents, and there are numerous instances where this is all that the inmate has to make another try for the right kind of living on the out-

side. Some of these men are directed to The Prison Association of New York by the Parole Commission and others come because they have heard from fellow-inmates that assistance can be had. To adequately provide for these men and in order to give them a reasonable chance to start life anew requires the combined resources of an organization like The Prison Association of New York and the funds of the City of New York. Commissioner Albert Williams, as he quickly became acquainted with the problems within the Department which he took over in December of 1946, realized the need for the giving of money to certain prisoners and began the working out of a plan for the use of money in the commissary funds of the Department. This move is to be commended and the use of the money for this purpose is quite proper because it comes from the small profit derived from the sale of articles from the inmate commissaries. Surely no one can criticize the use of the money made available by prisoners for the benefit of their associates who are in need. Repeatedly the suggestion has been made that action of this kind be taken and we are pleased to record approval of Commissioner William's efforts to make for just so much more justice in the operations of his Department.

Michigan Corrections Association On February 28th the General Secretary was present in Detroit and addressed a meeting at the Hotel Statler attended by members of the faculty of the University of Michigan and

Wayne University, prominent lawyers and businessmen of Detroit, and others from different parts of the State interested in its correctional problems. The meeting was called and organized by Dr. Arthur E. Wood, Professor of Sociology, University of Michigan. The reason for Mr. Cass' presence was to explain the founding and operations and general functioning of The Prison Association of New York. A decision at the meeting was that there should be formed an organization in the State of Michigan similar to that of The Prison Association of New York and to be known perhaps under the title of the Michigan Corrections Association.

The formation of the organization proved its value right from the start when "ripper" legislation was introduced to alter the organization and functioning of the State Department of Corrections. The influence brought to bear by this organization with its representative membership made an impression upon the Governor and added to the weight of the protest registered by others desiring to affect a more orderly improvement of the correctional system of Michigan. The various bills were not passed. Later in the year the Governor as a result of another investiga-

tion made various changes in the personnel and basic organization of the Department. When the General Secretary of the Prison Association was consulted regarding a qualified person to head up the Department of Corrections of Michigan, he suggested the warden of the United States Penitentiary at Atlanta, Georgia, Joseph W. Sanford. He has a wealth of practical background and experience and has made for himself an enviable record as the successful administrator of a large probation service when he was in the District of Columbia and later the large Federal prison in Atlanta. He is a man of vision, good sense, and plenty of courage.

Street Club Project As stated in our previous report, this project was initiated by The Prison Association of

New York. It actually got under way in July of 1947 and an office established in Harlem at 107 West 116th Street. The work is not confined to the Borough of Manhattan but is extending to other Boroughs. The Association became aware of the need of this project through the intimate knowledge of conditions by a member of its Executive Committee, the Honorable G. Howland Shaw. Through the financial help secured by our Treasurer, Mr. C. C. Auchincloss, the project was put in motion. In October at a luncheon arranged by Mr. Auchincloss a preliminary report was made by the Director, Mr. George Harrison, and other members of the project staff. The value of the undertaking was further attested to by Mr. Shaw and Mr. Edward P. Mulrooney, a member of our Executive Committee and former Police Commissioner of the City of New York as well as former head of the State Department of Correction. Set forth below is a summary presentation and discussion of the meeting.

Mr. Auchincloss presided and began with a statement pointing out that the project was the result of conversations between Mr. G. Howland Shaw and our General Secretary, E. R. Cass. On July 31, 1945 our President, Mr. Edwin O. Holter, addressed a letter to the Welfare Council of New York City outlining the need for concerted thinking and action relating to the existence, operations and behavior of so-called street gangs in Harlem and other areas of the City. The proposal was seriously considered by the Welfare Council and it was agreed that the project should be instituted following a survey of conditions. Mr. Auchincloss paid tribute to various organizations operating in Harlem and other areas in behalf of young people, but stressed the point that while they were doing a good work they were operating mainly from centers and the boys on the street, some of whom were identified with the clubs or gangs, were not reached by them;

this being particularly true of those gangs conducting a kind of warfare culminating at times in actual killings. He stated, that as he understood the project, it was not so much to better conditions in a few streets of Harlem as it was to develop a pattern of procedure which could be followed in other communities as well. The idea is to develop a sense of responsibility in the community itself in looking out for their own boys as well as a sense of responsibility in the members of the Street Clubs. He understood that the idea was to get the man who ran the delicatessen shop, the candy store, garage and various other stores to take an interest in this problem by looking out for really what are their own boys. He also understood that Mr. Harrison was in the process of forming a local committee to help him in this work. The essence of the movement is a democratic approach to this whole problem of preventing and handling juvenile delinquency.

Mr. Auchincloss stated that he and Mr. Cass went to the headquarters of the project on Friday, November 14th, and met the Director, Mr. George Harrison, and various members of the staff. They made a favorable impression because of their apparent eagerness, their general qualifications, and appreciation of the difficulties confronting them. At the time of the visit a delegation from one of the street clubs was conferring with one of the workers regarding employment problems and other conditions. This in itself a healthy sign.

Mr. Auchincloss then introduced Mr. Shaw, a member of our Executive Committee and President of the Welfare Council of New York City, and identified with many national and local organizations and boards dealing with correctional problems, particularly as they relate to juveniles and the prevention of delinquency. Mr. Shaw introduced the subject by stressing the fact that there was nothing mysterious or unusual about the type of project under consideration. He emphasized that projects inspired by the same point of view are in operation in other cities; namely, Los Angeles, Omaha, Chicago, and Washington. He pointed out that one of the underlying purposes of a project of this nature was to instill the elements of democracy in the neighborhood as well as within the membership of the street clubs. In this respect he indicated that it was vitally necessary that the corner store proprietor, the local merchants, the police officer on the beat, and other persons whose every day duties relate to the neighborhood be advised of the nature of the project and likewise encouraged to participate in the fulfillment of its purpose. Mr. Shaw also commended the excellent programs now being conducted by various agencies in Harlem and stressed that the Street Club Project was not designed to overlap or take the place of any existing program. He said that the

Settlement House and other units would be necessary adjuncts to the successful fulfillment of the purpose of the project.

He continued by pointing out that the project did not plan to set up a center of activity beyond that necessary for office space and the administration of the project itself. The field workers and other personnel have been carefully selected and Mr. Shaw indicated that he feels that the choice of personnel is ideal and that the project is fortunate to have been able to attract these individuals to the staff. The field workers, according to Mr. Shaw, will work out of the main office of the project which is presently located in Room 2 at 107 West 116th Street (north-west corner of Lenox Avenue).

In closing his brief introductory remarks, Mr. Shaw emphasized that the project did not actually get under way until the middle of July 1947 and that some of the field workers had been on the job only for five or six weeks.

In introducing the Director of the project, Mr. Harrison, Mr. Shaw indicated that he was a man of considerable training and experience having been engaged in youth activities in Detroit and elsewhere.

Mr. Harrison opened his portion of the discussion by paying high compliment to the leadership and vision of Mr. Shaw stating that without his understanding and constant encouragement the task of working with the street clubs would be even more difficult. Mr. Harrison reviewed the financial status of the project as it exists at the present time indicating that all funds appropriated for its use were in a special account under the control of the Executive Committee of the Welfare Council of New York City and subject to periodic audit. In reviewing the financial background Mr. Harrison pointed out that the project costs in the neighborhood of \$3,000 per month to operate with its present staff.

In outlining the organization of the project, Mr. Harrison stated that in addition to himself as Director, the staff consisted of three field workers, a research director, and clerical assistants. He then discussed the general manner of approach used by the field workers in making initial contact with street corner groups. This is, as he pointed out, probably the most difficult task with which the project is confronted. The first necessity is that of gaining the confidence of individual members of the groups and then by discreet and subtle suggestion to make additional acquaintances within the gang. Ultimately, attempts are made to divert their interests into more wholesome pursuits. While this may appear to be a somewhat easy task on the surface, Mr. Harrison was quick to point out that it was time consuming and required the utmost of tact and patience and could

only be handled by a special type of personality. At this point Mr. Harrison called upon two of the field workers present, Mr. Grier and Mr. Jackson, to briefly describe how they made initial contact and to give other interesting sidelights on their experiences. Mr. Jackson stated that he made various inquiries in the neighborhood as to which of the numerous gangs required priority attention and conferred with school officials as well as local merchants and other neighborhood leaders. His various contacts and operations brought him not only into the school and the local stores but places of amusement such as movies, and poolrooms, street corner gatherings, candy stores, places having game machines, etc. In other words he was attempting to observe so far as possible the young boys of the community in action and to determine their respective groupings, identities and evaluations. In this connection he discovered that one gang would be made up of several sections operating within the same general area and that the membership was large and consisting of boys and girls of various ages ranging from possibly eight or ten to fourteen or fifteen. He also pointed out that these various segments of the gangs developed a remarkable cohesiveness under various commanding situations.

Mr. Jackson added an interesting sidelight based on his own personal experience in locating a dwelling and arranging for the handling of his personal belongings. He also told of the question asked of him by one of the boys as to whether he was a "dick" (a detective). This question was quickly answered by an older boy present who with the use of a little stronger language stated, "Don't you know we had him 'cased' (watched) for the last three weeks?" This emphasizes the point of how sensitive the boys in these various groups are to the possibility of intrusion by outside persons. Messrs. Jackson and Grier made much of the important point of the value of close association with these boys at the same time leaving them a field of opportunity for self expression. They likewise stressed that tact needs to be employed to cultivate them into channels of decency and wholesome living relationships not only for the benefit of the individual but the community as a whole.

Mr. Harrison again spoke and addressed himself to the hypothetical question: What has been the influence of the project thus far upon some of these boys? He pointed out, for example, that there has been no actual physical warfare between gangs in the area since June 1947 and stressed that while he would not claim full credit for this in behalf of the project, he was confident that the work and influence of the project was responsible to a worthwhile degree. He followed this with various illustrations including one concerning an individual boy who for the

past few weeks has been constructively employed for the first time in his career. Lest this be interpreted as an unusual instance, Mr. Harrison was quick to point out that this same boy suffered severe physical injury as a result of gang warfare the earlier part of the year. He stated the case of a young lad, leader of one of the gangs, who is now attending high school and is doing well and of his own accord has dissociated himself from the gang.

Mr. Malamud, the Research Director, was then called upon to explain his part in the project and he was quick to state that he was not interested in compiling cold statistics but instead of recording day by day, and in line with the various branches of activity, what was being accomplished. He illustrated by saying that when any of the members of the staff came to him and stated that this or that had been achieved, his first question always was: How can you prove it? Both Mr. Harrison and Mr. Shaw confirmed that this was the true form of his operations and purpose and that even though he proved to be a hard task master in his own sphere, it nevertheless was regarded as essential for the proper evaluation of the project as a whole. Another point made by Mr. Malamud was that his work was not only that of recording, but to record in a way that would develop a pattern for the use of those in other areas desiring to profit by the trial, errors, and achievements of the present undertaking.

At this point Mr. Shaw pointed out that it was deemed advisable to have a research man assigned to the project from the start so that he would have the advantage of close association from the beginning.

Mr. Edwin O. Holter, President of The Prison Association of New York, expressed his appreciation to Mr. Auchincloss and Mr. Shaw and all those identified with the project on the soundness of their interest and efforts. He stressed that there could be no question about the value of such an undertaking for the betterment of the youth of our City.

The final speaker was Mr. Edward P. Mulrooney, former Police Commissioner of the City of New York and one who knows intimately the problems of juvenile delinquency in our City (because of his many years of police work). Regarding Harlem Mr. Mulrooney was particularly qualified to speak because in his earlier years he served as Captain of the Police Precinct in the Harlem area and also was Chief of Detectives. He was quick to agree that Mr. Shaw had made an excellent selection in setting up the project in Harlem. He made the point that it was natural for boys to form gangs or groups whether they be in Harlem or elsewhere just as it was for adults to organize one group or another for social, business, or cultural pur-

poses. He agreed that these boys should have opportunity for self expression and warned against regimentation. He naturally favored the directing of all possible wholesome influences upon their operations and behavior. In conclusion he offered his compliments at the effort being made.

Welfare Council

The Welfare Council of New York City continues in an atmosphere of rebirth and considerable of the credit for this is due the Honorable G. Howland Shaw, a member of our Executive Committee, who is President of the Welfare Council. He was confronted with the difficult situation as Chairman of the Reconstruction Committee of the Council and is to be commended for the stability that he has established and the support that he has obtained for the objectives and activities in the various operations of the Council.

We are pleased to record that one phase of our cooperation with the Council is reflected in the selection of our Assistant Secretary, Mr. Roberts J. Wright, first as Chairman of the Program Committee and later Chairman of the Conference Group on Correctional and Allied Services. The program committee is building up a large meeting to be held early in January of 1948 on the subject, "Are We Preventing Juvenile Delinquency in New York City?" The Conference Group, it is anticipated, will be more articulate in correctional affairs than a similar group which was in existence before the reorganization of the Council and which gave its attention mainly to frequent meetings which recorded considerable verbiage but little more. We also are allied with the Council in matters relating to families in our care as well as our services to men released from prison.

Institution Chaplains

We continue active in the membership of the Federal Council of Churches Commission on Ministry in Institutions. This group is interested in chaplaincy problems, particularly the nomination of Federal prison chaplains. We are also instrumental in keeping alive the interest of chaplains in connection with the affairs of The American Prison Association and the projecting of an expansion of their participation in a progressive program of administration in institutions throughout the country. We continue to urge that religion is an essential part of a correctional program and that, therefore, chaplains must be given an active part in the operations of an institution beyond the point of conducting a service at least once a week or care for the library. The right kind of chaplain as we see it, and continually urge,

can be a tremendous influence for good in the institution, a valuable aid to the warden or superintendent, and a lingering impression on the post-institutional life of the prisoner. Men in institutions are keen analysts of personalities and character. They despise "phonies," as they refer to them, whether they be wardens, chaplains, superintendents, doctors, etc., and with equal reaction they hold in high esteem those whom they regard as being genuine.

Dangerous Trends

There has been a noticeable change in the personnel of commissions, boards of control, and wardens and superintendents of institutions in the last few years and these changes are still taking place. Wherever possible, the Association in combination with The American Prison Association exercises its influence in behalf of the retention of those who have a good record of service and accomplishment regardless of their political faith. Few other forms of public service have suffered more than the correctional field through the frequent change of personnel motivated by politics. That is part of the answer for the lack of progress in too many jurisdictions.

During the year we viewed with much alarm the changes in the Federal Parole Board and urged upon the Attorney General that he exercise the greatest of thought and courage to the end that there would be appointed those who were specially qualified for the undertaking of a difficult serious public responsibility. This suggestion was not followed to our satisfaction. To enumerate in detail the various observations during 1947 and other years along this line would require considerable space. Suffice it to say that there will continue to be slow headway, disappointments, and disillusionments in the correctional field so long as political qualifications are to be held paramount.

Texas Institutions

We have cooperated with progressively minded citizens of Texas to improve the administration of the training schools and prisons in the State. As a result of the efforts of two courageous women, one, Mrs. John D. McCall, the wife of a prominent lawyer in Dallas, and the other, Mrs. William L. Crawford, III, together with their followers introduced a bill to abolish corporal punishment in the juvenile institutions. This passed one House of the Legislature but was held during the closing days in the other. However, a Commission was authorized by the Legislature to study the training schools in the State and the General Secretary of the Prison Association continues to be of service to the good people in Texas to the end that they will

have all the assistance possible to supply them with the knowledge of what is going on in other areas. It is our hope that the legislators and others in the State of Texas will finally bring the practices in their State in line with those of the more progressive States. Unfortunately, there exists considerable public apathy toward the treatment of prisoners in the various prisons of Texas and particularly on the farms. Conditions have been protested within the State from time to time. The management of the Prison System has undergone changes but the old conditions, both in tradition and practice, continue to reflect man's inhumanity to man.

Communications have been sent by us to the Governor of the State and members of the prison board and direction has been given to the Manual of Suggested Standards for a State Correctional System prepared by The American Prison Association; when the bills were prepared to abolish corporal punishment and to change the control of the juvenile institutions, we had opportunity to examine them and make suggestions and also to furnish supporting material; all of this by way of showing a desire to help the State improve its correctional system. During the latter part of 1947 a new Manager for the system was selected. It remains to be seen whether he can carry his good record in one State over into the State of Texas and record worthwhile changes and progress generally. His task will require freedom of operation and all the courage and energy that he can command.

Civil Service

In August the Association appeared before the New York City Civil Service Commission and protested the proposal of that body to authorize the appointment of temporary correction officers from lists other than those for the prison service. Before the end of the hearing the Commission announced its reversal on the proposal and ordered a correction officer examination. A letter under date of August 12th from the Correction Officers' Benevolent Association expressed profound thanks for our assistance.

The General Secretary conducted promotion examinations for employees of the Department of Correction for the State Civil Service Commission.

Police Prison Roster

Through the persistent efforts of Commissioner Schoenfeld of our Executive Committee based on his observations while inspecting police lockups, there has resulted the installation of a new roster system (U.F. 75 prison roster). The new procedure, in addition

to that already established for the inspection of prisoners, will show the number of prisoners and their condition at one-half hour personal checks by the attendants. These visits are to be noted by signature in ink or indelible pencil. The new system is considered proof against any attempt at evasion or deception. The purpose of this change is to establish a more reliable basis for the investigation of the general condition of a prisoner or his death while in custody.

County Jails

Protest was registered with the Editor of "Coronet" magazine by Mr. Cass and the State Commission of Correction regarding an article in the July issue entitled, "The Black Scandal of our County Jails." The article carried considerable truth about county jails generally, but unfortunately did not give recognition to the fact that county jails in some areas, for example in the State of New York, are not in the class with those criticized in the article.

Police Lockups and Jails

There is no secret that the police lockups in the City of Chicago are deserving of the most severe criticism. This is attested by visitors from other parts and informed citizens of Chicago. The matter has received the attention of the Chicago Board of Aldermen, and there came to New York City in July a committee consisting of one member of the Board of Aldermen, a police captain, and a representative of the John Howard Society of Chicago. Previous notice of the visit and a request for cooperation was addressed to both Commissioners Schoenfeld and Cass by Mr. Eugene S. Zemans of the John Howard Society. Arrangements were made by Commissioner Schoenfeld to clear with the New York City Police and the delegation had ample opportunity for visitation and observation. They were amazed at the superior condition of our New York City lockups and attributed the favorable situation to the work of the New York State Commission of Correction and so expressed themselves in a letter to Governor Dewey under date of July 16th giving thanks for the assistance rendered them by Commissioner Schoenfeld.

Westfield State Farm

In accord with instructions given at the December 1946 meeting, a letter was addressed to the Director of the Budget, Mr. John E. Burton, the Governor's Counsel, Mr. Charles D. Breitl, and the Commissioner of Correction, Mr. John A. Lyons, urging that there be no withdrawal of the financial support of the farm

operations of institution known as Westfield State Farm. It was emphasized that the farm should be regarded as a part of the rehabilitative program of the institution and not necessarily as a money making medium. Attention was also called to a recent announcement by the New York State Department of Agriculture reflecting very favorably on institution farm operations in this State. Acknowledgments were received and in a letter sent by the Deputy Commissioner of the New York State Department of Correction it was stated in part as follows:

Please be advised that this matter was fully considered and discussed at budget hearing by Department officials; and we have every reason to believe that funds will be provided in the next budget to conduct farm operation.

It is our intention to visit the institution prior to farm activities next year in order to organize a better farm program and to utilize all of the facilities on a more worthwhile basis than has obtained in the past. You may be assured that our continued attention will be devoted to this matter.

Benzedrine

We were instrumental in the composing of a bulletin that was sent out to institution administrators throughout the State, including the sheriffs, about the harmful effects of benzedrine. This drug when used under careful medical direction can serve a good purpose without harmful effect. However, when used without medical guidance it can be harmful to the user and his associates. The harmful effect of this drug to the individual when used without medical direction and its threat to the smooth administration of an institution has prompted the Association to urge legislation as set forth in Recommendation X on page 24. According to authorities it is now classified as a hypnotic and not a narcotic. It is difficult to get legislation on the subject because of its technical definition and classification.

Handbook on Classification

The Handbook on Classification in Correctional Institutions, referred to in our previous report, became a reality in the early part of 1947 and was enthusiastically received by workers in the correctional field throughout the country as well as in foreign lands. This Handbook, published by The American Prison Association, is an important work and second in value only to the Manual of Suggested Standards for a State Correctional System which was made possible by a member of our Executive Committee, Mr. Sam A. Lewisohn, in his capacity as President of The American Prison Association for the year 1946. These two publications, in the preparation of which we were glad to have played a part, can give practically all the necessary guidance for any State Governor or Commissioner of Correction to establish a progressive correctional system.

Bureau of Research and Planning

Through the combined interests of The Prison Association of New York and The American Prison Association, there has been established at the Ohio State University a Bureau of Research and Planning under the direction of Professor Walter C. Reckless who works in conjunction with the General Secretary and our staff.

Activities of the new bureau will include research, advisory and professional services to correctional institutions throughout the country, mainly on the state governmental level.

Among the first projects to be undertaken will be a nationwide study of measures taken by the States to aid in prevention and control of crime and delinquency and the development of a manual for uniform reporting of statistics on the adult offender, with the aim of standardizing data on probation, parole, and correction for all areas.

In addition, another function of the bureau will be to encourage active participation by interested university faculty members and graduate students throughout the country in studies of probation, parole and correctional institutions.

Corrective Services Division, U. S. Navy

Of interest was a letter under date of January 17th from Vice Admiral Louis Denfeld, U.S.N., Chief of Naval Personnel, which read in part as follows:

It is the earnest hope of the Navy Department that the postwar development of our Corrective Services will reflect the fine spirit of those officers and men who laid its firm foundation. We are deeply appreciative of the contribution which penologists, serving in the Navy, made during the war.

Since our Assistant Secretary, Mr. Wright, played a worthy part in the development and functioning of the Navy's Corrective Services Division, it is, indeed, gratifying to have the Admiral's comments and his assurance of the continuation of the standards established.

International Penal and Penitentiary Commission

We continue our interest in this international body and are pleased to note that an American, the Honorable Sanford Bates, is now its President having succeeded the late Sir Alexander Paterson of England. As has been stated previously, this Commission is largely of American origin but seldom has it been headed by an American and too frequently in the past its affairs have not been sufficiently guided through American influence. However, that has been changed and the Commission has a real purpose and future un-

less it is subsequently shown that United Nations through one of its subdivisions should function in whole or in part in its stead. Until that question is decided the American and British Governments and others are continuing to support the International Penal and Penitentiary Commission which has its headquarters in Berne, Switzerland.

Opportunity was finally offered for the President of the Commission, Mr. Bates, to appear before the Social and Economic Council of United Nations, toward the end of January, 1947 but this invitation was quickly withdrawn because of the controversy that developed over the contention that the Spanish Government was represented on the Commission and that the Commission was Axis dominated. This is in accord with an attitude taken by the United Nations toward any international body on which the Spanish Government is represented. Suffice it to say that the Commission has never been Axis dominated nor has the Spanish Government determined the policy or controlled the functioning of the Commission. The Commission was established to serve and urge all countries of the world to improve their correctional philosophy and procedures. Later in the year the Spanish Government withdrew from the Commission and it now seems that Mr. Bates will have a hearing before the Social and Economic Council sometime early in 1948. It is gratifying to note that the American Government is standing by the Commission until a decision is reached regarding the future relationship of the United Nations and the International Penal and Penitentiary Commission. It is further gratifying to note that the British Government takes a similar position.

Defense Attorneys

In support of our interest we are pleased to report that the Bar Association of the City of New York is attentive to complaints brought to their attention by us relative to the practices of certain attorneys. With reference to one attorney, representatives of the Association appeared as witnesses before a special referee designated by the Supreme Court. The complaint mainly is that of failure to fulfill obligations with clients. The procedure in this particular case has been lengthy and slow but as it continues additional charges come from other sources. The attorney has continued an attitude of indifference and in December there were a total of twenty charges under investigation. We hope that during the year 1948, there will be a final decision and that this attorney will be prevented from continuing certain practices which we hold to be unfair to clients and otherwise unethical.

Legislation

Set forth beginning on page 69 is a summary of the various bills which held the interest of the Association during 1947 and action taken relating to them. Some of the bills were a follow-up of our recommendations to the Legislature and became law. A number were vetoed. Considerable emphasis was placed upon the desire of passage of the sexual psychopath bill, Senate Int. 1432, Pr. 1290, which did pass both Houses but was vetoed by the Governor (see page 72).

The session was helpful to the correctional field and while we were disappointed that some bills we particularly favored did not pass, we nevertheless are hopeful that they will meet with favor at another time.

Alertness to the legislative session has long been an important phase of the Association's functioning and we believe that the record through the years will justify our efforts in this respect in every way.

Sir Alexander Paterson

The Prison Association of New York through its General Secretary first came to know Commissioner Paterson at the time of the International Congress in London in 1925. Through the years there developed a close friendship and association. In 1931 Sir Alexander Paterson made a study of American institutions visiting forty-two States, the itinerary for which was prepared by our General Secretary. His report bearing the title, "The Prison Problem of America," is good reading and reflects the fairness and keenness of an experienced worker. It was always gratifying to know that he regarded the office of The Prison Association of New York as his American headquarters.

The last personal contact Mr. Cass had with him was in Berne, Switzerland, in April of 1946 in connection with International Penal and Penitentiary Commission affairs and it was sorrowing to note that he was a sick and feeble man having a short time before been stricken with a heart thrombosis.

On November 7, 1947 in his home in London, Sir Alexander departed from a world he so eagerly served both as a soldier and a penologist. He will always be remembered for his bright optimism in the field of penology, his courage and vision, his energy and desire for experimentation and progress. He had always the belief that there was some good in every man, even a prisoner, and in no sense was he a sentimentalist. The Prison Association records with deep regret his passing and at the time conveyed its sympathy to his wife and his colleagues in England.

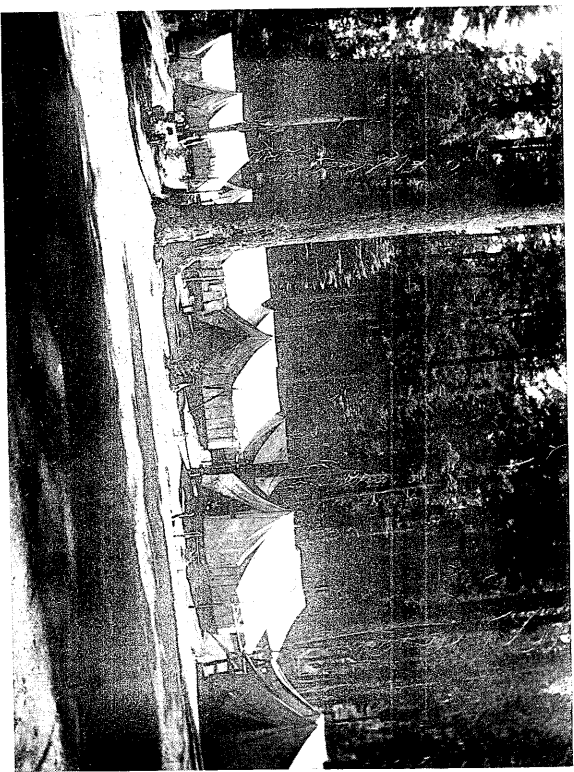
Foreign Visitors

There is again noted the increase in the number of visitors from distant lands. These people come as official visitors or lay persons

interested sufficiently in correctional problems to make observations for their information and comparative guidance. They are referred to us by the State Department, Federal Bureau of Prisons, directly by their own Governments, or our special contacts among colleagues in foreign lands. Among the visitors we were pleased to assist in various ways were those from England, Mexico, Australia, Sweden, Turkey, the Canal Zone, Argentina, Chile, Uruguay, Colombia, Puerto Rico, and Canada. While this form of service is time consuming, requiring the cooperation of our various officials, friends, and others, it is nevertheless regarded by us as an important educational endeavor and we have every reason to believe that it is appreciated by our foreign friends and that our thoroughness in their behalf sets a good example.

**General
Service**

Again we are glad to report that we continue to receive requests for information and guidance from those in other States who are anxious to correct unsatisfactory conditions and make for progress generally. These requests by letter, telephone or personal visit come from schools, colleges, women's groups, legislative committees, moving picture producers, magazine writers, the press, broadcasting companies, heads of departments and agencies, probation and parole officers, heads of prisons and reformatories, civil service bodies, etc. We consider the handling of these inquiries as a very important service. To give helpful information requires time and in instances where the information cannot be readily given from this office, the interest and cooperation of others must be sought and cultivated. An examination of our files will disclose a surprising volume of such correspondence.



The State of California under the impetus of its reorganization of correctional procedures is making an excellent demonstration of the use of camps and colonies as part of its correctional program.

THE ASSOCIATION'S BUREAUS OF SERVICE

Employment and Relief Bureau

The prevailing overabundance of available manpower which unfortunately makes for steadily diminishing employment opportunities, portends a grim climax.

One therefore must appreciate the extreme endeavor exerted by the Prison Association of New York and similar organizations to carry on during this crisis. Further impediments which encumber these organizations when they strive to secure placements for parolees, discharged prisoners and those men in various institutions awaiting release, is the employer who steadfastly refuses to offer employment to a prospect unseen and otherwise not of his own choice. Likewise, the employer who refuses to hold in reserve a placement for an individual being processed for release presents a difficult situation. Problems such as these can only tend to hamper the efforts of welfare agencies.

Rehabilitation would be a meaningless word but for the employer who so generously extends his hand and heart to less fortunate fellowmen. This gesture of faith and compassion is a precious thing since it is a true indication of the first barrier having been lifted from the long uncertain road to rehabilitation. Now the ex-inmate will trave onward to his readjustment to civilian life where he will seek to attain a reputation as a useful and respected member of the community. We wish to express our profound gratitude to those employers who so generously have accepted ex-prisoners as employees.

There is a definite pattern which must be faithfully followed if complete rehabilitation is to become a realization rather than a desire. The individual must measure the standards by which this can be achieved and then it is entirely up to him to pursue them. He will primarily learn to properly discharge his duties before he can feel entitled to accept his rights and privileges. He will further learn that to extend courtesy and respect to his fellowmen is the strongest assurance that he will receive theirs in return. With this much of the pattern completed he will be better equipped to attain the ultimate goal; he will emerge a self-respecting and law-abiding citizen such as was intended. And here strikes the need for gainful employment! The institutions of the State deserve plaudits for the broad extent of rehabilitative measures which they have adopted, whereby their inmates can avail themselves of the splendid vocational courses

at their disposal. It enables the full development of individual skill, a definite factor indeed when meeting the requirements of jobs in the office.

The Prison Association of New York has been foremost over the past century in the task of aiding the parolee and discharged prisoner. For the past six years the Employment and Relief Bureau has been under the able supervision of Mr. Harry Schwartz who is credited with more than thirty-five years' experience in the field of crime treatment and prevention in New York City. Mr. Schwartz' activities include personal contacts with employers, innumerable visits to whom cover an extensive area representing equally extensive fields such as business houses, factories, mills, garages, laundries, stores, etc. There is a note of encouragement which is not to be slighted, for we feel that it is important to mention here that where no actual placement materialized, our representative nevertheless nearly always met with an attitude of helpful cooperation on the part of those visited.

The Bureau does much more than secure placements for its clients. Lack of employment is only a portion of the problems with which we are confronted, some of the others being financial stress, unavailability of clothing, lack of transportation to job locations, tools, union dues, fees, etc. The required aid is granted if investigation and verification substantiate the request. We must not overlook the individual whose advanced age or retarded health has deterred his self-sustenance; to him the Bureau lends its services by offering the financial aid that will guide him through the critical period of readjustment. This includes contacting families and friends in addition to referrals to the proper welfare agencies who can better assure more permanent and long-range financial aid and support.

Of the vast number of cases which were presented to the Bureau during the past year, all merit full written notice here. However, the restriction of space forbids this. We were compelled, then, to select a number of the most exemplary ones to present herewith, hoping to aid the reader to better understand the work of the Bureau.

S. T. *, doctor, unwisely consorted to malpractice which resulted in conviction of manslaughter. His prison term was discharged in a useful and penitent manner, during which time he lent his valuable aid serving as institutional librarian and intermittent office worker. Since his release he has been doing exceptionally well in the capacity of clerk, a position secured for him by our representative.

* All names and initials are fictitious.

B. L. *, a cripple, had a record of four arrests, the first having been for juvenile delinquency and the last for burglary. Nevertheless he served his term of incarceration in a very orderly manner. His knowledge of machinery was put to good use when at the time of his parole a clergyman offered him employment through the medium of the Bureau. The fact that his employer is a clergyman has done much to bolster the morale of B. L. *

J. M. * had been arrested and convicted for manslaughter. This inmate had a good family background, and his own family consisted of a wife and four children. Before his arrest he had held several jobs in the dry cleaning trade, and at the time of his parole our representative secured placement for him in a large establishment where he is now doing the type of work for which he is so well suited. He is earning a substantial salary and has resumed his rightful place as head of the family.

P. T. * a first offender had been arrested and convicted for a rather distasteful offense. During his five year period of imprisonment he was a model subject. While he was being processed for release our representative obtained employment for him. The progress he has made is noteworthy. He has risen to head maintenance man, highly respected by both employer and fellow employees. Since his release he has acquired a wife and has come to fully appreciate the status of family man and good citizen.

To illustrate that the accomplishments of the Bureau are not confined merely to securing placements we wish to make mention here of the case of N. L. * who since 1943 had neither seen nor heard from his brother. He appealed to us and after a length of time, guided only by the meagre information granted us, we managed to establish contact and reunite the two brothers.

One more phase is exemplified by the case of P. B. * It has been the custom of our representative to display more than a business relationship between himself and the client before him. Mr. Schwartz assumes the role of financial advisor, offering counsel and advising the client to save part of his earnings each week, and thus someday he may be in a position to establish a small business of his own. Of course persons will react in different ways when receiving counsel of this nature. One day, a client appeared at the Bureau seeking the usual assistance. Mr. Schwartz took charge and after the regular business had been dispensed with he went on to offer the customary counsel, during which time the client, M. T. *, sat silently by. Later he rose to leave and merely thanked our representative for the assistance. Of course, Mr. Schwartz had no way of knowing just how

* All names and initials are fictitious.

this bit of advice had been received, that is, not until one day, several months later, when a gentleman appeared before him. "You don't remember me, do you, Mr. Schwartz? Well, I was here one day and after you gave me the help I needed you threw in a little something extra. Something that set me to thinking real hard. Well, with my knowledge of carpentry and a friend who is a fine painter, we put together a few dollars and rented a horse and wagon and went from door to door, buying up old and broken furniture. Then we rented a barn in New Jersey and using it as a storage room and workshop my friend and I managed to build up quite a trade. People now come to our place and buy renovated furniture. We're doing very well." These had been his own words! And he had gone on to tell Mr. Schwartz that it all stemmed from the bit of sage counsel given him at a time when he thought he had not a friend in the world. One can well appreciate the deep satisfaction that is to be found in such excellent results.

The deluge of letters from parolees and discharged men to express their gratitude and further pledge their full support offers deep gratification. From among them we have selected for publication the following excerpts:

M. T. B.* says in part . . . "I wish now to express my thanks for your unselfish effort, and may God bless you. You have been very kind indeed, and I shall forever be grateful. . ."

A mother, Mrs. P. K.* writes . . . "Am taking this time to thank you for getting my son a job; he has come out and gone to work; hope he does well. . ."

And from J. V.* comes this portion . . . "Yet, you know that all my hopes are pinned on you. Without any desire to make you any compliments or attempt to flattery as inducement for an all out effort, I shall say that during my personal talks with you while in New York, you have impressed me as a man who would bring about the impossible once he is convinced that he is so doing in the aid of a fellowman deserving of such aid. . ."

K. H.* offers . . . "I was much disappointed at not being released, but I still have that determined perseverance, and hope to be more fortunate at a later date. This is my means of thanking you for your well meant efforts in my behalf. . ."

And from G. R.* . . . "Upon my release from this institution I will be down to your above address to get your letter of introduction to my employer. This job really means very much to me, but to put into words how grateful I am for it, I don't think I could do it. I hope I will be a credit to your organization. . ."

While it is true that some of these letters surpass the rest in their style, and others are a great deal neater than the rest, while still others show a greater aptitude as to their expression, this must be said of all of them—they are singular in their spirit of sincerity and gratitude.

* All names and initials are fictitious.

Letters of appreciation pour in constantly, and among them are to be found those from chaplains, institutional heads, relatives and friends.

The purpose and achievements of this Bureau are most constructive and valuable as can be attested by those we have helped. Their resolve to remain loyal, trustworthy, and efficient is the proof to substantiate our contention. Sometimes we sadly learn that one of our men has failed both his employer and this Bureau, thereby failing himself, but these disappointments are so negligible that they are completely surmounted by the hordes of those who faithfully have fulfilled the trust put in them. This is the reward for our combined efforts.

STATISTICS FOR EMPLOYMENT AND RELIEF BUREAU FOR 1947

Office interviews	1,812
Other interviews*	2,002
Total interviews	3,814
Different men interviewed	1,565
Men released from New York City penal institutions	956
Men released from New York State penal institutions	384
Men released from out-of-state penal institutions	43
Men released on probation	61
Men with no criminal record (special)	121
	1,565
Meals provided	364
Nights lodgings provided	3,733
Employment contacts made by personal visit (approx.)	1,100
Men placed in employment	467
Men given cash relief	841
Total amount spent solely for relief (includes cash, meals, and lodgings)	\$3,636.30

Family Service Bureau 1947 was an active year for the Family Service Bureau of the Prison Association. This department continued as in other years its supportive role to the families of men serving its terms of imprisonment in city, state and federal prisons. It is a sad commentary on our modern society that the number of families needing assistance increases each year. A total of 176 cases were carried over from 1946 to 1947. In addition there were 114 new cases and one reopened when the prisoner violated his parole and was returned to Sing Sing. Sixty-three cases were closed during the year when prisoners were released and came home to their families.

In the course of the year, the director of the Bureau, Miss Margaret Murdock, held 916 office interviews and made 149 collateral visits to families, relatives, cooperating social agen-

* Includes personal and telephone interviews with clients, parole and probation officers and agency officials.

cies, and medical resources in the community. Miss Murdock is a worker of considerable experience and training and capably administers the affairs of the Bureau.

In its work with these families the Bureau is careful not to duplicate the work of other agencies in the city but rather maintains a close working relationship with them in the best interest of its clients. Its policy, however, is sufficiently flexible so that it can draw on its own resources or relief funds for special or emergency needs when it is not possible to obtain this assistance from a public or private relief agency.

There was twelve year old Daniel* who was left entirely without home or family when his father was sent to Sing Sing following a street altercation. This small boy's mother had deserted the family many years before and the father had boarded him out in a private family. But after his sentence there was no way that he could continue to pay the child's board so he was placed in an institution. There his isolation was more than ever emphasized because he had no visitors, no spending money for movies and candy, or presents at Christmas or on his birthday. This child found a much needed friend in the director of the Family Service Bureau who saw to it that he was not neglected at Christmas or on his birthday and that he had spending money like the other children, and made arrangements for him to visit his father from time to time. He is no longer a lonely, deserted little boy but is happy in the knowledge that his father is not lost to him entirely and that he has a new friend in the Bureau.

Although New York is rich in sources of help for people, too often the family faced with a sudden or unexpected need does not know where to turn. This was true of the L* family. Mr. L. was a veteran with an honorable discharge and received a disability pension from the army. After a fight with a companion who subsequently required medical attention, Mr. L. was sent to Riker's Island for four months, leaving a young wife, two small children, and a lot of debts. While the wife and children received food and shelter in the home of the prisoner's family, the shock of his incarceration, her own poor health, the children's unmet need for warm winter clothing and the pressure of her husband's debts seemed to be more than Mrs. L. could bear. A frantic letter from Mr. L. to the Family Service Bureau greatly eased the situation. Hospital care was arranged for Mrs. L. and later a job was found for her. The children were provided with warm clothing. The loan companies were contacted and payment of the debts postponed until the family

* All names and initials are fictitious.

could meet them comfortably. Beyond this practical help given the family, Mrs. L. found comfort and relief in talking with the social worker about her own feelings of resentment and anxiety around the "disgrace" to her and the children resulting from her husband's prison term.

Perhaps of all the services the Bureau offers this more or less intangible service is the most vital to the future well being of prisoners and their families. The social worker in the Bureau is one person both the prisoner and his family know can be counted upon to understand what they are going through. The prisoner himself is able to relieve his own anxiety and guilt about his family through the interchange of letters between himself and the worker. We must bear in mind that often these men have been responsible husbands and fathers before the chain of events led to their incarceration. On the other hand the disgrace, the stigma, around a father or a husband in prison is so often a painful, frightening experience to the family left behind. The shock of losing the main source of support, the loss of confidence in the prisoner, the strain of covering up or explaining to relatives and neighbors is great. Often the social worker is the one person to whom the family can feel free to talk out these feelings and resentments. They find release from pent up emotion, and help in knowing that in her they have found a person who understands and to whom they can express their real feelings and know that they will be accepted and understood. This is a very necessary preparation for the prisoner's release and return to his family and plays a large part in his reinstatement with his family and the community. The harsh fact of a prison record is an experience which, difficult as it is, can be faced and accepted but requires infinite skill and understanding to bring about so that it will not be too damaging to either the prisoner or his family.

The effect of a member of the family serving a prison sentence too often precipitates problems in other individuals in the family. For instance, in one of the families under care during the year, a girl of ten became greatly disturbed over the incident which led to her father's commitment to Matteawan. The mother of this ten year old was at a loss to know what to do about her. She brooded over her father's misfortune, refused to play with other children, expressed fear that she herself might be "crazy" and continually begged her mother and brother not to leave the house for fear that some accident might befall them on the street. This child is now having psychiatric help and showing great improvement.

* All names and initials are fictitious.

Sometimes it happens that the family of the prisoner may be ill or too old to cope with the situation which is forced upon them by a son's imprisonment. This was so with the B*— family, when their twenty year old son was confined for a short sentence following a burglary in which he was implicated. For eight years Mr. B. had been a bed-ridden invalid suffering from the progressive Pott's disease. During the first years of the onset of her husband's sickness and while the son was still in school, Mrs. B. had eked out the family income by embroidering insignia on army uniforms. With the end of the war, however, this work ceased and with her son's incarceration his contribution toward the rent likewise was stopped. The Bureau was able to meet this need for Mrs. B. until her son's release.

The Family Service Bureau is particularly concerned about the welfare of the children of prisoners and a major part of its work revolves around their needs. Often for the first time the mother has to take over the role of breadwinner and day care must be arranged for the children. The spring and summer are especially busy times for the Bureau, because in addition to all the other services provided for prisoners' families, the social worker, in cooperation with the many child care agencies, arranges vacations and camp placements for children. These plans not only provide a respite for the mother but a happy, carefree and wholesome experience for the children.

As we look back over the year just passed it would seem that the families in our care present all the problems which may beset any normal family in a large city. The Bureau, however, must always see these problems, difficult and trying in themselves, against the tragic background of grey and somber prison walls. To those in the Family Service Bureau who minister to these unfortunate families, the responsibilities are great and the results so worthwhile.

STATISTICS OF FAMILY SERVICE BUREAU FOR 1947

Families under supervision January 1, 1947	176
New cases received	114
Cases reopened	1
Total number of cases under supervision	291
Cases closed	63
Families under supervision December 31, 1947	228
Total amount of cash relief given	\$6,940.50
Office interviews, home and agency visits	1,065
Individuals provided with Christmas dinners and toys	203
Children and mothers sent to summer camps	69

* All names and initials are fictitious.

LEGISLATION—1947

The following is a brief summary of those bills receiving our support or opposition during the 1947 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

PAROLE BOARD MEMBERSHIP. *Senate Int. 4, Pr. 312; Assembly Int. 200 Pr. 531:* Increases from three to five membership of state parole board and changes provisions relating to procedure of the board. *Chapter 15.* (See our *Recommendation XI* to the 1947 Legislature.)

DISPARITY OF SENTENCES. *Senate Int. 122, Pr. 122; Assembly Int. 125, Pr. 125:* Minimizes disparities between sentences of 2nd and 3rd offenders sentenced for crimes committed after 1942 and those sentenced for crimes committed before that date. *Failed of passage.*

INEQUALITIES IN PUNISHMENT. *Senate Int. 123, Pr. 3014:* Eliminates inequalities which exist in punishment of persons convicted of certain crimes and sentenced as 4th offenders under existing statutes as compared with those convicted of similar crimes and sentenced under subsequent statutes providing for lesser punishment or whose original sentences have already been modified. *Chapter 586.* (See our *Recommendation XII* to the 1947 Legislature.)

SUFFRAGE. *Senate Int. 127, Pr. 1948; Assembly 133, Pr. 2279:* Excludes from suffrage, person convicted of felony in

federal court if offense is felony under state laws, unless pardoned or restored to rights of citizenship by president, also person convicted of such a felony in another state unless pardoned or restored to citizenship rights by proper authority in that state. *Chapter 289.*

DEFICIENCY APPROPRIATION. *Senate Int. 400, Pr. 410:* Makes deficiency appropriation of \$608,000 for maintenance and operation expenses, other than personal service, of correction department institutions therein. *Chapter 3.*

FELONY COMMITTED WHILE ON PAROLE. *Senate Int. 589, Pr. 604:* Authorizes board of parole to determine portion of former sentence which felon shall serve after committing felony while on parole; extends provisions to include parolee from Elmira reformatory. *Vetoed.* (See our Recommendation XIII to the 1947 Legislature.)

WESTFIELD STATE FARM. *Senate Int. 700, Pr. 722; Assembly Int. 787, Pr. 797:* Provides for commitment to Westfield state farm of female adjudged to be, instead of convicted as wayward minor, and for commitment of youthful offender. *Chapter 212.*

DEFINITE SENTENCE. *Senate Int. 786, Pr. 810; Assembly Int. 794, Pr. 804:* Minimizes discrimination between sentences of 2nd and 3rd offenders for definite terms, for crimes committed before and after 1942. *Vetoed.*

INDETERMINATE SENTENCE. *Senate Int. 787, Pr. 811; Assembly Int. 793, Pr. 803:* Minimizes discrimination between indeterminate sentences of 2nd and 3rd offenders for crimes committed before and after 1942. *Vetoed.*

MOTOR VEHICLE PLATES. *Senate Int. 854, Pr. 891; Assembly Int. 1026, Pr. 1045:* Repeals provision relating to issuance by motor vehicles commissioner of only one number plate for each motor vehicle. *Tabled.*

BUDGET BILL. *Senate Int. 963, Pr. 1026; Assembly Int. 1072, Pr. 1095:* Makes appropriations for personal service, maintenance and operating expenses of state government. *Chapter 60.* (See our Recommendation III to the 1947 Legislature.)

PAYMENT OF CLAIMS. *Senate Int. 975, Pr. 1038; Assembly Int. 1084, Pr. 1107:* Authorizes state comptroller to examine, audit and certify for payment, claim of not more than \$150 for injuries to personal property or for personal injuries caused by tort of state officer or employee acting as such, if claim is submitted for payment by head of department or agency and approved by attorney general. *Chapter 91.*

PROBATION. *Senate Int. 1184, Pr. 1273; Assembly Int. 1379, Pr. 1431:* Provides local probation officers shall be in competitive class of civil service, in counties of less than 600,000 outside of N. Y. City, and includes senior trial justice of supreme court residing in county with other judges for appointment of probation director and strikes out reference to judges of courts other than children's court and county court. *Failed of passage.*

PROBATION. *Senate Int. 1185, Pr. 1274; Assembly Int. 1375, Pr. 1427:* Extends jurisdiction of state probation division to domestic relations courts and to interstate and intrastate transfer of probationers; makes rules binding on directors of probation as well as all probation officers and refusal to obey shall be grounds for removal, subject to Civil Service Law provisions; gives supreme court justice or county judge power to enforce by proper proceedings attendance of witnesses on director's subpoena. *Failed of passage.*

SICK PRISONERS. *Senate Int. 1188, Pr. 1277; Assembly Int. 1274, Pr. 1320:* Includes county penitentiaries in provision for removal of sick prisoners from jails and provides for removal to county infirmary as well as nearest hospital. *Vetoed.*

PROBATION. *Senate Int. 1208, Pr. 1297; Assembly Int. 1385, Pr. 1437:* Makes all laws relating to probation equally applicable and binding upon salaried and volunteer probation officers and directors; provides that probation directors shall be in competitive class of civil service. *Failed of passage.*

PROBATION. *Senate Int. 1209, Pr. 1298; Assembly Int. 1380, Pr. 1432:* Requires that probation officer shall report to head of probation bureau or department who in return shall report to court; if there is no bureau or department then report shall be made direct to court as at present; records and duties of probation officer shall conform to Correction Law requirements. *Failed of passage.*

PROBATION. *Senate Int. 1210, Pr. 1299; Assembly Int. 1382, Pr. 1434:* Strikes out provision that probation officers with approval of court, may act as parole officers over persons released from penal or reformatory institutions. *Failed of passage.*

PROBATION. *Senate Int. 1211, Pr. 1300; Assembly Int. 1378, Pr. 1430:* Authorizes court to direct that probationer shall carry out directions of probation officer and in general to compare himself as such officer shall determine. *Failed of passage.*

PROBATION. *Senate Int. 1212, Pr. 1301, Assembly Int. 1381, Pr. 1433:* Authorizes court to discharge probationer from probation, instead of from further supervision. *Failed of passage.*

DIVISION OF CLASSIFICATION. *Senate Int. 1219, Pr. 1308:* Directs state correction commissioner to establish division of classification with advisory board to develop system for classifying prisoners. *Failed of passage. (See our Recommendation II to the 1947 Legislature.)*

SEXUAL PSYCHOPATHS. *Senate Int. 1482, Pr. 2790:* Authorizes court after conviction of defendant for certain sex crimes to order his examination to determine whether he is sexual psychopath defined as person though not insane nor mental defective who is in such state of mental aberration that he cannot control impulses toward commission of sex crimes and offenses; provides for report on examination by psychiatrists and for transfer to state hospital for care, treatment and rehabilitation. *Vetoed. (See our Recommendation VI to the 1947 Legislature.)*

IDENTIFICATION. *Senate Int. 1787, Pr. 1986; Assembly Int. 1971, Pr. 2118:* Provides for maintaining identity of photographs taken of criminals, by identificational numeral board or similar apparatus. *Chapter 349.*

TRANSPORTING PRISONERS. *Senate Int. 1788, Pr. 1987; Assembly Int. 1972, Pr. 2119:* Provides officer transporting prisoner after arrest may confine prisoner in any county or city jail along route, where he shall be kept until officer is ready to proceed. *Chapter 477.*

MENTAL DEFECTIVES. *Senate Int. 1910, Pr. 2149:* Extends provisions for examination of suspected mental defective prisoner at expiration of term, to include both felon and misdemeanant and those confined in Napanoch or Woodbourne institution or in Albion state training school. *Chapter 587. (See our Recommendation VII to the 1947 Legislature.)*

COMMISSARY OR CANTEN FUND. *Senate Int. 2511, Pr. 2888; Assembly Int. 2721, Pr. 3027:* Excludes from payments to be made to state treasury, moneys received from commissary or canteen fund of institution in correction department. *Failed of passage.*

ESTABLISHMENT OF COMMISSARY OR CANTEN. *Senate Int. 2512, Pr. 2884; Assembly Int. 2722, Pr. 3028:* Allows correction commissioner to authorize head of institution in department to establish commissary or canteen for benefit of inmates and employees with profits to be used for general purposes of institutions. *Failed of passage.*

YOUTH COMMISSION. *Senate Int. 2539, Pr. 2973; Assembly Int. 2740, Pr. 3108:* Authorizes youth commission to grant additional state aid of not more than \$250 a year for each 1,000 children, to N. Y. City or to any other city or county operating youth bureau, for recreation and education projects for youth guidance in high delinquency rate area; state aid shall not exceed $\frac{1}{2}$ of expenses as approved by commission. *Chapter 448.*

SUPPLEMENTAL APPROPRIATIONS. *Senate Int. 2557, Pr. 3029; Assembly Int. 2756, Pr. 3146:* Makes supplemental appropriations for support of government. *Chapter 415.*

CERTIFICATE OF GOOD CONDUCT. *Assembly Int. 144, Pr. 144; Senate Int. 212, Pr. 212:* Provides license to conduct billiard room may be issued to felon who has received executive pardon or certificate of good conduct from parole board. *Chapter 129.*

YOUTH COMMISSION. *Assembly Int. 202, Pr. 202; Senate Int. 5, Pr. 5:* Continues youth commission to July 1, 1950. *Chapter 39.*

AMENDMENT TO CONSTITUTION. *Assembly Int. 313, Pr. 313; Senate Int. 29, Pr. 29:* Provides court of appeals judges, supreme court justices, court of claims judges, surrogates, county judges, N. Y. general sessions judges and city court justices of record, may be removed only for cause or retired for mental or physical disability by court consisting of chief judge and senior associate judge of court of appeals and one appellate division justice in each department designated by majority of justices in department, but only after being served with statement of charges and having opportunity of being heard; notice shall be given to governor and legislature of proceeding and member of legislature may prefer charges against judicial officer to be determined by legislature and court action stayed. *To Secretary of State.*

LICENSE FEE—DANGEROUS WEAPON. *Assembly Int. 497, Pr. 499; Senate Int. 463, Pr. 476:* Provides in N. Y. City, city council, shall fix amount of license fee for carrying and use of dangerous weapon and provide for disposition such fees. *Chapter 147.*

STATE VOCATIONAL INSTITUTION. *Assembly Int. 789, Pr. 799; Senate Int. 699, Pr. 721:* Provides for commitment to N. Y. state vocational institution of male delinquent 16 years of age or over but less than 21, instead of 19 years and includes those convicted as youthful offenders; strikes out provision for delivery by officer to superintendent of copy of sentence and investigation. *Vetoed.*

COMMITMENTS. *Assembly Int.* 790, *Pr.* 800; *Senate Int.* 702, *Pr.* 724: Provides for commitment to correction department reception center, of male offender adjudged to be wayward minor or youthful offender. *Chapter* 198.

SEGREGATION. *Assembly Int.* 902, *Pr.* 912: Requires state correction commissioner to segregate first offenders from other prisoners in state prisons. *Approved in principle. Failed of passage.*

CERTIFICATE OF GOOD CONDUCT. *Assembly Int.* 1889, *Pr.* 2020; *Senate Int.* 1657, *Pr.* 1822: Provides action by parole board granting certificate of good conduct to person previously convicted of crime who has conducted himself in satisfactory manner for at least five years, shall be by majority instead of unanimous vote. *Chapter* 588.

IDENTIFICATION PRIOR TO BAIL. *Assembly Int.* 1973, *Pr.* 2120; *Senate Int.* 1786, *Pr.* 1985: Provides no person charged with endangering life or health of child or with carnal abuse of child of ten and less than 16 years of age, shall be admitted to bail until fingerprints have been taken and previous record submitted to judge. *Chapter* 283.

TRANSFER OF PRISONERS. *Assembly Int.* 2033, *Pr.* 2187; *Senate Int.* 1870, *Pr.* 2097: Permits transfer of person confined in state vocational institution or reformatory after classification at correction department reception center and before actual confinement therein, in same manner as persons confined. *Chapter* 577.

ASSISTANCE FOR FIRE PROTECTION. *Assembly Int.* 2520, *Pr.* 2755; *Senate Int.* 2363, *Pr.* 2662: Authorizes warden or superintendent of state correctional institution with approval of correction commissioner to contract with municipal authorities for mutual assistance between fire department of institution and of municipality. *Chapter* 589.

Opposed

CRIME INSTITUTE. *Senate Int.* 154, *Pr.* 416: Establishes in executive department at Columbia university, New York University, or other institution of higher learning, a state institute for study of crime, its basic causes and factors, to devise methods of rehabilitation and treatment of delinquents and criminals, to provide training for persons intending to work in such field and to provide consultation and expert opinion for courts,

probation and parole departments, schools, social agencies, mental hygiene and child guidance clinics; creates board of trustees and appropriates \$15,000. *Failed of passage.*

WAIVER OF JURY TRIAL. *Senate Int.* 195, *Pr.* 195; *Assembly Int.* 323, *Pr.* 323: Prescribes method for waiver of jury trial in criminal non-capital cases. *Failed of passage.*

YOUTHFUL OFFENDERS. *Senate Int.* 465, *Pr.* 478; *Assembly Int.* 545, *Pr.* 551; *Assembly Int.* 1439, *Pr.* 1491: Authorizes correction department to establish farms, hostels, camps and schools for rehabilitation of male offenders between ages of 16 and 21; appropriates \$2,000,000. *Failed of passage.*

YOUTH CORRECTION AUTHORITY. *Senate Int.* 466, *Pr.* 479; *Assembly Int.* 544, *Pr.* 550; *Assembly Int.* 1438, *Pr.* 1490: Creates a youth correction authority in executive department; requires courts to commit to authority for rehabilitation, youthful offenders between 16 and 21 to determine type and length of treatment needed; permits it to set up detention and diagnostic centers and use new methods of correctional treatment such as hostels, work camps, foster homes or existing correctional institutions. *Failed of passage.*

BRUSH-MAKING. *Senate Int.* 913, *Pr.* 963; *Assembly Int.* 1021, *Pr.* 1040: Prohibits brush-making in state prison, penitentiary or reformatory, for state or political subdivision or for any public owned institution, except state correctional and charitable institutions. *Vetoed.*

CRIME INSTITUTE. *Senate Int.* 1921, *Pr.* 2160: Establishes in correction department state institute for study of crime with board of temporary trustees consisting of state correction commissioner and four members to be chosen by governor; appropriates \$15,000. *Failed of passage.*

CORRECTION OFFICERS' SALARIES. *Senate Int.* 2113, *Pr.* 2397; *Assembly Int.* 2221, *Pr.* 2398: Provides when city maintains correction department, minimum annual salary of competitive civil service employee in title of guard, prison officer or correction officer shall be not less than that paid to corresponding police officer or patrolman with same length of service and allows 10 per cent increase for hazardous duty; fixes minimum requirements for appointment. *Failed of passage.*

YOUTH CORRECTION AUTHORITY. *Assembly Int.* 262, *Pr.* 262; *Senate Int.* 1584, *Pr.* 1731: Creates youth correction authority in executive department and requires courts to commit thereto for rehabilitation, youthful offenders between 16 and 21, to

determine type and length of treatment needed; authority may set up retention and diagnostic centers and use new methods of correctional treatment such as hostels, work camps, foster homes, or existing correctional institutions. *Failed of passage.*

CIVIL ACTIONS AGAINST CORRECTIONAL EMPLOYEES. *Assembly Int. 788, P. 798; Senate Int. 701, Pr. 723:* Prohibits civil action against correction commissioner, his deputy or any officer or employee of institution for criminally insane or mentally defective, in department for damages for act or omission in course of duty, without leave of supreme court judge; claim to be brought in court of claims. *Chapter 367.*

BOARD OF PAROLE. *Assembly Int. 1452, Pr. 1509; Senate Int. 1130, Pr. 1219:* Strikes out provision that board of parole shall have report of one of its members giving his personal views and recommendations as to prisoner applying for release; requires that action of board shall be by majority vote instead of unanimous vote; makes it permissive instead of mandatory that governor appoint person to act in event of inability of member. *Vetoed.*

MAINTENANCE OF TRAMPS. *Assembly Int. 1496, Pr. 1559; Senate Int. 1379, Pr. 1508:* Increases from 60 cents to \$1 a day per capita expense to be paid by state for maintenance of tramps in penitentiaries. *Vetoed.*

SEXUAL PSYCHOPATHS. *Assembly Int. 2191, Pr. 3106:* Provides offender convicted of certain sex crimes shall be remanded for examination to determine whether he is sexual psychopath and if so, he may be committed to reception center at Elmira and transferred to correction department institution for indeterminate term and until no longer a threat to public morals. *Vetoed.* (See our Recommendation VI to the 1947 Legislature.)

THE 77th ANNUAL CONGRESS OF CORRECTION

The following summary of the 77th Annual Congress of Correction is included herewith because of the intimacy of the Prison Association of New York with the affairs of the American Prison Association from its beginning. The Prison Association of New York staff serves as a hub for the activities and administration of the national body.

Some seven hundred registered delegates to the 77th Annual Congress of Correction convened at the Municipal Auditorium, Long Beach, California, from September 12th to 16th, inclusive, to discuss the general theme "Community Responsibility for the Prevention of Delinquency and Crime."

Representing 42 States, the District of Columbia, Puerto Rico, Hawaii, Canada and Sweden, those in attendance were the guests of one of the most energetic local committees ever to participate in a Congress of Correction. Under the efficient and capable chairmanship of Kenyon J. Scudder, Superintendent, California Institution for Men, Chino, and ably supported by Mrs. Scudder, the local committee on arrangements did not overlook a single factor making for the enjoyment of those in attendance.

For the first time since 1941 a great many from the far western States, particularly California, were enabled to profit by the sessions. The California Department of Corrections through its Director, Richard A. McGee, and affiliated groups made it possible for top as well as subordinate employees to attend the Long Beach Congress.

All affiliated organizations of The American Prison Association, as well as its various committees, were in session during the Congress. Progress reports were made and future plans outlined.

Significant among the major developments reported upon was the forthcoming motion picture to be produced in cooperation with the Association's Committee on Personnel Standards and Training and to portray the custodial branch of the prison service as a career.

Boston, Massachusetts, was chosen as the 1948 Congress of Correction City and the 78th Annual Congress will be held from August 29th to September 3rd, inclusive, with headquarters at the Hotel Statler.

Members of the American Parole Association in attendance at the Congress voted to merge with the National Probation

Association. This action was taken following many months of study and discussion and the Association will henceforth be known as the National Probation and Parole Association. It is anticipated that greater emphasis will be devoted to the subject of parole on a nationwide basis and additional parole experts are being added to the advisory council. Likewise a full time parole consultant has been added to the staff of the National Probation and Parole Association.

A standing Committee on Parole from Institutions was voted by the membership of The American Prison Association to serve as a conference discussion group.

President

W. Frank Smyth, Jr., Superintendent of the Virginia Penitentiary, Richmond, Virginia, was elected unanimously to the office of President of the Association.

Warden Smyth, long an active member of the Association, as well as the Wardens' Association and Penal Industries Association, was recognized, by his election, for the many progressive steps taken during his career in the Virginia prison system.

Discussions

The comments that follow are *excerpts* from some of the discussions and the full remarks of those on the Congress program will be available at a later date in the form of the Proceedings. HONORABLE EARL WARREN, *Governor of the State of California*:

I am happy to extend to you a belated but very cordial welcome to our State and to say to you that we are not only happy to have you with us but that your presence here gives us an added sense of well-being. We recognize your Association as the oldest, the largest, and the most stable organization of its kind in America. We know that it was thinking in terms of and working for a more understanding and humane system of penology when most people were complacently willing to endure a medieval prison system which was unworthy of present day civilization. We are indebted to you for much of the philosophy and most of the principles which form the modern concept of correctional treatment in our present system of penology.

You have come to us at a very significant time—a time at which we have many problems incident to our very rapid growth—a time when we are trying new techniques to solve those problems.

We are still a pioneer State. People who were born when this State was a wilderness are still living. We do not celebrate our

hundredth anniversary until 1950, and three years before our admission to the Union there were in the entire State very few more civilized people than could be put in this Auditorium. Our population started to grow by leaps and bounds with the discovery of gold in January of 1848. The gold rush of 1849 made history, but we have had many migrations since that time that have dwarfed it in size. Perhaps the greatest migration in history has come to this State since the 1940 census. In the past six years our population has increased by more than two and a half million people. Our State is changing every day. We must plan for the future as did those who came in the early days. We feel that we too are pioneers. We do not emphasize the fact that we are rounding out the first century of California history as much as we do that we are pioneering her second century of progress.

We will always have a crime problem and it has long been my belief that we should attack it as *one* problem, with each of the agencies of government doing its part of the job, not in a detached way, but as part and parcel of a correction system that encompasses the entire problem. Accordingly we gathered together the scattered segments of an antiquated system that had been geared to the early days of our statehood and molded them into a Department of Corrections that is endeavoring through the most modern techniques to integrate every activity from that of crime prevention to the rehabilitation of adult offenders through parole and pardon.

This State in its entire history has never made a complete inventory of its crime situation. We propose to do so now.

The California prison reorganization act of 1944 which created the new Board of Corrections gave that agency the broadest possible powers to make studies of crime and delinquency. This Board is composed of the Director of Corrections as Chairman, three members of the Adult Authority, three members of the Youth Authority, two members from the Board of Trustees of the California Institution for Women, and two members from the State Board of Prison Directors. The Board's primary function is to serve as a means of correlating the programs for adult and youth offenders. In addition, the statutes provide that the Board "shall make a study of the entire subject of crime, with particular reference to conditions in the State of California, including causes of crime, possible methods of prevention of crime, methods of detection of criminals and apprehension of criminals, methods of prosecution of persons accused of crime, the entire subject of penology, and report its findings, its conclusions and recommendations to the Governor at such times as he may require, and to the Legislature of California at each regular session."

Our experience of the past three years has shown the need for further strengthening and implementation of these functions of the Board. Accordingly, legislation was enacted this year under which the Governor may appoint from time to time, special crime commissions to work with the Board of Corrections in its study of various phases of the problem. Each of these special commissions will be composed of from three to five citizens who will conduct an investigation of the subject matter prescribed in the executive order creating it and will cease to exist whenever it has made its final report to the Board for transmission to the Governor and the Legislature. In addition, funds have been provided for the employment of staff to serve the Board of Corrections and the special crime commissions in the making of their studies and the transmission of their reports and recommendations.

At the present moment I am engaged in setting up five such commissions which I am hopeful will assist us materially in the solution of our problem. These will cover the fields of crime prevention and juvenile delinquency; institutional care and release procedures; criminal law and procedure; social and economic conditions leading to crime; and last, but by no means least, a commission on organized crime.

The protection of life and property is the basic job of government. Without it nothing can be satisfactory. On all levels of government many different agencies play their part. Yours is a most difficult one because you are expected to make good for all the mistakes of society as well as of the broken individuals who come within your jurisdiction. You never can succeed one hundred per cent because some are completely lost to society before they come to you, but you can make progress by rehabilitating some. And the percentage rehabilitated should increase progressively as factual, scientific, and humane practices are applied to your work. I know it is the purpose of your organization to establish such practices. You are making progress and are entitled to the gratitude of all who are striving for a better social order.

It is for that reason, I welcome you to the State of California.

PRESIDENTIAL ADDRESS

HAROLD E. DONNELL, *President, The American Prison Association:*

We gather here from all sections of this country, together with delegates from our neighboring countries, in this, the 77th Annual Congress of Correction, to analyze and crystallize the important items entering into the many discussed problems of

our present crime era. We are concerned particularly with the factors applying to the youthful offender who is found in such large numbers under our care in this present day and age. We have met annually, with few exceptions, since 1870. The principles laid down at the founding of The American Prison Association on that date, and reaffirmed in later years, have remained steadfast although the problems confronting the penologists of this country have changed with the ever-changing conditions of our social and economic progress and failure. These changes have become more pronounced with the resulting effects of a world torn by war with its disastrous worldwide consequences. Many of our worthwhile leaders of the past have gone to their just reward, leaving lasting impressions upon those of us who still carry on. Their fine influences are still felt by us, and are reflected here today in our attempt to solve and promote better methods for dealing with the multiple tasks which confront us.

As we assemble here amidst the beautiful surroundings of Southern California it is essential that in my keynote address to this Congress I set forth the theme as adopted by the officers and directors of the Association at the February midyear meeting. This theme, "Community Responsibility for the Prevention of Delinquency and Crime", is a far-reaching topic and concerns every man, woman and child throughout this land. The public is responsible. The conditions confronting the individual as encouraged by our social order, or at least conditions which are not discouraged by the greatest segments of our community life, create the delinquent—and the confirmed criminal from this delinquency comes forth. This same public conscience, or better, lack of conscience, is also responsible for the improper conditions of control as well as in the prevention of the delinquency. Moreover, such apathy and irresponsibility all too often fail to provide those of us in our work with the proper machinery and trained personnel with which to carry out our herculean endeavors toward the rehabilitation of the offender.

We cannot deny that juvenile delinquency and youthful criminals are all too prevalent in this country and that the youthful offender of our present age is one of the serious problems of a complex society. There are, of course, many factors contributing to this delinquency, most of which have been focused in our attention through the press, by public speakers both from the platform and over the air, as well as through special articles published in our current magazines. As chief contributors to this crime era, criticism has been leveled at the lack of home guidance, improper methods of handling certain elements of our youth within our public school systems, and the inadequacy

of caring for the spiritual life of youth in the churches. There has been also a serious lack of public consciousness on the part of our municipal governments to eliminate the hazardous recreational facilities established through commercial interests for the entertainment in wrong directions of our youth of the streets.

Lack of home guidance we have always had with us, and always will, and if we do not correct more of our youth of the present day parental delinquency in the future will be far more pronounced. Economic factors, low mentality, immoral social conditions, incompatibility in homes, and lack of comprehension of the true purposes of life, all tend to make a home an improper place for the bringing up of children. Therefore, it would appear to me that little can be done at this level in the correcting of the shortcomings of the children who are simply existing, but not being raised. It would appear, then, that if we are to hope to bring self-respecting children out of this environment it must be done through the sources provided by public taxation or contributed to by the better element of our society for the training and uplifting of all of our youth, with particular emphasis on the less fortunate. Most of all, the consciousness of the public guilt for these conditions must be brought home to them by every available facility of communication.

This brings us to the matter of the school, which is the next step to the home in the preparation of the child to meet the conditions of your manhood and womanhood. Is this school system here to accomplish the most good for the whole, for a selected few, or for the great majority with the unfortunate few left entirely out of the picture? I would like to think that the school is doing the most good for the greatest number, but I *must* think that our school system is seriously neglecting a certain element in our society unable to take care of themselves, who are born of poor surroundings with poor mental background and inadequate encouragement through lack of proper home guidance. The street corner is their greatest teacher. It is true that, in recent years, we have developed special schools, vocational schools, and in many sections done much in supervised recreation and play, but have we really gotten down underneath and determined the exact needs of the street urchin who just grows up like "Topsy" and clings to the things which are most easy for him to reach as he goes through life?

The church has always been considered as being unable to reach the lower element of our people so much in need of spiritual guidance. It is true that some of our unformed groups in the religious field do wonderful work within our slum areas

of population but I believe the church, as a whole, has not met its problem in getting underneath the wayward youth of this land to bring him to his senses through spiritual means. My observation, over many years, has shown me that the boy from the good home is found in church and is welcome in church while little attempt is made and little interest shown in bringing into the fold that boy who never had any spiritual guidance within the home.

This brings me to the responsibility of the community as a whole. We are today largely an urban-living people; too much population in too small areas with too little proper activity and character building devices for our children. The more fortunate of our populace resort to measures, for which they pay good money, such as summer camps, specialized education and recreation under proper guidance for their children; and by so doing keep the children away from the questionable places of vice and iniquity. I like to believe that the majority of our citizens think rightly and live right and desire their children to do likewise and yet they permit, particularly within our urban populations, the small minority of greedy, avaricious, immoral-thinking, and unprincipled individuals to control the places of amusement and recreation for the youth of these cities. It is time that the right-thinking people did the voting, controlled the situation, and eliminated these black blots in every city of this land. If that be done, juvenile delinquency and youthful offenders will be on the decrease. Within each and every community of this country let us make conditions such that it will be hard for unprincipled, money-loving individuals to reap harvests through impoverishing, both in body and soul, the weak victims upon whom they prey.

This Congress, over the many years of its existence, has done many worthwhile things. It has promoted programs dealing with prevention, raised the standards of treatment of the incarcerated offender, and advanced proper psychiatric and psychological units within our institutional systems to study the inmates sent to us. It has developed more adequate probation and parole and, for many years, voiced the evils of our jail system. It has set forth the reasons for the establishment of adequate educational, recreational and religious training programs within our correctional institutions. Last year it formulated and circulated a model plan for our correctional procedure. It has just recently circulated a classification handbook for the guidance of all of us in this field of work. It has fought for years to retain work as a proper method of rehabilitation for those unfortunates who go behind the bars. It has spent much effort on improvement of our physical plants. It has dealt

with the welfare programs of the individual inmates and their families.

Now we are here again assembled to re-discuss most all of these heretofore mentioned subjects during the five days of this meeting. We desire that throughout this meeting the public of all sections of the country be informed of our views as regards the treatment of the offender. I am confident that this same public should be made fully aware of how we feel concerning its responsibility for so large a group being sent to us for repair after serious damage has been done. It is this lack of responsibility by the public which is overcrowding our institutions beyond the limits of capacity at this time. Crime is an expense, an enormous expense, from the time of the perpetration of the crime until the time of the cure or, in many cases, the death of the criminal. It is the public that pays in taxation. It should be the public that is most concerned with the elimination of the greatest causes of the criminalistic tendencies in the youth of this land. **THE PUBLIC IS RESPONSIBLE!**

THE COMMUNITY AND THE CORRECTIONAL PROCESS

AUSTIN H. MACCORMICK, *Executive Director,*
The Osborne Association, New York:

(Excerpts from remarks made at a luncheon meeting sponsored by the American Parole Association, National Probation Association and Western States Probation and Parole Conference, and the Long Beach service clubs, September 12th, 1947.)

During the war, when the juvenile delinquency rate rose by leaps and bounds, communities throughout America were gravely concerned with how it could be prevented and controlled. Their efforts were not always very thorough or very effective but their concern was genuine. During that period, fortunately, adult crime decreased as millions of men in the age group that produces the bulk of our crime were taken into the armed forces and other millions had plenty of work. Now, with the juvenile delinquency rate apparently on the decrease but still far too high, and crime apparently increasing at a rate out of proportion to the number of men who have returned to civil life, American communities have cause for redoubled concern. They must do more than worry, however. They must accept their responsibility to deal with delinquency and crime vigorously and intelligently, for it is on the community level that prevention and control can be accomplished most effectively.

There can be no question of the community's responsibility. In the drama of crime the community is literally the whole show. The community writes the scenario, furnishes the actors,

provides the stage and supplies the audience. The community has a thousand and one sets ready for any scene on one or another of its many revolving stages, an infinite variety of stars and bit players ready in costume and make-up to step on and pick up their lines and business. The drama of crime plays a continuous performance to crowded houses and gets newspaper raves in every edition. But this is one show from which there are no box-office receipts. For the drama of crime the community pays the entire production cost.

Our primary function in correctional work, as we see it, is to reduce crime by preventing its repetition. Correctional work is therefore an instrument of crime control and crime prevention at the same time. Our job generally begins when the offender is caught and convicted. The correctional process could, as a matter of fact, begin during the period of detention awaiting indictment and trial, but it seldom does, since the county jails in which most defendants are held are so notoriously bad that they have a corrupting and degrading effect on prisoners rather than a beneficial effect.

But if the correctional process is not as simple as some people think, by the same token it is not as complex as some others think. We do not cure, reform, rehabilitate—call it what you will—offenders by dipping them in a vat of some magical elixir compounded on a mysterious formula known only to Einstein and eleven others. We do not mutter abracadabras over them. There are no voodoo worshippers in the correctional field, so far as I know.

The public knows little about the correctional institutions it supports and much of what it thinks it knows just isn't so. Prisons particularly are veiled in an aura of mystery. I have often compared them to No Man's Land, shrouded in darkness and peopled by unseen menacing figures. Occasionally they are lighted up by a sudden flare. A riot, an escape, a scandal, brings the prison into brief and vivid highlight. Then darkness settles down again—the publicity and the public clamor die down—and the prison is once more shrouded in mystery. What goes on there day in and day out, what the prison officials are trying to do, how, and with what success, the public little knows and little cares. And, curiously enough, the public knows and cares very little more about the juvenile training school, which it fancies to be full of bad boys and girls for whom one can do very little, and not veiled in a shroud of menacing darkness but shining in an atmosphere of sweetness and light that is all too often sadly lacking.

We are becoming increasingly aware of the fact that we must pay special attention, and even establish special machinery and

institutions, for the so-called youthful offender, the group lying between the juvenile delinquents and the adult criminals. It is this age group that produces most of the major types of crime in America. They are much more difficult to deal with than older prisoners because so often trying to make a lasting impression on them is like writing on sand. But the very fact that they have not yet jelled makes our responsibility to train them clear, and increases the chances of success. They are especially good candidates for vocational training. It is possible for good personnel to establish a leadership relation with them that is not wholly appropriate with older prisoners. But it is more difficult to prepare them for earning a living and for the difficult family responsibilities that will come later with marriage and children.

In California you people have had the good sense to make special provision for the training, treatment and parole of the young offender by establishing the Youth Authority. In my opinion, this was the most forward-looking step taken in this field in recent years by any State. You will be interested to know that two other progressive States, Minnesota and Wisconsin, have followed your lead, their legislatures having passed Youth Authority Acts this year.

What must the community do to ensure maximum returns from the correctional process? I have already answered that question indirectly. It must see that there are well staffed, adequately financed probation and parole services with high professional standards, and with security of tenure for personnel who deliver the goods. It must free these services and keep them free from political influence, pressure-group influence, and every other influence that interferes with its proper function; protecting the public by dealing with each offender in the way that is best for him and for society.

It must give probation and parole services steady, consistent backing, permitting them to take year in and year out wisely calculated risks, and not demanding or permitting policies that bob up and down on every crime wave. It must recognize that these services cannot do their job all alone but must utilize all the social resources of the community.

In the institution field, the community or the composite community—the county and state—must do some drastic things. It must clean up those pest-holes, our county jails; the best way to improve most jails is to abolish them. It must stop permitting political hacks and glorified zoo-keepers to be appointed guards, and sometimes wardens, of our institutions. It must put institution personnel on a career basis, with high standards, freedom from political interference, etc. It must stop this monkey

business of keeping prisoners in idleness at the taxpayer's expense because selfish interests with powerful lobbies want it that way.

It must provide institutions with educational and vocational training, medical and other rehabilitative services, because that is the best way to prepare the offender for free life. The people who make up the community must divest their minds of the erroneous idea that a decently run prison is a country club. The loss of liberty is a punishment nothing else can balance. There is not a person in this room who would willingly accept a five-year sentence to a first class hotel. It is impossible to make men and women like prison.

The high ideals and traditions of the service clubs you represent make possible only one answer to the question, "Am I my brother's keeper?" We in correctional work do not ask you to be gushy sentimentalist, to weep over the offender, to coddle and pamper him. We ask only that you accept your full responsibility to promote and support every sound and practical endeavor to prevent boys and girls becoming delinquent, to prevent delinquents becoming criminals, and to prevent first and second offenders becoming repeaters. Not only in a body as a great civic force for good can you help prevent and control crime, but as individuals who are not afraid to say, "Yes, I am my brother's keeper."

JAILS

HON. VERNON KILPATRICK, *Member, California Assembly Interim Committee on County and City Jails.* (National Jail Association, September 12th, 1947) :

The Assembly Interim Committee on County and City Jails, of which I had the honor to be Chairman, submitted its first report to the Legislature early in 1945. Since that time, the Committee has conducted extensive individual and group inspections. We have also held lengthy hearings—at which some of you present honored us with your testimony.

We have found here in California roughly what is apparent throughout the country—an outmoded system of incarceration that is neither economical nor scientific nor humanitarian. I would say offhand that the jails of California are by and large better than those in a majority of other States. That, of course, is not to say that they are not a disgrace in many respects.

So—the jails of California are bad, but not all bad. Nor are the bad ones all in rural counties. Some of our most rural areas have jails run on enlightened principles. Some of our worst ones are in urban or relatively urban centers. Much depends on the sheriff, or whoever acts as custodian. Still more depends on

the legislative body in the locality, either the City Council or the Board of Supervisors. Ultimately, *everything* depends on the people of the community.

It is utterly fanatic there should be such a wide gap between what we preach and what we practice. In this case, I have in mind the gap between the generally recognized principles of what a jail of a certain degree of security *should* be, and what we all know most of them are.

Most of them here in California and elsewhere are essentially dungeons, blotting out all hope of rehabilitation, and frequently constructed for any purpose other than housing wild beasts. In fact, the Society for the Prevention of Cruelty to Animals well might object to some of the jail conditions that can be found right here in California.

When are we going to learn that a high percentage of inmates in our jails are not beasts but persons who react positively—both physically and mentally—to healthful stimuli such as sunshine, fresh air, and an opportunity to work toward restoration of human dignity?

The most basic problem in California, as I see it, is the job of making communities more aware that they are shortchanging themselves by ignoring jail facilities and standards.

For instance, County grand juries are required by law to investigate and formally report on jails in their jurisdictions. Yet, last year, 14 of the 58 counties of California failed altogether to submit reports or submitted perfunctory ones that were essentially meaningless. And, I daresay that record is a better one than exists in many another State requiring grand jury reports.

The answer to the public shortchanging itself is simply more public education, enlightenment on the need for more inebriate colonies, more open air and sunshine, more honor camps. At the same time, public awareness of such evils as the fee system of feeding and kangaroo courts must be increased.

Our assembly committee found all these lacks and shortcomings in California jails and introduced legislative bills to remedy them. Not all the bills passed. But provisions to do away with kangaroo courts and fee feeding were voted into State law and more of our reform proposals will be passed when the legislature meets again, I am sure.

HON. EUGENE BISCALUIZ, *Sheriff, Los Angeles County.*
(National Jail Association, September 12, 1947) :

We, here in Los Angeles, are confronted with many serious custodial problems. As Sheriff of Los Angeles County, I am

charged with the responsibility of detaining all those persons properly committed to my custody. In addition to this responsibility, the Sheriffs of this State are also charged with the responsibility of instituting and participating in crime prevention and rehabilitative programs. As of today, I have better than 3,200 individuals in my custody.

In 1926 the present County Jail was opened, occupying the top five floors of the Hall of Justice, with an original rated capacity of 1,400, and with a rated capacity as of today of 1,763. When we opened the new County Jail there were many who were very critical, feeling that we would never be able to use the space provided for many years to come—if ever! With the advent of war and the resulting shifting of populations to this county, we have had for the past several years a critical situation due to overcrowding. In the County Jail proper we have approximately 2,400 inmates, and our high count last winter was 2,760. If the trends continue—and we have no reason to believe that they will change overnight—we anticipate a county jail proper population of close to 3,500 this winter.

Throughout the years that I have been in law enforcement work, it has been my firm conviction that the practice of confining prisoners in county jails, in idleness, was wrong—not only from the viewpoint of the inmate, but rendered a distinct disservice to society itself.

As Sheriff, under my oath of office, I must be concerned with custody and the safe keeping of all persons committed to my care. As an individual, as well as Sheriff, I am concerned with the proper guidance and treatment of these unfortunate individuals. The Sheriff's Office of this County has a long record of attempting, insofar as we could, to perfect crime preventive and rehabilitative programs. The problem has not been an easy one, due mainly to our inability to absorb intelligently our ever increasing population. This steady and rapid increase in population naturally has developed many conflicts, cultural and otherwise. These conflicts, in turn, often develop a situation where the breadwinner of the family has been deprived of his liberty and we are confronted with the complicated problem of not only protecting society and attempting to rehabilitate the offender, but of making every effort to keep the family together as a unit.

During the past several years, we have been able to provide useful work outlets in our honor camps and our honor farm. Creation of good, sound work habits is important, but in my judgment is just one phase of a good rehabilitative program. To secure a better balance and round out more completely our rehabilitative programs, on July 1st of this year I created a new

division which has been titled the "Rehabilitation Division," and which has been charged with the following responsibilities:

1. To provide adequate custody for as many inmates as possible outside of the County Jail proper.
2. To develop a classification and treatment program for all prisoners committed to the custody of the Sheriff, to the end that these individuals can return to their community physically, mentally, and morally better than when they were received.

The following four-step plan has been developed as a guide for the work of this new division:

1. What is the safest program for society and the institution.
2. What is best for the inmate and his family.
3. What more can we, as a law enforcement agency, do.
4. What can other interested lay agencies or governmental units do to help the inmate and his family to become better citizens.

PERSONNEL PROBLEMS

HON. RICHARD A. MCGEE, *Director, California Department of Corrections.* (Evening General Session, September 12, 1947.):

It seems appropriate that I should approach the subject of personnel from the standpoint of the administrator of a correctional system. A commonplace oversimplification states that administration is the art of getting things done through the efforts of others. If this be true, and, essentially, I believe that it is, the administrator's problem is a personnel problem. The administrator uses people to accomplish his ends just as a painter uses paints, colors, brushes, and canvas.

The first step in developing a personnel organization is the same as the first step in building anything else; namely, the making of a plan. This planning process consists of studying in detail the work which is to be done, dividing it up and classifying it in accordance with accepted groupings of knowledge and skill. To be more concrete, if there is bookkeeping to be done which would require the work of three people, carpenter work requiring the work of one person, custodial supervision requiring the work of twenty persons, and so on, we thus arrive at the numbers and kinds of people required to do the administrator's job. This seems extremely elementary. Nevertheless, the study of any existing organizations will bring to light instances wherein nonessential work has been made because there are people there to do it. Or, we continue to do things that require the effort and time of employees just because it has been done that way for twenty years. The point to be made here is that this analysis of work loads as a basis for employing personnel is a dynamic continuing thing which must go on as long as an organization exists.

And so having made a plan, the next problem is the recruitment of individuals to fill the positions. Since we are here discussing public agencies and institutions, I must again condemn the practice of filling positions in the public service on any but a merit basis. There are those who would argue that appointments can be made and often are made on a merit basis without a civil service law and a civil service system. I will grant that such appointments can be made and at times they are made but no one who has had experience or who is intellectually honest would claim for a moment that the political patronage system over the long pull will serve the public as well as a sound civil service system. Without civil service, we build on the sand.

Civil service, in itself, will not insure the recruitment and the retention of high-grade employees. Knowing that services are "bought in the market place" in much the same way as any other item of value, we are inclined to leap at once to the question of salaries. This I believe to be a fundamental error. Our first approach should be through the development of personnel standards for each position or classification. These standards should be established on a basis of our knowledge of the kind of service which will be required to get the job done satisfactorily and adequately in each instance.

And, now having made a classification study and having established employment standards in each classification, it is necessary to fit these classifications and standards to the market. In other words, the employer has decided what he wants in the way of service. Now he must attempt to estimate what he will have to pay in order to get it.

Most wardens and superintendents of institutions are shocked and amazed in the first year of their experience to find that their real problems are not with the inmates but rather with the emotional and personality conflicts of their employees. This problem represents a special area of administrative art. The most difficult class of such conflicts are those which concern the employee's family. This is but another reason for arranging for the employee to live elsewhere than on the institutional reservation.

Another category of emotional conflicts among the employees arises out of the failure of the administration to keep the employee constantly apprised of exactly what is expected of him. The average employee expresses it in the question "I wish somebody would tell me where I stand." This is overcome by a variety of techniques. Some of the more important of these are the publication of a well-developed book of rules and regulations; the holding of regular staff conferences; the training of supervisory officers in methods of dealing with their subor-

dinates; and most important of all the establishment of a continuous program of in-service training for all employees.

In proper indoctrination of employees when they are first employed and a continuous program of in-service training and upgrading from then on is the most important and effective tool which the administrator has at his disposal.

And now finally let me say what is obvious but what is sometimes forgotten by personnel technicians: "Personnel are people." Problems of personnel are problems of dealing with people. Correctional problems are problems of dealing with people at another level. Consequently there is no field of work known to me in which it is more important that administrators should be thoroughly versed in personnel work than in the field in which we are engaged. Reduced to simple terms, good personnel work means:

- "Hire and keep the good ones.
- Organize them into an effective team.
- Train them diligently.
- Lead them wisely.
- Inspire them to reach beyond their grasp."

SWEDISH PRISON SYSTEM

WARDEN GUNNAR RUDSTEDT, *Institution for Preventive Detention, Hall, Sodertalje, Sweden.* (Wardens' Association and Penal Industries Association, September 12, 1947.):

Compared with a great many other nations, Sweden is relatively a happy and peaceful country which has enjoyed peace for nearly 150 years and which has a very homogeneous population, almost entirely native-born. The country has an area of 175,000 square miles, which is a little more than that of California but much less than that of Texas. The inhabitants number about 6,600,000, approximately the population of California or Ohio. The living standards of the people reach few peaks, on the one hand, and no real lows, on the other. The general prosperity is obvious. During recent times social reforms have contributed greatly to giving the public at large a share in this prosperity and to equalizing the living standards of various social groups.

At present we have about 2,000 persons in our penal institutions, or about .03 per cent of our population. To this we might properly add about 500 offenders who have been declared mentally irresponsible by the courts and have been placed in mental hospitals not managed by the prison administration. Outside the institutions there are generally about 8,000 persons on pro-

baion or parole. These figures do not obviously suggest that criminality is low in Sweden but neither do they arouse any sense of alarm.

Our penal institutions are, broadly speaking, divided into thirty walled and twenty open institutions, with an average total of 1,500 inmates in the former and 500 in the latter. Institutions of the open type are often extremely small—simply farms or camps with from 20 to 30 persons in each. Even our walled institutions are small. Our largest prison, in Stockholm, has about 300 prisoners and the two next in size about 150 each.

About 1,000 of our prisoners are serving sentences at hard labor, and of these some 250 are serving time less than one year. At the moment there are only six lifers but there are, in addition, a few dozen murderers in mental hospitals. A murderer in Sweden nowadays is rarely turned over to the prisons. When he is subjected to the mental examination required for every prisoner accused of such a crime, he is usually found to be so abnormal mentally that he must be given hospital care instead of prison treatment. We abolished the death penalty in 1921, but the last execution occurred in 1910.

We have had no crime wave for many years, and public opinion and the press have usually been prone to suggest reforms of our penal system in the direction of increased humaneness. It was very easy for the government to secure the assent of the parliament to a very advanced new Act concerning the treatment of inmates in penal institutions. This Act went into effect July 1, 1946. It rests on the assumption that loss of liberty is the essential element in all prison sentences and that, both from the point of view of prevention and that of public morality, there is no need for any additional toughness in the punishment than that which grows out of the need of separating the prisoner as much as possible from the world outside. A fundamental principle expressed in this Act is that the prisoner shall constantly be treated with respect for his dignity as a human being. All minor details of the institution's management are left to the discretion of the superintendent instead of being, as formerly, regulated by law.

The new Act of 1946, for instance, allows furloughs so that the prisoner at regular intervals may visit his home or take care of other private matters. Earlier, furloughs could only be granted for a visit to a seriously ill relative or to attend his funeral. Now we give furloughs, unaccompanied by a guard, to almost every prisoner who has served about half his sentence, and has shown no direct evidence of social danger, and has been well-behaved and industrious in the institution. Furloughs are ordinarily granted four times a year. At the insti-

tution for recidivists where I am superintendent, 200 furloughs have been granted during one year. Of those furloughed, eight failed to return but were later taken back, while five returned a little late and somewhat intoxicated. I do not consider this record bad.

As preparation for parole, we have also, at a couple of the institutions for younger offenders, experimented with letting inmates work with private employers outside, but returning to the institution to spend the night. This practice has proved satisfactory in institutions located in rural areas or small towns where the inmates remain under a certain control, but it has not stood the test in the big cities. I have found a similar practice applied in certain places in this country.

A Swedish prison guard works 48 hours a week. His salary is like that of Swedish civil servants generally: not very high—between \$100 and \$150 a month, out of which he has to supply himself with uniforms and pay rent, although these costs are often very reasonable. Before he reaches the age of 40 he gets an annual vacation of 20 days. This is increased to 30 days after his 40th birthday. He is retired from the service at the age of 60 and receives a pension at that time amounting to about two-thirds of his salary. Specified amounts are regularly subtracted from his monthly pay check as a contribution toward his pension. A prison warden receives from \$300 to \$400 monthly as salary, and nothing else, but he pays a very reasonable rent for his living quarters. No employee of the prison administration, whatever his rank, may exploit an inmate for his personal benefit. The warden receives an annual vacation of 45 days and is retired at 65. Nowadays a college degree is usually required of the administrator; often he is a lawyer, or a teacher.

I wish to close this address by expressing my admiration for the remarkable manner in which you in various parts of your nation have solved problems of penal treatment of a magnitude and difficulty quite unlike what we have to contend with in Sweden. In your country I have seen institutions so attractive from an esthetic point of view, so well managed in spite of their great size, that they have made an indelible impression on me. It is difficult to compare the prison problems of our nations, but I have learned many useful lessons that I shall carry back home. I want to take this opportunity to express my warm appreciation to the superintendents, wardens, and officers of the penal institutions of the United States for the willing assistance and great hospitality they have shown me.

UNSTABLE OFFENDER

WARDEN JOHN C. BURKE, *Wisconsin State Prison, Waupun, Wisconsin.* (Morning General Session, September 13, 1947.):

The psychopath, as I see him, is impulsive; he reacts more largely as the result of emotional stimuli than as the result of logical and rational approval. He is primitive; he is self-centered and selfish; he does not learn properly from experience; he is not likely to respond to advice. He is shy and self-conscious; he is ill at ease in the presence of others; he is assertive and overbearing; he is a liar and the truth is not in him. He is much given to day-dreaming. He is without ambitions and he has an ambition all out of proportion to his capacities.

When you realize that all of the things I have said and many, many more similar characterizations are true of the psychopath, it must be apparent how perfectly silly it is to set up such a strawman to tilt at; how utterly absurd it is to undertake to shoot such a target with a rifle. To aim at that kind of a target we need a shotgun with more barrels than a dog has fleas!

Every man in every institution possesses one or more of the characteristics, in some degree, commonly associated with the Psychopathic Personality or the Unstable Offender.

You want to know how we Wardens handle these psychopaths in our institutions? The answer is that we handle them as though they were people. We recognize that the men locked up in our institutions do not differ from the men outside the prison in their personality organizations and in their characteristics, unless the difference be in degree rather than in kind. It is true, of course, that some of our men possess psychopathic traits of greater variety and greater intensity than most of the population either behind walls or not behind walls.

If I have the facts, it appears that Wardens have and are trying most every kind of program ever suggested to handle these men. *We beg for help from the Psychiatrists, the Chaplains, the Educators, the Guidance Officers, every person we can corner for an idea. They have been most cooperative and have been of help. With their continued honest help we hope as time goes on we will learn more about the man we have such trouble in handling.*

I have assumed that you do not want my ideas in this talk but that you want my ideas coupled with the ideas of prison administrators over the country. With that in mind, I made a plea to many Wardens and Superintendents of both State and Federal institutions for their ideas. The response was exceptionally good. Here is a summary of their conclusions:

The prison administrator in dealing with the unstable offender:

1. Uses, pleads for, and appreciates the help of the psychiatrist, the psychologist, the educator, the doctor, and everyone who can help with an idea.
2. He recognizes that psychopaths respond more readily to emotional appeals than to rational approaches. He, therefore, personalizes his official relationship with them.
3. He believes that the unstable offender has some capacity for emotional response to group approval and so attempts to create in his institution an atmosphere, a climate of public opinion which makes misbehavior unpopular with the group, and so brings to bear upon the chap we're talking about the full force and impact of group disapproval of misbehavior.
4. Believes that he must emphasize discipline and maintain good discipline before any other part of the program will work.
5. Is sure that steady employment is essential. He can no more help a psychopath without work than he can make bricks without straw.
6. He is further certain that once a man is on a job he must make it difficult for an offender to change until he has demonstrated by his attitude and performance on the one assignment that he merits another. Frequent job changes encourage instability and add to unrest.
7. Is sure that the Disciplinary Court must dispense justice with fairness, free from the spirit of revenge and hatred and without malice and vindictiveness.
8. Is not so certain but finds at least one of his group suggesting that we follow the example of Australia and establish colonies for incorrigible psychopaths on some Pacific Islands.
9. Thinks maybe that we should not attempt to simplify the environment for the unstable offender but rather that we treat and punish him on an individual basis like anybody else.
10. Does not see any real sense to the idea of herding all psychopaths together. He rather believes that (outside

of the very worst) they should be mixed up with the population even though some are troublesome. The administration knows who they are and where they are and that information passed on to the personnel should create an opportunity for treatment and counseling which otherwise would not exist.

11. He is about ready to say that the old custom of saying "ten days in solitary" or "15 days on bread-and water" is expressed with too much ease in some institutions. Give attention to other types of punishment.
12. Believes that if the psychiatrist, the guidance officer and the disciplinary officer take the opportunity to have a serious heart-to-heart talk with this type of individual in the first few days, much trouble with him may be avoided.
13. At least one Warden suggested "Never hamper the fellow who is constantly seeking his freedom through court action because it is less trouble to have him contending on paper with the court than trying to get over the wall."
14. Don't bear down on the psychopath and try to "break him" but rather try to know him well enough so we can anticipate his behavior in various situations.
15. The prison administrator is also anxious to quit talking about psychopaths and to start talking about people. It does us little good to take a man apart unless we put the pieces together again. When the pieces are together we don't have a personality—we have a man of some kind or other.

DR. PAUL L. SCHROEDER, *Superintendent, Institute for Juvenile Research, Chicago, Illinois.*

The unstable offender whose behavior is understood is no problem to the court or penal institution. It is that unstable offender whose behavior is not understood who is the problem. He is soon classified as a psychopath by everyone who had dealings with him. If there is any doubt, the psychiatrist is called and obligingly pins the official label of psychopath upon him. Yet the real problem remains unsolved.

This audience needs no introduction to the psychopath. It is quite likely that if offered, it would be declined. However, so that there be no misunderstanding, a definition of the psychopath as viewed by the psychiatrist follows. Dr. William H. Dunn defines the psychopath as "those 'who dramatize primi-

tive impulses into real action' with the consequent development of 'chronically deviated and pathological behavior.' They manifest this pattern of behavior from childhood or early youth and while they may develop physically and intellectually in an entirely adequate fashion, a particular type of emotional immaturity persists. This is represented by the tendency to act out and by the strong drive to seek for immediate satisfactions and pleasures without regard to the future."

He is often the most vicious of offenders and not unlike the confidence game operator may be shrewd. Criminal justice must not only be swift and certain, but intelligent as well, if society is to be protected from him.

From this review of the literature and special studies made it seems clear that no clinical entity has as yet been defined and that at best the classification of psychopath is a convenient semantic device. It tells how certain persons behave but it does not tell why. Psychiatry has, as yet, no satisfactory explanation. There is not at present sufficient knowledge about, or understanding of, the behavior of the group of unstable offenders to permit common agreement.

Recognizing the fact that nearly 100% of the persons confined for crime ultimately return to society, it must be obvious that punishment is useful only provided it insures that the community will not suffer at the hands of the punished when he is released. The indeterminate sentence law recognizes this principle of the protection of society. Probation and parole are progressive steps in the same direction. Vocational training and classification within the institutions are of similar nature. However, none of these is permitted full expression, due to the control of the prisoner by the action of the courts. It is the court which decides the kind of treatment that the sentenced or committed person shall receive by virtue of its choice of institution to which that person is sent. In contrast to this it can be pointed out that no court would tell a surgeon how to operate for appendicitis.

With this as a basis for re-consideration of certain principles of criminal justice, the speaker proposes that the function of the courts be limited to that which is judicial, and that that which is administrative be turned over to the executive government. Under this provision, the court in criminal proceedings will, in all except capital offenses, concern itself solely with the question of whether or not the accused committed the act with which he is charged. When decision on this question has been reached, the court will then sentence or release him in accordance with the law. In the event that the accused is found to have committed the act, he will be turned over to the

executive branch of government to be held pending his reformation or rehabilitation.

It is granted that this entails extraordinary departure from established custom, and many changes in procedure will be necessary. That it takes from the judiciary some of its prerogatives, will not be happily received. It is, after all, a universal human trait to object to loss of prestige.

The psychiatrist views the unstable offender not only as the individual offender, but also from the point of view of the hindrances and obstacles which judicial procedure places in the way of thorough scientific study and treatment of this offender.

It must be obvious that there is as yet inadequate understanding of certain unstable offenders, the so-called psychopath. However, there is already recognition of the possibility that this type does not exist as a clinical entity, but that a number of types may make up this group and that many among them, in fact, most of them, are not psychopaths at all. It seems evident that it is not enough for the psychiatrist and prison administrator to concern themselves with the diagnosis and treatment of the psychopath. It is necessary also that consideration be given obstacles which judicial procedure places in the way of progress in dealing with the problem of the unstable offender.

PRISON SUNDAY DIVINE SERVICE

DR. DONALD H. TIPPETT, *Pastor, First Methodist Church, Los Angeles, California.* (National Chaplains' Association, September 14, 1947.):

The Elder Pliny tells the story of the Greek painter Apelles who, desiring honest criticism of one of his paintings, hid himself behind it and listened to the comments of the passers by. It was not long until a shoemaker, passing that way, observed that the shoes had one latch less than the current style approved. Apelles, pleased to have this suggestion, corrected his mistake and waited a second day for further criticism. The shoemaker, noticing that the shoes had been repaired, began to criticize the leg whereupon the artist reminded him to "stick to his last."

I am afraid that my role here tonight is not unlike that of the shoemaker. Here I am a layman in the midst of experts called upon for my critical judgment of work in which you are professional and I am but an amateur.

There was a time, of course, when no one was a professional in the field of welfare work, but even in such a time as that there was recognition on the part of the better minded men and

women of their responsibility for the destitute, the aged, the orphan, the widow, the sick and the handicapped. I suppose there has never been a society, not even the most primitive, that has been entirely without some measure of charitable concern for its weaker members. That concern expressed itself in various ways, some of them contradictory to our own as, for example, the extinction of the aged and weaklings.

From the day of the great prophetic movement of the eighth century B.C. the Judeo-Christian tradition has made synagogue and church conscious of a responsibility for the poor, the orphan, the widow—and later for the sick in church-supported hospitals and still more recently for education which resulted in church-sponsored schools which for a long time were the only schools.

The church and community, however, have been slower to accept responsibility for the prevention of delinquency. They have felt that punishment rather than correction was the way to stop crime. This idea swept over the entire field of penology and dominated it for many years. Our penitentiaries were for punishing men and women who had violated the law. It was in comparatively recent times only that punishment gave way to correction as the objective of our penal institutions. Even in some cases we have changed the nomenclature, calling them "Institutions of correction." Today as the result of the long years of Jewish and Christian teachings that human values are the highest values the major objective is no longer punishment but correction or redemption. To conserve and save human values first, by preventing the commission of wrong, to cause the child to grow in the right direction, and second, if he should fall, to salvage him, transforming him from a criminal into a good citizen; this is the current task of church and community.

Perhaps the greatest role the church can play in the prevention of delinquency and crime is that of pioneering and discovering those objectives which have not yet been discovered by the community as such and then to yield them to the whole community as soon as the community recognizes its responsibility therefor. And since most social transformation goes back to someone's sensitized conscience its task is that of stabilizing conscience wide awake in individuals and in the community at large. The first large scale prison reform illustrates what I am trying to say. John Howard, having heard John Wesley preach, felt constrained to act upon what Wesley had propounded and so, returning to his native Bedfordshire, started there his life mission which was to carry him far and wide and throughout the remainder of his lifetime in prison reform.

TREATMENT TECHNIQUES

PRICE CHENAULT, *Director of Education, New York State Department of Correction.* (American Parole Association, Correctional Education Association, National Probation Association, General Session, September 15, 1947.) :

Inmates of penal and correctional institutions are human beings, many of whom are potentially able to live in accordance with the demands of society; they are deficient individuals, many of whom have remedial defects; they are individuals who differ widely, physically, mentally, emotionally, and spiritually. Each incarceration is a link in a chain of events as long as life itself. Whatever is done for the inmate while incarcerated, for good or for bad, must be done within the confines of an abnormal environment. Organized education is one of the most direct approaches made by an institution to prepare inmates for post-institutional living. As a matter of fact, organized education (and I am referring to education in a somewhat limited sense, at this point) can have only two purposes or excuses for existing in an institution, namely: preparation of inmates for living more harmoniously and usefully in the institution and, secondly, preparation for successful living on the outside. The influences of people in the rehabilitative processes are greater than facilities and programs: (too frequently the human relations element is lost sight of and bigger, better and balmy prisons become the watch words). The whole individual as an individual must be considered in providing treatment programs if we are to work in accordance with a widely accepted philosophy of influencing human behavior. And finally most inmates will return to society in a comparatively short time and practically all of them will return eventually.

Regardless of how narrow or how broad our concept of institutional treatment may be, the treatment has to start at some point. It may begin in a Reception Center, a quarantine unit or by some "hard boiled" principal keeper who says "we need some more cooks, you are being assigned to work in the kitchen, keep your nose clean." If a defensible approach is to be made to the program of treatment, based upon scientific facts, a clinic or classification board must be brought into the picture early for careful study and examination of the case and the facts pertaining thereto. Time will not permit me and I am sure if it would, I could not improve upon the discussion dealing with the functions and procedures of a Reception Center or a classification unit as recently presented by the Committee on Classification and Case Work of The American Prison As-

sociation in the "Handbook on Classification in Correctional Institutions."

One of the obvious needs brought to light by the establishment of the Reception Center in New York was for closer coordination and a better working relationship among judges, probation, institutional and parole officials. Numerous meetings and conferences have been held to work out better operating procedures between and among these groups.

We are slowly coming to the time when education must be designed for the purposes we hope to achieve. In the correctional field the purpose for which education is designed has not been too clearly stated and the procedures used have been transplanted from totally different situations. Most of them were not even appropriate for educating those on the outside, otherwise institution populations would likely be smaller than they are. Most educational systems are still using a pattern cut for educating the upper crust of five per cent of our population, who might go to college. We have a job of educating or re-educating the lower one-tenth of one per cent. A very thin crust, nevertheless, a very important one. If we are to improve the health, working conditions, family relations, use of leisure time, and world understanding, we must design education that has some chance of doing these things for the group that we hope to help to prepare for return to society.

INTERNATIONAL APPROACH

HON. SANFORD BATES, *Commissioner, New Jersey Department of Institutions and Agencies, and President, International Penal and Penitentiary Commission.* (Evening General Session, September 16, 1947.):

The International Penal and Penitentiary Congress was formally launched in the year 1872. The membership of the United States of America in this organization dates from the early 1890's.

Interrupted in its progress by two wars, hindered by lack of sufficient funds, it nevertheless set up in Berne, Switzerland in 1926 a permanent secretariat and has distributed information to keep the various commonwealths of the world advised as to progress in the penal field. As many as fifty-five countries have participated at one time in its periodical congresses. The governing body of the international movement was called the International Penal and Penitentiary Commission, and it comprises delegates appointed officially by their governments with a small contribution based upon a stated formula.

Perhaps the most important single contribution made by the International Penal and Penitentiary Commission, and that means by any organization, was the formulation and promulgation of a set of rules for treatment of prisoners which was completed in 1932, adopted, approved and disseminated by the League of Nations. So far as I know, this is the only international attempt to establish certain fundamental standards of prison management. Of course, no one can tell what effect it has had upon prison reform in the various countries. That would take something more in the way of research than we have been able to undertake. But at least the standards have been stated and any government desiring to be informed as to these standards can secure a pamphlet for reference.

Progress was temporarily stymied when a resolution was adopted by the General Assembly to the effect that no international organizations, governmental or nongovernmental, would be admitted to conference with the United Nations in which Franco Spain held membership. For many years the Spanish representative had attended the International Penal and Penitentiary Congress meetings and sometime before the August meeting had paid dues in this organization. Recently, Spain announced its withdrawal from the International Penal and Penitentiary Congress although it expressed hope of eventual cooperation.

The International Penal and Penitentiary Congress has performed useful service in the field of world penal reform but there is still a great deal to be done. I doubt whether it is necessary to dissolve the International Penal and Penitentiary Congress before making it possible for the Social Commission of the United Nations to proceed in its efforts. I see no reason why both of these organizations cannot proceed, each within its own field, to do the things that need accomplishment.

If the principles laid down are maintained and if the International Penal and Penitentiary Congress can figure as a voluntary association of professionals, experts if you will, and can be backed up and supported and implemented by the political group represented in United Nations, there is no question that greater progress can be achieved than was possible heretofore.

As soon as the protocol has been established, the political considerations have resolved themselves, and the situation develops to the point where we can evolve a united professional attack upon the insufficiencies and dangers of our present penal system, there is much to be done. It can only be done through some kind of international organization. It seems to me that that international organization would take two directions: one,

the consultative, advisory and volunteer associations such as is possible under the International Penal and Penitentiary Congress at its periodical meetings; and two, the compulsive sponsorship of such reforms as are generally agreed on which can only come from an organization such as the United Nations which does have some power behind it.

Can we help but feel convinced that the day of international cooperation is really at hand? Let us hope that the United Nations will take hold with all the forcefulness and intelligence that they can command, that they will in due time call upon the International Penal and Penitentiary Commission for its experience, its help and the knowledge which it has gained and the acquaintances which it has formed over the last three quarters of a century.

If the prison problems of the world are to be solved, it will be by those who have given their lives to their solution: by the students and professors, the wardens and administrators, the physicians, psychiatrists and social workers who have met the prisoner face to face. It will not be solved by the political representatives for the countries unless they confer with and follow the suggestions of those who have given their lives to the most baffling and difficult department of civil administration, namely, prison administration.

FINANCIAL STATEMENT

THE PRISON ASSOCIATION OF NEW YORK
GENERAL FUND
STATEMENT OF INCOME AND EXPENSES
YEAR ENDED DECEMBER 31, 1947

INCOME

Donations—special purposes		
The Greater New York Fund	\$1,845.00	
Other funds	4,408.97	\$ 6,253.97
Donations—unrestricted	14,006.00	\$20,259.97
Endowment Income		
Interest on mortgages	591.89	
Interest on bonds	1,650.50	
Dividends on stock	14,294.43	16,536.82
Total Income		36,796.79

EXPENSES

General administration	17,191.30	
Relief—prisoners and families (cash, food, clothing, etc.)	10,746.80	
Relief—administration	3,411.00	
Employment—administration	3,937.00	
Appeal—administration	2,615.00	
Traveling expenses	77.59	
Printing and stationery	879.79	
Postage	398.91	
Telephone and telegraph	276.45	
Auditing, legal and legislative services	322.00	
Periodicals, custodian fees and miscellaneous	618.01	
House maintenance	2,308.55	
Total Expenses		42,782.40
NET LOSS FOR THE YEAR		\$ 5,985.61

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, 1947. In our opinion the statement of income and expenses shown above presents fairly the results of the operations for the year ended at that date.

(signed) WEBSTER, HORNE & ELSDON

New York, N. Y.
May 4, 1948

Webster, Horne & Elsdon
Certified Public Accountants

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,

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

ARTICLE THIRD

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

ARTICLE FOURTH

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

ARTICLE FIFTH

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

ARTICLE SIXTH

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

ARTICLE SEVENTH

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

ARTICLE EIGHTH

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary embers 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.†

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:

* As amended by the Executive Committee of the Association at its monthly meeting on Thursday, December 17, 1931.

† At the February, 1938, 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The treasurer shall keep an account covering the general fund in the name of the association, subject to his check as treasurer in such bank as may be selected by him and approved by the committee on finance.

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

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

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