

STATE OF NEW YORK

THE ONE HUNDRED AND SEVENTEENTH
ANNUAL REPORT

OF THE

Correctional Association of New York

135 East 15th Street, New York

1961



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

January 29, 1962

HON. MALCOLM WILSON,

Lieutenant Governor and President of the Senate:

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

SIR—In accordance with Chapter 163 of the Laws of 1946, we have the honor to present the One Hundred and Seventeenth Annual Report of The Correctional Association of New York, and to request that you will lay the same before the Legislature.

Respectfully,

THE CORRECTIONAL ASSOCIATION OF NEW YORK

By MELBER CHAMBERS, *President*

E. R. CASS, *General Secretary*

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

PREFACE

This is an official report of the Correctional Association of New York to the Legislature of the State of New York, which has been made annually since 1845, and constitutes the one hundred and seventeenth of the series.

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

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THE PROBLEM — — THIS WE SHOULD PONDER

WHOSE IS THE FAILURE?*

The medical screening program at Albany County's jail has produced some interesting sidelights, in addition to the health data which the first annual report now reveals.

Without question, these sidelights—for which we are indebted to Dr. Robert P. Whalen, health commissioner—imply a heavy causative relationship between the man who reaches jail and the society he has offended.

In regard to his schooling: While increasing emphasis everywhere goes on "better training . . . more preparation . . . education," about six of every ten of these jailed men had no more than a grade school education—they had left school at 14 or so, or had reached a deadend in schooling while in one of the grades at 16. Yet nearly two-thirds of these men are under 45, and so should have been reaching the peak of their education no earlier than the mid-1930s.

On social behavior: Half the prisoners were heavy drinkers. This is many times the figure for the population as a whole—and warrants some sober reflection on the link between alcohol and crime.

On jobs and unemployment: Only one out of twenty of these prisoners had steady employment. Among 500 prisoners, 475 were subject to the tides of seasonal work, the vicissitudes of layoffs and shutdowns, the first-to-go fate of the unskilled, the inevitable firing of the chronic absentee (in addition to their drinking habits, nearly one-quarter needed immediate medical care upon incarceration).

On family status: Three-quarters were living as single men or women, rather than in a home with husband or wife.

In a season of rejoicing, we all might do well to ask ourselves what kind of nether-world we have committed some substantial part of our fellow-citizens to inhabit: alone to face life's buffets, suffering unattended poor health or victimizing themselves with bad habits, unprepared to earn a living and chronically unable to take their places as regular producers and bread-winners. That they have fallen afoul of the law scarcely can be wondered. What we should wonder about, perhaps, is why our schools, our churches, our society have failed in such cases as these, and how long we can afford such luxuries as these crime-breeding conditions and the toll they obviously demand.

* Editorial, Albany Times-Union, December 16, 1961.

THE CORRECTIONAL ASSOCIATION OF NEW YORK
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CROSS, ALEXANDER, BABCOCK, MRS. BALLANTINE, SCHULTE

¹ Deceased May 14, 1961

² Elected May 23, 1961

³ Elected May 25, 1961

EDITORIAL
THE NEW YORK TIMES
Thursday, February 9, 1961.

MAKING PUNISHMENT FIT

During its more than a century of existence the Prison Association of New York has been dedicated to the propositions that crime and delinquency cannot be reduced merely by stricter enforcement and longer periods of detention and that the aim of "correction" in penal institutions should be to make those who are released from them more of an asset to the community than a liability. Each year the association makes a series of recommendations to the State Legislature which will apply these beliefs in action to deal with current needs. Several of the seventeen it has made this year are of special interest.

The association holds that the punishment meted out by judges should not only fit the crime but also the character of each individual defendant, as far as that is possible within the limits of the law. One of the recommendations made this year is directed to that end: that the State Judicial Conference be given the authority and funds to establish an "Institute on Sentencing" which would clarify the findings of science in relation to sentences to the end that recognized criteria be developed to aid judges in passing judgment on defendants.

The association also urges several measures to improve the quality and functioning of state personnel engaged in custodial activities. For instance, it calls for an Academy of Correctional Training in the State Department of Correction. The state did a great deal when it placed its staff under Civil Service. But much more could be done by in-service training programs such as the city's Police Academy provides. The association also favors the extension of Civil Service to the personnel of county-operated detention units. These and other proposals made by the association deserve careful consideration by the Legislature this year.

IN MEMORIAM

Charles C. Auchincloss

1881 — 1961

With a deep devotion to God and his fellow man and an unshakable belief in the fundamental dignity of man; with sympathy and understanding for the less-chanced of the nation, and generous of his time, talents and treasure beyond compare; humble to the ultimate, loyal to friends and beloved by all who knew him. This was Charles C. Auchincloss.

Charles C. Auchincloss, as a member of the Executive Committee and Treasurer for forty-seven years, was a keystone of the Correctional Association of New York both spiritually and materially. His unbounding energy and interest in social betterment bespeaks of his concern for all mankind. Few have been great enough to recognize and appreciate the confusion and hopelessness, the need for a helping hand to those who have erred and the importance of a pristine administration of justice.

Attending two of the greatest Ivy League Schools in America, Yale University and Harvard Law School, he excelled athletically as well as intellectually earning his "Y" as a member of the varsity crew.

On two occasions he served his country in time of war—during World War I as a Captain in the Field Artillery and during World War II as Chairman of the Officers' Service Committee.

The business and economic world knew well his acumen in finance which was exhibited during his membership on the Board of Directors of various corporations, and as Senior Partner of a prominent and long established brokerage firm.

His desired heritage was the living memorial of the Correctional Association of New York which best expressed his deep feelings for other people.

His loss is deeply felt.

THE CORRECTIONAL ASSOCIATION'S
RECOMMENDATIONS
TO THE 1962 LEGISLATURE
STATE OF NEW YORK

OBSERVATIONS AND RECOMMENDATIONS

THE URGENCY OF THE CRIME PICTURE

Crime and delinquency with their associated social and political evils still represent one of the great problems of our time. In spite of billions spent to combat it, crime continues to feed upon the vitals of the nation with increasing vigor. Over the past 15 years since the close of World War II, we have seen a general increase of both juvenile and adult crime—an increase of startling proportions. Alarming situations have been uncovered showing that organized criminal syndicates bilk the the public out of millions of dollars annually. Corruption in high places, assaults on police on the neighborhood streets, robberies and rapes are every day occurrences. Yet in the face of all this we continue to pass laws which we do not enforce; we authorize crime prevention programs which we do not support; we spread crime information of a sensational nature with morbid avidity; we set up laws and judicial systems which are often more protective of individual criminals than they are of society; we give open countenance to organized vice which corrupts our police and public officers; we give lip service to moral precepts which we do not practice; we worry about our children while we patronize the bookmaker who corrupts our public representatives in order to stay in business; we demand the death penalty for heinous offenses while, at the same time, permitting hundreds of homicides to go unsolved. We demand that people be sent to prison to work at hard labor and to suffer the miseries of loss of liberty, yet we refuse to pay the price for buildings to house them or beds for them to sleep in or even to provide them with meaningful work. And, conversely, we demand the scalps of parole boards who turn prisoners loose.

That is the picture today—and a dim one.

CRIME PICTURE TO GET WORSE

Looking to the future one must be alert to the fact that there are strong suggestions that the crime problem will get even worse before it gets better. An even darker picture is painted.

The State of New York must take sound constructive steps towards controlling this very serious social problem which is a cancer eating at the very roots of our society.

We have facing us in New York the post war babies coming into the peak crime producing age range of 16 to 25. The same population boom that makes for crowded colleges also produces crowded prisons, for the customers of colleges and prisons are of

similar ages. Secondly, the economists indicate that we are likely to have more unemployment even in times of greater prosperity than previously prevailed. This is due to rapid automation and the movement of industry, creating severe shortages of man power in certain specialized occupations but also making other occupations obsolete and sharply reducing the demand for unskilled and semi-skilled workers. A number of studies demonstrate that there is a close relationship between crime and employment for persons aged 16 to 25. Those who are both youthful and unskilled are particularly likely to have high rates of unemployment and of crime. (See Appendix "A" for a paper entitled "America's Youth in a Troubled Age" presented at the 1961 Congress of Correction of The American Correctional Association. This relates to the broad youth problems facing the United States.)

THE NEED TO CHANGE UNSUCCESSFUL APPROACHES

For a state to develop a sound constructive program for the protection of the community, it cannot hope to solve the problem of crime and delinquency merely by stricter enforcement and longer periods of detention. It cannot sweep all of its social problems under the rug of its correctional institutions. It cannot assume that offenders are corrected merely by being placed on probation, or by a commitment to a prison or a reformatory without providing necessary facilities and personnel to work, using the modern knowledge of the behavior sciences to correct, train and treat those committed to their care. Much in the way of theory has been developed over the years but not enough has been done in the way of practical experimentation of these theories. The reluctance of many to provide for the more adequate protection of the community by relinquishing a belief in the panaceas of "passing new laws" and "increasing punishments" reveals an ignorance of the total crime picture and an appalling lack of reliable information.

— Failure to provide proper and adequate facilities and treatment for alcoholics and narcotic addicts, assuming that commitment to a jail "solves" the problem indicates a lack of knowledge of the complete ineffectiveness of such handling and the great economic cost of this practice to the community. Alcoholism is classified by the American Medical Association as a disease and as such requires medical not correctional treatment.

— Failure to allow for the development of a wide variety of group treatment programs into which individuals with the same general correctional needs can be placed indicates a complete ignorance of the individual differences of human beings.

— Failure to develop a sufficient number of forestry camps,

preparole camps and other minimum security facilities for both the younger and older offender is, from our point of view, extremely shortsighted when one considers both the rehabilitative and the economic advantages involved.

— Failure to provide a sufficient number of professional personnel in practically all areas of the administration of justice indicates a vague wishful thinking that "something constructive" will happen to the individual just by being on probation, institutionalized or on parole.

— And the failure to provide sufficient meaningful employment for inmates in correctional institutions reveals a complete lack of knowledge of the stultifying effects on a human being of enforced idleness, make believe work or grossly over-manned job assignments, and the ensuing welfare cost when the individual is released to the community of the failure to instill the proper work habits and training while he was institutionalized.

Not only must offenders be trained academically and vocationally and their physical needs be met, but the most strenuous efforts must be directed to *the building of character* to accept, believe and behave according to the values of honesty, industriousness and the Golden Rule — to believe in the dignity of man and the rights of others. A State that does not provide for this protection of its social heritage is allowing the very roots of its way of life to wither. (Because of the importance of this broad sweep of correction, the address of the President of The American Correctional Association, entitled "Contemporary Correction — A critique," presented at the 91st Congress of Correction in 1961, is included as Appendix "B.")

CONSTRUCTIVE STEPS

To cope with the tremendous problem facing us today and to prepare for the anticipated increase in crime and at the same time in an effort to maintain New York's rank among the leaders in Correction, the following recommendations are commended to your serious study, aimed directly at accomplishing the true purpose of correction, namely, to release from institutions, probation and parole supervision, individuals who will be self sustaining and more likely to be an asset rather than a liability to the community.

MERITORIOUS SERVICE

It is fortunate for New York State and New York City to have such competent and capable Commissioners of Correction. State Commissioner Paul D. McGinnis and New York City Commissioner Anna M. Kross have steadily and progressively guided the affairs of their respective departments. The fulfillment of a public

trust through daily earnest labors has been their notable characteristic and the results are worthy of recognition and praise.

RECOMMENDATIONS*

RECOMMENDATION I. BAIL BOND ABUSES AND LIMITATIONS

That an added and specific directive to examine into abuses and limitations relating to the bail bond system be given by the Legislature to the Commission authorized by Chapter 346 of the Laws of 1961 to revise and simplify the penal law and the code of criminal procedure.

Comment: The practices of bail bondsmen and others has from time to time been referred to as the "bail bond racket." The situation relative to the operation of the bail system in Kings County received considerable treatment as a part of a report (1938-42) of an investigation conducted by Assistant State Attorney General John Harlan Amen at the request of Governor Lehman. While some progress resulted from the glaring disclosures of this report it would seem that another examination into the operation of the system in the five boroughs of New York City is timely, especially in view of the recent protest by District Attorney Edward S. Silver of Kings County relating to bail bondsmen and the over-all characterization of the bail bond system by the Chief Justice of the Court of Special Sessions, John M. Murtagh, to wit: "The bonding business has been a cancer on the administration of the law for a long time."

The law specifies that a person who goes bail more than twice a month, or for a fee, is engaged in the bail bond business and must be licensed. This does not necessarily mean that his behavior is always under scrutiny or within the limits of ethical practice or justice to his clients.

An over-all observation regarding the bail system, irrespective of abuses by bondsmen and others, is the broad question of to what extent is the bail system used and who are the chief beneficiaries. An enlightening research project on the administration of the bail system in New York City begun in 1961 by the Vera Foundation with the co-operation of the New York University School of Law reveals that:

"Defendants are severely handicapped in preparing their defenses. They are unable to earn money to hire a lawyer and pay for investigation. They cannot help locate witnesses. They must consult court-appointed counsel not in the privacy and convenience

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

of an office but in jail. The defendant enters court in the company of a guard, a fact not lost on jurors. If convicted, he is unable to point to employment and good conduct while on bail as grounds for probation; if found not guilty he has needlessly suffered the degradation of jail and his family has been punished as well. There is good ground for suspecting that the outcome of his case, as to both judgment and sentence, is materially influenced by whether he is in jail or on bail."

A 1958 study by the University of Pennsylvania showed that "in the cases studied, 28 per cent of those defendants whose bail was set at \$500 could not make it; 45 per cent were unable to raise bail when it was set at \$2,000."

There are many facets relating to this problem and one that certainly must not be overlooked is the congestion of population in the limited detention facilities of the New York City Department of Correction caused in part by those cases where bail is permissible but cannot be arranged. A sample of the injustice of the situation is revealed by the following illustration identified with a news release of January, 1962, relating to the above mentioned study, issued by the National Council on Crime and Delinquency.

1. Mickey Cohen, Los Angeles racketeer, has been released on bail for \$100,000 pending appeal from his conviction for income tax violations.
2. An eighteen-year-old youth has been released from jail in Brooklyn, N. Y., after being held for trial for over a year on a car-theft charge because of his inability to make bail.
3. Most of the professional bondsmen in Brooklyn refused, in December, 1961, to bail out prisoners because of a dispute with the district attorney over refunds on forfeited bonds. According to New York City Correction Commissioner Anna M. Kross, the "strike" created an emergency situation at the congested Raymond Street jail, where persons being held for trial "may have to sleep on the floor if this continues."

RECOMMENDATION II. SELECTION OF JUDGES

With the approval in November 1961 of the Court Reorganization Amendment to the Constitution only part of the task of providing the State of New York with a modern court system has been accomplished. To insure the highest level of criminal and civil justice it is strongly recommended and urged that a study and examination in depth be made of the present procedure whereby judges are selected.

Comment: New York is one of the states which has elective judiciaries. The elective method appears to work without much com-

plaint in upstate New York where a voter may have a pick of a new judge once in several years and can give the candidate ample scrutiny; but in the hurly-burly of a metropolis slightly less than 200 judges are elected in our disorderly tangle of big courts—Supreme Court, County Court, General Sessions, City Court, Surrogate and Municipal Court! The newspapers here pay scant attention to judicial contests—there are too many such affairs within their great ten county scope—and the voters have nothing to go by except a blind and unconfident faith in the party label which is there on the voting machine to guide their uncritical thinking. A canvass of any hundred voters as they hurry away from the polls would disclose 90% of them could not offer any reason for their vote for a judge beyond that party label! And would indeed have difficulty in recalling the names of the candidates they have just voted for the judicial post!

In New York City getting judges by election does not work—it fails to obtain any real verdict from the voters.

For these reasons The Correctional Association of New York strongly urges that a study of the selective process of judges in the metropolitan area be made and that serious consideration be given to some of the proposals which have been developed by such groups as the Citizens Union of New York City and others.

RECOMMENDATION III. INFREQUENCY OF GRAND JURY SESSIONS

That the Legislature study situations which develop in counties outside New York City because of the infrequency of grand jury sessions.

Comment: The infrequency of grand jury sessions in counties outside New York City often results in the long detention of persons charged with crime. Those who are fortunate enough to obtain bail are not affected.

A situation such as the following is not unusual in upstate counties: A youth or adult is committed to the county jail charged with a crime and ordered held for the grand jury. Let us assume this is a day about mid-May and the grand jury has adjourned on the same day and will not convene again until sometime in October. In the interim the person unable, or not permitted, to obtain bail is held in close confinement and, especially if a youth, exposed to indiscriminate and harmful associations in the jail. When the grand jury convenes in October he is either indicted or released. If indicted he must stand trial, which means more time in jail and added bad association. If convicted he may be placed on probation or be committed to a State correctional institution.

If he is not indicted he is released from jail. In the meantime his health and morals may have suffered, his job lost and, if married, his family made to suffer and perhaps become a public charge. This in reality means loss of freedom and suffering by an innocent person without redress or compensation.

A grand jury may be drawn for a county court upon application by the district attorney to the court which, if granted, would ease the situation described above. The statement is made that it is difficult to assemble grand juries outside of the regular sessions since citizens are reluctant to serve because they have their personal business or employment commitments.

It would seem logical that there should be mandatory language inserted in the Penal Code requiring that those summoned be obliged to appear and serve unless they can show good reason for being excused.

RECOMMENDATION IV. ESTABLISHMENT OF AN INSTITUTE ON SENTENCING

That the authority and the necessary funds be provided for the establishment of regular institutes on sentencing through the State Judicial Conference or the Reorganizational Office of the Courts contemplated under the Court Reorganization Amendment to the State Constitution. These institutes might be patterned after provisions of the bill passed by the 85th Congress in 1958 (now public law 85-752).

Comment: Such institutes would render assistance to the Judiciary to promote the equitable administration of the criminal laws taking up the question of sentencing with particular reference to disparity of sentence. There is no desire to curtail the freedom of the functioning of the courts but rather to render assistance. The two institutes on sentencing under the auspices of the Judicial Conference of the United States already held have indicated the potential value of this kind of an assembly.

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

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

“The agenda of the institutes and joint councils may include but shall not be limited to: (1) the development of standards for the content and utilization of presentence reports; (2) the

establishment of factors to be used in selecting cases for special study and observation in prescribed diagnostic clinics; (3) the determination of the importance of psychiatric, emotional, sociological and physiological factors involved in crime and their bearing upon sentences; (4) the discussion of special sentencing problems in unusual cases such as treason, violation of public trust, subversion, or involving abnormal sex behavior, addiction to drugs or alcohol, and mental or physical handicaps; (5) the formulation of sentencing principles and criteria which will assist in promoting the equitable administration of the criminal laws of the United States."

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

The subject of disparity of sentences has been referred to in the Recommendations of this Association in its Annual Reports to the Legislature over the years.

RECOMMENDATION V. SEX OFFENDERS

That the Legislature examine into the application and operation of Chapter 525 of the Laws of 1950 with particular reference the use of this law by the courts.

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

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

With regard to the application of the law to inmates of institutions, cursory observation suggests that there is room for further orientation and functioning. It is recognized, of course, that the Department of Mental Hygiene which is very much interested in the subject has been confronted, and still is, with the problem of qualified and adequate personnel to conduct research and treatment programs but this condition should not be permitted to serve

as the full explanation of what appears to be a serious inadequacy. It is recognized that the sex offender is a baffling problem but we cannot stop there and be content with that observation if we are to give the public the kind of protection it needs.

RECOMMENDATION VI. DISCRETIONARY REDUCTION OF SENTENCES OF STATE PRISON INMATES

That the Legislature give serious consideration to the question of whether there should be a revision of the law (Section 230 of the Correction Law particularly) regarding the discretionary reduction of the sentence of state prison inmates for "good conduct and efficient and willing performance of duties assigned."

Comment: It is a well recognized penal philosophy that prisoners, regardless of the nature of their crime, are nevertheless deemed to be human beings and are likely to be responsive in the direction of self-improvement with the aid of an incentive. For this reason the State of New York has from time to time adjusted the law in this connection in keeping with the thinking of the times in the interest of justice.

Presently, prisoners serving an indeterminate sentence may receive a reduction of sentence not to exceed ten days for each month of their minimum sentence. The serving of the minimum sentence, less good time, makes a prisoner eligible for consideration for parole. If he is not paroled he must continue to serve (unless later paroled) the unexpired portion of his maximum sentence, but without the benefit of the reduction for "good time and efficient and willing performance of duties assigned" earned on his minimum.

Herein lies the basis for some of the recent complaint by prisoners, their feeling being that not having been paroled they lose the advantage of good time already earned and are not permitted to benefit further because of the fact that good time is no longer allowed after the expiration of the minimum.

The Correctional Association of New York believes in incentives for prison inmates and further, as an Association, is largely responsible for the introduction of the indeterminate sentence and parole in this State and country. For decades the Association has been a champion of good parole and vigorous opponent of inadequate parole organization and administration.

In view of the above, and in the interest of justice and the public welfare, we strongly suggest that the Legislature take another look at the matter of "good time allowance" for state prison inmates and its present application, as well as perhaps a review of the Correction Law in its entirety.

RECOMMENDATION VII. PROGRAMS OF THE DIVISION FOR YOUTH

That the Division for Youth be enabled to receive payment for the board and keep from those youths financially able because of outside employment who are under the Division's opportunity home and youth rehabilitation home programs.

Comment: We feel that it is only fitting and realistic training that those employed youths residing in the youth rehabilitation or youth opportunity homes, while gainfully employed outside such homes contribute to their own support in the homes.

It is quite appropriate to require such young persons who are employed who would normally contribute to their own support in their own homes to contribute to their support in a youth division home. This down to earth procedure proposed by the Division for Youth can be accomplished by an addition to Executive Law 502.

COMPENSATION TO THOSE IN THE PROGRAM

We further urge legislative support to the proposal to add to Executive Law S. 503 entitled "Earnings of Youth" to allow for the compensation of youngsters in youth opportunity and youth rehabilitation centers for the work that they perform for the state.

While the estimated cost of providing a nominal incentive pay which would permit the Division for Youth to recognize work satisfactorily performed thereby contributing to the morale and program effectiveness in this operation is a pittance compared to the amount of constructive labor they provide the state — the payment can make the difference between a bitter vengeful lad who feels that he is being exploited and one who through his ability to provide for his own minor needs avoids the indignity of relying on his own colleagues or staff members. While the compensation is basically symbolic, its effect on the redirection and retaining of youth can be great.

In our Recommendations last year we urged that every possible legislative aid including especially adequate financial support be given for the fulfillment of the comprehensive plans developed under the earnest and able leadership of the Division for Youth for its program of the "Youth Opportunity" "Youth Rehabilitation" centers aimed at the prevention and treatment of juvenile delinquency.

The Legislature should be commended for the support they have provided in the past to this newly created division which in its eighteen months of operation under the leadership of its director Alexander Aldrich has shown progressive and energetic activity in seeking solutions to the baffling problem of juvenile delinquency

and youth crime. We feel that such progress that has been made by the Division for Youth has come about only because of the understanding and support of the Legislature.

In conclusion we most earnestly urge continued legislative understanding and support of the division's legislative program for 1962 which in addition to the above Recommendation regarding compensation from and to youngsters under its care would enable the division to establish non-residential youth and working training programs which would provide supervised work experience and group counselling for school drop-outs who lack the basic skills and work attitudes necessary to benefit from employment placement services presently provided by the Youth Employment Service of the Department of Labor and other agencies; modify the intake procedure adding public welfare officials to those who might make referrals of youths to opportunity centers; and add to Executive Law 506 which would authorize the Division for Youths to receive and administer grants of federal funds made available under the Juvenile Delinquency and Youth Offenders Control Act of 1961 and other similar legislation expected to be enacted in the next session of Congress.

The control and treatment of juvenile delinquency requires constant, vigorous and vigilant action on the part of all, particularly those charged specifically with the task and they must be provided with the necessary tools.

RECOMMENDATION VIII. WHITE HOUSE CONFERENCE FOLLOW-UP

The Correctional Association of New York recommends that the Legislature not lose sight of the deliberations and findings of the White House Conference on Children and Youth called by the President of the United States in 1960 and be alert and responsive to the follow-up activities of the New York State Division for Youth and the New York State Council on Youth whose responsibility it is to provide the follow-up machinery as directed by Governor Rockefeller in his pre-session memo on Youth of December 1960.

RECOMMENDATION IX. EMPLOYMENT FOR INMATES OF CORRECTIONAL INSTITUTIONS

That the Legislature examine into the need of increased productive employment of prisoners who are being maintained at the expense of the taxpayer.

Comment: A serious problem facing correctional administrations and one with far reaching effects upon the public welfare situa-

tion in local communities is the full employment of the inmate body. Failure to provide sufficient productive employment for inmates in correctional institutions not only produces monotony and idleness which creates discontent and is the breeding ground of trouble in prison but also has a stultifying effect upon human beings. When inmates are held in enforced idleness, engaged in grossly over-manned job assignments or given "made work," a public welfare problem is projected on to the local communities upon release. At the same time prisoners who do not earn at least the cost of their maintenance are an added burden to the taxpayers. The failure to instill proper work habits in incarcerated persons because of a lack of employment possibilities within the correctional institutions is bad basic training for the individual and tends to create this unemployable and "unemployable" problem later on.

Inmates should be required to work while in institutions. This is an economic essential on the part of free law-abiding persons. Inmate idleness now is not of their own choosing. It is because the state has failed to provide the work.

To deal with this vacuum we would propose that consideration be given to the creation of a Correctional Industries Advisory Council comprised of representatives from labor and industries to advise on the means of expanding the industrial program wherever possible to provide work for inmates in keeping with the Provisions of the State Constitution Article 3, Section 24. The well demonstrated Federal Prison Industries Board and those of other states have clearly shown the value of such a council. This we feel would be a step toward ameliorating any dependency problem which develops as a result of demoralizing idleness because adequate work outlets are not provided to the institutions.

In spite of the present grave situation of insufficient work for inmates in the institutions, efforts by vested interest groups are constantly being made to curtail even those few employment opportunities now available in the institutions. To these efforts the Legislature must be alert. Already because of the lack of sufficient work the correctional administrators of the state are facing serious problems and the state confronted with creating a segment of released offenders who have been made unfit for a productive life by a long period of enforced idleness. Any reduction in the already seriously limited work opportunities for inmates will create an even more serious problem for the administrators, the state and the welfare departments of local communities.

We strongly urge therefore that the Legislature ward off any attempt on the part of vested interests to curtail existing correctional industries and that effort be exerted to increase the productive, meaningful work available to the inmates in the correctional institutions.

RECOMMENDATION X. A NEW RECEPTION CENTER

That in the interest of efficiency and economy a reception center similar to the one presently operated in Elmira be established closer to New York City.

Comment: In view of the present congestion at the Reception Center at Elmira and the pressure on the staff at that institution and anticipating an increase in crime in the state as a result of the population boom and employment situation among older teenagers, plans for the construction of a new reception center are indicated to prevent a serious breakdown in the near future.

A substantial percentage of the commitments between the ages of sixteen to twenty-one to the present Elmira Reception Center come from the New York City area. This requires transportation of more than 200 miles from the city and then following decision as to a program of treatment, a goodly number of those received must be returned to the institutions nearer New York City. A new unit might be established in Orange County on a separate portion of the property now known as New Hampton Farms.

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

RECOMMENDATION XI. EXPANSION OF CAMP PROGRAM FOR OFFENDERS

That budgetary support be given to the expansion of correction camps for both the younger and the adult offender.

Comment: A good correctional program for the state dictates that a variety of housing and programming be available for the treatment of offenders. Many individuals committed because of the violation of the laws of the state do not require maximum security. They could benefit greatly from a camp program staffed with qualified personnel and having a well spelled out program looking toward character development and rehabilitation generally as well as offering some means of training for post-institutional livelihood. Camps can be more cheaply maintained than large sized institutions particularly as it relates to their physical facilities. Camps can provide a way of draining off some of the individuals now housed in maximum security institutions for whom there is not sufficient employment and who are being maintained at state expense in enforced idleness. Camps can provide the necessary labor to supplement the work presently being done in state parks and on conservation projects. Camps can provide for better indi-

vidualization through the smaller number of persons involved in each unit.

While the emphasis has been on youth with the renewal of the camp idea in this state, it is well to think of it in terms of those in other age groups as well. Good work is being done for all ages in the camp operations of the states of Wisconsin, Michigan, Massachusetts, Pennsylvania, Virginia, the Federal Government and others so that this recommendation does not only relate to the use of camps as a medium for the housing and treatment of younger offenders but also for the adults as well. Diversified housing especially in a state as large as New York is a necessary part of a correctional department organization.

RECOMMENDATION XII. PRE-PAROLE CAMPS

That there be established a pre-parole unit near a large industrial hiring area for the preliminary adjustment and as an initial step to approaching parole.

Comment: Going straight from the rigid routine of a prison into the community has a severe impact on prisoners especially those who have experienced long imprisonment. As an initial experiment this pre-parole facility is suggested for those about to be released as a kind of tapering off process from the rigorously controlled prison life. For the long term inmate who because of the nature of institutional life has had the range of his decisions greatly narrowed, release directly to the community while eagerly sought can be a bewildering and frightening experience. This fact is well known to parole officers and social agencies. There is a trend in some areas including the Federal Government to make a gradual change in prisoners' housing and privileges shortly before release, not as a reward but as a kind of steadying influence. Here prospective parolees are relieved somewhat of the rigidity and monotony of institutional regimentation as an easing off or balancing influence.

RECOMMENDATION XIII. THE PROBLEM OF ALCOHOLICS

That the Legislature direct the Commission created to study the Penal and Correctional Laws of the State to examine into, in co-operation with other interested agencies, the present practice of committing indigent alcoholics to institutions under the control of the New York City Department of Correction or county institutions within the state.

Comment: Their deliberations should consider whether alcoholics should be placed in the custody and under the control of medical,

health and welfare authorities or whether there should be a multi-discipline approach to this problem through the creation of a diagnostic center under the health and welfare authorities, staffed by professional personnel from the fields of medicine, psychology and social work, utilizing existing treatment techniques and resources and operating with the co-operation of the Department of Correction for the minimum security for those alcoholics who need incarceration for therapeutic purposes.

For many years The Correctional Association of New York has been pointing out that the correctional institutions of the State, as repositories for all the social problems, have been expected to handle individuals more in need of medical and welfare services than correctional services. The futility of jail commitment of alcoholics is quite apparent. A talk with the sheriffs and other correctional people will quickly uncover the complete ineffectiveness of this approach. A visit to any of the institutions for the so-called lesser offenders is sufficient to point up even to the casual observer the scope of the problem.

Alcoholism is a medical problem designated as such by the American Medical Association requiring medical not penal treatment.

The above recommendation is urged as a step toward seeking the solution to the human and economic waste to the community of alcoholics who because of the lack of effectiveness of the present handling are serving "life sentences on the installment plan."

RECOMMENDATION XIV. THE PROBLEMS OF PERSONS ADDICTED TO NARCOTICS

That Legislative support be given to the creation of special facilities and programs to allow for the civil commitment and treatment with planned aftercare of persons addicted to narcotic drugs.

Comment: The question as to whether drug addicts should be dealt with in a penal atmosphere through commitment to institutions under the control of the New York City Department of Correction or county institutions in the State or whether they should be better placed in the custody and the control of medical, health and welfare authorities through a civil commitment arrangement has long been raised by the Correctional Association. We have questioned the desirability of treating this medical, health and welfare problem when it is not associated with other criminal behavior by penal methods, primarily because of the complete ineffectiveness and the lack of true protection for the community of a commitment of a drug addict to a penal facility. We are not here referring, of course, to the "pushers and wholesalers" of narcotic drugs who feed upon the misery of those who are helplessly addicted but to the addict who is such a danger to the safety of the community

unless his addiction is treated. Because of the uniqueness of the problems of addiction to a narcotic drug and because the condition is clearly a medical and not a penal one we strongly urge that legislative support be given to the removal of narcotic addicts from penal facilities and their commitment to the custody and the control of medical, health and welfare authorities.

RECOMMENDATION XV. AGED PRISONERS

That a study be undertaken to determine the more economic, humane and more generally desirable means of handling aged prisoners in institutions under the Department of Correction of New York City, the State Department of Correction and in the local county jails.

Comment: Over 1,700 persons over the age of sixty-five were admitted in 1960 to the detention institutions of the New York City Department of Correction of whom over 700 subsequently were committed to the various correctional institutions of the city. Likewise, there are approximately 1,000 prisoners aged 65 or more being maintained in maximum security in institutions of the State Department of Correction. This housing is costly and in some instances the physical layouts impose severe hardships on the older prisoners because of conditions of health or various infirmities.

A very similar pattern will be found in the various county penitentiaries and county jails of the state. A short time ago the five penitentiaries of the state which receive only sentenced prisoners, had in one year, 155 commitments over the age of 70, sixteen of which were over 80 and three were 90 years or older. It is inconceivable that in a country which is supposed to have reached the level of civilization that the United States has, and in a state which is considered one of the outstanding states of the union, a better and more humane way of handling the problems of this older population has not been found.

RECOMMENDATION XVI. CORRECTIONAL ACADEMY

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

Comment: To respond to the shifting role expected of correctional institutions, to maintain facilities of rehabilitation rather than simply places to keep people locked up, requires a high quality of personnel and a program of training. It is becoming increasingly recognized that satisfactory correctional personnel is essential for progress in the administration of correctional departments and

institutions and that such personnel must be adequately trained through pre-service, in-service training programs and refresher courses. The Police Department of the City of New York has long maintained a Police Academy and this has been further developed through the establishment in 1956 of the Baruch School as part of the City College of New York. The Federal Bureau of Prisons and the State of California have made substantial demonstrations along the lines of improving the quality and functioning of their wardens and custodial personnel through courses and supplementary schooling and inspired leadership. The New York City Department of Correction in 1957 established an academy for training correctional personnel on Rikers Island.

Because of the lack of facilities and funds the Department of Correction has not been able to set up a separate academy expanding upon the idea of the old Guard School at Wallkill some years past, and has been obliged to rely upon makeshift training procedures.

The creation of a correctional academy could serve not only as a training area for personnel in the institutions but also in community crime prevention programs, probation and parole—all those in the correctional and prevention process—through collaboration with schools of higher learning of the state.

RECOMMENDATION XVII. QUALIFIED PERSONNEL IN COUNTY CORRECTIONAL INSTITUTIONS

That legislative support be provided toward improving the quality of personnel employed in county correctional institutions.

Comment: Undoubtedly of all the various types of correctional institutions, the local county jail requires the greatest assistance. Not only is the county jail the first place of incarceration of all offenders and therefore shapes the individual's attitude toward imprisonment, but it is also the only place of confinement for many thousands of individuals who may be subsequently placed on probation or given short sentences of less than a year. In addition these jails house individuals who have not yet been convicted of a crime and maybe found not guilty. The task of operating a county correctional facility efficiently, effectively and safely, directs that the positions from correctional officers to the administrator responsible to the elected official be career persons who are objectively recruited and appointed. Repeatedly at national, regional and state gatherings of correctional people the need to improve the quality of the personnel is sounded particularly as it relates to the county jails, for without a trained competent staff kangaroo courts develop, security is breached, and the very safety of the com-

munity threatened to say nothing of the effect upon the lives of thousands of people.

RECOMMENDATION XVIII. COMMITMENT OF FELONS

That the Correction Law be amended in relation to the use of county jails for persons sentenced to imprisonment therein.

Comment: At present there is need to amend Subdivision 4, Section 500-a of the Correction Law to make it consistent with the permissive language of Sections 2181 and 2182 of the Penal Law as relates to those felons who may be sentenced to a county jail.

RECOMMENDATION XIX. PUNISHMENT OF PRISONERS IN COUNTY PENITENTIARIES

That Section 483 of the Correction Law be amended to extend to wardens and superintendents of county penitentiaries the necessary statutory authority to utilize a reduced food ration procedure as a disciplinary measure.

Comment: Inspections of county penitentiaries have revealed that the officials thereof utilize a reduced food ration procedure as a disciplinary measure on occasions when a serious infraction is committed by a prisoner.

In evaluating such incidents, recommendation has been made that this be done only upon approval of the penitentiary physician, and that the procedure be carried out in accordance with the provisions of Section 140 of the Correction Law which presently relates only to state prisons. This section further mandates that prisoners confined on short rations shall be checked at least daily by the physician to determine their physical condition.

Enactment of the proposed amendment into law would provide a sound statutory basis, for the application of the disciplinary procedure outlined above. It would further make it mandatory for the penitentiary physician to prescribe the short food ration and to make daily inquiry into the health of the prisoner concerned.

RECOMMENDATION XX. PUNISHMENT OF PRISONERS IN COUNTY JAILS

That Article 20 of the Correction Law be amended by inserting a new section, to be Section 500-K, which would make applicable to prisoners confined in county jails Sections 139 and 140 of the Correction Law now defined as relating only to state prisons.

Comment: Inspections of county jails have revealed that at times, solitary confinement on short rations is utilized as a disciplinary

measure. It is also a matter of record that on occasions, county jail personnel have had to resort to the use of force to defend themselves against an attack by a prisoner, to subdue an unruly or disturbed prisoner, or to prevent an escape.

There is no statutory authority for either of the above mentioned procedures which specifically relates to the operation of the county jails.

Enactment of the proposed amendment into law would define the limitations under which the disciplinary measures described could be invoked. It would serve to protect the sheriff of the county and those employees appointed by him to conduct the operation of the county jail from unwarranted law suits, by providing a sound statutory basis for the application of the disciplinary procedures described above when required for good jail operation.

THE CORRECTIONAL ASSOCIATION'S
GENERAL ACTIVITIES

[39]

PURSUING A NOBLE HERITAGE

In December of 1844 a letter was written to the *Tribune*, the *Herald* and several other newspapers about the "destitute conditions of discharged prisoners" with a direct appeal to the City of New York to do something "to render them aid by forming a society". On the evening of December 6, 1844 "the public spirited citizens of the City were invited to a meeting in the Apollo Room at 410 Broadway to organize a Prison Reform Association". The letter and invitation was extended by John W. Edmunds, who had been appointed President of the Board of Inspectors of Sing Sing Prison, later Justice of the Supreme Court, and one of the sincerest and most humane men in the public life of New York at the time. He was joined at the organization meeting by a large number of interested citizens, including William T. McCoun, Vice Chancellor of New York State; Robert H. Morris, former Mayor of the City of New York; John Jay, Chief Justice of the Supreme Court; and the indomitable Horace Greeley.

This was the advent of The Correctional Association of New York, then known as The Prison Association of New York.

Since 1844, when this group of outstanding citizens in New York recognized that governmental responsibilities for handling offenders did not absolve private citizens of their obligation to pursue vigorously correctional progress and crime prevention through study and treatment, the Association has led the citizens of the State in action for the improvement of the correctional process in the State.

As a union of citizens, without regard to political party, whose purpose is that of securing the most efficient and effective administration of justice for the protection of the community, the Association has carried the torch of correctional progress and crime prevention through its various citizens committees and professional staff for 117 years as recorded in our annual reports to the Legislature.

As the only private agency in New York State authorized by a special act of legislation to visit, examine and report on the State's prisons, reformatories, county jails and lockups and to make recommendations to the Legislature, The Correctional Association of New York has been faithful through the years in nurturing the spark kindled by the public spirited citizens in 1844 and has made it burn even brighter through the efforts of the most sincere, devoted and outstanding people of each succeeding generation. To scan the list of the distinguished who have given of their time and talents to The Correctional Association of New York through the years is to see the majestic figures who shaped the America of today. All of them had a sense of moral duty and social

conscience too often left today to those who are hired and paid.

As frequently noted in past years The Correctional Association of New York has continued its parental attitude towards the national body, The American Correctional Association, in an effort to develop a national and international influence in the areas of crime study and treatment. Our Association is the core around which revolves most of the activities of the national group during the course of the year and especially in the preparation for its Annual Congress of Correction.

During 1961, The Correctional Association was involved in a multitude of projects. The following are indicative of the various interests and activities of the citizen members and the staff.

A UNIFIED COURT SYSTEM FOR THE STATE

For several years we supported legislation intended to reorganize the court system. As indicated previously, in 1960 an amended bill was passed, and again in 1961 (Senate Intro. 31). The provisions of the bill resulted in the submission of a proposed constitutional amendment to the voters in the November 1961 election.

Prior to the November election we were identified with and active on the Committee for Modern Courts, a lay group representing various organizations with headquarters in New York City. This group did a tremendous job in spearheading and constantly driving for approval of the constitutional amendment while it was before the Legislature and when it was to be presented to the people. Also, in the name of our Association we urged officials and others known to us in the upstate areas to support the amendment. Our complete membership was urged by letter and circular to vote for the amendment.

It is gratifying to report that the amendment was overwhelmingly approved by the voters and its provisions will be activated and in detail formalized at the 1962 Session of the Legislature. The amendment will become a part of the State Constitution on January 1, 1962. Its provisions shall not become operative until the first day of September, 1962.

A tabulation of the November vote follows:

	Yes	No
New York City	1,109,336	147,363
Upstate	1,185,621	329,625
TOTAL	2,294,957	476,988

The adoption of the amendment should fulfill a long standing need toward making for a better administration of both civil and criminal justice. In the pursuit of this we can feel that we have made a contribution to justice through our support of the measure

while it was before the Legislature and in urging its adoption by the voters. The Governor made a public statement in support of the amendment and subsequently we thanked him for his interest and support. In his acknowledgement, dated November 6, 1961, he stated, "Your support of Amendment No. 1 will be most helpful and I deeply appreciate your interest and your comments."

A TRIBUTE TO SERVICE

On March 2, 1936, Governor Lehman appointed our General Secretary, Mr. Cass, to the New York State Commission of Correction for the full term of four years. His nomination was confirmed by the Senate. Mr. Cass was *reappointed to the Commission* by Governors Dewey and Harriman and since 1956 he has served as its Vice Chairman. On the twenty-fifth anniversary date of the appointment the following communication was addressed to Mr. Cass by Governor Rockefeller:

"On behalf of the people of The Empire State I wish to congratulate you on your twenty-five years of devoted service as a member of the New York State Commission of Correction. The recognition you have won throughout the United States and the world attests to the distinction of your service in the exacting field of correction.

"May the State of New York continue to have the benefit of your distinguished service for many years to come.

(Signed) NELSON A. ROCKEFELLER."

CONSTRUCTION AND RENOVATION

In support of the interest of the State Commission of Correction and our Association the General Secretary participated in the following activities:

Oneida County Jail

The Oneida County authorities were urged to take definite action for the elimination of the undesirable conditions existing in the Oneida County Jail at Rome, and also the main jail in Utica. Both jails are inadequate and the jail at Rome, especially, is long outmoded and in many ways a disgrace. At this writing plans are under way to either enlarge the jail at Utica or construct a new jail on a site located between Utica and Rome. If the present plans are brought to a satisfactory conclusion it can be felt by all concerned that a definite improvement has been made.

Putnam County Jail

Protest of the inadequacy of the facilities of the Putnam County Jail based on an inspection by our General Secretary under date

of August 19, 1961 was maintained. The attention of the county authorities was directed to the need of providing a better way of housing and dealing with sex offenders, the point being made that months of detention in very close confinement without the benefit of psychiatric observation and treatment is no answer to a difficult problem.

Toward the end of the year the Sheriff requested a review of proposals by a member of the Board of County Supervisors. This is at least some indication of aroused interest and perhaps progress.

Westchester County Penitentiary

Our General Secretary participated in the review of the report of an architectural firm regarding the present and future expansion needs of the Westchester County Penitentiary at Valhalla. This was a voluminous study and required experience and knowledge to give it proper evaluation. The report reflected careful foresight and progressive thinking regarding design.

Approval for the construction of the initial unit and the general layout was given officially by the State Commission of Correction in December, 1961 with the request that the additional cell rooms be furnished with complete toilet facilities. It should be noted that the Commission has by law the authority to approve or reject plans. (At this writing the county authorities have agreed to the installation of toilet facilities.)

Other Detention Facilities

Again reflecting the combined interest of The Correctional Association of New York and the State Commission of Correction, the General Secretary was a party to the study and approval of plans for the following:

- a. Review of plans for a new city jail, Jamestown, Chautauqua County.
- b. Consideration of plans for Police Headquarters lockup, Horse heads, Chemung County.
- c. Plans for the Proposed Cattaraugus County Jail.
- d. Renovation of detention facilities, Town Hall, Phillipstown, Putnam County.
- e. Windows for the new Schuyler County Jail.
- f. Plans for the enlargement of the Dutchess County Jail at Poughkeepsie.
- g. Study of the detention facilities of the City and County Public Safety Building in Syracuse.
- h. Final plans of detention facilities, Police Headquarters, New Rochelle.

- i. Final approval of plans for the new Warren County Jail.
- j. Renovation of windows, Schenectady County Jail.
- k. Security gate, Nassau County jail.
 - l. Reinforcement of sleeping bunks, Police Lockup, Potsdam.
- m. Windows not constructed according to specifications, Suffolk County Police District Headquarters, Hauppauge, L. I.
- n. Detention pens, New York City Court Building, 52 Chambers Street, New York City.
- o. Detention facilities, Home Term and Probation Court, 5th Floor, New Court Building, 80 Lafayette Street, New York City.
- p. Inspections of the following institutions were made:
 - St. Lawrence County Jail, Canton
 - Lewis County Jail, Lowville
 - Putnam County Jail, Carmel
 - Detention Facilities, Westchester County Parkway Police Headquarters, Hawthorne.

BELLEVUE HOSPITAL PRISON WARDS

Under date of June 6, 1961, the General Secretary addressed a letter to Mayor Robert F. Wagner expressing pleasure at the Mayor's visit to the prison wards at Bellevue Hospital. He also directed the Mayor's attention to an inspection report by the General Secretary, representing both our Association and the New York State Commission of Correction, dated May 16, 1960, in which the deplorable conditions prevailing in the prison wards were brought once more to light. This report had been sent to the Mayor and also to Dr. Jacobs, head of the New York City Department of Hospitals.

The General Secretary questioned whether the Mayor had seen the report and expressed regret that no satisfactory action had taken place immediately. However, as a result of the Mayor's visit in June of 1961 arrangements were made to transfer the women prisoners to the Queens City Hospital where more appropriate quarters are available.

Further, under date of July 14, 1961, in a letter addressed to the General Secretary the Deputy Commissioner of the City Department of Hospitals, Mr. Mangum, again acknowledged receipt of the earlier report and expressed appreciation for bringing certain information to the attention of the Mayor, stating in part, "It is a certainty that the report will deal with many problems discovered by you as a result of your personal inspection at Bellevue Hospital."

VISITS TO NEW YORK CITY AND STATE CORRECTIONAL INSTITUTIONS

With Mr. Schulte and Mr. Meyer of our Executive Committee, the Associate General Secretary visited the New York City Workhouse on Hart Island. On another day, with Mr. Schulte he visited the Old Queens City Prison and the New Queens County Court House Detention Pens, as well as the New Queens City Prison which when opened will accommodate 500 inmates. The Association followed quite closely the construction of this new facility. Mr. Cass chaired the committee which originally approved the plans. Certain operational defects were noted at the time of our visit and called to the attention of the New York City Department of Public Works and the New York City Department of Correction for further study.

On another day the Raymond Street Jail in Brooklyn was visited with Mr. Schulte. The unsanitary procedure of dragging food containers on the floor while serving inmates in their cells was noted and called to the attention of the New York City Department of Correction which immediately took steps to correct the condition. In addition the extremely long detention of homicide cases (in a number of instances over a year) without any outdoor recreation was observed and likewise called to the attention of the proper authorities. The ultimate solution of keeping non-sentenced persons in close confinement for extended periods of time will require the efforts and close co-operation of the District Attorney's Office, the Courts and the New York City Department of Correction.

Mr. Schulte and Mr. Goff also visited the Brooklyn House of Detention for Men and a visit was made to the House of Detention for Women by Mr. Meyer and Mr. Goff.

On May 15th, Mrs. Ballantine, Mr. Hochschild and the General Secretary visited Clinton Prison at Dannemora, and also Dannemora State Hospital for the Criminal Insane.

NEW COTTAGE—NEW YORK STATE REFORMATORY FOR WOMEN

For many years we, and others, complained about the old cottages at the Reformatory and were finally pleased to note that plans were under way for new construction. One cottage has thus far been built and has been in use for several months. On November 10th the General Secretary visited the Reformatory and gave particular attention to the design and operation of this cottage. Its superiority over the old units is a source of encouragement and it is gratifying to know that funds have been made available for additional new construction on an even larger scale than was originally contemplated.

Progress in our field is slow, as is frequently stated, and the

displacement of the old cottages is a glaring example of the truth of this but, nevertheless, change for the better is under way.

NEW YORK CITY DEPARTMENT OF CORRECTION PROJECTS

Mr. Schulte and the General Secretary participated in a conference and study, on February 27th, at the request of the New York City Departments of Correction and Public Works, relating to the following projects.

- a. A locking device for cells—New Workhouse, Rikers Island.
- b. Plot plan for the new institution for women prisoners to be located on North Brother Island, Capital Budget Project C-73. This plan is identified as Scheme 19, as revised February 20, 1961. It is important to mention this specific drawing, which means that 18 previous drawings were submitted before the final approval.
- c. Plot plan for New Adolescent Remand Shelter to be located in Brooklyn, Capital Budget Project C-74. The drawing is identified as 1-P and bears the date of January 31, 1961.

Both Capital Budget Projects were formally approved by the State Commission of Correction on the General Secretary's recommendation in harmony with our interest in the projects and as chairman of the Committee on Plans of the Commission.

One doubt recorded in connection with Project C-73 related to the practicability of using the recreation area between the various housing units equitably for both sentenced prisoners and those awaiting court action since the Correction Law requires their complete separation at all times.

1962 CAPITAL BUDGET—CITY OF NEW YORK

During 1961 we gave renewed support to the New York City Department of Correction in its efforts to obtain additional funds from the 1962 Capital Budget for the following projects:

- C-75 Correction Institutions, All Boroughs, Improvements, Reconstruction and Modernization, Including Equipment
- C-71 Rikers Island, The Bronx, Alterations and New Buildings to Establish Vocational and Industrial Training Institutions.
- C-80 Housing Addition, Bronx House of Detention for Men, 653 River Avenue, The Bronx
- C-76 Workhouse of the City of New York, Rikers Island, The Bronx
- C-73 New York City Correctional Institutions for Women, Rikers Island, The Bronx

C-74 Adolescent Remand Shelter, Rikers Island, The Bronx
 C-79 House of Detention for Adult Misdemeanants and Offenders, Lower Manhattan Area, Including Site.

The Board of Estimate approved these items on December 4, 1961 and subsequently this action was certified to by the Mayor. The only change was to increase the amount originally provided for Project C-71 from \$8,183,650 to \$8,375,000. (This project is *Rikers Island; Alterations and New Buildings to Establish Vocational and Industrial Training Institutions.*)

The final approval of these items is another step forward in the march of progress to provide more suitable and much needed housing in the New York City Department of Correction.

REVISION OF NEW YORK CITY CHARTER

We supported the attempt of the Department of Correction to amend the city charter so as to define qualifications for personnel in the higher ranks of the Department organization. However, the Charter Revision Commission did not go along with these proposals and Chapter 25, relating to the Department of Correction, remains unchanged. The charter was approved by the voters at the November election.

ESCAPES — NEW YORK CITY POLICE DEPARTMENT

There were at times, during 1961, too many escapes from the detention facilities of a number of New York City Police Precinct station houses, revealing indifference, carelessness, and even stupidity, on the part of some personnel. These happenings, regarded as "unusual occurrences," are officially reported to the General Secretary in accord with an understanding between the New York City Police Department and the State Commission of Correction. The General Secretary, representing both the New York State Commission of Correction and our Association, discussed this unsatisfactory situation with the Chief of Staff of the Police Department who agreed that it was bad and needed correction. The police officers involved were brought up on departmental charges. It is hoped that this procedure will make an impress on those in other precincts to be more mindful of their responsibilities in the public interest.

PRISON DISTURBANCES

During the year there were inmate protests at Attica, Green Haven, Auburn and Sing Sing Prisons objecting to Parole Board practices, such as loss of "good time" and, at one prison in particular, inadequate medical and dental services and poor food variety, preparation and serving.

While the course pursued by prisoners through so-called "sit down" strikes was not the most commendable procedure, nevertheless, there is reason to believe that there was some justification for a certain amount of the complaints. To this end the Governor's Office and State Commissioner of Correction, Paul D. McGinnis, were prompt and alert in giving assurance that the validity of the complaints would be examined. So far as is possible within the administrative range of the State Department of Correction the complaints are being adjusted.

Regarding parole practices and the complaint about loss of "good time," therein lies a situation that needs to be carefully reviewed. The Governor's Office is well aware of this and has taken the necessary steps to examine into the complaint.

Under date of November 20th the General Secretary addressed a letter to the Governor's Secretary, William J. Ronan, commending the manner in which Commissioner McGinnis straightforwardly dealt with the disturbances, avoiding destruction of property, bloodshed, and generally protecting the public interest.

"GOOD TIME" LAW

We studied with the State Department of Correction the need to consider revision of the "good time" allowance for prisoners serving sentence of a year or more, with particular reference to complaints registered by the prisoners during the disturbances at Green Haven, Sing Sing and Attica Prisons. Presently a prisoner is allowed ten days a month for good behavior, satisfactory performance of work, etc., which makes a prison year equivalent to eight months. The loss of good time by prisoners who are rejected at their first appearance before the Parole Board is a point of controversy and complaint. The situation requires attention. See Recommendation No. VI, page 27.

COMMISSION ON REVISION OF THE STATE CONSTITUTION

We gave support to the continuance of the commission to further study the need for revision of the State constitution. This body, known as the Peck Commission, had done a satisfactory service. To the surprise of all the 1961 Legislature failed to appropriate a sufficient sum for the continuance of the work. This is regrettable.

SEX OFFENDER RESOLUTION

We supported Senate Resolution 136, 1961 Legislative Session, which was adopted and mandates that a study be made of the laws and practices relating to identification, apprehension, treatment, parole, care, or release from custody or imprisonment, of sex deviates and degenerates. The various State agencies such as

the Departments of Correction and Mental Hygiene, the Division of Parole, et cetera, are responsible for making the study.

Our support of this resolution is proof of our continued concern regarding the control of sex offenders as first recorded through the introduction, on our initiative, of a bill in 1947 which failed of passage but resulted in the appointment of a committee by Governor Dewey to study the problem. That committee, of which our General Secretary was a member, came up with a report and a bill in 1950 which was approved and is known as the sex offender law. However, the law has not served its full purpose because of the apparent hesitancy of the judiciary to use its maximum potential; nor has there been adequate study and treatment in the institutions due to the shortage of psychiatric and other personnel.

In our recommendations to the 1961 Legislature we urged "that there be a review of the administration and accomplishments resulting from Chapter 525 of the Laws of 1950." The above mentioned study directed by Senate Resolution 136 somewhat aligns with the request contained in our recommendation. (See renewed Recommendation V, page 26.

COMMISSION TO REVIEW THE PENAL LAW AND CODE OF CRIMINAL PROCEDURE

It was gratifying to note that the 1961 Legislature provided for the appointment of a commission to review the penal law and code of criminal procedure. Governor Rockefeller in his message to the Legislature urged that this be done and we in our recommendations concurred. Our recommendation in part reads, "Therefore we urge that such a study be undertaken in order that the experience and knowledge gained since 1881, when the present law and code was adopted, be translated into present day requirements."

Further in our recommendation we strongly suggested that the State body to be charged with the responsibility for the study should work closely with the State Judicial Conference, the legal profession and informed lay people, and the American Law Institute.

The bill (Senate Intro. 4512, Pr. 4512) authorizing the commission required that the Governor appoint three members; that three be appointed by the President of the Senate, and three by the Speaker of the Assembly.

Under date of April 12, 1961 our President, Mr. Chambers, addressed a letter to Governor Rockefeller suggesting that consideration be given by him to the appointment of David W. Peck, former Presiding Justice of the Appellate Division, First Department; Professor Herbert Wechsler of the Columbia University School of Law; and Mr. Timothy N. Pfeiffer, a member of the firm of

Milbank, Tweed, Hope and Hadley. He expressed the view that all three are qualified through interest, experience and knowledge to serve, with distinction, on the commission.

The Governor finally appointed Professor Wechsler and Mr. Pfeiffer as members of this commission. Their identity with the commission should prove extremely valuable.

Among the specific objectives to which the commission is to direct its attention are included:

- sentencing practices and the theory of punishment in criminal cases;
- adequate and equal representation for all accused;
- uniformity of procedures in courts throughout the State;
- insanity and other special defenses in criminal cases;
- trial costs;
- special proceedings relating to commitment of persons to various State institutions; and
- the over-all efficiency of police and court personnel.

SENTENCING INSTITUTE AND DISPARITY OF SENTENCES

Allied with our interest in the authorization and holding of sentencing institutes is the subject of disparity of sentences. This is a notable and frequent complaint among prisoners who are bewildered at times because of the difference in sentences for the commission of a crime under seemingly similar circumstances. It is recognized of course that the Bench is entitled to exercise flexibility of application and judgment but on the other hand it would seem that there is need to establish criteria in order to avoid wide variations of sentences.

A sentencing institute could also provide a base for the discussion of subjects other than disparity of sentences to make for a well-rounded understanding and handling of the complex personality of lawbreakers and their effect upon the community.

(See our Recommendation No. IV, page 25.)

INFREQUENCY OF GRAND JURY SESSIONS

The General Secretary as Vice Chairman of the State Commission of Correction, consistent with the observations and views of our Association, continued to work with the Commission in grappling with the problem of infrequent sessions of grand juries in upstate counties. As previously noted, prisoners unable to raise bail are held for months awaiting indictment or trial and not infrequently after such long periods of detention some are freed because no indictment was found against them. Others are acquitted after trial.

The continued effort for improvement is directed toward contact and co-operation with the Legislative Commission to Revise the Penal Law and Code of Criminal Procedure, the State District Attorneys Association and the Grand Jurors Association of New York County. On December 18, 1961, the General Secretary addressed a letter to Mr. Richard J. Bartlett, chairman of the Legislative commission, indicating our Association's interest in the problem and offered our services and the benefit of our observations over the years. A meeting at an early date is being sought for representatives of these groups to meet with the Committee on Legislation of the New York State Commission of Correction. Mr. Cass is chairman of this committee.

The advantage of the joint consideration of this difficult problem by our Association and the other groups mentioned is obvious. (See Recommendation No. III, page 24.)

SELECTION OF JUDGES

Consistent with our support of the proposed constitutional amendment adopted by the people in the November, 1961 election, we recognize that another important step is the adoption of a method to select judges. This subject has been under discussion in various quarters many times and the unsatisfactory procedure of many years has been recognized and protested. In the interest of progress we have made a recommendation to the Legislature this year that a superior system for the selection of judges be devised. (See Recommendation No. II, page 23.)

NEW YORK STATE WELFARE CONFERENCE

As a member of the Protective and Correctional Services Committee of the New York State Welfare Conference, Mr. Goff served as moderator to a very well attended session at the Annual Welfare Conference held in Buffalo this year. During the session an analytical consideration was made of an actual case drawn from the files of the New York State Department of Correction. The case which was prepared by The Correctional Association of New York was reviewed by panelists consisting of Dr. Manch, Superintendent of Schools of Buffalo, Mr. John F. Hickey, Executive Director of the Community Welfare Council of Buffalo and Erie County, The Honorable Joseph G. Fritsch, Judge, Monroe County Childrens Court, Mr. Angie F. Caray, Director of Correctional Guidance, New York State Department of Correction and Mr. Joseph L. Maxwell, Area Supervisor of New York State Division of Parole. The entire session was presided over by The Honorable Charles S. Desmond, Chief Judge, New York State Court of Appeals. Incidentally in his introductory remarks Judge Desmond

paid high tribute to the long years of service by The Correctional Association of New York.

The program developed a very favorable response, much of which originated with lay persons and those not professionally related to the field. It was felt that it was all the more significant since one of the several members of the press present, who was a Pulitzer prize recipient, said he had never been as impressed with a public meeting as he was with this program.

The case developed by The Correctional Association traced through the life history of an individual with whom the community failed and because of its failure three persons were killed. An effort was made by the various panelists to analyze the case from their particular point of view with regard to action which might have prevented the failure.

Because of its complexity and the limited time available no specific conclusions could be reached. Observations were made, however, pointing to the lack of use of non-correctional services by the community during the early life of the individual and of the readiness to commit to a correctional institution a very young boy more in need of protective and welfare services than correctional treatment.

NARCOTIC SYMPOSIUM

The Associate General Secretary presented a paper at a symposium on narcotic addiction sponsored by the Society of Friends in New York City on February 24, 1961. Together with Mr. Goff, Commissioner Anna M. Kross of the New York City Department of Correction and Chief Justice John M. Murtagh of the Court of General Sessions spoke.

Requests for copies of Mr. Goff's paper "Sociological Aspects of Narcotic Addiction" were received from the New York City Department of Correction, the Attorney General of New Jersey, officials from Essex County, New Jersey, and the *New York Mirror*.

FREDERICK A. MORAN MEMORIAL INSTITUTE— ST. LAWRENCE UNIVERSITY

On the dates July 16-21, 1961, the Twelfth Annual Frederick A. Moran Memorial Institute on Crime and Delinquency was held at Canton, New York in co-operation with St. Lawrence University, the New York State Departments of Correction, Mental Hygiene, Social Welfare, and Civil Service; also the State Division of Parole and the State Division for Youth.

Mr. Cass served as a general consultant and presided at the Monday Evening general session at which time the speaker was The Honorable Alexander Aldrich, Director of the New York

State Division for Youth. His subject was "The Expanded Program of the Division for Youth." It was a very well attended session and for an hour and fifteen minutes Mr. Aldrich held the attention of his audience. This in itself was a tribute not only to the importance of his subject but also to his dedication and warmth of interest for the welfare of the youth of our state.

More than five hundred persons attended the Institute, most of whom were obliged to pay a minimum fee for the advantages of the program and their meals and lodging. The willingness of the correctional personnel to contribute financially for the benefits of the Institute is noteworthy. The topics were varied and handled by those of good reputation in the field of correction with records of accomplishments.

INSTITUTE ON CRIME AND PUNISHMENT

At the request of the American Friends Service Committee, Mr. Goff, as resource person, participated at the all-day session of the Third Annual Institute for High School Youngsters at Westbury, Long Island. The topic was "Crime and Punishment." The fact that 120 youngsters registered and were willing to give up a Saturday to seriously discuss crime and punishment tends to re-establish confidence in the younger generation. (A number more applied but could not be accommodated.)

QUAKER COMMITTEE ON SOCIAL REHABILITATION

The Associate General Secretary was asked to serve on the Advisory Committee of the Quaker Committee on Social Rehabilitation. This group is an outgrowth of the work the members of the Society of Friends have been doing in the House of Detention for Women, particularly with the drug addicts.

COMMUNITY PROTECTION

The over-all objective of our organization is of course community welfare and protection. Our theory has been that when we contribute toward the rehabilitation of those who come into conflict with the law there will be less threat to community safety.

Recently the President of our Association brought to the General Secretary's attention the behavior of certain types of persons—commonly referred to as "derelicts," "bums," "panhandlers," et cetera—on Third Avenue between 50th and 60th Streets. He had noted several instances of a very unpleasant nature resulting in innocent citizens being the victims of assault and general annoyance. The General Secretary made personal contact with the Captain of the 17th Precinct who showed every desire to be cooperative and indicated that there would be a special assignment

of police officers to watch over the area. Later it developed that this resulted in the taking into custody of one particular notorious offender and fourteen others.

THE FELLOWSHIP CENTER

Upon the suggestion of Mr. Smithers, Mr. Goff together with Mr. Hood of Mr. Smithers' office met with Mr. Buford Peterson, Director of the Fellowship Center located on West 88th Street in New York City. The Fellowship Center is a small canteenlike lounge where alcoholics in need of assistance and recognizing the need to change, receive the understanding and psychological support needed to pull them away from the excessive use of alcohol as a crutch. The dedication of its director is certainly obvious and commendable and the center is filling a service sorely needed in New York City.

LOCATION OF A LOST SON

During the early part of August we received by telephone, and again by letter, an urgent plea from a mother in Cleveland, Ohio, asking our aid to locate her son whom she felt was in some New York hospital seriously ill. Various inquiries were made and finally our Employment and Relief Secretary, Mr. Schwartz, located the man in the Manhattan House of Detention for Men where he was being held for a minor crime. Arrangements were made for the Legal Aid Society to represent him during his court appearance.

This was a gratifying achievement in that it relieved the mother of her anxiety and provided reliable legal guidance for the young man.

NATIONAL HEALTH ORGANIZATIONS

Contacts were made with various national and state health agencies to explore the development of programs to improve the public health function in county jails. Programs of education of personnel through pamphlets and articles, as well as projects designed to screen all inmates, are being considered.

The American Diabetes Association

The American Diabetes Association offered to develop a pamphlet directed to all personnel of correctional institutions which would equip them to better understand the disease and its possible effects on the behavior of inmates.

As the result of the death of two diabetics in correctional institutions in the past year; one in New Jersey and one in New York, we interested The American Diabetes Association in developing

pilot projects in various geographic areas of the United States on the screening and detection of diabetes in persons received in correctional institutions. The American Diabetes Association local committees reviewed the program in operation in correctional institutions in two major cities in the United States and a working relationship has been developed in additional areas in order to work through the pilot project on the detection of diabetes. In New York State the Sheriffs Association received educational material directly from the American Diabetes Association for distribution to their members.

In addition the Association participated in tapping a fifteen minute broadcast for use by local radio stations during Diabetes Week. From a correctional point of view the need is for the proper identification of a diabetic condition before the individual is committed to a jail because of assumed disorderly conduct and also to encourage diabetics to carry identification cards, medallions or bracelets to alert correctional people to the physical condition and needs.

NATIONAL COUNCIL ON ALCOHOLISM

Continuing its intensive interest in the problem of alcoholism, The Correctional Association of New York joining with the organizations and municipal departments listed below is sponsoring a New York City Alcoholism Study. This study which is expected to continue well beyond 1961 is being financed by a grant from the Charles E. Merrill Trust of Ithaca, New York and the Christopher D. Smithers Foundation of New York City. The sponsoring organizations of the New York City Alcoholism study are:

- The Christopher D. Smithers Foundation, Inc.
- Commerce and Industry Association of New York, Inc.
- Community Council of Greater New York
- The Correctional Association of New York
- National Council on Alcoholism, Inc.
- New York Academy of Medicine
- New York City Council on Alcoholism, Inc.
- New York City Department of Correction
- New York City Department of Health
- New York City Department of Hospitals
- New York City Medical Society on Alcoholism
- New York County Medical Society
- Protestant Council of the City of New York
- School of Social Service, Fordham University

The Associate General Secretary was asked to serve on the study advisory committee which is made up of leaders in business, industry, labor, health, welfare, education and religion. This committee

will offer guidance on the over-all survey plans and in their specialized areas, to the National Council staff which will conduct the study.

NEW YORK STATE ADVISORY COUNCIL ON ALCOHOLISM

The Governor was authorized to appoint an Advisory Council on Alcoholism by the 1961 Legislature. In this connection we offered the name of a member of our Executive Committee, Mr. R. Brinkley Smithers, for membership on the Council. Mr. Smithers has been long, actively and helpfully interested in the subject of alcoholism. It is gratifying to record that Governor Rockefeller included him as one of his appointees to the Advisory Council on Alcoholism. This Council will work in co-operation with the State Department of Health.

CO-OPERATION WITH COUNCIL OF STATE GOVERNMENTS

At the request of the Council for State Governments, Mr. Goff prepared the chapter on Correction for the Book of the States, the biennial report of the Council of State Governments. This chapter highlights the major trends in correction in the United States over the past two years and reports on a number of state correctional programs.

NEW YORK STATE COUNCIL OF CHURCHES

The New York State Council of Churches asked the Association to provide information on the Muslim movement as it affects correction and the operation of correctional institutions. The Council was very grateful for the information the Association supplied on this topic.

NATIONAL COUNCIL OF CHURCHES

With the reappointment of Mr. Goff to the Department of Pastoral Services for the triennium 1960-63, the long standing relationship between The Correctional Association and the National Council of Churches will continue. Consultation was held with the director of the Department of Pastoral Services on the subject of drug dependency and we also supplied the Department with copies of bills introduced in the 87th Congress dealing principally with this subject.

At the semi-annual meeting of the Department of Pastoral Care, Mr. Goff interested the National Council of Churches in a resolution calling for a White House Conference on Narcotic Addiction. While the National Council of Churches a number of years ago issued a pamphlet on the serious social problem of narcotic addiction it had not until that meeting formally recognized the social

importance of the extent of addiction in the United States. The matter will be discussed through its representative on the Advisory Group to the Secretary of Health, Education and Welfare with Secretary Ribicoff.

In addition, Mr. Goff was asked by the National Council of Churches to develop a policy statement for that body on narcotic addiction.

Thus through our efforts the National Council of Churches has begun to focus its attention on this very serious social problem.

WHITE HOUSE CONFERENCE ON NARCOTICS

Through continuance of our interest in narcotic drug addiction generally we learned of a contemplated White House Conference on the subject. The General Secretary addressed a letter to The Honorable Harry J. Anslinger, Commissioner of the Bureau of Narcotics, United States Department of the Treasury, and was advised as follows:

"While a White House Conference on Narcotics has been under consideration for some time a definite date for the Conference has not yet been fixed. Your name is being placed on a Bureau maintained list of persons to be notified when a date for the Conference has been selected."

FEDERAL DELINQUENCY BILL

We gave support to Federal legislation referred to by President Kennedy as a full attack on the growing problems of juvenile delinquency. The bill authorized the expenditure of \$30 million dollars in aid grants over a three year period. This money will be available for a limited number of projects, most of them in the larger cities. The bill is intended to provide as follows:

Creation of an urban service corps open to youths who have shown signs of getting into serious trouble. Youths could be recruited from street gangs for paid work in recreation programs, in parks, and in institutions.

New types of work-study projects, combining supervised job experience and classroom training to upgrade the skills of delinquent youths.

Programs to identify potential delinquents at an early age in order to assist in steering them away from paths of delinquency.

Projects to explore new sources of part-time employment for needy youths so they could remain in school, and programs to contact and provide special counseling for youths who have dropped out.

The proposed grants would cover projects for the evaluation and demonstration of techniques and practices for prevention and control of the problems. They also would be made to train personnel to work in the prevention and control fields. Technical assistance would be furnished by the Department of Health, Education and Welfare to public and private agencies and institutions.

APPROACH TO FEDERAL BUREAU OF INVESTIGATION RE: DISSEMINATION OF INFORMATION

At the October meeting it was indicated that we are preparing monographs to assist high school and college students, as well as professors and legislative bodies and commissions, with information relating to juvenile delinquency and crime and various segments of correctional organization and operation. This continues under way.

Under date of November 20th the General Secretary addressed a communication to Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, inviting his co-operation in furnishing statistical and other information regarding the crime picture in this country for the guidance of those in the various categories above. This would be an educational process and through abbreviated documents or monographs answer pertinent questions such as, "Could you please send me information on crime rates over the past ten-year period?"

This query is one of the many we frequently receive from students and others who get class assignments to deal with the subject about which they inquire. It is important that they have the benefit of reliable information and guidance and for that reason we made the specific request of Mr. Hoover for his interest and co-operation. We do have many of his various reports but the material is not in concise form for the wide distribution that is required for the benefit of students.

Mr. Hoover replied, indicating his warm interest in our inquiry, and assuring us of his co-operation in making response to these various requests. The suggestion was that we pass them on to him for Bureau attention.

J. EDGAR HOOVER'S VIEWS ON PROBATION AND PAROLE

The General Secretary in the past has had written expression from Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, regarding his views on probation and parole. In this correspondence Mr. Hoover has indicated his approval of probation and parole as a correctional medium provided they are properly organized and administered. This is exactly our position on these two media of correction.

In the light of present discussion on parole, and also probation, it is interesting to note the following from Mr. Hoover's official "FBI LAW ENFORCEMENT BULLETIN" for August, 1961:

Certainly, the principles of parole, probation, and other rehabilitative measures are good, but maladministration can nullify their worthwhile aspects. Conscientious, hard-working parole and probation officers, frequently underpaid and seldom able to discharge the heavy burdens placed upon them by the archaic clemency systems still existing in some areas, are just not equipped to cope with ever-expanding caseloads. Adding to their dilemma are some misinformed and misguided jurists and an apathetic citizenry who cause and condone the release of hardened criminals who gloatingly accept society's softness and repay it in the coin of treachery.

There should be no quarrel with the stand taken by Mr. Hoover on the subject of probation and parole. It is too often regarded that he is opposed to both systems.

WHITE HOUSE REGIONAL CONFERENCE ON YOUTH

The Correctional Association of New York was represented at the White House Regional Conference on Youth held in New York City by both Mr. Alexander Aldrich and Mr. Goff. Mr. Aldrich as a member of the panel presented a very clear picture of the work that New York State has been doing in the area of delinquency prevention for many years.

CO-OPERATION WITH THE LOUISIANA LEGISLATIVE COUNCIL

From time to time we receive requests for information and guidance from the Louisiana Legislative Council and recently we were able to be of assistance to them in response to their inquiry regarding the value of prison industries generally and also the extent to which it is desirable to utilize prison labor in the manufacture of license plates for automobiles and trucks, road signs, et cetera. We laid emphasis on the fact that this can be a wholesome and profitable industry if wisely organized and operated. The proof of this lies in the successful activities in other States.

Another inquiry related to statistics bearing on inmates of State correctional institutions and the number of inmates employed in various industries.

The Executive Director of the Council once again made a gratifying acknowledgment of our efforts to be of service to them by stating, "I want you to know how much I appreciate the valuable assistance you have given us. You have been most kind in spending so much of your time to help us."

CORRECTIONAL INSTITUTION DESIGN—STATE OF FLORIDA

The Director of the Florida Division of Corrections, Mr. H. G. Cochran, Jr., submitted for study a brochure and plans for a proposed state correctional institution to house about six hundred inmates between the ages of 18 and 25.

It was interesting to note that for the housing, control and treatment of these youthful offenders there was no attempt to establish a costly congregate or bastille-type structure but instead the general plan consists of separate units to make for classification and separation and at the same time allow for necessary supervision and control. The plans do not provide for a walled enclosure.

The General Secretary made various suggestions and comments but gave overall approval and congratulated Mr. Cochran and his associates on their vision and courage which signifies a progressive attitude on the part of the State of Florida.

CONSULTATION SERVICES FOR THE STATE OF MARYLAND

The Board of Corrections of the State of Maryland through legislation was confronted with the question of where to locate a new institution for young offenders. The General Secretary was selected as a member of a panel of four to give guidance to the Board and in this connection two meetings were held in that State, one at the State Office Building and the other at Breathedsville where there presently exists an institution. The question was whether the new institution should be built separately from the existing structure or made a part of it. The General Secretary and one other member of the board of consultants advised a separate institution. Subsequently the Board of Corrections by a vote of 4 to 1 decided to build a separate institution on the same site and not too far removed from the reformatory. This structure is to cost between \$10 and \$12 million dollars.

This type of service is important and it is gratifying to note the recognition of our Association to the point of guiding the Board of Corrections in Maryland which is made up of very substantial citizens, the chairman being an outstanding member of the bar.

NATIONAL SOCIAL WELFARE ASSEMBLY

Because of the recognition of the Association's long standing interest in problems contributing to juvenile delinquency, the Associate General Secretary was asked to become a member of the Committee on Youth and Employment of the National Social Welfare Assembly. This committee, composed of representatives from various national youth-serving agencies, has been spearheading two legislative programs directed toward youth employment and youth conservation camps. With the increase in automation and the ever-

increasing demand for skilled workers a steadily growing number of teenagers are having difficulty in finding employment and often become involved in delinquent and criminal activities. It is particularly appropriate, since the above relates to a crime and delinquency prevention program, that the Association actively interest itself in the problems of the unemployed youth and possible solutions to the problems.

FEDERAL NARCOTIC LEGISLATION

Several bills introduced by United States Senators Javits and Keating were received by interested agencies in the state, including The Correctional Association of New York, for comment. These bills were directed toward handling the very knotty problem of narcotic addiction. To quote directly from S 1693, an act to establish grants-in-aid to the states for the construction of narcotic addict hospital facilities:

"The Congress finds that in order to protect the public morals, health, and safety and to promote the general welfare, it is necessary that greater stress be placed on the medical, as distinguished from the penal, approach in solving the problem of narcotic addiction, and that addicts be temporarily removed from the community and placed in special hospitals where they can be cured of their addiction and rehabilitated into useful members of the society."

For years The Correctional Association of New York has actively sought for an examination of the basic philosophy, and questioned the handling, of addicts in correctional institutions. These bills indicated a shift in philosophy from correctional to medical handling.

Under date of June 8, 1961 a letter was addressed to Senator Jacob K. Javits expressing our concern over the growing incidence of narcotic addiction among the youth of our city and state. This letter indicated that we have repeatedly called for a study of the entire question as to whether drug addicts should be dealt with in a penal atmosphere or through commitment to institutions under the control of medical and health authorities. We commended the Senator for his bill which tends toward a more scientific handling of the problem. An acknowledgment was made under date of June 21st by Senator Kenneth B. Keating, co-sponsor of the legislation.

NATIONAL COUNCIL ON SOCIAL WORK EDUCATION

Mr. Goff was asked to serve, and was appointed to represent, the Association on an Advisory Committee composed of educators

and practitioners in correction to the Correction Project of the National Council on Social Work Education.

This five year project, financially supported by the Ford Foundation, has as its central objective the stimulating of efforts of social work education to meet more fully its proper share in the research and training needs of the correctional field and to encourage correctional agencies to seek the help of the schools of social work in coping with that part of the total correctional problem to which social work education can appropriately contribute.

Even before the formal appointment of Mr. Goff, both Mr. Cass and Mr. Goff had been consulted on numerous occasions by representatives of the Council on Social Work Education and Dr. Joseph W. Eaton of the University of Pittsburgh who is assisting on this project.

Because of the scope of the library of The Correctional Association of New York and its great interest in any effort to professionalize workers in correction, the Council on Social Work Education sent a field worker to the Association's office to look through our library and to discuss the research techniques to be used in obtaining the necessary information and the broad philosophic base of correction in the United States.

CONSULTATION ON "A STUDY OF THE CORRECTIONAL MOVEMENT"

At the request of Dr. Joseph W. Eaton, Professor of Social Work Research and Sociology at the University of Pittsburgh, Mr. Cass and Mr. Goff reviewed the preliminary draft of Dr. Eaton's book REFORM, making several suggestions which were very much appreciated.

Because of his wealth of knowledge of many matters in correction which have not been written, Mr. Cass was interviewed by Dr. Eaton in an effort to learn many of the nuances in the history of the correctional movement in the United States and internationally as well. It is services like these that over the years have given The Correctional Association of New York the reputation it has for being of service and assistance not only through its Service Bureau but to the professionals and academicians interested in the entire field of correction.

PARTICIPATION—MIDDLE ATLANTIC STATES CONFERENCE OF CORRECTION

Our Associate General Secretary, Mr. Goff, attended for two days the Middle Atlantic States Conference of Correction which was held in Atlantic City, New Jersey, May 21st through May 24th, 1961. This is a regional conference, sponsored by the Middle

Atlantic States Conference of Correction, the National Council on Crime and Delinquency, the New Jersey Probation Association and the National Training Schools Association.

CO-OPERATION—CIVIL SERVICE DEPARTMENT, STATE OF HAWAII

We were asked to serve on a panel to assist the State of Hawaii in selecting an Administrator of the Corrections Division of the State Department of Social Services.

In consenting to do so we were requested to study certain examination material, pass upon the qualifications of candidates, and finally evaluate the papers of the written examination.

We have rendered this kind of service to other jurisdictions throughout the years and it is valuable because it tends to improve the standards and personnel of correctional administration.

INFORMATIONAL SERVICES

The Association continued providing informational material to students and professionals on the crime and correction picture. Many letters were received from students desiring information on delinquency, social work in correction, educational programs in correctional institutions and probation and parole. A good example of the service provided to the professional was a telephone call received from the Chief Probation Officer of New York City asking us to check on some of the statistics he is using in a speech.

SERVICES TO BROADCASTING COMPANIES

The Association continues to be called upon by the broadcasting companies in the New York area to give information and guidance regarding the preparation of television and radio programs.

A series of documentary television programs, entitled "Crime and Punishment," prepared with the co-operation of the California Department of Correction, premiered in New York City. The Correctional Association of New York was asked to preview these programs. It was our judgment that reliably organized programs of this type could be of educational value and thus give to the public some idea of the complex problems of crime and punishment. The General Secretary so stated in a taped introduction to the series. Also during the days of the Congress of Correction in Columbus, Ohio, there were displayed films of the program.

Under date of October 26, 1961 a letter of appreciation for our interest in the series and our efforts in obtaining an evaluation of by various people in the correctional field was received from the executive producer of the program, Mr. Collier Young of Collier Young Associates. The series was produced in the Metro-Goldwyn-Mayer studios.

Because of the social importance of correctional institutions to the nation, as part of their public education program the American Broadcasting Company set up a special project to develop a television documentary film on correction. The Correctional Association of New York was contacted and provided background information and consultation to the research staff of the project. We were asked to review the material when it was in completed form and to act as general technical advisor to the project.

FOREIGN VISITORS AND CONTACTS

Association with persons interested in crime and delinquency from other countries is extremely helpful in preventing us from developing a provincial complacency and allows us to draw upon the best in the world for application in New York. The Correctional Association of New York continues to act as a pivot for foreign visitors coming to this country interested in the field of correction.

Professor D. H. Stott of the University of Glasgow, Scotland visited in the United States in June following his lectures at the School of Psychiatry of the University of Toronto and asked that we may help arrange his itinerary.

Our Associate General Secretary also was asked to meet with Mr. William Ford of the London Probation Department at a small meeting conducted by the World Friends Service Committee to orient him to correction in the United States.

Together with Mr. Alexander, Mrs. Eleanor Roosevelt, Mr. Adlai Stevenson, and several others, the Associate General Secretary spent a pleasant evening with Mr. Paul Cornil, former Vice President of the International Penal and Penitentiary Commission and the permanent Belgium representative to the United Nations-sponsored Congresses on Crime and Delinquency. Mr. Cornil, together with Mr. Sanford Bates and Mr. Cass, is considered a dean in international penology.

Itineraries for visits to institutions in the New York State area were prepared for two staff members from Mountjoy Prison in Ireland.

The frequent correspondence and consultation provided included many countries. The subjects ranged from a compulsory reconciliation law recently enacted in Australia to the problem of constructing a suitable gallows in a new prison to be built in Iran. We have had for years a friendly and profitable relationship with Sir John Barry of the Australia Supreme Court.

CONGOLESE VISITORS

The Association, through the New York City Department of Correction, arranged the itinerary during their visit to New York

of three Congolese officials, Pascal Luya, Bartieluny Lakulu, and Damase Lendo, to several New York City correctional institutions. After a briefing in the office on the functions and the role of The Correctional Association of New York these officials were very much impressed with the example of "true democracy in action", as one stated upon learning that the Association receives no financial support from the State and of its work over the years.

Judge Hans Aubert—Norway

Continuing its role as "the home away from home" of foreign visitors interested in studying and learning more about correction in the United States, The Correctional Association of New York at the request of Johannes Halvorsen, Director, Department of Justice of Norway took under its wing during his stay in New York, The Honorable Judge Hans Aubert from Oslo, Norway; arranging meetings with heads of various public agencies and visits to correctional facilities as well as providing statistics and informational materials.

Among the visits and meetings arranged were a visit to the Brooklyn House of Detention, the New York City Penitentiary on Rikers Island, the new Division for Youth START Unit at Middletown and meetings with Commissioner Kross, Mr. Aldrich and Chief Probation Officer Halpern (Court of General Sessions N. Y. C.).

Judge Aubert was extremely appreciative of this service, saying that his trip would not have been nearly as successful without the guidance and assistance of The Correctional Association of New York.

THE SUPREME COURT OF AUSTRALIA

Assistance was provided by the Associate General Secretary to the Supreme Court of Australia. At the United Nations Congress on the Prevention of Crime and the Treatment of the Offender, held in London in August, 1960, Justice Barry of the Supreme Court of Australia sought out Mr. Goff to discuss a reconciliation arrangement tried in New Jersey. Parts of this concept (which has been disbanded in New Jersey) unfortunately were copied by Australia in its Matrimonial Act of 1959. The original act had been opposed when it was first introduced and subsequent findings bore out the fears of the Associate General Secretary that it would be ineffective. A new program being tried on an experimental basis was called to the attention of Justice Barry who wants to keep in close touch in view of the new Australian act.

A STUDY OF THE FEMALE OFFENDER

In late 1960 a student from Swarthmore College asked the Association for assistance in developing a research project in correction. A study of the relationship of the physical cycle of females to institutional maladjustment was proposed and arrangements made to have the project discussed with institutional authorities who might be interested. Not only did the institution accept the project but Swarthmore College as a result of our proposal and recommendations granted the student a \$500 research grant for the study which will be supervised by the Associate General Secretary, the institutional psychologist, and a faculty member of Swarthmore College.

SPECIAL GUIDANCE SERVICES

In the area of general consultation, several hours were spent with each of three Ph.D. candidates writing a dissertation on some aspect of crime and delinquency. Interestingly the academic advisors of these students counseled them to arrange an interview at The Correctional Association of New York.

The Director of Classification for the Corrections Division of the new State of Hawaii was in New York during the summer and we arranged visits to several local institutions for him.

CONFERENCE ON THE CITIZEN IN CORRECTION — PRINCETON UNIVERSITY

The Associate General Secretary, at the request of Princeton University, provided consultation on the organizing of a conference on citizens in correction and participated with Dr. Negley K. Teeters and Mrs. Ballantine in this all-day affair, directed toward presenting the citizen's role in correction.

SEMINAR FOR THE LUTHERAN WELFARE ASSOCIATION

At the request of the Executive Director of the Lutheran Welfare Association the Associate General Secretary conducted a seminar for the professional staff of that Association on social problems and the work of The Correctional Association of New York. The problems of narcotic addiction, major crimes, and the lesser offender were presented and discussed and the work of The Correctional Association directed toward the amelioration of these problems reviewed. As in most private agencies working with non-correctional cases, the staff was extremely interested in learning more about crime, its ramifications and constructive efforts of prevention and treatment.

CO-OPERATION WITH THE AMERICAN CORRECTIONAL ASSOCIATION

Since 1870, when The American Correctional Association was formed through the efforts of Dr. E. C. Wines, the then General Secretary of The Correctional Association of New York, we have maintained a parental attitude and a close working relationship with the national body, thereby facilitating its ability to both influence the national scene and to bring into the State of New York the best thinking in the country on correction.

One of the major activities of The American Correctional Association is the Annual Congress of Correction it conducts for the critical examination of basic crime, delinquency and correctional problems, and in which The Correctional Association of New York is the core of operational stimulus and guidance as it has been for years.

91st Annual Congress of Correction

At the 91st Annual Congress, held in Columbus, Ohio this year, there were delegates from forty-seven states, the District of Columbia, Puerto Rico, The Virgin Islands, Canada and England. It was gratifying to note representation from the two new states, namely Alaska and Hawaii. The only states not represented were Arizona, New Mexico and Wyoming.

Attending the Congress were approximately 1,500 delegates and included among them from The Correctional Association of New York were Mrs. Ballantine and Mr. Aldrich. The latter was scheduled for two meetings on the program and did exceptionally well in presenting his subject and in his characteristic manner was frank to admit that he, too, had gained from discussion not only with those at his meetings but others who attended the Congress. Mrs. Ballantine was also elated at the opportunity to profit through attendance at numerous workshop sessions.

The consensus was that we had a successful Congress and that the content of the program was of an exceptionally high level. These Congresses offer an opportunity for those who attend to be inspired, better informed and to regain renewed hope and vigor for the handling of their respective difficult tasks. The Congress as it unfolded in Columbus justified the vision and labors of its founders.

Working both on week-ends and during the normal working day to expedite the publication of the PROCEEDINGS of the 1961 Congress of Correction, approximately 400 pages of manuscript, general session addresses, sectional and workshop meeting papers and summaries were edited and forwarded to the printer.

While this was tedious and laborious work, the extensive use made of the PROCEEDINGS of the Congresses of Correction by not only persons in the field but legislators and academicians dictates the need for close scrutiny and accurate proof reading.

Publications

Another segment of activity of The American Correctional Association with which our Association was closely allied during the year was the preparation and circulation of publications and literature. Among these were:

"Citizen Leaders Are Preventing Juvenile Delinquency"

Highlights of the wide range of projects being carried on by citizens in the United States such as youth employment committees and programs to find jobs for young people in Missouri and California; juvenile conference committees established to assist the juvenile courts by handling cases of minor delinquencies in New Jersey; seminars on youth counseling for church leaders in San Diego, California and vocational counseling by volunteers in Michigan, are described in the pamphlet, "Citizen Leaders Are Preventing Juvenile Delinquency." This pamphlet was prepared by a committee of The American Correctional Association on which both Mr. Aldrich and Mr. Goff served. The pamphlet is in great demand and has been given wide distribution throughout the country. This is an example of the co-operation and close relationship of The Correctional Association of New York to its offspring, The American Correctional Association.

The following distribution was made:

A total of 1,000 copies were distributed to official government agencies in twenty-five states and to the Federal government. (This includes state commissioners, courts, delinquency prevention agencies, et cetera. A bulk distribution was made to the Conference of Public Youth Agencies in St. Louis, Missouri.) Local Y.M.C.A.'s, community councils and similar agencies in twelve states received 1,000 copies.

As a result of an announcement of the availability of the pamphlet in the Bulletin of the American Library Association the extension libraries in twenty states received copies for distribution.

In New York State a copy was sent to every library.

"Correctional Officers Training Manual"

This is a publication that has been in preparation by a committee of The American Correctional Association. Messrs. Cass and Goff have served as contributors and consultants to this project. The purpose of the manual is to provide an introductory text regarding the goals and aspects of custodial care, including both security and treatment of offenders, to outline the duties of a correctional officer, and to explain in detail useful custodial

techniques and procedures. It is designed for training new correctional workers and for developing present custodial officers into better correctional officers.

The book in its nearly completed stage consists of eight chapters, with many subdivisions, and nearly 400 typewritten pages. Two or three additional chapters are forthcoming and when the book is finally approved by the committee it will be made available in printed form. This is long sought contribution to the field for the benefit of correctional personnel who are in need of information and guidance regarding their responsibilities and duties. The titles of the various chapters, and the content, show considerable detail into many segments relating to the understanding and handling of institution inmates. Our identity with this publication is comparable to the importance of that in the preparation of the *MANUAL OF CORRECTIONAL STANDARDS*. There is an unceasing demand for this latter book in this country and abroad and it is now in the third printing of the revised edition.

"What Is The American Correctional Association"

In order to better convey the idea of The American Correctional Association, a folder entitled "What Is The American Correctional Association" was prepared by our office for national service. This folder explains the activities of The American Correctional Association and touches briefly on its history.

"Manual of Correctional Standards"

It is heartening to note the steady demand for this valuable publication of 629 pages by correctional personnel, officials of states, faculty of universities, administrators of correctional departments and institutions, architects and others.

The revised edition of the book, now in its third printing, is a source of gratification to us to have had to do with its compilation, preparation for the printer and increased distribution.

This book in a sense is the bible of correction. The earnestness with which it is sought is evidence that the appeal for better prepared correctional personnel is gaining and in the course of time should be progressively productive.

Co-operation with Committees of the American Correctional Association

Because of the general interest of the affiliated bodies and standing committees of The American Correctional Association and the specific interests of The Committees on the Prevention and Treatment of Juvenile Delinquency and Correctional Camps,

copies of Senator Humphrey's bill to create a Youth Conservation Corps in the United States (S. 404) were forwarded to each of the chairmen of the committees and presidents of the affiliated bodies of The American Correctional Association. Also, additional material was sent to the members of the two committees most interested.

Senate Bill 404 would create a Youth Conservation Corps for approximately 150,000 youths between the ages of 16 and 21. The bill is an effort to reduce "the conditions of insecurity and hopelessness that characterized the lives of many unemployed young people (and) threaten their acceptance of traditional ideals. It is an effort to deal with what Dr. Conant describes as a situation of "social dynamite."

Meetings of The American Correctional Association Committee on a Standard Act for State Correctional Services, the Ad Hoc Committee on Large Scale Research and the Ad Hoc Committee on Architectural Awards were attended during the summer months, both in the New York office and at the Columbus Congress of Correction.

Federal Executive Order 325-A

The General Secretary on behalf of our Association and The American Correctional Association urged by circular letter and otherwise nation wide support for modification and clarification of the order to permit the employment by the Departments of Agriculture, Interior and Defense, under certain conditions of inmates of State penal and correctional institutions, and to permit the purchase under certain conditions by the Administrator of General Services of commodities manufactured or to be manufactured in such state institutions for use by the federal government. This order was signed by President Theodore Roosevelt in 1905.

The order has not as yet been modified but there are increasing signs of a willingness to give some favorable consideration.

Library Service

In co-operation with The American Correctional Association we continued to promote the extension and improvement of institutional libraries. In this connection we have recently acquired the interest of the American Library Association.

It was gratifying in connection with our efforts to receive a communication from Miss Ella H. Davison, sister of the late Henry P. Davison, Sr., who some years back from her own funds, and with the assistance of her friends enabled our Association to place a library in every county jail in the State. Miss Davison indicates in her letter her joy at the knowledge of our continued interest in this service.

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

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DIRECT SERVICES

Throughout its history the Association has never ceased to provide direct assistance and services to the families of men incarcerated and directly to persons released from correctional institutions. A significant portion of the Association's funds are expended providing both material assistance and counsel in the "support and encouragement of reformed offenders after their release by affording them the means of obtaining an honest livelihood and maintaining them in their efforts of reform", and to ameliorate the severe and trying conditions to which the innocent families and children of offenders are often subjected while the breadwinner is incarcerated.

FAMILY SERVICE BUREAU

In 1961 the Family Service Bureau continued to remain faithful to one of the basic purposes of The Correctional Association of New York namely the care of families of men imprisoned in local, state and federal institutions. It has done this by providing friendly and wise counsel and guidance to emotionally distraught wives and mothers so that they can be led to feel that the situation is not completely hopeless, and that life still has meaning. The wives of prisoners are frequently ostracized by the family, friends and neighbors.

The community adjustment of the children of prisoners is of primary importance to the Association. This, we feel, is practical crime prevention and constitutes a direct approach to community welfare. The anxiety of the prisoner's wife over the child's potential delinquency pattern stems of course from the criminal behavior of the father. This concern is whether the child may have inherited similar traits from the father, and frequently this opinion may require many family contacts to erase. Difficult and disturbed relationships between the child and the mother and others in the home may cause rebellion within the child who may resort to anti-social behavior as the way out.

In practically every case when the husband or father is removed from the family scene, a series of heavy blows is suffered. This reflects from mother to wife through to the youngest child. Neighborhood problems, school difficulties, housing situations, and many other factors become major concerns to the family unit.

In all cases the Family Service Bureau does its best to offer sympathetic understanding and guidance. Coupled with this are efforts to improve the economic level and health of the family. Preparation of the family for the eventual return of the prisoner is an important part of the Bureau's work.

Our referrals come from many sources. These include those from probation officials, wardens and chaplains of institutions, private and public agencies and, in some instances, friends of the family and by the individual prisoners. The family visits to the Bureau and our visits to them serve to create a full understanding of the problems involved and clarify the confused state of mind of the family.

The Family Service Bureau, in the respect of financial needs, is a shock absorber during the period when the impact of arrest and imprisonment is first experienced. These situations are of a kind that require the immediate payment of rent, gas, electricity, bills, food and frequently medical aid. It should be kept in mind that most of the families that come to our attention are in the group of low wage earners who rarely, if ever, are able to live except on a day to day basis. There are, of course, some exceptions to this but they are rare. These families are in a group also that frequently require a kind of steadying hand even under ordinary circumstances.

By summertime our Family Service Bureau has worked for months making reservations for camp to get the mothers and children off our sweltering streets. Women in the forties tell us that they and their children have never had one day away from their slum areas. One little boy was known to say "I wish we could live like in camp all the time."

At Christmas time the families are given money for Christmas dinner and toys for the children. The wives of prisoners frequently tell our Family Service Bureau worker that they had to spend the money on buying a pair of pants and shoes as the child could not have gone back to school without these items.

To those friends of the Association who are particularly interested in the families and here again the children of men in prison we take this occasion to record our deep thanks and appreciation on behalf of those who have benefited through their interest through the year.

The following statistical report falls far short of revealing the real benefit of the warmth of understanding and feeling exercised by those of our staff who come in daily contact with many of these people in the office and in the home, and who meet with Social Service Department of Hospitals, institutions and schools in their behalf.

"DEAR MRS. LOVEJOY:

Of all the people I've ever met, you are the one who seemed to really care about my little family. You gave me more than you realize, when I left your office each month I knew you cared and I wanted to let you know I am working as a waitress. I've been there for two months. I only

work part time but its so nice there the girls are wonderful. I work from 10:00 to 3:00. I make 65¢ an hour plus tips.
Gee I do hope you remember me for I know I will never forget you, again,

Thank you."

Very truly yours,
Mrs. F. S*

* All names and initials are fictitious.

"DEAR MRS. LOVEJOY:

I have been coming to you each month for almost a year. I received this week wonderful news that my husband John will be home the 22nd of May. I will not be coming to you anymore after this month so I want to ask you to do a favor for me.

I've never met any of the wonderful people who have helped me so very much in my time of need. I cannot put down on paper how very much they have helped me and set my mind at ease.
So I'm counting on you to tell them. May God bless them one and all and thank them all for me.

I've never written a letter of thanks before. I think this letter expresses how I feel.

Thank you Mrs. Lovejoy you are one of the nicest people I've ever met. God Bless you."

Yours truly,
M. K.*

"DEAR MRS. LOVEJOY:

I wish to thank you for your kindness to me. With the money you gave my mother she bought me what I needed for the Boy Scouts such as a sleeping bag, mess kit, canteen and a pack.

Now I am more than pleased to go on hikes as due to you I have just what any Boy Scout needs.
Thank you and God bless you."

M. S.*

* All names and initials are fictitious.

Statistics for Family Service Bureau for 1961

Families in active category January 1, 1961	77
New cases accepted	40
Cases reopened	19
Total number of cases during year	136
Cases closed	41
Families in active category December 31, 1961	95
Total amount of financial assistance	\$12,060.41
Families provided with Christmas dinner and toys (total of 144 persons)	37
Children and mothers sent to summer camps	95
Families visited in the home	169
Office interviews	806
Agency visits	271

EMPLOYMENT AND RELIEF BUREAU

"*Life is but a Passing Parade*"—A well-turned phrase and sadly true. Remain in line and keep full pace with the rest of the marchers, and the "going's easy," but yield suddenly to that unrelenting urge to escape and deliberately misdirect your steps. . . . The going's easier now, and understandably, since it is downhill all the way. Later again, remorsefully, you seek to reclaim your position in line—the ascent proves far more grueling than ever you had imagined, until at long last you concede hopelessly that ultimate release from the penal institution never means absolute freedom. The payment in full of your debt to society carries no automatic warranty against the risk of either being overtaken by the dogging stigma of your past, being caught up with the none-too-elusive temptation of a second "wrong-turn." Thus is the dim view of the Passing Parade as seen through the sorry eyes of the offender. And you—Would you, in passing, reach out your hand and draw him in, at the same time tightly pulling in your projected doubts, the better to make place for him to march alongside? By so doing you will have helped him back to a fresh starting point whence his cautious steps this time will lead him directly toward his cherished goal, Rehabilitation.

The released inmate, upon having been granted gainful employment, at once has reached the first milestone. To the employer who willingly extends himself, the long-established Correctional Association of New York, similarly dedicated to the welfare of parolees, discharged prisoners and those men in various institutions awaiting release, herewith conveys deep gratitude. Were it not for you, so compassionately putting to proof your earnest faith in the less fortunate, this Bureau's ever-swelling burden of placement easily might expand to point of explosion. To the employer as yet withdrawn, the Association begs to unfold to him the secret fruits of self-gratification to be enjoyed as he comes to the aid of any and such of our clients in whose behalf we further enter a fervent plea.

To repeat, Rehabilitation to the released prisoner represents the cherished goal. Many happily survive the rigors of the long weary travel, while the less-strong, in sorrowful number, succumb in their track. The fortunate one safely delivered plods onward, hard bent on restoration to his rightful social status. During the course of his travel he will have been re-schooled in such precious lessons as the true evaluation of freedom and equality, to accept and exercise properly his rights and privileges, and not the least precious of these, to appreciate the worth of friendship and trust as endowed him by you, the wonderful employer, without whom nothing could have materialized. Dare we now question the vital importance of gainful employment?

For the past nineteen years the Employment and Relief Bureau has been under the able supervision of Mr. Harry Schwartz, who is credited with more than forty-nine years experience in the field of crime treatment and prevention in New York City. Mr. Schwartz' activities entail among others, personal contacts with employers, countless visits throughout extensive and far flung areas and fields of practice, including commercial houses, factories, mills, garages, laundries, and stores. We confess with pride that even where no actual placement has materialized, our representative nonetheless has been received with utmost respect and graciousness on the part of all visited.

The Bureau is more than a mere employment exchange. It is confronted daily with incessant problems of financial stress, inadequacy of conventional clothing, lack of transportation to job locations, proper tools, union dues and fees. Following careful investigation the necessary assistance is granted discriminately and in the case of those clients who through prolonged illness no longer are capable of self-support, the Bureau provides the required aid and guidance throughout the critical period of adjustment. Our program likewise assures aid to families and friends of clients, with referrals to welfare agencies aptly equipped to extend long-range and permanent financial assistance and support.

Permit us at this point to introduce several cases that best illustrate the widely-assorted problems directed at us for resolution.

"Dear Sir," this written appeal opened, the ensuing words punctuated heavily with the anxiety felt by a worried mother. "Several weeks ago I was in New York, seeking my son, D. H.*—I asked help from you—but when I called those you thought could inform me—they could not. I have lately heard that D.* was confined at Columbia Hospital. I can get no information on that. D.* is in ill health. I am concerned and want him to return home. Will you please try to get information from the hospital concerning him. I am so afraid he is dead and I won't ever know it—he is said to have cancer—has been operated on once at the Bellevue Hospital or some hospital there. If I learn his whereabouts I would go to New York and bring him to Cleveland. Please consider my plea for help. Truly yours,

(Mrs.) J. H.*"

Deeply moved, our representative set out in search of the above, and eventually located him in a Detention House where he was being held for a minor crime, whereupon he further completed arrangement for the Legal Aid Society to represent the young man during his court appearance. The knowledge that we had relieved this mother of her bewilderment and at the same time provided reliable legal guidance for her son, truly offered to us no small measure of gratification.

G. L.*, a restless youngster, managed to run away from his home in Georgia to New York where he quickly succeeded to fall into trouble. Finally, at liberty once more, however, still alone and stranded, he turned to us, and with the transportation funds we provided, eventually returned home, a sadder but much wiser lad.

As follow-up, we've borrowed an excerpt from a letter subsequently sent to us by Mr. Irving W. Halpern, Chief Probation Officer, Court of General Sessions. "... We have received a letter from G. L.* from Savannah Georgia regarding his arrival. Please accept our sincere appreciation for this service which no other agency was able to provide on such short notice."

It is always a pleasant chore to dig into our usual avalanche of "thank you" letters from grateful clients and select a few for publication in this particular section. Some are written in bold hand, others are barely legible, however, in all, the intended message and sentiment contained come right through with equal clarity.

"DEAR MR. SCHWARTZ:

Enclosed is a money order in the amount of Ten Dollars (\$10.00) which you were kind enough to lend me Monday, August 21, 1961. Many thanks for your kindness, may God bless you and yours always."

Sincerely,
L. S.*

"DEAR SIR:

Just a few lines to say I am sorry for keeping you waiting so long for that Good favor. But thank to God I am able to send it Back and thank you Sir, Very, Very much."

from
N. L.*

"DEAR MR. SCHWARTZ:

Please find enclosed a \$10.00 money order in return for the loan you so graciously gave to me a few weeks ago. My sincerest thanks, and I hope this money in some way will help someone also as it did me. Thanking you again, I remain."

Respectfully,
W. R.*

"DEAR MR. SCHWARTZ:

This is part payment of the Ten Dollars (\$10.00) loan that you let me have several weeks ago. Thanking you kindly for your magnificent consideration, patience and service."

As I remain
B. L.*

Among these was included an Easter Greeting Card of deeply religious nature, bearing the following wish...

To, American Correction and all those doing a great job. "A Happy Easter to All."

From Mr. C. L. T.* & Family

* All names and initials are fictitious.

Statistics for Employment and Relief Bureau for 1961

Office interviews	1,919
Telephone consultations ¹	1,171
Different persons interviewed	1,888
Men released from New York City penal institutions	946
Men released from New York State penal institutions	777
Men released from out-of-state penal institutions	29
Men released on probation	84
Relatives of prisoners concerning employment	52
Meals provided	710
Night lodgings provided	3,160
Employment contacts made by personal visits (approx.)	500
Men placed in employment	526
Men given cash relief	1,106
Total amount spent solely for relief (includes cash, meals and lodgings) ²	\$10,018.65

¹ Includes clients, parole and probation officers, agency and institution officials.

² Includes outlays in the sum of \$2,400 from the Grand Street Boys Fund.

THE CORRECTIONAL ASSOCIATION'S
LEGISLATIVE ACTIVITIES

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LEGISLATIVE ACTIVITIES — 1961

The following relates to bills holding the active interest of The Correctional Association of New York during the 1961 Legislative Session. It is noteworthy that there were introduced in the *Senate 3,844 bills* and in the *Assembly 4,993 bills*, making for a total of 8,837. This does not necessarily mean separate bills because the usual practice is to introduce the same bill in both chambers since it is required that favorable action be taken by both the Senate and the Assembly before a bill can be passed and sent to the Governor.

However, the great number of bills requiring Legislative attention (first through committee action in both houses and then, if a bill is reported favorably, on the floor of both houses) shows an enormous volume of work to be done if adequate consideration is to be given to each bill. Most bills remain in committee. Usually there is limited action during the first two months of the session but the pace quickens during the third month and for about two weeks prior to the date of adjournment there is high pressure functioning. As a result there are about a thousand bills for the Governor to act upon during the thirty day period after the date of adjournment.

During the 1961 session 75 bills held our attention. Of this number we gave approval to 40 and opposed 35.

<i>Approved (40)</i>		<i>Opposed (35)</i>	
Enacted	24	Enacted	2
Failed of Passage ...	16	Failed of Passage ...	33
	<hr/> 40		<hr/> 35

Sex Offender Resolution

We supported Senate Resolution 136 which was adopted and mandates that a study be made of the laws and practices relating to identification, apprehension, treatment, parole, care, or release from custody or imprisonment, of sex deviates and degenerates.

The various State agencies such as the Departments of Correction and Mental Hygiene, the Division of Parole, et cetera, will be responsible for making the study.

Our support of this resolution is proof of our continued concern regarding the control of sex offenders as first recorded through the introduction, on our initiative, of a bill in 1947 which failed of passage but resulted in the appointment of a committee by Governor Dewey to study the problem. That committee, of which our General Secretary was a member, came up with a report and a

bill in 1950 which was approved and is known as the sex offender law. However, the law has not served its full purpose because of the apparent hesitancy of the judiciary to use its maximum potential; nor has there been adequate study and treatment in the institutions due to the shortage of psychiatric and other personnel.

In our recommendations to the 1961 Legislature we urged "that there be a review of the administration and accomplishments resulting from Chapter 525 of the Laws of 1950." The study directed by Senate Resolution 136 should somewhat fulfill the request contained in our recommendation.

Commission to Review the Penal Law

It is further gratifying to note that the Legislature provided for the appointment of a commission to review the penal law and code of criminal procedure. Governor Rockefeller in his message to the Legislature urged that this be done and we in our recommendations concurred. Our recommendation in part reads, "Therefore we urge that such a study be undertaken in order that the experience and knowledge gained since 1881, when the present law and code were adopted, be translated into present day requirements."

Further in our recommendation we strongly suggested that the State body to be charged with the responsibility for the study should work closely with the State Judicial Conference, the legal profession and informed lay people, and the American Law Institute.

The bill (Senate Intro. 4512, Pr. 4512) authorizing the commission requires that the Governor appoint three members; that three be appointed by the President of the Senate, and three by the Speaker of the Assembly.

Under date of April 12, 1961 our President, Mr. Chambers, addressed a letter to Governor Rockefeller suggesting that consideration be given by him to the appointment of David W. Peck, former Presiding Justice of the Appellate Division, First Department; Professor Herbert Wechsler of the Columbia University School of Law; and Mr. Timothy N. Pfeiffer, a member of the firm of Milbank, Tweed, Hope and Hadley. He expressed the view that all three are qualified through interest, experience and knowledge to serve, with distinction, on the commission. Finally the Governor did appoint Mr. Pfeiffer and Professor Wechsler to the commission.

Sentencing Institute

We featured in our recommendations to the 1960 and 1961 Legislatures the desirability of establishing an Institute on Sentencing patterned after the Federal procedure authorized by the 85th Congress and known as Public Law 85-752.

During the 1961 session we had the endorsement and active interest of the State Judicial Conference through its chairman, Chief Justice Desmond, to the end that a special appropriation be made to finance one or more institutes. Regardless of our joint efforts failure resulted during the closing days of the session. It was noted that toward the end of the session there was a general hostility to any proposal having to do with the judiciary, due perhaps to the resentment on the part of the Legislature to the criticism leveled at it by a Supreme Court justice in declaring an act of the Legislature as unconstitutional. This frame of mind on the part of the Legislature did not help our proposal for a sentencing institute. However, it is agreed that we shall jointly try again because of the recognizable value of a sentencing institute.

Commission on Revision of the State Constitution

We gave support to the continuance of the commission to further study the need for revision of the State constitution. This body, known as the Peck Commission, had done a satisfactory service. To the surprise of all the Legislature failed to appropriate a sufficient sum for the continuance of the work. This is regrettable.

Résumé of Approved Bills

Senate Intro. 31—Court Reorganization

We approved this bill at a previous session and again in our recommendations to the 1961 Legislature. The bill received final approval by the Legislature and was submitted to the voters at the November election. It is gratifying to record at this writing that at the November election the voters overwhelmingly approved the constitutional amendment provided in the Court Reorganization bill, Senate Intro. 31. The measure includes the following major provisions:

Two city-wide courts in New York City, one of criminal jurisdiction and one of civil jurisdiction up to \$10,000.

Abolition in New York City of General Sessions, County Court, City Court, Domestic Relations Court, Municipal Court, Special Sessions and Magistrate's Court.

Establishment of a new Family Court in each upstate county and in New York City.

Provision for upstate counties to adopt a district court system, similar to that in effect in Nassau County, by referendum, eliminating and consolidating a number of small local courts in the process.

Requirement that county judges be full-time judicial officers, with no outside law practice.

Requirement that the Legislature impose an educational program on police justices and justices of the peace.

Establishment of a new Eleventh Judicial District to consist of Queens County, making it the only county with the privilege of selecting its own Supreme Court Justices.

Continuation of the Court of Appeals, Appellate Divisions, Supreme Court, County Courts upstate, the Court of Claims and the Surrogate's Court.

Assembly Intro. 4656, Senate Pr. 4566 — Public Defender

The establishment of a public defender has been included in our recommendations to the Legislature for several years and in 1960 and 1961 Governor Rockefeller indicated strongly his support of such an arrangement. It is therefore gratifying to report that the Legislature approved a bill, signed by the Governor, which sets up various plans whereby indigent persons charged with a crime can have the benefit of counsel. The law is permissive with respect to New York City and some upstate counties. It is therefore necessary in order to activate the proposal that action be taken by the City of New York and those upstate counties affected. Chapter 365.

Senate Intro. 198, also Senate Intro. 256 — Youth Court Act

This act has held our attention since it was originally approved because it contained various meritorious features. However, there was considerable hostility to certain features of the law which resulted in the Legislature postponing its enactment for several years and finally in 1961 voting its repeal. We approved this action in order to overcome a hopeless situation and to make for the basis of a new start. This has resulted in a new bill (*Senate Intro. 3322*, under the title "Uniform Correction Code for Youth") which was introduced toward the end of the session and is now available for Legislative study and action at the next session. The Senate bill Intro. 156 was signed. Chapter 196.

Senate Intro. 2033 — Alcoholics

This bill provides state aid for those counties maintaining a penitentiary and having in operation a well defined program for the treatment and care of alcoholics. Failed of passage.

Senate Intro. 1624 — Sheriff's Responsibility

This bill, which became *Chapter 407*, protects the sheriff against litigation where an improper commitment is made by a court.

Senate Intro. 2945 — Treatment of Insane Prisoners After Expiration of Sentence

This bill became *Chapter 429* and allows for the continued control and treatment of insane prisoners after the expiration of their sentence in facilities maintained by the State Department of Mental Hygiene, thus relieving the Department of Correction of this responsibility after the prisoner's sentence has expired. In other words, the bill facilitates the transfer, with court approval, of prisoners from Dannemora State Hospital (maintained by the Department of Correction) to a suitable institution of the Department of Mental Hygiene and places the patient in a civil instead of a criminal setting.

Senate Intro. 2044 — Medical Treatment for Prisoners

This bill, which became *Chapter 151*, provides that in an emergency a sheriff can transfer a sick prisoner to a hospital without first obtaining a court order. The sheriff will be responsible for the safe custody of the prisoner and it will be incumbent upon him to obtain a confirmation court order without delay.

Senate Intro. 705 — Certain Allowances For Prisoners

This bill, which failed of passage, proposed to increase the amount allowed for clothing furnished a prisoner on release.

Assembly Intro. 2130 — Arrest, Court Contempt Cases, Review

This bill stemmed from the detention for a period of two years of an old lady in Civil Prison, Manhattan. It aroused considerable public interest. The bill provided for a court review of detentions at certain intervals. Despite considerable support the bill failed of passage.

Senate Intro. 170 — Homes and Hostels for Minors on Probation and Parole

This bill, which failed of passage, was intended to extend the use of special home facilities for minors on probation and parole. Same as Assembly 797 and 1855. All three bills failed.

Senate Intro. 423 — Division of Correctional Camps for Youth

This bill made for specific reference to these camps in the Correction Law and the designation of a separate division in the Department of Correction. The bill passed. Chapter 90.

Senate Intro. 424—Escape, Arrest or Commitment, Youthful Offender or Wayward Minor

This bill was intended to provide a means of dealing with escapees who are being held and treated as youthful offenders or wayward minors. Failed of passage.

Senate Intro. 425—Reference Youth Camps, Correction Law

This bill became *Chapter 91* and changed the language of Section 13 of the Correction Law so as to make specific reference to correctional camps for youth.

Senate Intro. 501—Proposed Amendment to Sections—2, 3, 4 and 5 of the State Constitution in Relation to the Reorganization of Civil Departments in the State Government

The number of departments are limited to twenty. The Legislature is authorized to change the names of departments. The bill was passed and submitted to the Secretary of State.

Senate Intros. 518, 519, 529—Defense of Insanity

These three bills had as their main purpose to expand the century old so-called M'Naghten Rule governing the criminal responsibility of mentally deficient persons. This rule has been used by juries in deciding whether a criminal should be excused as a result of insanity. The proposed legislation would expand this interpretation to deal with other forms of mental deficiency.

The Assembly companion bill to Senate Intro. 519 passed the Assembly by a vote of 129 to 2. However, all three measures finally failed of passage.

Senate Intro. 677—Medical Examination of Prisoners re: Insanity

This bill became *Chapter 96* and provides that a person held by court order for examination as to sanity may receive psychiatric, medical and other therapeutic treatment while detained.

Senate Intro. 941—Adjudication Youthful Offender re: Arrest

This bill coincides with our recommendation a number of times to the Legislature to the effect that an arrest shall not be regarded as a conviction in making for adjudication as a youthful offender. Failed of passage.

Senate Intro. 1071—Payment, Tramps in Penitentiaries

This bill became *Chapter 459*. It increases the per diem rate to \$5.00 a day for the board and care of tramps in penitentiaries.

Senate Intro. 1428—Pension Adjustment, New York City Department of Correction

This bill clarifies a situation and thus enables personnel of the New York City Department of Correction to receive added pension considerations as a part of the increased compensation formula of the City of New York.

The bill was passed. *Chapter 727*.

Senate Intro. 1759—Youth Information Bureau, State Department of Correction

This measure established a central register of youth information in the Division of Identification of the State Department of Correction. Failed of passage.

Senate Intro. 2017—Institution Superintendents, State Department of Correction

This bill, which became *Chapter 156*, clarifies the law with respect to titles.

Senate Intro. 2018—Commitments to Matteawan State Hospital

This bill provides for the transfer or commitment to Matteawan of those adjudicated to be a youthful offender, wayward minor or juvenile delinquent. The bill passed. *Chapter 157*.

Senate Intros. 2080, 2081, 2082—Budget Bills

These are budget bills which provide for renovations, construction and other needs in institutions of the State Department of Correction, all in the interest of progress. They were approved by the Governor.

Senate Intro. 2091—Payment for Work Performed at Youth Camps

This bill originated with the State Division For Youth, Executive Department. Mr. Aldrich is the Director of the Division. The purpose of the bill was to provide a monetary reward for boys who performed satisfactory service at youth camps. Failed of passage.

Senate Intro. 2140—Copy of Testimony for Defense in Court

The purpose of this bill was to provide copy of testimony in cases where the defendant is unable to purchase same and where this testimony is needed for adequate defense. The bill failed of passage.

Senate Intro. 2170 — Drug Addicts; State and Federal Institutions

The bill was intended to amend the Public Health Law in relation to the commitment of drug addicts to State and Federal institutions having special facilities for their care and treatment. Failed of passage.

Senate Intro. 2232 — Fees and Disbursements, Counsel Assigned by Courts

This bill was intended to provide for compensation of counsel in cases where an appeal seemed desirable in behalf of an indigent prisoner. Failed of passage.

Senate Intro. 3184 — Appearance of Defendant for Arraignment or Sentence

The purpose of this bill was to provide a prisoner with adequate legal guidance at the time of arraignment or sentence. Failed of passage.

Senate Intro. 3293 — Credit to Prisoners for Detention Time

The purpose of this bill was to give credit to prisoners for detention time between date of sentence and date of commitment. The bill was vetoed by the Governor.

Senate Intro. 3326 — Identifying Criminals

This measure clarifies the law with respect to identification of a certain kind of disorderly person within the meaning of sub-division 3 of Section 899 of the Code of Criminal Procedure. The bill was passed. Chapter 775.

Assembly Intro. 1256 — Certificate of Admission, Drug Addicts

This bill, now Chapter 434, allows flexibility of admitting and discharging drug addicts with respect to state institution having special facilities for their care and treatment.

Assembly Intro. 3713 — Narcotic Drug Control, Nursing Homes

This bill was sponsored by the State Department of Health and has as its purpose the control of the possession of and disposition of narcotic drugs in nursing homes. The Legislature gave it approval. Chapter 884.

Senate Intro. 3220 — Removing Word "Arrest" From Record of Child

This bill, relating to children, is intended to remove the handicap of the incident of arrest in future life. The Legislature gave it approval. Chapter 655.

Assembly Intro. 257 — Repeal, Provisions to Conform with Youth Court Act

With the repeal of the Youth Court Act (Senate Intro. 198) it was necessary to pass this bill because of the effect the law had in upstate areas. It is now Chapter 232.

Senate Intro. 3640 — Revision of Penal Law and Code of Criminal Procedure

This act creates a temporary State commission to revise and simplify the penal law and code of criminal procedure. This bill is now Chapter 346. We urged such legislation in our recommendations to the 1961 Legislature.

Résumé of Major Bills Opposed

Senate Intros. 1017, 1006, 1292 — Uniformed Force, State Department of Correction

This has become a perennial measure. Its intention is to confine institutional promotions to those who come within the definition of *uniformed force* as defined in the bill. We have consistently opposed these identical bills because of their discriminatory character. Failed of passage.

Senate Intro. 1066 — Restriction of Brush Making, State Department of Correction

This definitely is a perennial bill and its purpose is to restrict the manufacture of brushes at Sing Sing Prison and thereby infringe upon the opportunity to employ prisoners under the state-use system. Failed of passage.

Senate Intro. 221 — Inspection, Probation Reports

This bill is an imposition on the privacy of court records in that its purpose is to permit counsel for the defense to inspect probation reports. This as a legislative mandate would be an

evasion of the confidentiality of these reports which are intended only for the guidance of the court. Failed of passage.

Assembly Intro. 2513 — Parole, Time Reduction Computation

While we favor credit for time spent in custody prior to conviction and did initiate the first measure in this respect in this State we nevertheless opposed this bill, which finally became *Chapter 258*, because we were of the opinion that the time reduction would be applied to the maximum and not the minimum sentence.

Senate Intro. 194 — Cost of Prisoners, Cities of First Class, Paid For by State

The purpose of this bill is to require that the State pay an apportionment of the cost of maintaining persons convicted of misdemeanors or lesser offenses serving indeterminate sentences during periods of imprisonment in excess of one year. The objective here is to place this type of prisoners in the felon class and thereby take the position that the cost of maintaining felons in a county or city institution is a State charge. Failed of passage.

Senate Intro. 157 — Grand Jury Minutes to Defense Attorney

It is intended under this bill that the defense attorney have the benefit of examination of the minutes of the grand jury proceedings. Failed of passage.

Senate Intro 158 — Return of Fingerprints, Youthful Offenders

It is provided in this bill that at any time after the expiration of three years from date upon which a youth offender was discharged from his probationary period he may make application to the court for an order removing his record therefrom. Failed of passage.

Senate Intro. 175 — State Pay, Felons in County Penitentiaries

This bill intended that the State reimburse a county penitentiary for the maintenance of felon prisoners to the amount that it actually costs to maintain such prisoners. Failed of passage.

Senate Intro. 249 — Fingerprints, Youthful Offenders

This bill was another of the series intended to return fingerprints to youthful offenders under certain conditions. Failed of passage.

Senate Intro. 517 — Grand Jury, Waiver of Indictment, Proposed Constitutional Amendment

This proposal would permit persons accused of crimes not punishable by death or life imprisonment to waive grand jury proceedings. Failed of passage.

Senate Intro. 541 — State Aid to Municipalities for Youth Programs

This bill is intended to have the State provide substantially for the maintenance by municipalities of approved youth bureaus, projects and programs. Failed of passage.

Senate Intro. 550 — Reimbursement to Counties for Transfer of Prisoners

It is intended under this bill to have the State reimburse counties for the salaries and other costs incurred in the transfer of prisoners from county to State institutions. Failed of passage.

Senate Intro. 942 — Destruction of Fingerprints, Youthful Offenders

As indicated above, this is another of the series of bills to erase records incident to crimes by youthful offenders. Failed of passage.

Senate Intro. 943 — Records, Youthful Offenders

This bill is intended to seal the records, convictions, and all other matters relating to rehabilitated youthful offenders. Failed of passage.

Assembly Intro. 245 — Adjudication of Youthful Offenders After Five Years

This bill reflects the perennial attempt to permit retroactive adjudication as a youthful offender. It provides discretionary action on the part of the court and requires that a period of five years must elapse from the date of his sentence for the expunging of the record. This bill passed and was sent to the Governor. Vetted.

Senate Intro. 1019 — Registration of Persons Convicted of Narcotic Drugs Crimes

The purpose of this bill is to maintain a roster of persons convicted of crimes relating to narcotic drugs. Failed of passage.

Senate Intro. 1170 — Uniform Allowance for State Department of Correction Personnel

The purpose of this bill was to require the State to furnish uniforms of correctional personnel or authorize a cash allowance in lieu of such provision. Failed of passage.

Senate Intro. 1269 — Licensing Bondsmen

This bill has been introduced several times and is intended to authorize the restoration of a license to a bondsman convicted of a crime who is subsequently pardoned by the Governor of the State or the President of the United States. Vetoed by the Governor.

Senate Intro. 1604 — Sentence on Two or More Convictions

Amends Section 2190 of the Penal Law to provide that when a person is convicted of two or more offenses before being sentenced for either, imprisonment to which sentenced on second or subsequent conviction, may instead of must, commence at termination of first or other prior term and that sentencing judge may fix terms to run concurrently. Failed of passage.

Senate Intro. 1605 — Punishment, Fourth Conviction

This is a further attempt to ease up on the fourth conviction felony punishment by providing an elapsed period of five years as a basis for this easement. Failed of passage.

Senate Intro. 1665 — State Aid, Probation Services

Under this bill State aid would be granted to the extent of reimbursing 50 per cent of the expenditure incurred in employing the necessary probation officers by the City of New York or other counties. Failed of passage.

Senate Intro. 2263 — Age Increase, Youthful Offenders

This bill was to increase the maximum age of youthful offenders from 19 to 21 years. Failed of passage.

Senate Intro. 2671 — Fingerprinting Visitors

Under this bill members of a prisoner's family would be excluded from the requirement of fingerprinting in order to make visits to a member of the family in prison. Failed of passage.

Senate Intro. 2740 — Crimes by Children (15 to 16 years)

This measure removes the special consideration permitted a child who has not yet reached his 16th birthday but who has committed an adult crime to have his case referred to Children's Court. Failed of Passage.

Assembly Intro. 207 — Recommendation by Jury re: Felony Murder

This is a renewal of the many previous attempts to take from the court the discretionary power relative to the imposition of a life sentence in the case of a felony murder. Failed of passage.

Assembly Intro. 458 — Life Sentence, Release on Parole

This bill provides that every person sentenced to imprisonment for life shall become subject to the jurisdiction of the Board of Parole at the end of twenty years. Failed of passage.

Assembly Intro. 591 — Court Hearing re: Violation of Probation or Parole

This is a renewed attempt to have the courts determine a probation or parole violation rather than a probation authority or the Board of Parole. This would constitute court interference in the orderly and logical operation of probation or parole. Failed of passage.

Assembly Intro. 916 — Reimbursement of Expenses Incurred by Counties or Cities

Here again it is intended that the State reimburse counties or cities in connection with the maintenance, clothing, transportation and care of felons and misdemeanants or lesser offenders. Failed of passage.

Assembly Intro. 1022 — Return of Criminal Identification Record Statistics and Arrest

This is an expansion of the procedure to return records and eliminate identification in favor of persons under certain conditions and to conclude that such person shall be deemed not to have been arrested. Failed of passage.

Assembly Intro. 1023 — Expunging Criminal Records

This bill provides for the erasing of records after a lapse of ten years after date of conviction under certain conditions. Failed of passage.

Assembly Intro. 1298—Amnesty of First Offenders

This bill amends the civil rights law in relation to amnesty of first offenders. Its over-all purpose is to give a clean bill to first offenders with respect to the restoration of civil rights. Failed of passage.

Assembly Intro. 1479—Probation for Those Sentenced to Life Imprisonment

This bill makes the unique proposal to place on probation persons committed to life imprisonment after completing twenty-five years. The theory and practice of probation is not intended to apply during the serving of a sentence and there is undoubtedly an error in the drawing of the bill in this respect. Failed of passage.

Assembly Intro. 1537—Trial Before Same Judge

This is a renewed attempt to avoid a re-trial before the same judge after a reversal on appeal of a felony conviction. Failed of passage.

Assembly Intro. 3695—Classification, First Offenders

This bill is introduced regularly and provides for the segregation of first offenders. It is of good intent but is unrealistic and unscientific.

Assembly Intro. 2037—Restriction, Grand Jury Presentments

This bill is intended to restrict the grand jury to making indictment only or remain silent. This would remove from the grand jury the practice of making a report or presentment after investigating charges of misconduct by public officials. Failed of passage.

APPENDIX A

AMERICA'S YOUTH IN A TROUBLED AGE*

There has never been a nation in the history of mankind that has done as much for its youth as America. In the past fifty years, we have put youth at the very center of our society. Wherever one travels in this land of ours, he finds rivers of money being invested in youth work. We have created an endless list of agencies, institutions, professions and causes to serve our children and youth.

Our Youth Centered Society

Think for a moment of the professions and disciplines, now serving American Youth, which did not exist fifty years ago. The list includes: the highly specialized fields of pediatrics, pedodontia, child psychology, child guidance, marriage counseling, summer camping, guided recreation, character building; as well as, specialized education for the handicapped, the slow learner, the retarded child and the gifted child. If we think of the agencies, the institutions and organizations that exist now which were not in existence at the turn of the century, we are amazed—in fifty short years, we have created, staffed, and built a rationale for, the YMCA, the YWCA, the Boy Scouts, Girl Scouts, the Boys Clubs of America, summer camping movements, the child guidance centers, the correctional institutions, the day nurseries, and Junior Achievement, not to mention a host of student associations, church organizations, fraternal orders and academic societies. We have moved a long way from the day when youth were to be seen and not heard, to our modern day when they occupy a dominant place in our society.

This transition has changed our way of life. We have made youth our hope, we have determined that they are our greatest asset, we believe that in their character, their intellect, their spirit and their creative genius, rests the solution for most of our problems. Therefore we are willing to make whatever investment is necessary in their future. We stand ready to focus our community organization, our governmental taxing machinery, our civic, academic and religious life on our youth.

Contrasted with this hope is our anxiety, our tremendous concern about our youth. We keep telling ourselves that we have nothing to fear—we whistle in the dark seeking assurance that our youth have great promise. We hope against hope that they are

* Presented at 91st Annual Congress of Correction, 1961, Columbus 6, Ohio, by Dr. Leo K. Bishop, Vice President, The National Conference of Christians and Jews.

equal to any emergency, and that they are fine, noble, intelligent, serious-minded individuals. Yet there is a gnawing anxiety, as we are confronted by the facts.

We have done what we have for our youth assuring ourselves that we could build a better society, a nobler world, with a superior generation of youngsters—yet we are uncertain, anxious and fearful about the future.

We keep telling ourselves that we are doing the right things as though we were assuring ourselves against our own anxiety. The truth is we have a great deal to fear. When we examine our concerns honestly, we find they are well-founded, not imaginary.

Youth Looks at Its Political Heritage

One concern that disturbs Americans today is the realization that we have somehow failed to give to our youth the basic values that we consider essential to our American way of life. In spite of all that America has done for her youth, we are frightened by the fact that today's youth do not cherish the heritage which we wanted to hand on to them. America's youth do not hold nor defend the basic political concepts and values which we know as "The American Way." Any pencil and paper test given to high school or college youth today quickly reveals that their concepts of freedom, equality, democracy and civil rights differ greatly from those we believe basic to our democratic heritage.

The Purdue University Attitude Survey of high school students gives us a glimpse of the wide gap between our heritage and present day attitudes. Purdue observers reported that in their study:

- Half of the teenagers questioned are ready to dispense with freedom of press.
- One quarter of the students say police should be free to search your home or your person without a warrant.
- A third of those responding to the test believe that free speech should be denied to some people when it is convenient to do so.
- Over half of the youth think that the large mass of us in the United States are not capable of deciding for ourselves what is right, and what is wrong.
- Eighty-three per cent of these young people approve wire tapping.
- Sixty per cent approve censorship of books, newspapers, magazines.
- Fifty-eight per cent see no harm in the third degree.
- Fifty-two per cent either agree with or are uncertain about the statement, "persons who refuse to testify against themselves should either be made to talk or severely punished."

You will recognize immediately that this study was aimed at uncovering attitudes concerning the basic civil rights of our American society. This was an effort to determine whether or not our young people cherish their heritage; it was an attempt to discover whether or not there is any common meaning between the older generation and the new, in the words, freedom, dignity, democracy and equality. Do they understand what undergirds our American way of life and makes us different from any other nation or political system in the world? Obviously, these young people have escaped all training, and understanding, and all the basic concepts which would enable them to appreciate our democratic heritage.

We Have Nothing to Fear?

Have we nothing to fear if our very way of life is flowing out through each new generation of youth, and gradually losing its significance? Have we nothing to fear if democracy has become a hollow term and freedom an empty symbol? Have we nothing to fear if equality is sold for a mess of pottage? We have much to fear. In all of our education, training and discipline, we have not found the way to create appreciation for a way of life that we think is worth preserving, for a heritage we believe to be unique.

American Youth and Economic Concepts

When we look at the economic values and concepts of our youth, we see another great shift. Traditionally, America has cherished thrift, industry, personal aggressiveness, hard work and ambition. The casual observer will recognize that these are no part of today's youth. Extravagance, once considered a vice, has become a virtue. Thrift, once a virtue, has become a sin. We are teaching our young people that it is an unforgivable sin to deny one's self, to live without comfort, luxury; easy credit, over-indulgence and material abundance are teaching our youth to judge all of life on the basis of materialism.

Hard work, ambition and aggressiveness have given way to "take it easy," "don't get excited," "don't work too hard," or "be careful." There may be wisdom in the recent statement of the British scientist who warned that unless modern man can have access to alcohol and tranquilizers, he cannot survive the jet age. Our young people have already made a great stride toward a life that is tranquilized and peaceful. They have mastered the technique of "take it easy, don't worry, get by the best you can." They have put aside the tradition of pioneers who worked from dawn to dusk; and in their hard-hitting, aggressive, eager, ambitious manner, conquered the wilderness, spanned the plains, peopled the forest, and turned this continent into a nation in one short century.

With the changing of the centuries, we should be flexible enough to put aside the horse and buggy days and accept the Atomic Age. We hope that democracy will always be flexible enough to meet the needs of the modern day and to adjust to the demands of a new generation. However, I doubt that basic values should be put aside, or hard won political concepts cast out, without a calculating study to determine whether it is good for the future of our society and whether it is desirable for the welfare of tomorrow's adult. Flexibility that permits progress is one thing; failure to cherish and defend our heritage is another.

Money to Pay the Bills

One of my more pleasant tasks is recruiting young men for employment. Annually, I interview scores of young married men who are just starting on their careers. Among the questions I ask are:

"What do you want out of life? Where do you want to be ten years from today? What do you hope to achieve?"

Most of them do not ponder long before they answer — their answers almost uniformly are:

— "Well, I don't care much about money; I don't care whether I pile up an estate or get rich, or get into the upper bracket of income — that doesn't really matter to me."

— "I don't have the same attitude toward money that my father had."

Then I query — "That's interesting, you don't want money."

— "No, I don't want money; that's not what I want out of life."

Well, what do you want, I ask?

— "I don't want to be a big wheel — I don't want to be a big executive with a high salary — I don't want to sit at a polished desk — this doesn't interest me at all."

What does interest you — what do you want to do in life; what do you want life to bring you?

— "Well, I sort of got it figured out that if I could just make enough money to pay all my bills, and to provide comfort for my children, and to give them a decent home, an education; and to give my wife what she wants. . . ."

Before he finished his conversation, it has become evident that he is thinking of two cars, three television sets, a split level home in the suburbs, a summer cottage on the lake, summer camps and a college education for his children, and all the comforts and luxuries for himself. All he wants is somebody to pay the bills, and to keep him in luxuries. He has no use for money, he has no ambition to become an important, creative, responsible citizen; in fact, he

frowns on those who are driven by ambition and determination to become a leader. He condescendingly speaks of them as "eager beavers" and frowns on what he calls "a big wheel."

After a few interviews of this type, it becomes increasingly obvious that the basic economic concepts and values of our society have shifted greatly. Perhaps we should withhold judgment as to whether they have shifted for good or for ill, but we must recognize that we have changed our economic goals. We have altered the American dream — we have set aside the notion that a man, in one lifetime, through hard work, perseverance, industriousness and determination could win for himself and his family independence and security. We need to calculate what this shift in economic values may do to youth at every level in our society.

Strange Notions About People

When we look at the human relations attitudes that are a part of today's youth, we are shocked to learn that very early our young people are indoctrinated in hostility, suspicion and prejudice. By the time they reach the high school classroom, they have already developed strange feelings about Catholics, Protestants and Jews, Negroes and foreign-born, or other groups that are different from themselves. There is a universal negative image of those who are outside their own particular group.

Here in America, in the last half of the twentieth century, we are fighting for a new kind of human relationships. We are talking, working, taxing, legislating for equality, for integration, for opportunity. All around us the pot is boiling. Social change is imminent. The chaos that accompanies social change is obvious. The demands for a new way of life are often harsh and sharp. Rapid changes are coming not only in Negro-white relationships, but in the total picture of human relations.

It is strange that in a nation that is trying so desperately to realize this new sense of human values, we are still carefully indoctrinating our young people in hostility, prejudice and discrimination. There is a self-defeating process taking place when a nation seeks to eliminate prejudice, bigotry and inequality, but at the same time indoctrinates its youth in arrogance, superiority and hostility.

A test done a few years ago in Philadelphia, revealed some interesting facts about children's attitudes. Remember these were fourth and fifth grade American children — they had been reared in the land of equality and freedom. Presumably they had been taught to respect people of all faiths, races and nationalities. When these youngsters, who were not yet sophisticated enough to conceal their attitudes, were asked what they thought of other kinds of people, typical responses were:

- Catholics are scary and no good — they make you think of nuns and churches.
- Jews talk funny and cheat — we don't like Jews living on our street.
- Negroes are dirty and carry knives — nobody will play with you if you are a Negro.

I, being a Protestant, was particularly interested in what the non-Protestants had to say about us. Their most frequent comment was:

- Protestants go to Hell.

In a land where we are trying desperately to build a sense of acceptance, democracy, respect and equality, we very early indoctrinate these youngsters in hate, suspicion and fear. We learn from these tests that young people's attitudes are almost universally negative about people who differ from themselves. When asked about groups of people, they seldom make positive comments. They are negative, hostile or resentful. They seem to be unaware of the fact that every group produces its share of musicians, athletes, scientists, scholars, merchants, statesmen and criminals. By the time they reach their high school years, they have established strong attitudes toward people who are different from themselves. We need not be surprised then, when we see young people acting out these attitudes through hostile behavior on campus, in overcrowded neighborhoods, or in the quiet suburb. Attitudes control behavior. Where attitudes are negative, behavior is likely to be hostile.

We are asking ourselves why this dramatic change in American youth — what can we do to reverse the trend. Perhaps we should be asking, do we really want to reverse the trend; but, taking for granted that there is something called American values — there is something worth preserving called democracy — there is somewhere a profound political philosophy to help men live in an orderly society, how can we interpret these essential concepts and attitudes to American youth.

If we want to make strides in this direction, we must put high priority on human relations. Perhaps the hardest and most tedious lesson for any human being to learn is how to live with people. In a democracy, it is particularly important that people learn how to respect, understand and accept others.

This is not a problem unique to our generation — when you read the Beatitudes, you discover that six of the nine basic Christian teachings have to do with how people get along with people. When you examine the Ten Commandments, you will find that six of these ten basic laws have something to do with how people relate themselves to each other. Wise men of the centuries understood

this problem of people — their tension, their strain, their fears, their suspicion, their hostility, their prejudices. No matter what we teach our young people in our superior schools, they will not be equipped to live in a democracy unless they are skilled in human relations.

We need to teach our youth to be objective about people. All of us fall in the trap of using labels and making stereotype judgments. Like the fourth grade children in the test, we tend to think of Catholics as being scary and no good; or Jews talking funny and cheating; or Negroes being dirty and carrying knives; or Protestants going to Hell. Consequently, we do not judge people, we judge groups. In a democracy where we assume that each man will be judged on his own merit, we cannot longer endure the luxury of judging people by stereotypes and rejecting people because of their group. If we are going to change the basic values of young people, we must somehow teach them to accept people for their individual worth.

We teach little tots that the policeman, the fireman, the garbage collector, the milk driver, are their friends. At the kindergarten level, we teach acceptance, confidence, goodwill and the child becomes an out-going friendly, gregarious individual. For that same child at sixteen years of age, these people are either enemies or inferior individuals. Arrogance and snobbery has developed — a sense of resentment and rejection has taken over — prejudice and hostility has done its work.

It is possible in our society to teach respect for the banker, and the garbage collector alike. We can teach respect for people whatever their skill. We can recognize that any person who performs a useful task in our society deserves our respect. Without this elementary concept of human relationships, we can hardly hope to pass on to each new generation the basic human values that caused our pioneer ancestors to give equal respect to the blacksmith, the plowman, the woodsman, the banker, the teacher and the merchant.

No Heritage — No Anchor

If we successfully pass our heritage on to the new generation, we are going to be forced to put a higher priority on a value system which includes spiritual values, political values and personal values. For the past twenty-five years, we have been terribly afraid of indoctrination — this was a vulgar word — nobody was guilty of indoctrination except the Communists; so we shied away from it. We have been afraid also of flag-waving and drum-beating patriotism. Patriotism too, was a primitive concept and nationalism was equally to be avoided. We have failed to interpret the meaning of democracy, freedom, equality; we have ignored or watered down

the meaning of civil rights; we have created a new value system which has replaced spiritual and political values so important to the founding and development of our country; we have avoided indoctrinating our youth in the values of democracy; we have looked with mild tolerance on pious and sentimental religion, and have turned our backs on profound spiritual and ethical values. As a result, teacher, counselor, parent and minister stand today in the presence of modern youth with a sense of guilt, inadequacy, and fear for the future.

Pity the poor youngster who comes to his adolescence with no concepts of his tradition, no appreciation of his heritage, no understanding of the ideals or values that are a part of his noble heritage. A youngster that has no appreciation of his heritage, has no anchor. How desperately young people need to be anchored to something that is greater than self, something to which they can give loyalty, something which is worthy of a lifetime of devotion. Without such a tie to his spiritual and political heritage, he has no built-in chart or compass to guide him through the stress, storm, and strain of adolescence, and young adulthood.

If our democracy is as precious as we claim, if freedom is as rare, democracy as unique, and equality is an inherited God-given right, we owe it to our American youth to teach them their heritage; otherwise, they will dissipate it. Before it is too late, we must drop our fear of indoctrination and build a patriotism which will give every young American pride in his nation and community.

We owe it to our young people to build attitudes of loyalty which will give them the intellectual tools and understanding to face whatever life may bring. Appreciation of our heritage can be given to any child on any rung of the economic ladder, or at any level of education, if we determine to do it.

We have heard a lot in recent months about the future of the world depending on the survival of our western political culture. We have been told by wise men that we hold the destiny of the human race in our hands—survival of the human family may very well depend on our ability to interpret our political and spiritual values to the entire human family. There are those who doubt this, but for those who believe it, the time is here to set aside our fear of indoctrination. We must use the home, the school and every agency at our disposal to firmly plant the basic concepts of our American way of life in the minds of today's youth. We must use the church and the home to firmly establish the profound concepts and values of our spiritual heritage. Youth without a heritage is youth adrift. In these stormy years, those adrift can hardly hope to survive.

In all I have said, which has been critical and harsh, I have not condemned young people. I have not said they were a lost generation, or hopeless. Nor have I implied that youth was to blame.

I have not tried to assess blame. I have tried to analyze what I believe to be basic areas of desperate need.

Our youth are as strong and as weak, as intelligent and as frivolous, as serious and as silly, as disciplined and as wild, as religious and as worldly, as we have made them. If they have lost what we or our fathers cherished, it is because we have not made it meaningful for them and, consequently, they do not cherish it. Surely a nation that can usher in the Atomic Age and break the sound barrier and conquer outer space will not collapse and die because it cannot cope with its youth. The nation that has finally laid its hands on the precious heritage of freedom, equality and economic opportunity, surely will not dissipate that heritage by failing to adequately interpret it to its youth.

It was my privilege a few years ago, to wander over the ruins of the Roman Empire. I spent many days climbing over the ruins of temples, halls of justice, amphitheatres, great military roads, aqueducts, and market places. As we moved in this land of the dead, I kept asking myself . . .

- "what kind of people lived here"
- "what kind of society did they have"
- "what was their form of government"
- "what was their religion"
- "what was the fire that burned on this altar?"

There was only the slight suggestion of the archeologist to answer my questions, but after I was satiated with the ruins and the sharpness of my questioning about history began to die away, a new kind of question arose. I asked myself . . .

- "will men someday climb over the ruins of the Merchandise Mart, the Palmolive Building, the Prudential Building, and the campuses of the University of Chicago, and Northwestern University?"

As they watch the lizards run and the ants build their hills on what was once a library, or laboratory; will they ask . . .

- "what kind of people lived here"
- "what kind of government did they have"
- "what were their social problems"
- "what brought them to their downfall?"

Two Lessons from History

We cannot conceive of that happening, yet the grim lesson of history is that cultures disappear, civilizations die, nations once strong fade into dim distant history. There is really no reason why we should feel that it cannot happen to us.

A second lesson of history is that societies perish not because of external force or threat, but because of internal decay—the inability of societies and cultures to preserve the best and pass it on to each new generation.

Those in America who are dedicated to youth, bear a tremendous responsibility. The work and success of the juvenile officer, the youth worker, the parent, the teacher may be more important to America's future than what is done in the Halls of Congress or the White House, or at the United Nations. Our army of youth workers is building a new generation that either will deny our tradition and sell our heritage short, or will be able to face the problems of the next century in the Halls of Congress, in the United Nations Assembly or at the White House. There is no more important task than that of guiding America's youth in this troubled age.

God help us that we may interpret to today's youth this noble political heritage, and that we hand to them sound economic concepts . . . for in these lie our hope.

APPENDIX B

CONTEMPORARY CORRECTIONS — A CRITIQUE* PRESIDENTIAL ADDRESS

There is a finality about preparing a Presidential Address, for it marks the end of one's tenure as President of this great and growing Association. There is a very real problem involved as well, in finding something fresh and new to discuss, some subject which has not been ably covered in recent presidential addresses or which has not been thoroughly explored in the approximately one hundred sectional meetings and workshops which make up a typical Congress of Correction. The problem of the avoidance of repetition is tempered somewhat, however, by the need to restate from time to time some vital truths and basic concepts, by the desirability of taking an occasional self inventory, by the necessity to rate past performance.

The fabulous dollar cost of crime in America, the increase in crime and delinquency, and the exploding population of correctional institutions should serve to focus public attention on a problem of tremendous magnitude and great urgency. Something over a quarter of a million American adults will serve some time in state or Federal correctional institutions in 1961. An estimated seven million persons will serve some time in jail. Over half a million juveniles will be brought to the attention of juvenile courts. The social, community, and family situations which predispose to crime and delinquency are of serious concern—indeed represent a threat from within to our way of life. We must mount the same sort of attack on this problem as we would were a national threat of this severity to come from the outside.

We don't need "new horizons" or "new frontiers," new concepts or techniques in corrections so much as we need to make effective use of the people, the programs, the skills which are already available. We have somehow been lacking in the willingness or resourcefulness to incorporate in our correctional programs the great body of knowledge we presently have concerning human behavior, personality development, and the correction of criminal conduct. It is indeed a paradox, at a time marked by such great advances in knowledge in the natural, biological and physical sciences, that we should have been so singularly maladept at making full and practical use of programs, techniques, and procedures

* Presented at 91st Annual Congress of Correction, 1961, Columbus, Ohio, by Sanger B. Powers, President, The American Correctional Association.

which have been tried and are demonstrably successful. We cannot claim to have applied, in the field of corrections, the degree of ingenuity which was responsible for the development of the atomic bomb, nuclear weapons, suborbital space flights or guided missiles. Rather, our corrections programs might be likened to unguided missiles, a sort of sociological smorgasbord ranging from the punitive, to the permissive, from restraint to rehabilitation, from repression to reformation. One might wonder about the great variance in policies, procedures, administrative organization and philosophy of corrections agencies and institutions confronted with the same or similar problems.

I sometimes wonder whether things might have been different if prisons were not surrounded by high walls, walls which while admittedly effective in keeping prisoners in, have also effectively screened from public view the futility, the sordidness and the evil which are still associated with many places of confinement. These high walls make it possible to hide a fantastic waste of lives and time, the continued use of antediluvian methods, unimaginative programs, an adherence to worn-out traditions which might well have been discarded at the time of the Industrial Revolution.

Good programs are being operated in some states and in some institutions, but there is still much window dressing and "wheel spinning," many programs that exist on a paper rather than in practice. No private industry in the nation could afford, as we have in corrections, to ignore advances in its field, to disregard new processes or methods, to neglect research. All too frequently in the name of progress we have done little but reshuffle or rename old prejudices, practices and precedents. I refer, for example, to the substitution of "therapeutic isolation" for solitary confinement or to the classification process I saw a short time ago when I visited a better-than-average prison in a better-than-average correctional system. Here a classification committee including an expensive array of talent — psychiatrist, physician, recreation leader, guidance officer, school principal, industry superintendent, chaplain, deputy warden, and the warden — heard a careful presentation of a case of a newly received prisoner by a social worker, and concurred in the recommendation for an assignment at which this prisoner might retain his highly developed skills. The whole operation ended up with the warden then calling in the prisoner and offering him his choice between a job in the scullery or one in the piggery. He chose the piggery because he was led to believe that this would be the more impressive of the two assignments so far as the parole board was concerned because it was in a minimum security situation. And so to the piggery went a highly skilled prisoner for whom almost any other assignment would have been preferable. It is this sort of thing to which I allude as wheel-spinning, as a

paper program — good stuff to talk about before the Rotary Club; press agent connections but with no real substance.

We, along with the prisoners, all too often become institutionalized, accustomed to a given way of doing things, threatened by change, preferring routine to thinking, satisfied to do today as we did yesterday, to do tomorrow what we did today. We have been able in a rapidly changing world to keep alive at least some remnants of the good old days, some nostalgic correctional Shangrilas behind stone walls where we have been successful in slowing the march of time and progress. Who among you has not known a captain, lieutenant, or correctional officer with real potential who has learned from bitter experience not to raise questions or to make suggestions, that initiative spelled trouble, and who has finally found it best to follow the routine of a comfortable rut? I don't know whether you call this complacency or apathy or institutionalization. I think it is the latter. The all too prevalent philosophy "Don't stick your neck out," the fear of being labelled "troublemaker" by superiors steeped in the pervasive presence of the past, have deprived the corrections field of many solid contributions from sound thinking corrections workers. I know all of you must share my impatience at this sort of thing, with those who find it easier to criticize than create, at the reasons one constantly hears why a new program or procedure won't work — "We're too small," or "We're too big for that kind of operation," "The public won't buy it"; "It isn't in the budget"; "We never did it that way before"; "It'll never work" or "Some egghead in the front office must have thought this one up." It would be refreshing at times to see the same degree of imagination and resourcefulness applied to making things work as is applied to finding reasons why they won't.

We work in a field of appalling waste — the waste of money, of lives, of energies, and of talents both of the kept and of their keepers. I think not only of waste through idleness, but also when ten men are assigned to a job which might more appropriately be done by five; or when men are working in prison industries with machines and at processes long since antiquated by modern industrial standards. I think of the tremendous economic and social loss involved in the institutionalization of people who unquestionably might be successfully supervised on probation or parole. And then there is the waste involved through the failure to fully exploit the talents, the intellects, the resources and potential of all of the people employed in the corrections field. One excellent example of the potential which exists within the line staff is found in the group counselling program. Yet in many places one finds custodial staff who by tradition and custom are not expected to advise or counsel with prisoners nor indeed even be interested in their personal prob-

lems, but rather who must maintain an aloofness which negates completely any opportunity for the establishment of a relationship which might have positive benefits to the prisoner. And yet prisoners are people whose principal need is to be able to establish satisfying interpersonal relationships with others, particularly with persons in authority! The professional personnel cannot be snug about this, for the tendency to overprofessionalize or overspecialize fosters interprofessional rivalries and jealousies which insulate the professional staff from line staff, if not from one another. And yet the psychiatrist, psychologist and the social worker can make their greatest contribution working with and through the line staff in an effort to fully exploit the staff's treatment potential.

This, then, is the nub of our corrections problem today. Rather than a quest for new horizons or new frontiers, our immediate and attainable goal is to utilize to the fullest extent the programs, the disciplines, the skills and the staff which are presently available, to incorporate into our institutional and field services methods which have been tried and proved effective elsewhere. Nor is there any need to confine ourselves to this country, for we can learn from the experiences in England, in Sweden, in other parts of the world. There is a need for less talking and more doing, less of an attachment to traditional programs, more enthusiasm for trying new methods that offer some real promise of success.

Our most important duty, responsibility, or function in corrections is the protection of society. This obligation extends beyond merely keeping a man locked up during the period for which he might have been sentenced, beyond providing only surveillance of the offender who is placed on probation or released on parole. The obligation extends to the use of every known rehabilitative tool, technique, or discipline to the end that offenders may be returned to useful, productive living better rather than worse as a result of their contacts with corrections institutions, programs and personnel. The obligation includes the use of research, education, in-service training, imagination—yes, even daring. It includes a responsibility to acquaint the public with our plans, our programs, and our problems and even more to acquaint the public with the problems of the offender returning to society, to solicit understanding and help in his readjustment to community life.

We have a real job to do in the area of public interpretation. The public needs to be reminded, after the hue and cry of a trial is over and the offender has been sentenced, that it costs money to care for him and his fellows. It must understand that it costs money to buy protection and that the more adequate the protection the greater the cost. It must know that positive changes cannot take place in the punitive climate of the traditional prison, that if we are to take the failures of society—of the home, church

and school—and remold them into good citizens we will need staff, facilities and well-planned treatment programs. The public must not be permitted to sweep under the rug any feeling of responsibility for the end result of the sordid slums, the social cancers in the communities which result in crime and delinquency.

I have found in speaking to service clubs, PTA's, legislative committees and other organizations, strong and substantial agreement with the treatment concept in corrections, with the use of medicine, psychiatry, social work, religion, education, and vocational training. I have found support for those positive programs and techniques which offer some ray of hope that the offender with whom we work might be helped to reshape his life and attitudes, to become a productive, participating and contributing member of the community to which he will return. I have found support for staff training programs, for high standards for personnel. But we must bear the responsibility for telling our story, for making regular reports to all of the people, who are after all the stockholders in this important enterprise.

I know a little about this from my experience in Wisconsin as Director of Probation and Parole, Superintendent of the State Reformatory, and these past six years as Director of Corrections. Wisconsin is not a tremendously wealthy state nor is it a large state. We are a state where the number of adults confined in penitentiaries per 100,000 population approximates half the national average. We do not have capital punishment; we do have about the lowest homicide rate in the nation. Wisconsin is a state which is concerned about its people, its children, its human resources. In the past two years we have spent or committed approximately twenty-one million dollars for new correctional construction. This includes two completely new juvenile training schools for 300 boys each, a new forestry camp for juvenile delinquents, a new medium security facility for 600 adult male felony offenders, plus impressive additions to the physical plants at the State Prison, the State Reformatory, and the juvenile training school for girls. We will in 1962 be opening three new institutions, all of which have been designed to implement a positive, individualized treatment program. All of the new facilities will have single rooms whether they be for boys or for men, for juvenile delinquents or for felons. They will incorporate everything that we know today to be good, to be useful, to be necessary in working with and helping people who are in trouble with themselves and the world in which they live. They will enhance programs for helping people learn, offer for the first time, the meaning of respect for the rights of others, to understand themselves, to learn how to establish satisfactory inter-personal relationships, to acquire the skills, attitudes and motivation to succeed.

And all of these facilities will be adequately staffed with sufficient personnel in all categories, adequately trained for their jobs — all of whom are professional in the sense of their interest in and dedication to the vital and important job entrusted to them — that of being their brother's keeper.

I mention these things not to take credit for what Wisconsin may have done (although I am proud of it) but rather as an indication that the people of a state through their elected representatives can and will finance good institutions and good treatment programs if they are made aware of the need and aware of the problem. I subscribe completely to the idea that if the people have all of the facts and all of the information, they will pursue the right course of action. But this means work, work, work — a constant program of education, of public interpretation, of seeking and accepting every opportunity to speak to every conceivable interested group from high school classes up through the sophisticated adult organizations. It means making effective use of all media for communication — the press, radio, television. We have a real story to tell, an exciting story, and should capitalize on it at every opportunity.

Corrections has lacked the emotional appeal, the political support and the spokesmen of programs dealing with old age, mental illness, public health or education. In these and other fields there have been national leadership and Federal financial assistance, yet corrections, except for violators of Federal law, has been left to the states not only as a sovereign right but as a sovereign problem. This is not a situation which need necessarily continue. The mobility of our people and the growing magnitude of the problem argue for some national leadership and financial support at least in the fields of research and training, which might offer stimulation to states to improve the effectiveness of their present correctional services.

Since I have been belaboring shoddy, inadequate correctional practices, I feel that I should on this important occasion review those elements or essentials which are important in a good corrections program. I would include:

1. An adequate framework of laws which will permit effective administration, insure maximum integration and coordination, and which will recognize that correctional treatment is an integrated process, a continuum which begins at the time of apprehension.
2. A single state agency responsible for the administration of all state operated correctional activities, preferably under the direction of a policy-making board whose members are appointed on the basis of a demonstrated interest in and knowledge of the field of corrections and without regard to political

affiliation. A skilled administrator of this agency should in turn be appointed by the board on the basis of proven competence and successful experience in the field and without regard to political affiliation.

3. The maximum possible use of probation with sound laws which will not limit the discretion of the courts in their use of probation. Adequate financing must be available in order that there might be sufficient professionally trained staff operating with caseloads low enough to permit them to do an effective job.
4. The most effective use of parole under good laws which will not hamper parole boards by requiring unrealistic periods of time to be served before parole eligibility is attained. Parole board members should be appointed solely on the basis of competence and qualifications and without regard to political consideration. There must also be provision for adequate financing to insure a professionally competent staff with caseloads low enough to provide proper supervision. The responsibility for parole supervision should, in my opinion, be lodged in the same agency charged with the responsibility for the operation of the correctional institutions. Supervision on parole is, or it should be, a continuation of a treatment program which began in an institution. It is not an unrelated program to be separately administered.
5. Personnel practices and policies which will provide for the selection of all correctional personnel through civil service with permanence of tenure and adequate salaries.
6. Laws and administrative practices which will permit the transfer of offenders between correctional institutions as the need of each offender might indicate.
7. A continuous program of in-service training to insure improved staff competence, maximum job satisfaction, and in order that all employees may be able to work to the limits of their ability. Scholarships, stipends, and work study programs are essential if trained staff in adequate numbers are to be available.
8. Correctional institutions sufficient in number to permit separation or segregation of offenders by security, treatment and training needs. These institutions should be small enough to be manageable and sufficient in number so as not to be overcrowded. They should provide for individualized treatment of the offenders by personnel who have been trained in their jobs. Correctional institution programs as a minimum should provide the following:

- a. Effective use of classification procedures and treatment techniques.
 - b. An institutional climate conducive to the implementation of classification committee recommendations and which will provide opportunities for self-growth and constructive changes in attitudes and aptitudes on the part of the offenders.
 - c. Adequate psychiatric, psychological, medical and social services staff.
 - d. A well-rounded education program embracing both academic education and vocational training, which are commensurate with the capacities, needs, and aptitudes of the offenders. The teaching staff should be paid personnel possessing the qualifications prescribed for persons employed in similar capacities in educational systems elsewhere in the state.
 - e. A social education program coordinated with all other institutional programs and aimed at inculcating wholesome, healthy attitudes and standards of behavior. This is a program which should involve all staff—the fireman in the power plant, the chef, the laundry foreman, the plumber, the correctional officer, as well as the social worker, the psychologist, and the teacher. I shall have more to say about this later.
 - f. A program of prison industries sufficiently varied to provide purposeful employment and on-the-job training opportunities of a constructive nature for all prisoners around whose needs the industries should be planned.
 - g. A program of religious education and counselling, by paid chaplains who have had specialized training in clinical pastoral counselling.
 - h. Maximum use of farms, camps and other minimum security facilities.
9. Close liaison between the professional staff at the institutions and the field staff which is concerned with probation or parole supervision in order that the treatment program might in fact be continuous and integrated.
 10. Research and the collection of statistics not only to record changes in population and characteristics of offenders, but also to permit some measurement of the adequacy and efficacy of existing programs in terms of results, to aid in planning program and policy changes, to assist in planning ahead.

11. A fair share of the tax dollar. This is a most important consideration because money is needed to provide the tools with which to do the job.
12. A sound and decent operating philosophy which is known and shared by all staff. This should be predicated on the God-given worth and dignity of the individual, on the capacity of people to change. This philosophy must recognize that the function of a corrections service is to protect society by a positive program focused on the treatment of each offender as an individual in trouble with himself and the world in which he lives, who is frequently maladjusted socially, physically, mentally and spiritually—who might be characterized as socially ill. The obligation then is to put forth every effort to train, educate, guide and counsel, to use every resource to get at and treat the causes of an offender's antisocial, criminal conduct. Harsh punitive treatment can only aggravate an offender's problems, if indeed it does not create new ones. As Nietzsche so aptly put it:
 "The broad effects which can be obtained by punishment in man and beast, are the increase of fear, a sharpening of the sense of cunning, the mastery of the desires; so it is that punishment tames man, but does not make him better."

The criteria for good corrections which I have just enumerated are not new. They have been tested, tried and proved in whole or in part in one place or another. We have in addition the splendid set of Principles of the American Correctional Association which are the warp and woof, the cornerstone or keystone for good corrections. The only other ingredient needed is the willingness and desire to put these principles, elements, or criteria in effect. Corrections can be as good as we want it to be or as shoddy as the public will tolerate! The choice is really ours to make. There need be no such word as "can't" in our corrections vocabulary.

Earlier, in discussing the waste one finds in corrections, I referred to probation and parole. Failure to use probation to the maximum and parole more effectively is, in many parts of the nation, resulting in a shameful waste of lives, human abilities, and public funds. There are tremendous variations between states in the extent to which parole is used. There are some states which parole fewer than 10 per cent of all adults sentenced to institutions, discharging upwards of 90 per cent at expiration of sentence. There are other states following precisely an opposite course by releasing virtually all sentenced offenders on parole.

The state which holds a man to discharge when he might earlier have been paroled under proper supervision, or which imprisons a man who might safely be supervised on probation in pursuing

a fantastically wasteful course. It is depriving the community of that man's productive talents, it is supporting him and supporting his family on public assistance when he himself might assume these responsibilities under probation or parole supervision. Holding in prison men who might be paroled or who might more properly have been on probation cannot help but substantially increase the capital outlay needed for institutional facilities. There are in this country many people who are needlessly institutionalized with a resultant compounding of the pressures on them as individuals, on institution facilities and programs, on the financial burden of the state.

In some areas the problems of overcrowding could be alleviated for some time by an effective parole system, by the establishment of probation services which are uniformly available to all courts of criminal jurisdiction. While it is not the function of parole to relieve or prevent overcrowding, it is the function of parole not to hold in prison men who are ready for release.

I might again cite an example from Wisconsin, where we now have approximately 10,000 offenders under the supervision of the Division of Corrections. Of this number 6,500 are being supervised on probation and parole, while 3,500 are in institutions (these figures, I might note, include both adults and juveniles). If institutional care were to be provided for those we have been supervising on probation or parole, the state would need to make a capital outlay something in excess of seventy-five million dollars for additional institutions. There would be an increase in the annual operating expenses approximating ten million dollars. This is but a portion of the cost! To bring the account into balance, we would have to be concerned with the substantial loss of revenue from taxes being paid on approximately twenty-five million dollars of wages earned annually by the persons under probation or parole supervision. We would have to add the cost of care of the dependents of persons who are now employed and who with their wages are providing for themselves and their families. We in Wisconsin can't afford the luxury or the folly of providing institutional care to people for whom probation and parole supervision will demonstrably suffice.

There are in this country many people without any unusual education or special skills, who are good common laborers, production workers, salesmen or construction workers and who are fine parents and solid citizens. There are many men who work hard all day, come home at night, smoke their pipes, read the paper, listen to the radio or watch television, and "hit the hay." They don't golf, don't fish, don't play ball. They have never had the benefit of, if they had time for, planned leisuretime activities; never saw a social worker or psychiatrist, never violated a law or ended up in prison. They send their children to school and on to college. The difference

between these solid citizens and the men in prison is principally one of attitude toward family and community responsibilities, in their regard for rules, laws, the Ten Commandments, the rights of others. Frequently the distinction between a prisoner and man not in a prison, as some of our prisoners put it, is "stinkin' thinkin'" — selfishness, a low moral code.

We must therefore remember to spend some time on motivation, attitudes, thinking straight, what's right and what's wrong. All of this I regard as social education — education for living. Without this important component of correctional treatment, academic education, vocational training and related trades training may simply result in a prison being a finishing school turning out more efficient burglars, more accomplished thieves and more polished con-men. The chaplain to be sure has an important role to play here, but so does every person on the staff. This is everyone's job, for the precept and example which are so important can be set or destroyed equally well by the foreman in the laundry and the guard in the cell hall as by the teacher, psychologist, or social worker.

Now I'm well aware of the fact that there are some offenders for whom the sort of treatment I have been discussing may be too late, who are so steeped in criminal ways that they cannot change. There are, the psychopaths and sociopaths, some who for all time must be confined in the interest of public safety and the protection of society. But I am describing what — five per cent? ten per cent? fifteen per cent? You name it. But there would then be left 85 to 95 per cent who are amenable to change, for whom all hope is not lost. We have too long planned corrections programs around the security needs of a small percentage of offenders at the expense of positive treatment programs for the large group of hopeful offenders. Corrections in many places would be immeasurably enhanced if we could be assured of just the same degree of interest in the hopeful group as is given the hopeless!

Some of you I know will have read the heartwarming story of the village of Gheel in the Flemish-speaking region of Belgium where for nearly a thousand years there has been simple devotion to the extraordinary idea that the love and care of a dedicated people can make possible for the mentally ill the fulfillment of a useful life. In this settlement of 22,000 there are today more than 2,000 men, women and children living as members of families in something akin to foster care. While the Belgian government provides nominal support, the chief reward to the friendly people of Gheel is seeing despair turn to hope. There must be this same component in the correctional process, the sincere interest of warm and friendly people in helping others less fortunate than they.

Recently the President of the Illinois Medical Society in an address to his contemporaries referred to the importance of T.L.C.

(tender, loving care) which he said so frequently accounted for the success of the old-time country doctor and which is increasingly being overlooked by the very professional specialist. A little of this T.C.L., a little of the sort of interest of the wonderful people of Gheel in helping others is needed in the helping profession of corrections. As Dostoyevsky wrote:

"Humane treatment may raise up one in whom the divine image has long been obscured. It is with the unfortunate, above all, that humane conduct is necessary."

Let us not lose sight of the importance of such old-fashioned virtues as loving thy neighbor, of being able to love and accept people even though one may not approve of what they have done, of remembering that all of us are created in God's image and that it is not His wish that any of us be lost or destroyed. There are, to be sure, some who will think of this as coddling or pollyanna-like, or of the good people of Gheel as bleeding hearts. But are these not the same people who would use the word "fish" or describe the poor, unfortunate wretch who has run afoul of the law and a "tank" as the place in which he is held? The common, human touch, a warm and friendly interest in people that is genuine and sincere is a prerequisite to success in the vital task of remolding and reshaping human lives and destinies.

At some point in our lives we will begin to weigh our accomplishments in terms of their enduring value. We might at that time look impartially on what course our life and ambitions have taken from the time we entered the field to the reality, gratifying or disappointing, of the present hour. We might well recall Thoreau's statement that it is a terrible thing for one to come to die and then discover he had never really lived. We might ask ourselves, "What has my life meant beyond the satisfaction of my own needs and the solution of my own problems? Would the world around me really be any different if I had never lived at all?" I am sure that it is a rare person among us who cannot instantly recall some concrete examples of his abiding influence on the world in which he lives or in which his children will live. But have we really done all we might? Have we taken every advantage of the rare opportunity which comes to few men and yet which has been ours in corrections — the chance to do something for those less fortunate than we? Or have we been lulled into the sort of complacent attitude which will permit us to be satisfied with the status quo, threatened by that which is new and daily falling just a little farther behind, becoming more institutionalized and less effective.

We are confronted with a problem which calls for more than a comfortable reaffirmation of faith, for something more than lip service to the concept of treatment and rehabilitation. If we are to meet our great responsibilities we must roll up our sleeves and get

to work for we have the tools to get the job done. Edmund Burke once said, "All that is necessary for the triumph of evil is that good men do nothing." Good men in corrections doing something will be limited in their accomplishments only by the firmness of their faith, the courage of their convictions and the contagion of their enthusiasm.

FINANCIAL STATEMENT

THE CORRECTIONAL ASSOCIATION OF NEW YORK
GENERAL FUND
STATEMENT OF INCOME AND EXPENSES
YEAR ENDED DECEMBER 31, 1961

INCOME

Donations—Special purposes		
The Greater New York Fund	\$ 3,190 00	
Grand Street Boys Fund	899 34	
Other Funds	2,733 00	
Total	\$ 6,723 34	
Donations—unrestricted	35,003 94	\$41,727 28
Endowment Income		
Interest	\$ 3,108 31	
Dividends	33,012 24	36,120 55
Total Income		\$77,847 83

EXPENSES

General Administration	\$31,623 98	
Relief—prisoners and families (cash, food, clothing, etc.)	21,052 06	
Relief—Administration	6,995 05	
Employment—Administration	6,820 00	
Appeal—Administration	6,708 30	
Travel expenses	424 03	
Printing and stationery	2,671 13	
Postage	744 40	
Telephone and telegraph	307 26	
Auditing, legal, legislative services	655 00	
Periodicals, custodian fees and miscellaneous	4,165 02	
House maintenance	4,969 21	
U. S. old age benefits tax	1,089 31	
Disability and workmen's compensation insurance	286 05	
Employees retirement plan	312 60	
Total Expenses	88,623 40	
Excess of Expenses over Income	\$10,775 57	

AUDITORS' OPINION

We have audited the books, accounts, minutes and other records of The Correctional Association of New York for the year ended December 31, 1961. In our opinion the statement of income and expenses shown above presents fairly the results of the operation for that year.

WENSTER, HOLNE & ELSDON,
Certified Public Accountants.

New York, N. Y.
April 11, 1962

CONSTITUTION AND BY-LAWS

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

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

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

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

ARTICLE FIRST

The objects of the association shall be:

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

ARTICLE SECOND

The officers of the society shall be a president, four vice-presidents, a recording secretary, a corresponding secretary, and a treasurer, and there shall be the following committees, viz.: a finance committee, a committee on detentions, a committee on

* FORMERLY, The Prison Association of New York. At a special meeting of the members, the name was changed on February 16, 1961 to The Correctional Association of New York and this change was duly recorded with the Secretary of State.

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 honor-

ary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE NINTH

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

ARTICLE TENTH

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

ARTICLE ELEVENTH

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

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

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

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

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

of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee and generally all such facts and particulars as may exhibit the operations of the said association.

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

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

BY-LAWS*

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

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

annual meeting shall be held on the fourth Thursday of January in each year at an hour and place to be designated by the executive committee.

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

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

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

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

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

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

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

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