

STATE OF NEW YORK

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THE ONE HUNDRED AND FIFTEENTH  
ANNUAL REPORT

OF THE

# Prison Association of New York

135 East 15th Street, New York

1959



## PREFACE

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

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

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## THE PRISON ASSOCIATION OF NEW YORK

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[7]

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

February 8, 1960

HON. MALCOLM WILSON,

*Lieutenant Governor and President of the Senate:*

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

SIRS—In accordance with Chapter 163 of the Laws of 1846, we have the honor to present the One Hundred and Fifteenth Annual Report of The Prison Association of New York, and to request that you will lay the same before the Legislature.

Respectfully,

THE PRISON ASSOCIATION OF NEW YORK

By EDWARD P. MULROONEY, *President*

E. R. CASS, *General Secretary*

EDITORIAL  
THE NEW YORK TIMES  
Wednesday, May 27, 1959.

PRISON ASSOCIATION REPORT

The 114th annual report of the Prison Association of New York tells an interesting story of activities in 1958 and the recommendations made to the Legislature last January. It also marks the forty-fifth anniversary of continuous service to the association by Edward R. Cass, who has been its General Secretary and administrative guide for the past thirty-seven years—a notable achievement in constancy and useful dedication. The report also shows that, for all its years, the association itself is youthful and vigorous in its crusading zeal, tempered by a mature sense of the real and possible.

Its objective has always been a penal system neither purely punitive nor given to sentimental "coddling." As the report says, merely to keep "lawbreakers within an enclosure and under lock and key \* \* \* is to subsidize a school for crime" that makes for a high percentage return by those who graduate. Prisons, the association maintains, should be institutions against future crime, using all the resources of modern science and techniques to "return as many socially adjusted beings to the community as possible"—a policy more humane and, in the long run, far less of a charge on the public treasury.

The report shows the pursuit of this aim in many constructive ways: a constant check on conditions in the various prisons and on pending legislation, close cooperation with government and private agencies working for more enlightened treatment of offenders, placement and relief activities for discharged inmates and help for the families of those still in prison. And the recommendations for action by the Legislature contain twenty-four items this year. All of this adds up to a notable public service.

RECOMMENDATIONS\*

February 8, 1960

To the Honorable Members of the Senate and Assembly:

In accordance with Chapter 163 of the Laws of 1946, we have the honor to present the following recommendations to the Legislature as a part of the 115th Annual Report of The Prison Association of New York, and urge that they receive your serious consideration.

Respectfully submitted,

THE PRISON ASSOCIATION OF NEW YORK

EDWARD P. MULROONEY, *President*

EDWARD R. CASS, *General Secretary*

DOES AMERICA STILL LAG?

*Thirty-two years ago The Prison Association of New York, through its eighty-fourth annual report, addressed the Legislature in part as follows. The content of the five paragraphs being repeated is applicable to present day conditions and utterances and a further proof of the oldness of the new. In essence it is a proof that despite some progress, which on the whole is spotty, America does lag and continues to be confronted with the need for a better solution of the perplexing problems of juvenile delinquency and crime.*

"DOES AMERICA LAG?"

"The student of social problems finds in this country evidence of a deep-seated, persistent, and often thoughtful study and treatment of the manifestations of delinquency and crime. Yet, there is a noticeable lack of keeping abreast in practice with much that is urged in special studies and literature generally. America industrially is known as a "doer", whereas America in treating its sociological problems talks more freely than it performs.

RESPONSIBILITY DECREASED

"Widespread is the feeling that lawlessness has increased, and that the sense of civic and social responsibility on the part of many persons has decreased. There is loud clamor for a reversion to

\* 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.

more punitive forms of treatment for lawbreakers. This has resulted in some States in the passage of legislation increasing the length of sentences and other measures providing for more severe forms of punishment. The advocacy of the whipping post as a part of the prison regime, the discontinuance of probation, the indeterminate sentence and parole, and the urging of substantial reductions of privileges within the prisons and other institutions, are but a part of a public hysterical view that too great leniency and too great sympathy for the criminal have been manifest, and that the time has come to make a change. Those who have appeared before legislative committees, crime commissions, and other crime studying bodies, know the difficulty of combating the many proposals for the destruction of these systems and practices, and the embarrassment caused by the absence of indisputable proof of their successful operation.

#### THEORIES ON CAUSE OF CRIME

"Interesting to note are the various theories on the cause of crime. It is held to be due to economic conditions, heredity, environment, mental abnormality, lack of religious influence, and old-fashioned and otherwise defective school system, lack of parental control, broken homes, unemployment, and so it goes to an almost interminable list. Some of these contended specific causes have developed their proponents in to ultra-enthusiasts. *Yet the cold fact is that crime is complex and there is no sweeping cause or cure.* It would not be difficult to find persons who have experienced some of the above contended causes of crime and yet have escaped becoming criminals. It is further true that one or more of the above listed contended causes might be found in any one individual who comes into conflict with the law.

"There are many who think that the crime problem can be easily solved. A prominent citizen, speaking at a national gathering said, 'I do not know just what anybody else thought at the time, but my first impulse was that the nine or ten of us who met in New York would soon solve the crime problem and dispose of the whole matter.' This distinguished member of the Bar has since changed his mind considerably.

#### SHIFTING RESPONSIBILITY

"Perplexing, as has been frequently emphasized by The Prison Association of New York, are the attempts to definitely fix responsibility for the crime situation. Campaigns have been conducted by the public press, and a multitude of utterances have been made by the police, the courts, prosecuting attorneys, probation and parole officers, and others, some in an attitude of self-defense, or in an attempt to definitely place the responsibility. Many of these

statements have been misleading, inaccurate, distorted, and otherwise unfair. Some have disclosed an appalling lack of reliable knowledge or information, and unfamiliarity with procedure, on the part of those who attempt to reliably enlighten the public. There have been glaring examples of inconsistencies in speech and practice, that is, some of those advocating severity, and who are in a position to put their beliefs into practice, fail for reasons best known to themselves, and political perhaps more than anything else, to take advantage of the power given unto them by the law.

#### A WISE COURSE

"Therefore, the problem before legislatures and intelligent public opinion is to act wisely and not with headstrong impulsiveness in endeavoring to meet today's conditions. The extremes of highly sentimental leniency and illogical treatment of the inmate within the institution, or of the released inmate again at liberty, must be avoided. Man's conduct is channeled in general along lines to be recognized and forecast to a considerable degree by those who have given greater study to the problems of human behavior. Radical deviations from probable lines of conduct can hardly be expected, and therefore such methods of dealing with prisoners as are based upon enthusiastic expectations of exceptional results will in the end necessarily lead to disappointment and failure.

"There is a wide difference between the adoption of *principles* and the successful working out of *methods*. Placing a law upon the statute books does not ensure its successful application. The legal recognition of reformative and preventive methods, to be applied to the problems of crime, has not meant in all instances the successful working out of the purposes of the laws. Indeed, the time is now ripe for frank recognition that to a *deplorably large extent, our methods of administration of sound reformatory principles like the indeterminate sentence, parole and probation, have been weak, often trivial, and even wretchedly automatic.*

"We ought, especially at present, to face our faults and our failures. We have too long complacently praised our progress. We have too long allowed ourselves to believe that because we are doing many things well, and are ingenious in experimentation, we are doing all things well, and that all our experiments are successes. Fine results have been achieved, but in comparison with what needs to be achieved, they are inadequate.

"To make for real progress, we must know more about the law-breaker and those influences which affect his conduct. To this end the psychologist, the psychiatrist, the social worker, and others must be wisely and cautiously employed. Specific forms of treatment must be gradually developed, so that there will be available remedial treatment which will, to some extent, keep abreast of the

discovery of causes. There must be avoided individual or group exploitation of technique and findings. Extravagant claims and extremes in procedure must likewise be avoided, as well as the dressing up of procedure in high sounding terms suggesting a lofty intellectualism and a professional exclusiveness. High standards of true and thorough scientific research must prevail and the findings must be brought as truthfully and as clearly as is possible to "the man in the street." Only in this way can essential public understanding and confidence be had.

"Some American courts, correctional and penal institutions, are becoming laboratories, instead of simply places for trial and the deprivation of the liberty of human beings. It is from such laboratories that the newest facts are coming, statistical, psychological, and physiological, facts extricated from the complex personalities of prisoners, after long and sympathetic study. To the laboratories the courts and the institutions of the past have rarely gone. Therefore, these agencies must come closer together, not with the idea of one gradually displacing the other, but very clearly with the idea of working together, shoulder to shoulder, for the fulfillment of their responsibility to society, to wit, its protection."

\* \* \* \* \*

In harmony with the observations and philosophy of the above paragraphs the Association once again makes recommendations for serious consideration and action by the Legislature. Some of these recommendations have been made before but it is the experience of the Association that repetition is required for progress. An example, small compared with other instances but nevertheless important, is the action during the year 1959 by the State parole authorities to release some prisoners who were being held for no other reason than that they could not obtain employment. Our records show that as far back as 1942 we made the proposal in a recommendation to the Legislature that there be a lessening of the rigid interpretation of the law so as to give the inmate a conditional release and thereby opportunity to find employment on his own or with outside help. In one year we were instrumental in having legislation introduced which was unfortunately vetoed. During the intervening years and up to the time of a change, the suggestion was kept alive and referred to in our annual reports, and also in a recent study of the parole organization and operation instituted following the so-called "Lanza Case." *Thus it took seventeen years to begin a practice which is proving to be workable.* This delayed action cost the State considerable for boarding the inmates, helped to crowd the prisons, and in a sense imposed an added penalty because no job was available.

## RECOMMENDATIONS

### RECOMMENDATION I.— COURT REORGANIZATION

That the Legislature continue to recognize the need for the reorganization, modernization and administrative improvement of the State's court structure.

The concurrent resolution approved at the 1959 session proposed an amendment of the Judiciary Article of the Constitution and should be altered at this session to whatever extent is deemed advisable to clarify, strengthen and expand the initial step taken to improve the present court situation. The action thus far taken by the Legislature, even though regarded as a compromise reorganization plan, has won wide acclaim.

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

That the Legislature give most serious study to the programs and supplementary bills offered by Governor Rockefeller and Mayor Wagner to deal with the perplexing problems of juvenile delinquency and youth crime which are daily making for more public alarms and concern.

The proposals offered reveal an earnest desire to cope with a serious and difficult situation and further reflect a composite of observations, experience and suggestions coming from official and lay sources. The proposals are not conceived as being the complete or final answer to the problems but we find that they are generally regarded as being in the main headed in the right direction for better control and treatment.

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

That necessary funds be appropriated, and whatever additional authority is required be given, to enable the Court of Appeals to establish an institute, or institutes, on sentencing patterned after certain provisions of the bill passed by the 85th Congress in 1958 (now Public Law 85-752).

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



years and it has been our hope that some progress could be made through the intervention of the Law Revision Commission. This has not resulted.

However, we feel that the example set by the Federal Law is a more logical approach and in the long run should lead to greater benefit. To give a better idea of what is intended under the Federal Law the following excerpts are noteworthy:

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

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

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

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

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

#### RECOMMENDATION IV. — CERTAIN COMMITMENTS TO NEW YORK CITY CORRECTIONAL INSTITUTIONS

That there be undertaken by the Legislature a thorough examination of the laws and practices whereby certain commitments are made to the New York City Penitentiary and Workhouse.

The New York City Department of Correction as the result of a special study made by the City Administrator pursues the question as to why certain felony commitments should be the responsibility of that department. Also expanded query relates to the need for the continuance of the New York City Reformatory and the New York City Parole Commission.

Whatever changes are agreed upon will to some extent require Legislative consideration and approval because there will be involved amendments to sections of the Code of Criminal Procedure and the Penal Law.

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

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

The City of New York during 1959 made some progress in providing civil hospital facilities for drug addicts who heretofore would be confined in institutions of the City Department of Correction.

#### RECOMMENDATION VI. — OPERATION OF VARIOUS NEW YORK CITY COURTS

That the Legislature undertake a study to determine ways and means to reduce the congestion that develops particularly during the summer months with respect to the disposition of cases by various courts within the limits of the City of New York.

The slow disposition of cases before most of the courts especially during the summer months makes for serious congestion in the Houses of Detention maintained by the New York City Department of Correction. This congestion and its compressed living makes for mental, moral and physical deterioration which tends to, at the very start, handicap all subsequent attempts toward rehabilitation.

The cases referred to especially are in the category of those awaiting action of the grand jury, awaiting trial and awaiting sentence.

The following statistics from the records of the New York City Department of Correction give some idea of the backlog which makes for long and costly detention.

Awaiting action in New York City Department of Correction Detention Institutions, December 28, 1959. 2,951

*Court of General Sessions or County Courts:*

Awaiting Indictment	489
Awaiting Trial	827
Awaiting Sentence	639

TOTAL ..... 1,955

*Court of Special Sessions:*

Awaiting Trial	344
Awaiting Sentence	268

TOTAL ..... 612

*Magistrates' Courts:*

Youth Felony Court	49
Adult Felony Court	202
Other Courts	133

TOTAL ..... 384

*It should be kept in mind that the above tabulation relates only to those in detention awaiting court action or action by the grand jury. There are other pending cases where the defendant is free on bail. It is therefore understandable that the above impressive volume of pending cases is added to further by the bail cases. At this point there should be given consideration to the possibility of using bail more liberally as has been suggested currently not only here but by other bodies as well.*

If the recommendations of the State Judicial Conference announced in the press November 10, 1958 are followed there might result an improvement in the situation if the machinery proposed by the Council to exercise some kind of oversight over the functioning of the courts is made available.

Furthermore if the proposed amendment of the Judiciary Article of the Constitution as approved by the 1959 Legislature, with whatever changes are made during the 1960 session, is approved by the 1961 Legislature and finally by the voters of the State, the flexibility and supervisory powers envisaged should make for improvement.

**RECOMMENDATION VII.—NEW YORK STATE DIVISION OF PAROLE—ORGANIZATION AND OPERATION**

In July of 1957 as an aftermath of the so-called Lanza parole incident there was appointed by the Governor a committee to study

the structure, policies, practices and procedures of the parole system and its relation to the Department of Correction. This committee, made up of qualified persons who gave wholeheartedly of their time, knowledge and experience—and without compensation, after long and careful study submitted a two-part report to the Governor in 1959.

Part I of the report, submitted during the month of May, sets forth general discussion and recommendations. Part II, submitted in October, is devoted to a detailed account of the observations by the committee and its staff of the day-in-and-day-out workings of the parole organization as relates to the parole commissioners, the office staffs and parole officers. This report was acknowledged by the Governor with praise for the fine work that was accomplished.

Unfortunately no funds were available for the printing of the report and thus it has not been available for wide distribution and public information. In order to obtain a full picture of the parole organization and operations it is necessary to read not only Part I of the report but Part II as well because in the latter there is spelled out, as much as it was possible to determine, how the wheels of parole operation turn and to what extent there are weaknesses of one kind or another.

*The report deserves Legislative attention and study.*

(In the 114th Annual Report of The Prison Association of New York, for the year 1958, there was contained, consistent with the Association's identity with the origin of parole in this state and its never-ending interest, a number of recommendations many of which parallel those set forth in the report referred to above by the committee appointed in 1957. In making these recommendations the Association felt it proper to exercise its independence of action and, where necessary, of thought, and to alert the Legislature as to what was likely to come in a more extensive presentation.)

**RECOMMENDATION VIII.—ACADEMY OF CORRECTIONAL TRAINING**

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

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

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

#### RECOMMENDATION IX. — A RECEPTION CENTER NEARER NEW YORK CITY

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

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

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

#### RECOMMENDATION X. — ADULT RECEPTION CENTER

We renew our long standing proposal that there be established a reception center at Sing Sing Prison and add to it now by urging that there be another at Attica State Prison.

An essential toward intelligent handling of those committed to institutions of the Department of Correction is classification and distribution of population. *These classification units, of course, should be adequately staffed and headed by a qualified classification director.* Progress has been made through the setting into operation of the Reception Center at Elmira but this includes only those between the ages of 16 and 21, and therefore it does not go far enough. Here again the Federal Prison System and the States of California and Illinois lead by providing means whereby convicted persons can be studied and classified and placed in institutions best suited for their rehabilitative needs. Criminals as persons, and as personalities, differ and require various media of study, handling and treatment. In various areas the idea is taking hold that all prisoners cannot be treated alike and that there is something more required than safe custody and the placing of all inmates in one or more institutions without scientific basis of distribution.

#### RECOMMENDATION XI. — EXPANSION OF CAMP PROGRAM FOR YOUTHFUL OFFENDERS

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

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

#### RECOMMENDATION XII. — DEVELOPMENT OF FORESTRY CAMP PROGRAM FOR ADULT OFFENDERS

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

While the emphasis has been on youth regarding the renewal of the camp idea in this State, it is well to think of it in terms

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

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

#### RECOMMENDATION XIII. — MAINTENANCE OF STATE PAROLE VIOLATORS

It is urged that Article 8 of the Correction Law, Section 216, be amended to provide reimbursement by the State on a reasonable per diem per capita cost for the maintenance of State parole violators while in temporary custody in local penitentiaries or jails.

#### RECOMMENDATION XIV. — PRE-PAROLE CAMPS

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

#### RECOMMENDATION XV. — AGED PRISONERS

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

At present there are approximately 1,000 prisoners, age 65 or over, being housed mainly in maximum security institutions of the Department of Correction. This housing is costly and in some

instances the physical layouts impose a hardship on the older prisoners because of conditions of health or various infirmities. One example is Sing Sing Prison and another is Clinton Prison where long passageways need to be traveled, as well as stairways. In any future planning, thought should be given to the possibility of providing not only a less expensive type of housing but a design of institution based on the physical considerations of the aged.

#### RECOMMENDATION XVI. — EMPLOYMENT FOR INMATES OF CORRECTIONAL INSTITUTIONS

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

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

#### AVOID CURTALEMENT OF CORRECTIONAL INDUSTRIES

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

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

#### RECOMMENDATION XVII. — CIVIL SERVICE STATUS TO COUNTY INSTITUTION PERSONNEL

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

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

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

#### RECOMMENDATION XVIII. — SEX OFFENDERS

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

The Prison Association of New York has been interested in the matter of sex offender legislation for many years and was responsible for the introduction of a bill in 1947. Governor Dewey at

that time vetoed the bill on technical grounds but because he was so concerned about the problem he appointed a departmental committee. This committee, of which the Association's General Secretary was a member, made an exhaustive study and submitted a report that resulted in the passage of a bill that became Chapter 525 of the Laws of 1950.

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

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

Article 19 of the Correction Law, Section 484, should be amended to further increase reimbursement by the State of the monetary allowance for clothing to be issued to felons upon discharge from local prisons or penitentiaries.

#### RECOMMENDATION XX. — REIMBURSEMENT FOR MAINTENANCE OF MISDEMEANANTS

Article 7-A of the Correction Law should be amended to provide that when any misdemeanant or lesser offender has been sentenced to an indeterminate term and such sentence extends beyond one year the full cost of maintaining such prisoner beyond one year shall be charged against the State.

#### RECOMMENDATION XXI. — REIMBURSEMENT TO COUNTY INSTITUTIONS FOR BOARD OF STATE PRISONERS

We again urge that there be an additional compensation for the board of State prisoners in county penitentiaries with particular

reference to per capita costs for maintaining prisoners in institutions of the New York City Department of Correction. There is need for a flexible scale of reimbursement to be determined on the basis of actual costs. Obviously the cost of maintaining a prisoner in New York City is more than in some upstate county. Costs even vary between these upstate county institutions. The present maximum amount as authorized in 1956 is inadequate, especially as it relates to New York City.

#### RECOMMENDATION XXII. — PUBLIC DEFENDER SYSTEM

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

We note further that Governor Rockefeller in his message to the 1960 Legislature urges legal aid for indigent defendants.

#### RECOMMENDATION XXIII. — PROBATION SCHOLARSHIPS

The correction law should be amended to provide for the establishment of probation scholarships so as to remove the limits of the amount thereof.

This legislation is proposed with the approval of the State Probation Commission. The amendment eliminates the present statutory restriction of \$2,000 on scholarships and permits the Department of Correction to set the amount of scholarships subject to Budget approval without resorting to statutory changes. The Mental Hygiene and Social Welfare departments have a flexible system similar to the amendment proposed. This is made necessary by reason of the fact that the sum of \$2,000 presently allowed by statutes does not permit a sufficient stipend to enable probation personnel to take leaves of absence without pay while attending graduate schools of social work. Tuition costs per year are approximately \$900 with the result that only \$1,100 is, at the maximum, available for living and traveling expenses. In view of the substantially increased cost of living, and since most of the candidates

have family obligations, the existing provisions are manifestly inadequate. Other State departments, such as Mental Hygiene and Social Welfare, grant full tuition scholarships, plus \$250 per month for living expenses. The proposed legislation is aimed to bring section 14-d into line with the practice in such other departments. This will serve to foster the purposes of the scholarship grants, to wit, to encourage more probation officers to take advantage of the scholarship program and thus increase their efficiency and bring about a more professional type of service in the probation departments throughout the State.

#### RECOMMENDATION XXIV. — CONTRACTS WITH SCHOOLS OF SOCIAL WORK

The correction law should be amended with respect to contracts with schools of social work for reasons set forth as follows:

In 1957 The Special Committee of the State Probation Commission submitted recommendations to the Commission that on the basis of experience in the preceding two years in carrying out the provisions of section 14-e dealing with contracts with schools of social work for the development of curricula particularly applicable to probation personnel, the granting of the maximum amount of \$11,000 to each school (which presently can be granted for an academic year) was an unwise arrangement.

Actually, some schools provide a more extensive program than others and it would be highly desirable to grant an amount to each school which would more nearly represent the cost of the probation curricula and training that each of the schools would be able to develop and carry out. This matter has been thoroughly discussed with each of the schools of social work and they appreciate the fact that some schools can provide a greater variety of courses and a more extensive program than others. Further, field work placement, which is an integral part of any curricula, is more highly developed and would be more adequately carried out by some of the schools.

Therefore, the Special Committee and the Probation Commission itself, after deliberation felt that the wisest way to remedy the above mentioned difficulty would be to eliminate the ceiling of \$11,000 which can be granted to each school and permit the granting of different amounts to the various schools in proportion to the curricula and facilities that could be developed and carried out for the training of probation personnel. On this basis, the school providing a greater amount of service would be granted a larger amount, while those providing a limited or lesser amount of service would receive a lesser grant. This method of distributing grants would result in a much more equitable allocation of funds. In any

event, the total amount that would be granted to all the schools in any one year could not exceed the total amount of the appropriation provided for contracts with schools of social work.

#### RECOMMENDATION XXV. — APPOINTMENT OF CORRECTIONAL INSTITUTION EMPLOYEES

The correction law should be amended in relation to the appointment of institutional employees and to provide for the repeal of certain provisions of the present law.

The purpose of the proposed amendments is to harmonize various provisions of the correction law with the repeal of Correction Law Section 274, subdivision 2, and the addition of Correction Law Section 296, subdivision 3, as effected by chapter 803 of the Laws of 1954, sections 8 and 27.

The proposed legislation will serve to effect a uniform policy as to all the institutions and divisions within the Department of Correction and implement the basic policy expressed in Correction Law Sections 5 and 9.

#### RECOMMENDATION XXVI. — YOUTH REHABILITATION FACILITY AGE LIMITS

The correction law should be amended in relation to the age limits of those admissible to the Youth Rehabilitation Facility.

The proposal to amend Correction Law Section 314 seeks to broaden the age group admissible to the Youth Rehabilitation Facility so as to include those up to the age of thirty. Experienced correctional officials in this and other States support our viewpoint that greater stability will be achieved by including the older group. The factor of stability under circumstances of minimal security is obviously of prime importance in making this new development a success. The proposed increase of the age limit will aid in bringing within the camp inmates of greater occupational experience which will enormously facilitate the proposed program of the conservation work camp activities. Conservation officials have indicated the need, in order to accomplish the conservation objectives of the camps, for the inclusion of the older inmates. Of course the Department of Correction, through careful screening of such older inmates, will insure that the rehabilitative effects of the camp program will not be impaired.

#### RECOMMENDATION XXVII. — CHANGE OF TITLE — CORRECTIONAL PERSONNEL

In keeping with the trend to modernize terminology it is desirable to reclassify the title of "matron" in the State prisons for

women and other correctional institutions to "correction officer"; and in the criminal hospitals the title "attendant" should be changed to "criminal hospital correction officer". These changes are timely and in the interest of a more dignified reference.

### A PIONEERING AGENCY

Since 1844, The Prison Association of New York has been active in the never-ending struggle for correctional progress. It has pioneered and crusaded with a record of accomplishment in the ever more adequate operation of New York's prisons unequalled by any other group.

It is the only private agency in New York State authorized by special act of the Legislature to visit and examine the State's prisons, county jails and lock-ups, and make recommendations to the State's lawmakers regarding their more efficient operation.

There has been no other agency for more than a century which has spearheaded so many reforms, improvements in our prisons and waged so actively the battle against crime.

It has also over the same period extended its operations and influence throughout our nation, as well as abroad.

Its work is not academic. The Association continues to work closely with prison administrators and officials to the end that there be better penological practices in our institutions. Appreciation of our efforts has been expressed many times by both the State and City commissioners of correction, not to mention those officials in other states and foreign countries who have asked for and received our aid, support and advice.

We work with the courts and bar associations to the end that there be a prompt, fearless and impartial handling of justice; to the more effective handling of prisoners, especially the youthful offender who stands on the threshold of being tomorrow's habitual criminal.

The Association is unceasingly motivated by the philosophy that the basic function of the prison is that something more be done than simply keeping men in an enclosure and under lock and key. To do this is to subsidize a school for crime with the result that the State will have to pay millions of dollars for the rearrests, the prosecution and "re-education" of its released prisoners.

Schools for crime must become schools against crime. All the resources of medicine, psychology, psychiatry, penology and instruction in social living must be utilized in order to return as many social beings to society as possible. To object to such a program is at once to object to society receiving such protection, and to deny that psychiatry, psychology, religion and education lead to the understanding and reformation of character. The civilizing power of the school, the shop, the clinic must be furthered in our prisons.

In a broader sense the Association concerns itself with crime prevention activities in the community so that there will gradually

result a minimum of need for arrests and convictions. We continue as always to support probation as a sound medium of reformation in preference to institutional commitment provided, however, that there exists an adequately organized and properly administered probation system and that there is in practice a careful selection of the persons to be placed on probation. The Association had considerable to do with the writing of the first probation law for the State of New York and we remain steadfast in our belief as to its suitability as one of the means of dealing with those who come into conflict with the law.

The Association, however, is not satisfied to rest on its laurels. The problem of crime and delinquency is a constant one which must be attacked continually. One approach is through legislation and the recommendations on the foregoing pages are an evidence of our always looking forward.

### THE FOLLOWING ITEMS ARE TYPICAL OF THE VARIOUS INTERESTS OF THE ASSOCIATION THROUGH THE YEAR 1959.

#### IN THE AREA OF LEGISLATION

As has been our custom for decades during the early part of each year when the Legislature is in session our major attention is directed to those bills having to do with the administration of criminal justice. A detailed statement of the 92 bills holding our close interest during the 1959 Session is set forth beginning on page 65. Of this number we approved 41 and opposed 51.

#### UNITED NATIONS SOCIAL DEFENCE PROGRAM

We continued our interest in the activities of United Nations in the field of social defence (crime study and treatment, including juvenile delinquency) because the first international meeting concerned with this subject, held in London in 1872, was traceable to the efforts of the then general secretary of The Prison Association of New York. At that meeting there was organized the International Penal and Penitentiary Commission. The work of this body was taken over by United Nations in 1950. There has been some uncertainty as to the extent to which United Nations would fulfill its promise to carry on and expand the work of the International Penal and Penitentiary Commission.

On April 27 through May 15, 1959 the Social Commission of United Nations held its Twelfth Session. Below is a summarized report of what transpired at this meeting and it is indicative of the fact that there will be continued effort on the part of United Nations in the field of juvenile delinquency and crime prevention. The action taken by the Social Commission was subject to final



review during the summer of 1959 at Geneva when the Economic and Social Council of United Nations held its 28th Session. *While the resolution mentioned in the report was not as far reaching as some outside of United Nations would prefer it nevertheless indicates that the protests registered at a special meeting of delegates from different countries have been rewarded to the extent of impressing upon the Social Commission the desirability of United Nations continuing, despite budget limitations, its interest and activities in the field of social defense.*

#### Excerpt From Summary of Social Commission Meeting

##### *Social Defense*

Under the heading of social defense, the UN Program includes the prevention of crime, the treatment of offenders, juvenile delinquency, and the suppression of traffic in persons and of the exploitation of the prostitution of others.

United Nations studies have shown that criminal behavior is increasing and has assumed more serious proportions in some of the highly developed countries. An increase in criminal behavior is also noticeable in many under-developed countries, especially in those undergoing rapid industrialization and urbanization.

The Social Commission adopted a resolution which notes "That despite the efforts at present being made, crime and delinquency are continuing to increase markedly in many countries," and which is designed to "strengthen UN technical assistance in this field, particularly to the less-developed countries."

While the United Nations would "retain leadership and responsibility in the matter of social defense," the Secretary-General has been asked to continue his consultation with the International Penal and Penitentiary Foundation and other nongovernmental organizations on arrangements for associating them more closely with the function of the United Nations in the field of prevention of crime and treatment of offenders.

The resolution further requests the Secretary-General to proceed with the measures to bring into operation two planned regional institutes on social defense, in Latin America and in Asia and the Far East.

In the near future, the Secretariat will concentrate on studies on practical problems of adult and juvenile probation, parole and after-care, which will be considered at the Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in London in 1960. The first such Congress was held in Geneva in 1955, and the third, for which the Government of Sweden has already offered to act as host, will be held in 1965.

#### Action by the Economic and Social Council

At the 28th Session of the Economic and Social Council of United Nations held in Geneva during the summer of 1959 the action of the Social Commission Meeting held in April of 1959, referred to above, was approved. This decision we welcome and are pleased to have played a part behind the scenes, so to speak, in urging that United Nations continue its interest in the subjects of juvenile delinquency and crime as a fulfillment of its commitment to carry on after the absorption of the International Penal and Penitentiary Commission into its organization, and further because of the seriousness of these two problems in many parts of the world.

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

We are further pleased to note the added decision to hold the Second United Nations Congress on Prevention of Crime and Treatment of Offenders in London, August 8-20, 1960. This Congress, as indicated above, is a continuation of the first one held in London in 1872 under the auspices of the International Penal and Penitentiary Commission.

The Prison Association has been identified with these international gatherings from the beginning and has participated in various ways through the years; the last time being at the first Congress under United Nations auspices in Geneva in 1955. It is anticipated that the Association will be represented at the 1960 Congress in London.

#### FEDERAL LEGISLATION

##### *A. Public Defender Bill. Senate 895; H.R. 4185*

In our Annual Reports to the Legislature we have urged the providing of a public defender system in the State of New York. We pointed out that other areas such as Missouri, Los Angeles, Columbus, Memphis, Providence, St. Paul, St. Louis and San Francisco have made satisfactory use of this device to extend justice within the criminal courts. We have supported the efforts of the United States Attorney General to provide this arrangement for Federal cases.

The United States Senate has already passed U. S. Senate Bill 895 making provisions for the representation of indigent defendants in criminal cases in the district courts of the United States. A companion bill in the House of Representatives by Mr. Celler is H. R. 4185. The House Judiciary Committee has given the measure consideration and the outlook for action at the next Congress is good.

*B. Home Leave Bill, H.R. 4493*

We have shown interest in, although we have not given full support to, H.R. Bill 4493 by Mr. Celler to provide home leave to assist Federal prisoners in their rehabilitation. This bill would allow the Attorney General to extend the limits of the place of confinement of a prisoner and permit him at no expense to the Government to visit his home or other place or places specifically designated. Such extension of limits would be granted only when it appears that the prisoner has observed the rules of the institution in which he is confined and that he is trustworthy and that such extension of limits will facilitate his rehabilitation.

Such a leave would apply also to a visit to a dying relative or member of his family, or to obtain surgical or medical services not otherwise available to him, contact prospective employers, or deal with critical domestic problems.

This measure has some merit and in part, such as permission to visit dying relatives, is in operation in the State of New York.

*C. Juvenile Delinquency. Senate 694; H.R. 3464*

We joined in supporting Senate Bill 694, House Bill 3464, designed to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the nation's juvenile delinquency control problems. This is just one more step in an effort to deal with delinquency. The bill calls for an appropriation of \$5 million.

**PROBATION SERVICE—DOMESTIC RELATIONS COURT**

Due to the fact that the first probation law of the State of New York was written in the office of The Prison Association of New York more than fifty years ago we naturally continue to be interested in this medium of correctional treatment regardless of age limits.

There is renewed somewhat the proposal that there be established a unified probation system for the Magistrates', Special Sessions, and Domestic Relations Courts. The suggestion now comes from the city's Juvenile Delinquency Evaluation Project, designated by the Mayor.

This same subject was dealt with in the Seabury Report in 1942 and was at that time rejected by the administration. It was revived in 1954. The proposal was opposed by Judge Warren C. Hill, Presiding Justice of the Domestic Relations Court, mainly on the theory that the probation services of that court should be maintained as a separate unit because it operates as a highly specialized court, with its own specialized judges separate and apart from other courts. He brought this viewpoint to the attention of Mayor Wagner under date of January 7, 1959 and sent with it a copy of his

letter of May 18, 1954 to the Director of the Budget, Mr. Abraham D. Beame.

The Prison Association addressed a letter to Mayor Wagner and Budget Director Mr. Abraham D. Beame in support of Justice Hill's contention that the probation service of the Domestic Relations Court be excluded from any plan for the pooling of the probation services of various courts.

**COURT REFORM BILLS**

We continued, especially during the 1959 session of the Legislature, to work separately and jointly for the passage of the bill designed to simplify the court system and the administration of the courts. We functioned similarly last year but the bill proposed by the so-called "Tweed Commission" failed.

At the beginning of the 1959 session we gave support to the bill offered by the New York State Judicial Conference, Senate Int. 1757, Pr. 2650 by Mr. Mitchell. This bill embodied some of the features of the legislation proposed by the Tweed Commission and it was regarded by The Committee for Modern Courts as the best that could be hoped for at this session. This committee is a private body, outstandingly active for the continuation of the drive for the modernization of the court structure and functioning.

There were three bills offered but we maintained our stand in favor of the above bill. However, as the session neared the end the Mitchell bill was sidetracked and there was introduced instead Senate Int. 1650, Pr. 4319, by Mr. Erwin, which we finally supported. Briefly, this bill revises the State's court system by:

1. Absorbing County and General Sessions Courts in Supreme Court in New York City.
2. Combining City Court and Municipal Court into an inferior civil court, and Special Sessions and Magistrate's Court into an inferior criminal court in New York City.
3. Creating a new state-wide Family Court, absorbing Children's Court upstate and the Domestic Relations Court in New York City.
4. Forbidding County judges upstate from engaging in the part-time practice of law.
5. Establishing a District Court system that upstate counties and towns could adopt to replace Justices of the Peace and police justices as they wished.
6. Granting the administrative board of the Judicial Conference general policy supervision of the court system.
7. Rejected court reorganization plans that would have abolished the Surrogates' Courts, the Court of Claims and the Justices of the Peace and set up centralized state-wide budgetary control of the court system.

The feeling among most of those interested in court reform was that while the Erwin bill was not wholly satisfactory it nevertheless was a decided step forward and indicated encouraging progress. It is likely that when this bill is considered again some changes will result intended to make for added progress.

#### SPECIAL LEGISLATIVE COMMITTEE ON REVISION AND SIMPLIFICATION OF THE NEW YORK STATE CONSTITUTION

The General Secretary was requested to examine Staff Report No. 24, dated December 1958, on Health and Welfare, of the above Committee.

In this connection the General Secretary in a letter addressed to the Associate Director of the Temporary Commission of the Revision and Simplification of the Constitution, Mr. John E. Bebout, under date of April 13, 1959, expressed the hope that the Commission would study the desirability of a change in Article 17, Section 5 of the Constitution which provides for the existence of the State Commission of Correction and which at the same time designates the head of the State Department of Correction as its chairman. This anomalous situation has been mentioned in our various annual reports in the past, the example being given that it places the chairman somewhat in the position of a bank president examining his own bank.

In a later communication to the chairman of a subcommittee under date of June 23, 1959, the General Secretary made a renewed plea for the continued functions of visitation and inspection on the part of the State Commission of Correction, with the added observation that the unit should be detached at least as affects the chairmanship from the State Department of Correction. The gist of it was the opportunity for independent action in the public interest. An acknowledgment of appreciation was received under date of June 26th.

#### APPRAISAL OF OUR 14th ANNUAL REPORT

In his letter of June 20, 1959, Mr. James V. Bennett, Director of the Federal Bureau of Prisons, commented as follows:

"As is the case with all your annual reports, the 1958 report is comprehensive, interesting and very readable. It covers so many important problems in the whole field of corrections and institutional administration that it is difficult to select any one or two for special comment. In fact, each of your twenty-four recommendations is based on sound, progressive principles and if carried out would represent a significant step forward. "Incidentally, I want to thank you for your references to the Bureau of Prisons and especially your comments on the new sentencing legislation. Our experience in implementing the

provisions of this new legislation has so far been most encouraging. I expect that the first pilot institute on sentencing which is scheduled for the middle of July will contribute to a better understanding of the purposes and advantages of the legislation and make for a wider use of the provisions of the law by the judges."

Worthy of note also is the fact that Commissioner Anna M. Kross of the New York City Department of Correction in her Fifth Annual Report to the Mayor quoted freely from our report as relates to her Department and also expressed appreciation to the Association and its General Secretary as follows:

"The Department of Correction of the City of New York expresses its appreciation and thanks to the Hon. Edward R. Cass, Corresponding and General Secretary, and the officers of the Association for their counsel, encouragement and interest in the administration's overall departmental reorganization plans, the implementation of its programs and the many problems yet to be resolved."

#### GOVERNOR'S PAROLE STUDY COMMITTEE

This study was a follow-up of the "Lanza Case" but not intended as a duplication of the work of two other bodies; one legislative and the other representing the Governor's Office charged specifically with an investigation of the so-called Lanza Case.

Instead the study, with which the General Secretary was identified and which he urged Governor Harriman to authorize, was interested in a well-rounded professional review of the organization and operation of parole in this state through the State Division of Parole. This study was completed and submitted to Governor Rockefeller. The findings are based on many months of intensive study and evaluation of the personnel and the laws, and the various operations. The report appears in two parts: one having to do with a summarization of findings and necessary recommendations; the second is a detailed account, running into hundreds of pages, of the study and observations made by members of the committee, and also by those identified with the staff.

The General Secretary addressed a letter to Governor Rockefeller on behalf of The Prison Association of New York supplementing the formal submission of the report and urged that it be given most serious consideration and not permitted to become just another volume in the archives of the State.

Governor Rockefeller in acknowledging receipt of the report praised the work of the committee and indicated that the findings and recommendations of the committee would be reviewed by members of his staff and by the departments and agencies concerned.

This has been done and in a memorandum submitted by the Division of Parole there is indicated general agreement with the findings of the committee. As was to be expected, of course, there were some honest differences of opinion relating to certain recommendations.

With respect to participation in the development of the report the Association should feel a sense of *deep satisfaction* at the opportunity to once more contribute toward progress.

#### RELEASE ON PAROLE WITHOUT APPROVED EMPLOYMENT

In personal contacts and through discussion in our annual reports, likewise in our recommendations to the Legislature, beginning in 1942, we have urged that there be a more realistic interpretation of the law so that specially selected potential parolees could be conditionally released in order to seek employment on their own initiative, or in cooperation with the State Department of Labor, Parole Officers and private agencies. The failure of a prisoner to take advantage of this opportunity could be construed as a violation of parole conditioned by his return to imprisonment.

It is gratifying to report that the Parole Board, having been for some time concerned about the backlog of individuals in institutions who were being held because no job could be offered to fulfill the requirement for release, *has adopted a procedure recently whereby about 300 prisoners have been released without a job with the understanding that they must exert every effort to find employment.* This is a decided forward step and unquestionably a reasonable procedure. We have reason to believe that our discussion of this plan aided considerably toward its adoption.

#### GOLDEN ANNIVERSARY WHITE HOUSE CONFERENCE ON CHILDREN AND YOUTH

During the week of March 27-April 2, 1960 the Golden Anniversary White House Conference on Children and Youth will be held in Washington, D. C. The first White House Conference on Children and Youth was held in 1909 at the call of President Theodore Roosevelt. At ten-year intervals thereafter similar conferences have been held. The General Secretary participated on the part of the State of New York in preparation for the previous conference held in 1950.

In preparation for the 1960 conference the New York State Youth Commission divided the State into nine regions and meetings under its guidance were held in each. The regional meeting embracing New York City was held on June 16, 1959 and was presided over by Deputy Police Commissioner Alexander Aldrich. This meeting was confined to correctional matters. The General Secretary was pleased to participate in this gathering for the submission of material to the over-all New York State Committee.

The Governor appointed General Secretary Cass as a member of the New York State Committee for the 1960 White House Conference. The committee met in Albany on October 5th and 6th. There was included in this assembly a conference of representative youths from different counties of the State. They discussed various aspects of social life and welfare in the State and made recommendations to the New York State Committee. This committee gave consideration to the proposals coming from the various regional meetings plus what was offered by the delegates to the Youth Conference. Finally there resulted a statement of principles and recommendations for submission to the White House Conference as a report from the New York State Committee.

The General Secretary served as a member of the Subcommittee on Corrective and Protectional Care of the New York State Committee.\* This subcommittee's contribution was approved by the State Committee as a whole and dealt with various items under the following captions:

- Personnel Problems
- The Police
- Children's and Youth Courts
- Placement of Children and Youth
- Religion, Moral and Spiritual Guidance and the Clergy
- Probation
- Psychiatric, Psychological, and Case Workers
- Custodial Personnel
- Cottage Parents
- Group Therapy
- Vocational Education
- The Treatment of Families
- Facilities
- Parole and After-Care
- Long-Term Planning
- Implementation

At this writing General Secretary Cass is in receipt of an invitation from President Eisenhower to be in attendance and participate in the proceedings of Golden Anniversary White House Conference. Similar invitations of course were sent to the other members of the New York State Committee as well as representatives of all the States.

#### STANDARD ACT FOR STATE CORRECTIONAL SERVICES

The project for the development of a standard correctional act which is being undertaken jointly by The American Correctional

\* The complete report of this subcommittee appears as Appendix A, beginning on page 92.

Association and the National Probation and Parole Association continues to move toward final conclusion. Mr. Cass represents both The Prison Association of New York and The American Correctional Association as a member of the committee.

During the summer a meeting was held to review the various opinions submitted by members of the committee relating to the extent and general subject matter of the proposed act. Upon its completion this act should provide a standard piece of legislation sufficiently flexible to meet the problems of the various states, especially where there is need to strengthen or expand existing correctional media or to provide for reasonable integration and control. The variety of legislation now existing is not always for the maximum of public welfare nor in accord with modern thinking and experience. Thus there results confusion, overlapping and general inefficiency.

#### THE FREDERICK A. MORAN MEMORIAL INSTITUTE, JULY 26-31, 1959

Again the General Secretary was selected as a consultant and participant for this Institute, held in cooperation with St. Lawrence University at Canton, New York. The Institute is sponsored jointly by St. Lawrence University and various State agencies dealing with delinquents and criminals, principally the Departments of Social Welfare, Mental Hygiene, Correction, the State Youth Commission and the State Board of Parole. The faculty of this nationally known Institute is composed of correctional experts drawn not only from public and private agencies in New York State but also from other parts of the United States.

There were 500 correctional workers from all regions of the State enrolled and it was noted again this year that there is a decided tendency by the student body to take this opportunity seriously. The General Secretary presided at the general session on Thursday evening, July 30th. The subject was "Problems in Integrating the Correctional Process." Speakers were The Honorable Peter T. Farrell, Senior and Administrative Judge, Queens County Court; Dr. Walter B. Martin, Warden, Attica Prison; The Honorable Russell G. Oswald, Chairman, New York State Board of Parole. Participants in the Institute included representatives of law enforcement, preventive services, probation, juvenile and adult institutional care and treatment, and parole.

#### COMPLETION OF THE REVISION OF "MANUAL OF CORRECTIONAL STANDARDS"

The revised edition of the *Manual of Correctional Standards* published by The American Correctional Association in August 1959 was a monumental undertaking and reflects the experience and knowledge of many correctional workers in different parts of

the country. We can be proud of our identity with this project through the labors of General Secretary Cass.

The book consists of thirty-four chapters and contains 630 pages with bibliographies for each chapter and also an extensive general bibliography. The wide coverage of this manual can be somewhat realized from the partial listing of the chapter headings below:

Development of Modern Correctional Concepts and Standards	Recreation
Scope of the Correctional Process	Library Services
Central Administration of a State Correctional System	The Religious Program
Personnel Management	Institutional Employment
Public Relations and Information	Inmate Property Control," Issue Items, and Services
Legal Rights of Probationers, Prisoners and Parolees	Jails
The Administrative Organization of an Institution for Adult Prisoners	Camps
Fiscal Management and Control	Women's Institutions
The Physical Plant of Institutions	Youthful Offenders
Custody, Security and Control	Adult Probation
Discipline	Community Agencies as Resources for Adult Corrections
Health and Medical Services	Parole and Other Release Procedures
Food Service	Voluntary Agency Services
Classification	Citizen Participation in Correctional Programs
Casework, Counseling and Clinical Services	Evaluation by Use of Correctional Standards
Education	

#### 89TH ANNUAL CONGRESS OF CORRECTION, AUGUST 30-SEPTEMBER 4, 1959

This Congress, the planning and administration of which has been a major activity of the Association for many years, was successfully held this year in Miami Beach, Florida, August 30-September 4th. There were delegates from forty-three States, The District of Columbia, Puerto Rico, Canada, Japan and Yugoslavia. The theme of the Congress was "Correctional Growth Through Cooperative Effort."

There was a very carefully prepared program, participants being persons of recognized standing and varied experience in the correctional field from numerous states. These Congresses have the value of projecting not only new thinking and planning but the keeping alive of desirable objectives in the interest of progress. The Congress cannot compel the states to conform with the decisions arrived at through special presentations and discussions but on the other hand, it cannot be said by those present who desire to make for progress in their respective states that they did not have the benefit of wide opportunity to learn of worthwhile activities and achievements in other states.

It should always be kept in mind that our Association played

a conspicuous part in the beginning of The American Correctional Association and its Annual Congresses, dating back to the first one held in 1870. Although our interest has never ceased in these gatherings and the work of the national Association throughout the years, we have nevertheless since 1922 been pretty much the core in guiding its affairs and thereby enhancing its usefulness. At the same time we have gained for ourselves a prominent place in the national picture.

#### REPORT OF THE COMMITTEE ON MENTAL HYGIENE, NEW YORK STATE BAR ASSOCIATION

We noticed with interest the report of the New York State Bar Association on the revision of the McNaghten Rule relating to the defense of insanity. The present New York statute was adopted in 1881 and based on the rule for the defense of insanity formulated by the judges of England in 1843 at the request of the House of Lords. Known as the McNaghten Rule, it requires that a defendant be able to prove he did not know his criminal act was "wrong" before a court can absolve him of responsibility for it. The name came out of the case of a Scotsman by the name of Daniel M'Naghten who shot and killed the secretary to Prime Minister Sir Robert Peel on the mistaken assumption that his victim was Sir Robert. He was acquitted on a finding of insanity.

The report of the Bar Association recommends a revision of the Rule so as to take into consideration advances made in the wider studies of human behavior. There are those who favor a change and there is also opposition. Our interest in the subject of the report naturally relates to the question of not only the determination of insanity, but what is it that makes people engage in criminal acts; to what extent are they responsible in view of what is revealed as uncontrollable compulsions in the realm of human behavior?

#### SURVEY OF PRISON INDUSTRIES

In our recommendations to the Legislature we have urged over the years that improvement be made in the organization and operation of the prison industries. We have suggested that the whole area be restudied and it is therefore gratifying to report that such a study is under way with the approval of the Governor and the State Department of Correction. This project is in the hands of experienced people who are giving service to the state without cost and it is anticipated that there will be worthwhile results, at least to the extent of pointing various ways for betterment.

#### GRAND JURY SESSIONS

A bad situation frequently noted by the Association in its annual reports relates to the infrequency of grand jury sessions princi-

pally in upstate counties. It happens, for example, that a grand jury will meet some time during the month of May and not convene again until September or October. This means long detention of those who have not been indicted. It makes for moral, physical and mental deterioration particularly as relates to young offenders, some of whom are turned loose by the grand jury.

We have urged through the Commission of Correction that the district attorneys of the state become more interested in this problem and move in their respective jurisdictions for additional sessions of the grand jury. This can be done through an existing provision of the Code of Criminal Procedure. In the New York City area the problem does not exist because there are frequent sittings of the grand jury and the district attorney can at any time move for the convening of a grand jury upon request to the court.

#### NEW YORK COUNTY CIVIL JAIL

For years we were highly critical of the situation relating to the Sheriff's, or Civil, jails in the City of New York. In the course of time these jails were reduced to two. With our continued protest there finally resulted the designation of one Civil Jail, located now for some time on West 37th Street in Manhattan.

The protests regarding the civil jail situation were voiced by the General Secretary and another member of our Executive Committee, the late John L. Schoenfeld, enhanced through their joint identity with the State Commission of Correction.

The West 37th Street Civil Jail will never entirely suitable physically, nevertheless made for economy and centralization of administration. Our objections continued to be voiced and these were emphasized by the demand of the sheriff for new jail facilities. This was brought to the attention of the City Planning Commission—Project PW-109—with the apparent favorable attitude on the part of the chairman. However, it is discouraging to report that the 1960 Capital Budget makes no provision for the construction of a new civil jail.

#### "WHITE PAPER". (ENGLISH REPORT ON CRIME)

Through the interest of our principal English contact, Sir Lionel Fox, head of the English Prison System, we received a copy of the so-called "white paper" entitled "Penal Practice in a Changing Society." This document was made available to Parliament by the Secretary of State for the Home Department in February 1959. Its reading indicates that the problem of crime has not been solved in Britain and that they are confronted with increased numbers, particularly in the juvenile and youth brackets, beyond the experience of years past and to a degree that causes considerable alarm. Nevertheless the document indicates a determination

not to return to some of the so-called harsh methods employed in England but instead to continue experimentation particularly relating to younger offenders. Further, to improve existing facilities and quality of personnel.

In many respects the situation is similar in this country so far as numbers are concerned and the thinking of those of us who do not believe in coddling but at the same time are anxious to try in varying ways to reduce juvenile delinquency and crime in the communities, as well as to cut down the rate of recidivism through better understanding and handling of those who are finally committed to institutions.

#### ASSISTANCE TO BUFFALO, N. Y. COUNCIL OF SOCIAL AGENCIES

A committee of the Council of Social Agencies of Buffalo and Erie County sought information about county penitentiary programs with particular reference to the possibility of change at the Erie County Penitentiary located at Wende. The General Secretary replied in some detail and supplied related literature which the Secretary of the Council acknowledged with thanks and appreciation.

#### SERVICE TO THE NEW STATE OF ALASKA

In response to a request for assistance from Mr. Charles W. Pfeiffer, Chairman, Advisory Group, Anchorage Juvenile Action Committee, Mr. Cass gave general guidance relating to the problems of juvenile delinquency and the design and need for certain types of institutions to deal with young offenders. This was regarded as a unique opportunity for service to the newly established State. A portion of Mr. Pfeiffer's letter which prompted special attention reads:

"As a new state, Alaska contemplates many changes and revisions in most programs. Actually, in the field of correction and rehabilitation, there is very little in existence; so we hope for some sound new programs."

We also had opportunity to be of further assistance to the new State of Alaska through a request for help from the Mental Health Section of the Alaska Department of Health and Welfare. This was in the form of a response to their letter regarding plans for the rehabilitation of juvenile offenders in Alaska.

#### COOPERATION WITH SUPREME COURT OF NEW JERSEY

In response to two requests from Judge Francis of the Supreme Court of New Jersey we furnished considerable material on the subject of sentencing procedures together with personal comment. All this was duly acknowledged with appreciation.

#### GUIDANCE TO AFL-CIO COMMUNITY SERVICE COMMITTEE

Upon request we took advantage of the opportunity to assist the Community Service Committee of the AFL-CIO regarding statistical material relating to the population of both state and federal prisons and reformatories and also in the discussion of the trend and meaning of these statistics. This guidance was of value to them in the preparation of literature to be made available in pamphlet form for the education of the membership of the combined labor groups.

#### COOPERATION WITH JUDGE SAMUEL S. LEIBOWITZ, KINGS COUNTY COURT

Judge Leibowitz sought the advice and guidance of the General Secretary regarding the problem of finding employment for released prisoners; also the problem of employment of those in prison, and the inequalities resulting from present sentencing processes. He also sought guidance on the desirability of bringing representatives of labor and management together on the whole question of jobs for ex-prisoners and adequate work and training for men in prison.

Regarding all of the above items the Judge was liberally supplied with information based on our own knowledge and experience, together with helpful literature. All of this he accepted with noticeable appreciation. Subsequently he received considerable newspaper publicity relating to these items.

#### CONFERENCE OF LABOR AND MANAGEMENT

In our recommendations to the Legislature we have repeatedly urged that there be a getting-together of labor and management relating to the problem of inadequate employment of prisoners, and also trade training activities. These recommendations each year have been brought not only to the attention of the Legislature but the various Governors, and particularly to the State Department of Correction.

It now seems that the idea is beginning to take hold because it is understood that Governor Rockefeller is planning to bring labor and management together and also representatives of the State Civil Service Commission. It is fair to assume that our recommendations and correspondence and conversations, all in line with the above, have contributed to the action that has been taken by the Governor together with his Commissioner of Correction.

Here again is another example of the kind of service that the Association renders which requires time, patience and full understanding for fulfillment.

#### STATE AND CITY RESPONSIBILITY TOWARD CARE OF FELONS AND OTHERS

On this subject we continued with others in preliminary discussion during the year both in New York City and Albany. The City authorities are anxious to be relieved of the care of State felons, prostitutes, vagrants and alcoholics in institutions of the New York City Department of Correction.

The position taken is that felons should be cared for in State institutions and that those in the other classifications should be treated in a non-penal atmosphere. To some extent, as indicated in our annual reports, we are strongly sympathetic to a review of the whole situation. There are indications that those in State government are not unmindful of what might result if the City should take certain action that would cause certain felons to become a full State responsibility.

#### REPORT OF THE STATE OF NEW YORK JOINT LEGISLATIVE COMMITTEE ON NARCOTIC STUDY

We continued our interest in the work of this committee and cooperated to whatever extent possible. The committee report is enlightening although it offers no panacea. Seventeen seemingly well founded recommendations are contained at the close of the report; the titles of which give a clue not only to the subject matter but the expansiveness of the coverage of the report. The titles are:

1. Reevaluation of Supreme Court Decisions.
2. Hospital Facilities.
3. Riverside Hospital.
4. Vocational Rehabilitation.
5. New York City Community Agencies.
6. Unofficial Agencies.
7. The Physician and the Addict.
8. Education.
9. Research.
10. Parole Department.
11. Penal Laws.
12. The Nalline Test.
13. The Narcotic Offender in the State Prisons.
14. Triplicate Prescriptions.
15. Report to the Narcotic Control Section.
16. Narcotic Commission.
17. A Continuing Study.

There is also an interesting section entitled: "Responsibility for Narcotic Matters in the State."

#### STUDY OF THE BRITISH NARCOTIC SYSTEM

For the purpose of further information and guidance and in line with our interest in the problem of drug addicts the General Secretary obtained a copy of the report submitted to Governor Nelson A. Rockefeller entitled "On the Site Study of the British Narcotic System." This is an interesting and valuable report since the question is often raised as to how the problem of narcotics is dealt with in England and to what extent the problem exists. Following is a brief summary of the report:

"A comprehensive report of the British narcotic system, made in that country last Fall by Dr. Granville W. Larimore, Deputy Commissioner of the State Health Department, and Dr. Henry Brill, Assistant Commissioner of the State Mental Hygiene Department, has been sent to Governor Rockefeller. The report states that the British system is 'not so dissimilar as is commonly believed' in comparison with the American system, but that the situation is different 'with only 350 known addicts among a British population of 50 million,' adding that in Britain 'addiction is not connected with organized crime, but is largely medical.' The report adds, 'It should be pointed out that (1) the prescribing of narcotic drugs in England is carried out with just as many safeguards and much the same restrictions as in the U. S.; (2) every effort is made to uncover addicts just as soon as possible and to see that those discovered are placed under effective treatment; (3) only in those instances where all treatment efforts have failed, and then only after consultation, are drugs supplied to an addict; (4) the number of such instances is extremely small, by any criteria, for a population of more than 50 million.'

"The report also notes that an English patient 'can only go to one physician under the National Health Service . . . while in this country (if the British narcotic control system were adopted), all the addict would have to do in a large city would be to visit one physician after another'."

#### FACILITIES AND TREATMENT FOR DRUG ADDICTS IN NEW YORK CITY

Mayor Wagner finally gave support to the idea that drug addicts are not a correctional but, instead, a medical problem. This has been our contention for some time. To this end he announced on June 5th that the city would set up special wards in three of its hospitals for drug addicts and that the Riverside Clinic on North Brother Island would be moved to another location by the Department of Hospitals thus making the site available for the Women's House of Detention. We commended the Mayor in a letter under date of June 5th for his decision in what we regard as a logical and forward step.



#### GOVERNOR ROCKEFELLER'S INTERDEPARTMENTAL TASK FORCE ON YOUTH AND JUVENILE DELINQUENCY

The Association offered its cooperation and at the same time expressed briefly some of its views relating to the problems in an approach to Mr. Eli Whitney Debevoise, Chairman of the Task Force. There were also supplied documents identified with the Association. This action was gratefully acknowledged.

#### LETTER TO THE NEW YORK TIMES RE: ANTIQUATED JAIL STRUCTURES

During August there was a disastrous fire at the Ocean County Jail at Toms River, New Jersey, resulting in the death of a number of prisoners. There was the usual observation following a catastrophe of this nature of public astonishment and a grand jury investigation.

In support of an editorial appearing in *The New York Times* under date of August 25th entitled "Tragedy at Toms River", the General Secretary wrote a letter to *The Times* emphasizing the point that conditions at the jail at Toms River were well-known within and outside of the State of New Jersey for a long time. However, nothing was done to correct them until there developed a catastrophe with loss of nine lives. He then drew a parallel between similar situations in New York State resulting in sudden public astonishment and demand for action; namely, the Triangle Shirtwaist Factory fire in 1911 and the prison riots in 1929.

#### CORRESPONDENCE WITH HOWARD A. RUSK, M.D., OF THE NEW YORK TIMES

Dr. Rusk, in *The New York Times* of Sunday, September 20, 1959, made some very excellent observations on the subject of juvenile delinquency and crime. The General Secretary wrote him in commendation of the clarity and soundness of his statements and in reply received a letter which contains a very significant paragraph reading as follows:

"The point I wanted to make in these articles is that there is no unilateral approach to the problems of juvenile delinquency and crime. The many approaches which must be utilized if effective results are to be obtained all require far more financial investment than most such programs are receiving at the present time."

#### CORRECTIONAL CHANGES IN CONNECTICUT

We became interested in a survey made in the State of Connecticut in 1957-58 to create a State Department of Correction and also provide for the State to take over the jurisdiction of the county jails.

The plan to establish a Department of Correction has met with opposition due in part to the fact that members of the boards or trustees of different institutions in the correctional field are unwilling to give up, or share, responsibility. The legislation is still pending and has Governor Ribicoff's warm support. However, a bill finally passed to abolish county government control as relates to the operation of the county jails and this too has the approval of the Governor, thus making for one notable gain as the result of the study referred to above.

The Association's continued interest in the effort toward progress in Connecticut was communicated to Governor Ribicoff in a letter under date of May 8th, to which he replied expressing appreciation for our interest in his efforts to make for progress.

#### SPECIAL ENGLISH PRISON PROJECT

At the request of the chairman of the Prison Commission of England and Wales the General Secretary met in New York City with Mrs. Richard Hauser, whose husband is engaged in an experimental project at Wandsworth Prison in England. Both Mr. and Mrs. Hauser have been permitted to work with the inmates of one wing of the prison. The theory of the project in their words is:

"It is based entirely on the presumption, very much borne out by the work so far, that many prisoners have no feeling as to good and evil — at least so far as their actions are concerned while committing the crime — and little impact can be made with the old principle of guilt and sin. What we found most important is their deep emotional resentment — although rationally agreeing and proposing that while actually committing the crime they are around four years old as *social age* whatever their *mental age* might normally be. In this situation they may even fall deeper down the scale if using brutality. (Their own evaluation of this was a two year social age.) This attitude they claim applies to most of the prisoners at Wandsworth. . . . .

"Only if one can make people think can this four year situation be avoided. . . . . Part of work consists in considerably raising the social age of the participants directly (and perhaps others indirectly). . . . . Thus, our work is based on dealing with social ignorance and not evil or wrongdoing."

Subsequently the following letter was received from Sir Lionel Fox, Chairman of the English Prison Commission:

"I was interested to hear that you had met Mrs. Richard Hauser. She and her husband were here a few days ago, and I had a most interesting talk with them. The work they have been doing at Wandsworth prison has had remarkable results, on which Mr. Hauser has just made a long report which I am

studying. I gather that Mrs. Hauser is just about to go to the United States again, so you may be having another meeting."

#### CIVIL SERVICE PROMOTION EXAMINATIONS, NEW YORK STATE DEPARTMENT OF CORRECTION

In our annual reports and in earlier minutes we have discussed the question of whether promotion examinations in the State Department of Correction should be limited to members of the uniformed force. We have opposed this limitation successfully in the Legislature. The present Commissioner of Correction agrees with our position and recently prevailed upon the Civil Service Department to permit the coming examination for warden to be participated in by a limited number of Correction Department personnel in addition to certain ranks of the uniformed force.

This gives a better balance to the situation and does not make for too much inbreeding and a restricted interpretation of the duties and responsibilities of a warden. It is well to keep in mind that if our institutions are to be rehabilitative as well as custodial they are also entitled to leadership and direction by those who have had special training in the fields of education, medicine, social welfare, business administration, et cetera.

#### CORRECTIONAL INSTITUTION DESIGN AND CONSTRUCTION

In line with the interest of the Association and as the duty of a member of the State Commission of Correction, the General Secretary during the year studied plans and gave approval for various types of institutions, namely county jails and police lockups. Sample locations are Niagara County, Wayne County and Schuyler County Jails; and lockups at East Hampton, Long Beach and Endicott.

The enlargement of Sullivan County Jail is nearing completion. This is the result of long-standing criticism. Progress is noted in the design of a new jail in Monroe County.

Improvements such as these have been a major interest of the Association ever since its beginning.

#### WARREN COUNTY JAIL

Following an effort over a number of years in which the State Commission of Correction and The Prison Association of New York have participated, separately and jointly, it has finally been voted, as a result of referendum in the last election, to construct a new jail in Warren County. The jail will be part of the new Civic Center for Warren County and will be located outside of Lake George. Here is another triumph in the interest of progress and a reward for persistency and patience.

#### NEW COTTAGES AT WESTFIELD STATE REFORMATORY FOR WOMEN

Although this project has been too long delayed, despite agitation not only on the part of The Prison Association of New York but numerous sources—official and otherwise—it is now a fact that contracts have been let for the construction of two new cottages at the Westfield State Reformatory for Women at Bedford Hills to eliminate two old cottages: Huntington and Gibbons. The 1960 Budget will provide for two more cottages. This is only a start toward much needed improvement in order to make for satisfactory modern living quarters and remove a very serious fire hazard due to the age and outmoded construction of these old cottages which go back to 1909.

#### RECEPTION CENTER, ELMIRA

The establishment in 1945 of the Reception Center at Elmira, an important classification and distribution unit in the State Department of Correction for those between the ages of 16 and 21, is in line with the thinking and recommendations of this Association over a period of years.

In response to a request that we review a study made of the Center by the Juvenile Delinquency Evaluation Project of the City of New York, we took exception to some of the observations and certain omissions, at the same time giving a kind of overall approval to the report. A copy of our letter of June 23, 1959 to the Assistant Director of the Project was sent to Dr. Glenn M. Kendall, Director of the Reception Center, and in his letter of acknowledgment he stated in part:

"I appreciate, too, your words of commendation with regard to the job the Center is doing. We are, of course, aware of our numerous shortcomings, but we try to measure up to the best of our ability with what we have to work with."

#### PSYCHIATRIC SERVICES IN STATE CORRECTIONAL INSTITUTIONS

During the Institute at St. Lawrence University the General Secretary took advantage of the opportunity to discuss with Dr. Richard V. Foster, Assistant Commissioner of the New York State Department of Mental Hygiene, the present situation with respect to the need for more psychiatric service in the institutions of the Department of Correction. The Commissioner was frank to admit certain inadequacies and referred to them in a communication under date of August 7th as follows:

"We have nowhere reached our desires in connection with the amount of psychiatric and psychological services we are giving to the institutions of the Department of Correction. We have to more or less ration the use of our part-time service funds so that the limited number of experienced psychiatrists and

psychologists give the institutions the most effective use of their time as the amount of available moneys permit. We are striving to get additional full-time personnel, and just today, Dr. Saper, our Director of Psychological Services, and I were talking over the problem of recruitment of psychologists. Not only are we confronted with the fact that relatively few properly trained and desirable men want to undertake this work but we have the additional problem occasioned by our needs to stay well within our budgetary economy.

"Notwithstanding the handicaps, an analysis of the psychiatric services to the Department of Correction indicates that during the year 1958-59 a total of 2,270 inmates received individual therapy and an additional 515 inmates were given the benefits of group therapy. During the year there were a total of 11,141 individual psychiatric interviews in the various mental hygiene clinics of the institutions of the department.

"The number placed under psychiatric observation was 834. A higher percentage of interviews took place at the personal request of the inmates themselves.

"During the year, 3302 inmates were examined for classification and 2424 were examined preparatory to parole. Of those committed under Chapter 525, Laws of 1950, all were regularly interviewed. During the year the total number of interviews was 1060. In addition to the above, the professional personnel in the mental hygiene clinics arranged for transfers to Danmora State Hospital and to institutions for defective delinquents. The over-all figures indicate increased usefulness of the clinics in the everyday work and responsibilities of the State's correctional institutions."

*While the above picture is not as bright as we would like to have it in keeping with our interest for many decades in providing professional study and treatment of offenders there is some satisfaction in knowing that the Department of Mental Hygiene is warmly interested in the problem and is doing the best it can under the circumstances considering the many demands for similar service among institutions in its own department.*

#### 25 CENTS ON RELEASE

We continued through the year to deplore the condition whereby the City of New York gives inmates of institutions on Rikers and Hart Islands and the House Detention for Women in Manhattan twenty-five cents on release. This is a long standing complaint, voiced not only by this Association but Commissioner Kross of the New York City Department of Correction, and others.

Despite all the efforts made toward rehabilitation while in custody the fact remains that many of these prisoners need assist-

ance on release, especially at a time when a telephone call or a subway ride consumes all, or a major portion, of the paltry allowance of twenty-five cents.

The financial and other assistance given by this Association and others is not always adequate. However, the money aid given by the Association to individual parolees exceeds many times the amount given by the city. We, together with others, have not been successful up to now in persuading the city to be more liberal.

#### DEDICATION OF P. S. 616 AT RIKERS ISLAND

On December 16th the General Secretary attended the dedication of P. S. 616 at Rikers Island. This is one of the "600 Schools" operated by the New York City Board of Education for problem youths, and was established for the benefit of the 16 to 21 age group who in the main were formerly lodged at New Hampton Farms but now for several years have been housed separately at the Penitentiary.

There was present a very substantial group representative of various organizations, high ranking officers of the Armed Forces, Mayor Wagner, Commissioner Kross, and others.

In connection with the ceremony there were drill maneuvers by a group of the inmates between the ages of 16 and 21 who had received some military instruction. The military drill is a definite rehabilitative medium and has obvious benefits.

The school embraces academic and vocational training. There are fourteen regular Board of Education teachers. The vast change that has come over this whole approach along educational lines is most impressive not only because of the improved class room facilities, but also the enthusiasm and the background qualifications of the teacher personnel. They are especially equipped to deal with the problem youth group.

The Mayor was very attentive to the ceremonies and following the military drill addressed the inmates, as did the General Secretary. Later he, together with Commissioner Kross, the General Secretary and others, made a tour of the institutions and leisurely observed the operation of the new school.

Subsequently the General Secretary addressed a letter of appreciation and commendation to Mr. John J. Theobald, Superintendent of Schools, and also to Deputy Superintendent Jacob Greenberg.

#### COURT DETENTION FACILITIES, 100 CENTRE STREET, NEW YORK CITY

The New York City Department of Correction through its First Deputy Commissioner, sought advice and guidance regarding the need for more suitable facilities for the temporary detention of

youthful offenders. Quarters on the sixteenth floor proved to be unsatisfactory. The proposal was made that the inmates be transferred to the third floor, then used for women, and that the women be transferred to the sixteenth floor. This seemed to be an improvement over the situation and General Secretary Cass agreed.

Finally, an even better solution was found with the help of Judge Mullins of the Court of General Sessions, in that the women will be retained on the third floor and the quarters reserved for the Supreme Court on the thirteenth floor (both Court and detention facilities) will be used for youthful offenders. This makes for a more dignified and secure arrangement.

#### QUEENS HOUSE OF DETENTION FOR MEN

In the dual discharge of his responsibilities both for The Prison Association of New York and the State Commission of Correction the General Secretary was requested by the New York City Department of Correction and the Department of Public Works to pass judgment on the type of cell installation and detailed equipment for the new Queens House of Detention for Men.

During the visitation at the site of the new construction the General Secretary made various suggestions regarding the door arrangement of the cells to eliminate unnecessary noise and the need for the installation of a protective wire grille to be attached to the front of the cells so that in the operation of the doors prisoners would not be injured. The need for this has been demonstrated in other installations.

#### TYPES OF DETENTION WINDOW DESIGN

On August 26th the General Secretary participated in a meeting called by the New York City Department of Public Works to discuss the types of windows to be used on new construction on Rikers Island (enlargement of the Penitentiary and a new Workhouse) and also the extension of the Bronx House of Detention for Men. The problem related to the need of decision on an awning or louver-type of window constructed of aluminum or tool-proof steel, or hardened steel, so that competitive bidding would be possible. The aluminum louver type of window with a somewhat concealed tool-proof bar arrangement met with general approval but there was hesitancy to make this decision final because of the damage that could be done to the aluminum facing by inmates who would be in close contact with the windows located in the rear of their cells or rooms. It was finally agreed that in order to reduce the cost of maintenance and to allow for competitive bidding an awning or louver-type of window fashioned out of hard steel be recommended.

To be active in a meeting of this kind coincides with our long-standing interest in institutional design.

#### PROTEST—WINDOW SCREENS, ADDITION TO PENITENTIARY, RIKERS ISLAND

The General Secretary, in harmony with the progressive attitude of this Association relating to institutional design and through his membership on the State Commission of Correction, vigorously protested the proposal on the part of some members of the staff of the New York City Department of Correction to place a narrow-gauged screen on the outside of the windows of the new cells or rooms to be added to the existing penitentiary. The addition to the penitentiary is intended for the benefit of specially-selected inmates and a highly-gauged rehabilitation program. These cells or rooms are to be of the outside type; that is, not built as a centrally-located inside cell block and are to have a window at the rear looking out on a fenced-in area. The position taken was that the screens were unnecessary because of the security louver-type window to be used and would reduce considerably the entrance of air and light. Further, they would serve as dirt collectors and finally be harmful to the outside appearance of the buildings. Another fine point of protest was that the screened-in arrangement would be diametrically contrary to the philosophy developed by the Department for the handling of these specially-selected inmates.

This protest was communicated to Commissioner Kross in a strong letter by the General Secretary. She quickly agreed and informed the New York City Department of Public Works and the architects that no screens were to be attached to the outside of the windows. They were pleased to receive this decision.

#### ARCHITECTURAL DESIGN: HOUSE OF DETENTION FOR WOMEN: ADOLESCENT REMAND SHELTER—NEW YORK CITY

The new House of Detention for Women (Capital Project C-73) is to be located on North Brother Island in the Bronx and the Adolescent Remand Shelter (Capital Project C-74) in Brooklyn on the site formerly used for years by the House of Good Shepherd on the property bounded by Atlantic Avenue, Dean Street, Hopkinson Avenue and Rockaway Avenue. On North Brother Island some of the existing buildings will be retained and new buildings erected. On the Brooklyn site most of the existing buildings will be demolished and a new structure provided.

At a meeting at Commissioner Kross' office on Friday, August 7th, there was discussion relating to the architectural design of both institutions. There was representation from The Prison Association of New York, the State Commission of Correction, the New York City Department of Correction, The New York State Department of Correction, the New York City Board of Correction and the New York City Department of Public Works.

It was agreed that the Department of Public Works undertake

several exploratory studies to determine the results that could be obtained at a minimum cost and in keeping with modern thought relating to cell or room arrangements and an improved type of dormitory installation. The advantage of this preliminary discussion is the bringing together of various minds and experiences and thereby better protect the future development.

The 1960 Budget will permit completion of *Stage I* for the enlargement of the Rikers Island Penitentiary, including funds for additional power facilities. *Stage II*, however, is deferred until 1962. So too is construction of the Workhouse because of shortage of funds.

Construction of the Institution for Female Prisoners on North Brother Island cannot be budgeted until 1963, which means it will not be possible to remove the women from the present institution until 1965 at least. Construction of the Adolescent Remand Shelter in Brooklyn is delayed until 1964. Funds have been provided for preliminary architectural work for the Institution for Female Prisoners on North Brother Island and the Adolescent Remand Shelter.

These projects have held our attention for a long time and for their fulfillment we have worked steadily with the New York City Department of Correction. It is disappointing of course that there is necessary some further delay because of the lack of funds but at any rate it is a decided forward movement.

#### FINANCIAL AID TO PAROLE SERVICES

We continue to make funds available for parolees to the New York City Office of the State Division of Parole and the New York City Parole Commission. This first takes the form of giving priority to their referrals to us. To the New York City Office of the State Division of Parole we furnish a sum of money for emergency situations.

While we respect the theory and practice of case work procedure we nevertheless know that in order to have shelter, food and clothing, a job fee, or transportation, money is required. As ex-prisoners often say to us, "What can we do without some money?" This subject is further pursued in the section of this report under the caption "Employment and Relief Bureau" beginning on page 58.

#### ASSISTANCE TO STUDENTS AND RESEARCHERS

We continue, as do others, to receive requests for information from high school and college students, candidates for various degrees, and college professors undertaking various research projects. These are sometimes too numerous to handle but we do the best we can. It is an important service and at times requires the undivided attention of one person. Our sympathy is with these requests

because they tend toward better public information and understanding.

#### FOREIGN VISITORS AND CONTACTS

An important service indicating breadth of vision and operation existing almost from the Association's inception is the making of contact with correspondents and departmental and institutional administrators in foreign lands. As a result there is in many countries the knowledge of our existence and location. There follows useful consultation and information exchange through correspondence and sometimes personal contact. Also assistance is given to visitors, both to this country and to Americans visiting other countries. This relationship through the years has been most cordial and highly regarded in all directions and from our experience we know it to be of inestimable value. Just as 10 Downing Street is known throughout the diplomatic world so it is true that our address, 135 East 15th Street, New York City, is well known as a focal point in the penological world not only among the countries of Europe but those in the Far East and Africa as well. It is pleasing to note that during the year 1959 there was no cessation of this relationship.

### THE ASSOCIATION'S BUREAUS OF SERVICE EMPLOYMENT AND RELIEF BUREAU

If . . . so infinite the word—but oh—so profound the significance! "If only I hadn't done it," laments the inmate in the penal institution. "If only I might be granted a second chance," he further vows. And society—How shall it give answer? "If only you hadn't let yourself weaken in the face of adversity?"—"If only you had been half the man that I am?" But what good now to weigh the one against the other? Yet, nor may it be too late. To the individual newly delivered from the bonds of social debt, there still remains that one final straw of salvation—"If only I might be granted a second chance. . . ." And somewhere within that vast society so darkly frowning and forbidding, there will be those who readily enough will pull back their doors but only so wide as to permit the passage of the few paltry crumbs of charity which have been tossed in the form of a handout or sympathetic phrases that nonetheless add up to total rejection. But then happily again there surely must be the outstanding individual who will be the first to extend himself all the way, sincerely desirous of proving himself to be twice the man he likes to believe himself to be, and he shall fling fully open the door to gainful employment and bid welcome to the weary wayfarer who yet has a long, lonely road to trod before arriving finally at his destination, namely, rehabilitation, and at which point he shall find ultimate haven. And this employer shall be twice-blessed for he will find the ex-inmate a willing and good conscientious employee spurred onward by earnest gratitude, and beyond that will himself feel glad to have dared to permit himself to be twice the man he had prayed to be!

The Prison Association of New York, self-dedicated to the welfare of paroled, discharged prisoners and those men in various institutions awaiting release, deeply appreciates the kind cooperation and sincere efforts on the part of those employers who willingly avail themselves of the services of these men. It is this demonstration of faith and sheer understanding that helps to shoulder the otherwise too heavy burden of placement. To those others who have not yet ventured to act accordingly, the Association extends an earnest plea for them to do so in the near future. It can safely promise they will find their faith could not have been better placed.

Rehabilitation, the means to the end, represents right from its very outset, a long, hard trek over a rough course closely strewn with every conceivable obstacle. Many get safely through—and many—all too many—drop by the wayside. The drive to succeed

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must rest solely upon the traveler, however it is only humane for the rest of us to march alongside, ever prepared to extend a steady-hand should the need arise. Thus having regained firm foothold, the traveler will resume, walking erectly toward his goal. Once having arrived, he then will seek to establish anew his rightful place in society. He will reacquaint himself with the almost forgotten sweet flavor of freedom and equality, and his rights and privileges, the precious ingredients he never again will permit himself to run out of. He will feel eternally grateful to the employer who has made it possible. What further illustration need we to depict the vital role played by gainful employment?

For the past seventeen years the Employment and Relief Bureau has been under the able supervision of Mr. Harry Schwartz, who is credited with more than forty-five years' experience in the field of crime treatment and prevention in New York City. Mr. Schwartz' activities include among others, personal contacts with employers, entailing numerous visits throughout extensive and widespread areas and fields of practice, comprised of commercial houses, factories, mills, garages, laundries, stores, etc. We are pleased to note that where no actual placement materialized, our representative nonetheless was received with utmost respect and graciousness on the part of all those visited.

The Bureau is more than an employment exchange. It constantly is confronted with recurring problems of financial stress, inadequacy of proper clothing, the absence of necessary transportation to job locations, proper tools, union dues, fees, etc. In each instance the required aid is granted to the deserving—and only after careful investigation. Those clients whose means of self-sustenance have been curtailed by prolonged illness, enlist the services of the Bureau which in turn provides financial assistance and guidance throughout the critical period of readjustment. Our program as well deals with families and friends of clients, and where necessary, with referrals to the welfare agencies equipped to extend long-range and permanent financial aid and support. The wide extent of the Bureau's interest in its clients is well illustrated in the following group of excerpts borrowed from an interchange of correspondence between our Director and one such individual.

"DEAR MR. SCHWARTZ:

I am at the Raymond Street Jail and have no one in Brooklyn nor New York City to help me. Last month I was in Kings County Hospital and upon release forgot to pick up my personal belongings. . . . I am a total loss to get them and that's why I seek assistance from you . . . such possessions include billfold, eyeglasses, wedding band and religious medal. . . ."

Yours truly,

C. K.\*

\* All initials are fictitious.

DEAR C.K.\*:

I have arranged to have your personal belongings sent to you. . . . I was glad to be of service to you. Please drop me a line, when they have been delivered. . . ."

Yours truly,  
HARRY SCHWARTZ.

"DEAR MR. SCHWARTZ\*:

May I take this time to express my sincere thanks for the help you rendered. . . . I received them intact yesterday. . . . It gave me great pleasure to know that all my ties have not been broken with the outside world."

Very truly yours,  
C. K.\*

Numerous clients, grateful for our services, seek to make some reimbursement and cheerfully do so—to whatever degree they can manage. Almost invariably they never fail to express the warm wish "to help the next fellow" even as they themselves had been helped by others.

The Bureau is constantly deluged with endless pleas and requests—and for the most part, truly worthy of consideration. Our efforts are well rewarded when we know they have not been in vain. Verbal and written expressions of thanks are always gratefully accepted—however the greatest measure of satisfaction is derived from letters such as the following, which, we feel, speak clearly for themselves . . .

"DEAR MR. SCHWARTZ:

I am enclosing a money order in the amount of \$15.00. This is in payment for the kind loan on November 23, 1959. I want you to know that it was a great help to me in getting started on the right road. May God bless you and your organization for the helping hand you are extending to the man that is down."

Sincerely yours,  
T. M.\*

"DEAR SIR:

I just wish I could personally give you back the money you loaned me when I was in need. I can never thank you enough for helping me out and for giving me the strength to continue in my belief that there are a lot of real regular people still walking around. Thanks for everything."

Sincerely yours,  
R. M.\*

"MR. SCHWARTZ:

I would like to express my gratitude of thanks for loaning me the money in order for me to get employment. Thank you from the deepest in my heart."

Sincerely yours,  
T. L.\*

\* All initials are fictitious.

The above represent only a tiny fraction of the vast army who have kept their faith. It is for these and the countless number who will follow their fine example that we feel proud to exert our combined efforts and shall continue to do so.

#### Statistics for Employment and Relief Bureau for 1959

Office interviews	2,171
Telephone consultations*	1,162
Different persons interviewed	2,133
Men released from New York City penal institutions	1,329
Men released from New York State penal institutions	599
Men released from out-of-state penal institutions	56
Men released on probation	93
Relatives of prisoners concerning employment	75
Meals provided	824
Night lodgings provided	4,514
Employment contacts made by personal visits (approx.)	500
Men placed in employment	502
Men given cash relief	1,256
Total amount spent solely for relief (includes cash, meals and lodgings)**	\$9,371.30

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

\*\* Includes outlays in the sum of \$2,097.64 from the Grand Street Boys Fund.

## FAMILY SERVICE BUREAU

In 1959 the Family Service Bureau under the direction of Mrs. Marie Lovejoy has remained faithful to one of the basic purposes of The Prison Association of New York, namely the care of the families of men incarcerated in local, state and federal prisons. This has been achieved by providing financial assistance, friendly and wise counsel and guidance to the mothers and wives of inmates of correctional institutions.

Though there are innumerable family service agencies in New York City, there are extremely few that work exclusively with the families where the breadwinner is incarcerated. Despite the fact that public assistance agencies carry the major financial burden of long range caring for the families, an agency such as The Prison Association and its Family Service Bureau is equipped by more than a half a century of understanding and experience to apply itself to the unusual problems resulting from the head of a family being in prison.

In the early years of The Prison Association's existence there developed an awareness as to the plight of the families of men in prison and this has as a result been one of our unceasing interests. There is no question that the impact of arrest and imprisonment is too severe on the wives and children in many instances to meet without wise and sympathetic and rationalized guidance. The man in prison deprived of one of the most precious things of life, namely freedom, is nevertheless certain, good or bad as it might be, of food, shelter and clothing. These essentials for every day living are not in many instances guaranteed to his family. The plight of these wives and children is unbelievably difficult. The youngsters especially are of great concern to our Family Service Bureau to the end that they not only be given the needs for daily living but be surrounded with wholesomeness and decency in the home and community so that they can be protected from the possibility of delinquency. Then there is the added observation that there is some justice in saying these families from the ridicule and scorn of unkind people who take advantage of the fact that the father is in prison.

The first important requirement is that a shocked wife or an elderly mother will meet with someone who understands her predicament and can give her immediate material assistance where required, and guide her to the extent that she can adjust in her new and difficult situation. This problem is sometimes complicated by the hostility of other members of the family, either related to the man in prison or to the wife herself. It is amazing to note how in some instances in-laws in a feeling of bitterness and shame

are quite willing to remove themselves from any identity with their stricken relatives. Many times these unfortunate wives begin to feel themselves as part of an ostracized group and will say to our worker that it is so helpful to them to be able to sit down and talk with someone who understands their position.

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, food, electricity bills, insurance and frequently emergency medical aid. It should be kept in mind that most of the families that come to our attention are in the group of small wage earners and rarely, if ever, are they able to live except on a day-by-day basis. These are of course some exceptions to this but they are rare. These families are in the group also that frequently require a kind of steady 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. The wives of prisoners frequently tell us that it is the only vacation that they or their children have ever had away from their congested slum areas. One little boy was known to say, "I wish we could live like that all the time."

At Christmas time the families are given money for Xmas dinner and toys for the children. The wives of prisoners frequently tell us afterwards, that they spent the money on clothes and shoes as the children 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 short to reveal 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.



## Statistics for Family Service Bureau for 1959

Families in active category January 1, 1959 .....	74
New cases accepted .....	35
Cases reopened .....	17
	126
Total number of cases during year .....	126
Cases closed .....	58
	68
Families in active category December 31, 1959 .....	68
Total amount of financial assistance .....	\$12,741.70
Families provided with Christmas dinner and toys (total of 215 persons) .....	66
Children and mothers sent to summer camps .....	61
Office interviews, home and agency visits .....	1,127**

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

## LEGISLATIVE ACTIVITIES — 1959

It has been typical of the Association through its long existence and as a part of one of the purposes for which it was established, to concern itself with bills presented at the annual session of the Legislature. Through a paid legislative service we received copies of all bills embracing our field of interest. Following study, our support or opposition is registered with individual members of the Legislature and with the chairmen of various committees. Where required, the support in the direction of approval or opposition is sought from other bodies and branches of the state government.

When bills are passed and sent to the Governor we continue with written approval or protest and it has been our experience that this is a vital time for hopeful action.

During the 1959 session there were 3,777 bills introduced in the Senate and 4,438 in the Assembly, making for a total of 8,215. Of this number, 515 Senate bills were sent to the Governor and 687 Assembly bills, making for a total of 1,202 presented for the Governor's consideration and final action. A few of these bills were sent to the Governor prior to adjournment of the Legislature but as usual the greater number were left with him after the Legislature departed from the State Capitol and thus requiring his action within a thirty-day period. The Governor approved 402 Senate bills and 478 Assembly making for a total of 880 new laws for the year 1959. On the other hand, he vetoed 113 Senate bills and 209 Assembly bills, making for a total of 322 which did not meet with the necessary approval of the Executive.

The Prison Association of New York gave particular attention to 92 bills of which we approved 41 and opposed 51. Of the total approved, 12 were passed and 29 failed to meet with the approval of the Legislature or the Governor. Regarding the 51 bills opposed, one was passed and 50 failed of passage. It should be noted that we had more success this year in our opposition to bills than with those which we thought would be suitable for enactment into law.

## FEW CRIME BILLS

Taking into consideration the total of 8,215 bills introduced and considering further the number of bills in the field of correction that held our attention, there were, on the whole, comparatively few bills introduced relating to the subject of crime study and treatment. Those bills introduced fell into various categories embracing proposed amendments to penal laws, Code of Procedure, the organization and administration of probation and parole, correctional organizations and administration, court reform on a

state-wide basis, numerous bills relating to the treatment of youthful offenders, the final action in this respect being again postponed for another year the operation of the Youth Court Act. The overall picture lays emphasis on the attention that the Legislature gave to the Budget bill and the Court reorganization proposed constitutional amendment. The Supplemental Appropriation Bill contained numerous provisions which held the attention of the Association such as the decision to not enlarge the facilities at the Walkill State prison, which we consider most wise. The providing of \$54,000.00 for the services and expenses for foster homes and hostels for the care of certain minors on probation or parole is a forward-looking move. The authorizing of \$400,000.00 for the construction of two new cottages in the reformatory part of Westfield State Farm; this provision is long overdue and we have been among the many who have criticized the continued use of the antiquated cottages with their high potential fire hazard. We considered it wise to delay the establishment of additional prison camps until the two existing ones could be further expanded and strengthened to demonstrate their value.

Generally speaking, we were pleased to again participate in defeating the perennial brush bill having as its purpose the curtailment of a prison industry. We aided in the defeat of a bill as an opening wedge to house children in jails up-state. We again opposed the appointment of a Probation Director in Suffolk County without recourse to Civil Service procedures. The bill having this purpose was vetoed last year. While it was before the Governor this year, we continued our opposition but the bill was finally signed because as the Governor pointed out, a Court decision given a few days before the end of this thirty-day period in which the Governor was obliged to dispose of all pending bills, gave assurance that the Director of Probation would need to meet Civil Service requirements.

Again we opposed—and successfully—a bill intended to restrict promotion examinations to the uniformed force of the State Department of Correction.

With the above general summary we now proceed with a detailed listing of those bills which held our interest during the 1959 session including first those approved and then those opposed, with a notation as to the final disposition either by the Legislature or the Governor.

#### Approved

**PUBLIC DEFENDERS.** *Senate Int. 180, Pr. 1057.* Amends the county law, in relation to the appointment of public defenders in cities having a population of one million or more and certain counties. *Approved in principle. Failed of passage.*

**FOSTER HOMES.** *Senate Int. 189, Pr. 189.* Amends the correction law, in relation to providing for foster homes or hostels to care for certain minors on probation or parole, to include minors under the continuing jurisdiction of the court and parolees from privately maintained custodial institutions and state training schools. *Approved in principle. Failed of passage.*

**ADULT REHABILITATION FACILITY.** *Senate Int. 286, Pr. 286, Assembly Int. 387, Pr. 387.* Amends the correction law and the conservation law, in relation to creating an adult rehabilitation facility consisting of conservation camps for males over the age of twenty-one. *Approved in principle. Failed of passage.*

**PROBATION SCHOLARSHIPS.** *Senate Int. 490, Pr. 490, Assembly Int. 713, Pr. 713.* Amends the correction law, with respect to the establishment of probation scholarships, so as to remove the limit on the amount thereof. *Approved in principle. Failed of passage.*

**LIFE IMPRISONMENT.** *Senate Int. 641, Pr. 641.* Amends the correction law, in relation to parole of prisoners sentenced to life imprisonment. *Approved in principle. Failed of passage.*

**COMPENSATION, CERTAIN PRISONERS.** *Senate Int. 840, Pr. 840, Assembly Int. 1048, Pr. 1049.* Amends the penal law, in relation to amount paid by the state for imprisonment in a penitentiary of persons convicted of a felony. *Approved. Failed of passage.*

**UNIFORMS, CORRECTION OFFICER.** *Senate Int. 856, Pr. 856, Assembly Int. 1285, Pr. 1286.* Amends the correction law, in relation to uniform allowance to certain employees of the correction department. *Approved in principle. Failed of passage.*

**CALCULATING TERMS IMPRISONMENT.** *Senate Int. 971, Pr. 971, Assembly Int. 1305, Pr. 1306.* Amends the penal law, in relation to calculating terms of imprisonment. *Chapter 323.*

**CRIMINAL IDENTIFICATION.** *Senate Int. 972, Pr. 4427.* Amends the code of criminal procedure and the correction law, in relation to criminal identification, records and statistics. *Chapter 647.*

**UNIFORMS, CORRECTION OFFICER.** *Senate Int. 1078, Pr. 1095.* Amends the correction law, in relation to uniform allowance to certain employees of the correction department. *Approved in principle. Failed of passage.*

**FOSTER HOMES OR HOSTELS.** *Senate Int. 1340, Pr. 1379, Assembly Int. 979, Pr. 979.* Amends the correction law, in relation to providing for foster homes or hostels to care for certain minors under probation or parole, to include minors under the continuing jurisdiction of the court and parolees from privately maintained custodial institutions and state training schools. *Approved in principle. Failed of passage.*

**CALCULATING TERMS OF IMPRISONMENT.** *Senate Int. 1449, Pr. 1491, Assembly Int. 1951, Pr. 1968.* Amends the penal code, in

relation to calculating terms of imprisonment in certain cases. *Approved in principle. Failed of passage.*

PROBATION REPORTS CONFIDENTIAL. *Senate Int. 1454, Pr. 1496.* Amends the code of criminal procedure, in relation to making reports of probation officers confidential and privileged. *Failed of passage.*

SIMPLIFIED STATE-WIDE COURT SYSTEM. *Senate Int. 1650, Pr. 4319.* Proposes a new Article VI to the Constitution in relation to the establishment of a simplified state-wide court system and the repeal of the Article VI of the Constitution presently in force. The effect of this bill was of major concern during the legislative session as was also true of other proposals during the 1958 session. Likewise there were numerous court-reform bills introduced during the 1959 session but the bill identified numerically above was finally passed and submitted to the Secretary of State for consideration again during the 1961 Session.

SIMPLIFIED STATE-WIDE COURT SYSTEM. *Senate Int. 1757, Pr. 2650.* Proposed amendments to Article VI of the Constitution in relation to the simplification of the court system and the administration of the courts. This bill introduced early in the session and sponsored by the state judicial conference we considered preferable to bill on the same subject listed immediately above as *Senate Int. 1650, Pr. 4319* and as shown again above, was finally passed. However, after considerable conference and discussion in various areas, *Senate Int. 1757, Pr. 2650* went down in defeat.

RELEASE FROM IMPRISONMENT. *Senate Int. 1993, Pr. 2062, Assembly Int. 2731, Pr. 2768.* Amends the correction law, in relation to deeming date of release from imprisonment to be preceding Friday when it falls on Saturday or Sunday. *Chapter 286.*

TRANSFERS, MATTEWAN STATE HOSPITAL. *Senate Int. 2391, Pr. 2462, Assembly Int. 3114, Pr. 3165.* Amends the correction law, in relation to transfer of patients from the Mattewan state hospital. *Chapter 264.*

LICENSE, WORK CAMPS. *Senate Int. 2813, Pr. 2947, Assembly Int. 3932, Pr. 4077.* Amends the conservation law, to exempt inmates of conservation work camps from requirement of fishing license while fishing on state conservation lands. *Chapter 389.*

CONTRACTS, SCHOOLS OF SOCIAL WORK. *Senate Int. 2814, Pr. 2948, Assembly Pr. 3845, Pr. 3990.* Amends the correction law, in relation to contracts with schools of social work. *Approved in principle. Failed of passage.*

APPOINTMENT, INSTITUTIONAL EMPLOYEES. *Senate Int. 2820, Pr. 2954, Assembly Int. 3847, Pr. 3992.* Amends the correction law,

in relation to the appointment of institutional employees and repealing certain provisions of such law relating thereto. *Failed of passage.*

CLOTHING, PRISONERS. *Senate Int. 2978, Pr. 3138.* To amend the correction law, in relation to the cost of clothing furnished convicted felon upon discharge from county penitentiary which must be reimbursed by the state. *Failed of passage.*

SALARY INCREASE, STATE EMPLOYEES. *Senate Int. 3696, Pr. 4363, Assembly Int. 4351, Pr. 5023.* Amends the civil service law, the education law, the executive law, the correction law, and the military law, in relation to salary increases for certain state officers and employees. *Chapter 200.*

RESIDENT PROBATION FACILITY FOR YOUTH. *Senate Int. 3699, Pr. 4312, Assembly Int. 4358, Pr. 4984.* Amends the code of criminal procedure, in relation to conditions of probation of certain minors, and to amend the correction law, in relation to establishing in the department of correction a resident probation facility for youth. *Approved in principle. Failed of passage.*

MAINTENANCE, PAROLE VIOLATORS. *Senate Int. 3709, Pr. 4332.* Amends the correction law, in relation to reimbursement by the state to localities of expenses for maintenance of parole violators in temporary custody. *Failed of passage.*

TEMPORARY STATE COMMISSION. *Senate Int. 3714, Pr. 4345.* Creates a temporary state commission to study the government operations of the city of New York and making an appropriation therefor. *Chapter 368.*

SUPPLEMENTAL BUDGET. *Senate Int. 3770, Pr. 4492, Assembly Int. 4414, Pr. 5093.* Amends chapters sixty-five, sixty-six, sixty-seven, sixty-eight and one hundred seven of the laws of nineteen hundred fifty-nine, in relation to making appropriations for the support of government. *Chapter 196.*

EXTENDING PAROLE SUPERVISION, SEX OFFENSES. *Senate Int. 106, Pr. 106, Assembly Int. 84, Pr. 84.* Amends the correction law, in relation to extending and providing for the continuation of parole supervision over persons hereafter convicted of sex offenses involving children. *Approved in principle. Failed of passage.*

CLOTHING AND CARE OF PRISONERS. *Assembly Int. 488, Pr. 488.* Amends the penal law and the correction law, in relation to state reimbursement of expenses by counties and cities in connection with the maintenance, clothing, transportation and care of felons and misdemeanants or lesser offenders. *Failed of passage.*

BENEFITS OF REHABILITATION. *Assembly Int. 497, Pr. 497.* Amends the education law, in relation to permitting any inmate of a correctional or penal institution to share in the benefits of rehabilitation. *Failed of passage.*

TERMINATION OF PAROLE. *Assembly Int. 513, Pr. 513.* Amends the correction law, in relation to period and termination of parole. *Approved in principle. Failed of passage.*

PUBLIC DEFENDERS. *Assembly Int. 757, Pr. 757.* Creates a temporary state commission to organize and hold state-wide and regional conferences on the advisability and need of establishing a public defender system throughout the state, to make all arrangements for and work in cooperation with such conferences, to make a report of the findings, conclusions and recommendations of such conferences, and making an appropriation for the expenses of the commission and the conferences. *Approved in principle. Failed of passage.*

PUBLIC DEFENDERS. *Assembly Int. 1368, Pr. 1369, Senate Int. 1836, Pr. 1896.* Amends the county law, in relation to the election of public defenders. *Approved in principle. Failed of passage.*

SECURITY PERSONNEL. *Assembly Int. 2386, Pr. 2419.* Amends the correction law, in relation to the titles of certain security personnel. *Approved. Failed of passage.*

PAROLE, CONVICTIONS OF ROBBERY. *Assembly Int. 2963, Pr. 3010.* Amends the penal law, in relation to the eligibility for parole of persons convicted of robbery in the second degree as second and third offenders. *Approved. Failed of passage.*

COMMISSION TO STUDY SENTENCES. *Assembly Int. 3514, Pr. 3621.* Creates a temporary state commission to determine whether or not penalties provided for violating criminal laws provide for too much discretion with regard to the sentence that may be imposed, make recommendations in connection therewith and making an appropriation therefor. *Approved in principle. Failed of passage.*

RESTRICTION OF EMPLOYMENT. *Assembly Int. 3647, Pr. 4785, Senate Int. 1893, Pr. 3928.* Amends the alcoholic beverage control law, in relation to the restrictions upon the employment of certain persons by licensees under such law. *Approved in principle. Failed of passage.*

COMMISSION TO REVISE, SIMPLIFY PENAL LAW. *Assembly Int. 3800, Pr. 3945.* Creates a temporary state commission to revise, simplify, consolidate and recodify the penal law, the code of criminal procedure and all other criminal laws of the state, and making an appropriation for its expenses. *Approved in principle, Failed of passage.*

HOTEL AND FOSTER HOME CARE, MINOR PROBATIONERS AND PAROLEES. *Assembly Int. 3846, Pr. 3991. Senate Int. 2819, Pr. 2953.* Amends the correction law, to transfer responsibility for supervision of hotel and foster home care for minor probationers and parolees from the division of youth to the division of probation. *Chapter 413.*

MONEYS PAID TO PRISONERS. *Assembly Int. 3848, Pr. 3993. Senate Int. 2818, Pr. 2952.* Amends the correction law, with respect to moneys paid to prisoners discharged from Dannemora state hospital after expiration of terms. *Chapter 354.*

OCCUPATIONAL THERAPY. *Assembly Int. 3849, Pr. 3994. Senate Int. 2816, Pr. 2950.* Amends the correction law, the state finance law, and the general business law, in relation to authorizing the sale of products of occupational therapy made in penal or correctional institutions. *Chapter 831.*

PROBATION, CERTAIN MINORS. *Assembly Int. 4358, Pr. 4984. Senate Int. 3699, Pr. 4312.* Amends the code of criminal procedure, in relation to conditions of probation of certain minors, and to amend the correction law, in relation to establishing in the department of correction a resident probation facility for youth. *Approved in principle. Failed of passage.*

#### Opposed

CALCULATING TERMS OF IMPRISONMENT. *Senate Int. 53, Pr. 53. Assembly Int. 41, Pr. 41.* To amend the penal law, in relation to calculating terms of imprisonment following a vacated sentence. *Failed of passage.*

COPY OF TESTIMONY—CERTAIN NON-CAPITAL CASES. *Senate Int. 184, Pr. 184.* To amend the code of criminal procedure, in relation to furnishing daily copy of the testimony and the employment of experts as witnesses in certain non-capital cases. *Failed of passage.*

GRAND JURY MINUTES. *Senate Int. 198, Pr. 198. Assembly Int. 641, Pr. 641.* To amend the code of criminal procedure, in relation to availability of grand jury minutes to defense attorney. *Failed of passage.*

SUBMISSION, MEDICAL EVIDENCE, CERTAIN CASES. *Senate Int. 224, Pr. 224.* To amend the correction law, in relation to giving prisoners serving indeterminate life sentences an opportunity to submit medical evidence to the parole board, in certain cases. *Failed of passage.*

PROBATION DIRECTOR. *Senate Int. 291, Pr. 291.* To amend the code of criminal procedure in relation to probation in courts of Suffolk county and certain counties. *Chapter 791.* We opposed the same bill in 1958 and again in 1959 because no specific provision was made for the selection of a Director of Probation through Civil Service procedure. The bill was vetoed in 1958. In 1959, Governor Rockefeller approved the bill supported by a late court decision to the effect that Civil Service procedure for the Director and other positions would be required.

DIVISION OF RESEARCH. *Senate Int. 322, Pr. 322. Assembly Int. 325, Pr. 325.* To amend the correction law, with relation to the functions of the division of research. *Failed of passage.*

COMPENSATION, PENITENTIARY GUARDS. *Senate Int. 422, Pr. 422.* To amend the correction law, in relation to providing for the compensation of penitentiary guards and correction officers employed by the civil divisions of the state. While it is recognized that adequate compensation is desirable to achieve, this bill was opposed on the grounds that it was an item for local authorities to decide. *Failed of passage.*

FELONY MURDER. *Senate Int. 789, Pr. 789. Assembly Int. 66, Pr. 66.* To amend the penal law, in relation to recommendation by jury. Under the present law, a recommendation by a jury that life imprisonment be imposed instead of the death penalty may be followed by the court. In the proposed bill discretionary action by the court would be removed and instead the court would be obliged to adhere to the recommendation of the jury. *Failed of passage.*

YOUTH COURT ACT. *Senate Int. 835, Pr. 835. Assembly Int. 1115, Pr. 1116.* To repeal chapter eight hundred thirty-eight of the laws of nineteen hundred fifty-six, constituting the youth court act. *Failed of passage.*

CHILDREN'S COURT ACT. *Senate Int. 836, Pr. 836.* To repeal chapter eight hundred thirty-nine of the laws of nineteen hundred fifty-six, entitled "An act to amend the code of criminal procedure, the children's court act of the state of New York, the New York city criminal courts act, the education law, the penal law, the public health law and the village law, in relation to conforming provisions of these laws to the provisions of the youth court act". *Failed of passage.*

AMNESTY, FIRST OFFENDERS. *Senate Int. 889, Pr. 889.* To amend the civil rights law, in relation to the amnesty of first offenders. *Failed of passage.*

POSSESSION OF HANDCUFFS. *Senate Int. 901, Pr. 901, Assembly Int. 989, Pr. 989.* To amend the penal law, in relation to prohibiting the manufacture, sale, possession and use of handcuffs by unauthorized persons. *Failed of passage.*

RESTRICTION, PROMOTION EXAMINATIONS. *Senate Int. 1058, Pr. 1075, Assembly Int. 1357, Pr. 1358.* To amend the correction law with respect to the creation of a uniformed force of the department of correction and rules governing eligibility for promotion examinations. *Failed of passage.*

SIMPLIFIED STATE-WIDE COURT SYSTEM. *Senate Int. 1142, Pr. 1296, Assembly Int. 2111, Pr. 2129.* Proposes a new article six of the constitution, in relation to the establishment of a simplified state-wide court system, and repeal of article six of the constitution presently in force. *Failed of passage.*

PAROLE—CERTAIN PRISONERS. *Senate Int. 1179, Pr. 1199, Assembly Int. 2203, Pr. 2226.* Amends the correction law, in relation to prisoners subject to parole. *Failed of passage.*

RESTRICTIONS—PROMOTION EXAMINATIONS. *Senate Int. 1242, Pr. 1262, Assembly Int. 1502, Pr. 1508.* Amends the correction law, with respect to the creation of a uniformed force in the department of correction and eligibility for promotion examinations. *Failed of passage.*

CALCULATING TERMS OF IMPRISONMENT. *Senate Int. 53, Pr. 53, Senate Int. 2740, Pr. 2861, Senate Int. 1273, Pr. 1299.* These three bills relating to the same subject proposed an amendment to the penal law in relation to calculating terms of imprisonment following a vacated sentence. *All three failed of passage.*

CIVIL SERVICE, COUNTY JAIL EMPLOYEES. *Senate Int. 1356, Pr. 1395, Assembly Int. 3485, Pr. 3592.* To amend the county law, in relation to providing civil service status for county jail employees in counties outside the city of New York. We again opposed this legislation because of its carte blanche provisions whereby present incumbents would be possibly retained. *Failed of passage.*

MAINTENANCE FOR CERTAIN CORRECTION PERSONNEL. *Senate Int. 1419, Pr. 1461, Assembly Int. 1953, Pr. 1970.* Amends the correction law, with respect to maintenance for certain officers. The purpose of this bill was to provide the principal keeper or assistant superintendent maintenance salary to some extent similar to that now allowed wardens. *Failed of passage.*

RETURN OF PHOTOGRAPHS AND FINGERPRINTS. *Senate Int. 1511, Pr. 1553.* Amends the code of criminal procedure, in relation to the return of photographs and fingerprints after acquittal. *Failed of passage.*

POWER OF MAGISTRATES BAIL, CERTAIN CASES. *Senate Int. 1528, Pr. 1570, Assembly Int. 1256, Pr. 1257.* To amend the code of criminal procedure, in relation to the power of magistrates to admit to bail upon arraignment before him of a defendant charged with crime. *Failed of passage.*

BRUSH-MAKING IN PRISON. *Senate Int. 1567, Pr. 1609, Assembly Int. 676, Pr. 676.* Amends the correction law, in relation to brush-making. This perennial bill is intended to curtail brush-making in state prisons. *Failed of passage.*

FAMILY COURT. *Senate Int. 1711, Pr. 2490, Assembly Int. 2250, Pr. 3402.* Proposing an amendment to section eighteen of article six of the constitution, in relation to the establishment of a family court, prescribing its jurisdiction, and providing for the discontinuance of existing children's courts and courts of domestic relations. *Failed of passage.*

WAIVER, TRIAL BY JURY. *Senate Int. 2089, Pr. 2158, Assembly Int. 559, Pr. 559.* Amends the code of criminal procedure, in relation to waiver of trial by jury. *Failed of passage.*

PUNISHMENT, FOURTH CONVICTION OF FELONY. *Senate Int. 2091, Pr. 2160, Assembly Int. 557, Pr. 557.* To amend the penal law, in relation to punishment for fourth conviction of felony. *Failed of passage.*

SENTENCE, MULTIPLE CONVICTIONS. *Senate Int. 2093, Pr. 2162, Assembly Int. 554, Pr. 554.* Amends the penal law, in relation to sentence on two or more convictions or two or more offenses. *Failed of passage.*

PAROLE, LIFE PRISONERS. *Senate Int. 2222, Pr. 2293, Assembly Int. 2500, Pr. 2537.* Amends the correction law, in relation to the parole of prisoners sentenced to life imprisonment. *Failed of passage.*

SIMPLIFIED STATE-WIDE COURT SYSTEM. *Senate Int. 2389, Pr. 2460, Assembly Int. 3155, Pr. 3206.* Proposing a new article six of the constitution, in relation to the establishment of a reorganized, simplified and integrated state-wide court system, and repealing existing article six of the constitution, relating to the present judicial system of the state. *Failed of passage.*

POLICE ORGANIZATION, SUFFOLK COUNTY. *Senate Int. 2490, Pr. 4076, Assembly Int. 3103, Pr. 4707.* To amend the Suffolk county charter, in relation to the police organization in such county and the finances thereof. *Failed of passage.*

VIOLATION OF PAROLE. *Senate Int. 2970, Pr. 3130, Assembly Int. 2532, Pr. 2569.* To amend the correction law, in relation to violation of parole. *Failed of passage.*

COMPENSATION OF BAIL BONDS. *Senate Int. 2998, Pr. 3153, Assembly Int. 3673, Pr. 3818.* To amend the code of criminal procedure, in relation to premiums or compensation for bail bonds. *Failed of passage.*

EXTRADITION, CERTAIN CIRCUMSTANCES. *Senate Int. 3079, Pr. 3256, Assembly Int. 3778, Pr. 3923.* To amend the code of criminal procedure, to specify state department responsible for cost of extradition under certain circumstances. *Failed of passage.*

CONSOLIDATION, CERTAIN COURTS. *Senate Int. 3243, Pr. 4152.* To provide for the consolidation of the court of special sessions and the magistrates' courts of the city of New York. *Failed of passage.*

RECOMMENDATION BY JURY. *Assembly Int. 66, Pr. 66, Senate Int. 789, Pr. 789.* To amend the penal law, in relation to recommendation by jury in felony murder cases. The bill proposed removing the discretionary acceptance of a jury recommendation by the court thereby making the recommendation final. *Failed of passage.*

BREACH OF PROBATION. *Assembly Int. 102, Pr. 102.* To amend the correction law, in relation to breach of probation. *Failed of passage.*

PAROLE, LIFE PRISONER. *Assembly Int. 706, Pr. 706.* To amend the correction law, in relation to parole of prisoners sentenced to life imprisonment. *Failed of passage.*

PAROLE, SEX OFFENSES. *Assembly Int. 809, Pr. 809.* To amend the correction law, in relation to denying parole to persons who have been convicted three times or more of sex offenses. *Failed of passage.*

CREDIT TOWARD SENTENCE. *Assembly Int. 1513, Pr. 1519.* Amends section 2193, Penal Law, to provide that where judgment of conviction is vacated and sentence is then imposed for lesser term than original term, time spent under original sentence over subsequent sentence shall be deducted from and credited to term of any other sentence which person may be then currently serving with respect to any other conviction. *Failed of passage.*

PROBATION, LIFE PRISONERS. *Assembly Int. 1535, Pr. 1541.* To amend the penal law, in relation to probation of persons sentenced to life imprisonment. *Failed of passage.*

CHILDREN — PLACES OF DETENTION. *Assembly Int. 1599, Pr. 1605.* To amend the children's court act, in relation to place of detention. *Failed of passage.*

REORGANIZATION — STATE JUDICIARY. *Assembly Int. 1827, Pr. 1841, Senate Int. 1266, Pr. 1289.* Proposing the repeal of article six of the constitution relating to the judiciary of the state of New York and substituting therefor a new article six to provide for the reorganization thereof. *Failed of passage.*

PAROLE, CERTAIN PRISONERS. *Assembly Int. 2043, Pr. 2061.* To amend the correction law, in relation to prisoners subject to parole. *Failed of passage.*

SIMPLIFIED STATE-WIDE COURT SYSTEM. *Assembly Int. 2111, Pr. 2129, Senate Int. 1142, Pr. 1296.* Proposing a new article six of the constitution, in relation to the establishment of a simplified state-wide court system, and repeal of the article six of the constitution presently in force. *Failed of passage.*

RETURN, PHOTOGRAPHS AND FINGERPRINTS. *Assembly Int. 2113, Pr. 4778.* To amend the code of criminal procedure, in relation to the return of photographs and fingerprints after acquittal. *Vetoed.*

FAMILY COURT. *Assembly Int. 2249, Pr. 3400, Senate Int. 1712, Pr. 2491.* Proposing an amendment to section eighteen of article six of the constitution, in relation to the establishment of a family court, prescribing its jurisdiction, and providing for the discontinuance of existing children's courts and courts of domestic relations. *Failed of passage.*

**PAROLE, LIFE PRISONERS.** *Assembly Int. 2363, Pr. 4117.* To amend the correction law, in relation to prisoners subject to parole. *Failed of passage.*

**REGISTRATION, CONVICTED FELONS.** *Assembly Int. 2881, Pr. 2928.* To amend the penal law, in relation to registration of convicted felons. *Failed of passage.*

**CLASSIFICATION OF PRISONERS.** *Assembly Int. 3936, Pr. 4081.* To amend the correction law, in relation to classification of prisoners. While we strongly advocate classification of prisoners, we do not feel that it is scientifically correct to classify and treat prisoners on the basis of the number of their offenses. This bill again this year provides for the segregation of first offenders which is not sound in principle or practice. So-called "first offenders" means too often first time caught and convicted. Prisoners in this class also pose, from time to time, more difficult problems. *Failed of passage.*

**RESTITUTION, CERTAIN CASES.** *Assembly Int. 4161, Pr. 4363.* To amend the penal law, in relation to return of defendant for further disposition by the court in cases where the defendant is in custody and desires to make restitution. *Failed of passage.*

## CORRECTIONAL PROGRESS IN NEW YORK

It was a gratifying experience during 1959 to continue our interest and support of the earnest efforts made by Commissioner Paul D. McGinnis of the New York State Department of Correction and Commissioner Anna M. Kross of the New York City Department of Correction to improve the administration and programs of their respective departments and to increase their efficiency in harmony with the purposes for which they were established, to wit, the protection of the public and the rehabilitation of offenders.

Fortunate it is that both departments have these conscientious and devoted leaders. The result has been markedly notable.

We are pleased to record below first, some of the progressive action in the New York State Department of Correction and secondly, beginning on page 80, highlights of some activities in the New York City Department of Correction.

### NEW YORK STATE DEPARTMENT OF CORRECTION

#### New Release Procedures

Early in 1959 the Department of Correction in cooperation with the Division of Parole initiated a program to expedite the release of prisoners generally and to emphasize the release of those persons serving on an "open date or earlier" status.

The Division of Parole amended certain provisions of their rules and took the important step that certain selected inmates could be released without employment opportunities. As a cooperative effort they also initiated a program to speed up and to improve the placement opportunities for inmates. The Division of Placement of the Department of Labor was brought in to assist the placement efforts of the Division of Parole and a more vigorous program in this area was initiated. Certain barriers had existed over the years with the employment of former inmates in connection with the licensing of barbers and beauticians and rules have recently been approved by the Department of State, the Division of Parole and the Department of Correction whereby certain selected inmates who have received this type of training will be granted licenses by the Department of State. They are also working with the Alcoholic Beverage Control Board for the purpose of releasing some of the old-time regulations which prohibit the employment of former inmates on premises where alcoholic beverages are sold or dispensed. They hope to provide a more realistic program which will enable some inmates to be employed in certain categories where alcoholic beverages are not actually handled or dispensed.

A program for the employment of former inmates in certain types of Civil Service positions in the State departments is also presently being worked upon and it is hoped that a reasonable percentage of prisoners released may be employed in the exempt and non-competitive classes of Civil Service in the various State departments. A special committee was appointed by the Governor headed by Doctor T. Norman Hurd, Director of the Budget, and composed of Russell G. Oswald, Chairman of the Board of Parole, Elliot Kaplan, Chairman of the Civil Service Commission, and the Commissioner of Correction, to study into the whole matter of the employment of inmates. This committee will make certain recommendations to the Governor which we believe will greatly expedite the employment of released inmates.

#### Study of Industrial Operations

A complete study has been made of the industrial system of the Department of Correction by one of the outstanding prison industrial firms in the country. This report has not been submitted in final form but some very definite steps have been taken to improve the overall industrial picture in the department. The consolidation of the woodworking shops within the department is underway and a new metal furniture shop and soap plant have been approved for the Great Meadow Correctional Institution. Budget approval for these two plants has been secured and the department is now awaiting plans and specifications which will in turn be submitted to the Division of Standards and Purchases for bid purposes. It is hoped that both of these plants will be installed early in 1960. They have also discussed the possibility of establishing a feed mixing mill and a new road sign plant, in one of the institutions. It is hoped approval will be granted to manufacture zone paint for highways. This would be a complete new industry. A new sewing plant was started in the reformatory section at Westfield State Farm with the idea of training female inmates for placement in the garment industry. While the plant is comparatively new, it seems to be making good progress in this area. They feel that much progress has been made in the overall industrial picture of the department and will continue efforts to bring about the above outlined new program as well as the renovation and improvement of some equipment in the existing industries of the department.

#### Conservation Camps

The department was successful in enlarging the two Conservation Camps, namely Pharsalia and Monterey. Both additions have been completed. Most of the equipment has been received and they hope by February 15 to increase the inmate capacity of Camp Pharsalia from 50 to 80 and Camp Monterey from 60 to 80. This

enlargement will provide the State with a total camp capacity that would about equal that of a third proposed camp eliminated from the 1959-60 Budget. All of this has been done at an expenditure of approximately \$75,000 rather than a cost of approximately \$475,000 which would have been necessary for a new camp facility. It is hoped that the expansion of the two existing camps will also reduce the per capita cost from more than \$2700 to a figure of approximately \$2,000.

The expansion of the camps will afford the opportunity to initiate a secondary program in the camp settings. At Pharsalia a new building has been constructed by the inmates at practically no cost to the State and a vocational wood-working program will be established early in 1960. Picnic furniture such as benches, tables, signs, etc. will be manufactured for the Conservation Department to coincide with their expanded outdoor facility program. Work is about completed for the installation of a saw mill and a dipping plant which will enable the Camps to produce and process telegraph poles, fence posts and similar products for State agencies. All of this will be done as a vocational program and the department already has the approval for a new position of Vocational Instructor to supervise the training.

A new procedure has been established for the placement of inmates in the camps. This will allow the transfer of selected inmates directly from the Reception Center to the camps. It is felt that there are certain inmates who after being processed through the Reception Center are fit material for the camp setting. The previous procedure called for their serving a portion of their sentence in one of the reformatories of the department.

#### Hostels

The department has been successful in establishing a hostel in the City of New York for probationers and parolees. The parolee hostel will permit the paroling of inmates who do not have proper home surroundings to be returned to the New York area for the purpose of job placement and more quickly returning them to society. This program will further assist us in reducing our "open date or earlier" cases within the institutions. Parolees at this facility will be under the supervision of parole officers. The probation hostel will provide care for persons who have been adjudicated by the court, who should be removed from their community or environment but who have not offended seriously enough to be committed to the institutions of the department. While in the facility they will be under the supervision of probation officers and probation authorities from the courts will be responsible for their supervision and subsequent placement in a job opportunity and rehabilitative program in the community rather than in a departmental institution.



### Training Programs

The department has established a more effective training program within the institutions and the 1959 Moran Institute at St. Lawrence University was geared along the lines to provide a nucleus for the training of employees in the various institutions who would in turn set up in-service training programs within the department. At least two of the new in-service training courses as a result of the program have been started and are presently being carried on.

### Evaluation of the Department

A complete evaluation of the department was made for the purpose of determining the efficiency pertaining to (1) custody and security, and (2) the treatment program. From this study it has been determined that many improvements can be made to provide better efficiency from a custodial and safety standpoint and even more so in the treatment areas. Due to budget limitations it has not been possible to implement many of the proposals. However, the department has a very good blueprint to improve both of these categories when funds are available.

### Service Unit Facilities

Discussions have been held with the Division of Parole and Budget officials about the improvement of the Service Unit facilities presently operating within the department and the establishment of Service Units in institutions where they do not exist at the present time. It is their feeling that the department should have centralized control of the Service Units in the various institutions to make more uniform the procedures followed. It is hoped in the early part of 1960 that funds will be made available to carry out these plans.

### Crime Reporting System

The department has recommended the establishment of a new crime reporting system in the Division of Identification. Presently a pilot project in connection with this study is being carried on in Schenectady, Orange and Warren counties. It is hoped that as a result the new system can be inaugurated in 1960. This would greatly improve our crime reporting system and would bring more efficiency to the other law enforcement agencies including police departments, district attorney's offices and the courts.

### SOME HIGHLIGHTS OF PROGRESS IN THE NEW YORK CITY DEPARTMENT OF CORRECTION

#### Population

First admissions received in this department's institutional detention facilities for the year 1959 totalled 111,091 (101,321 males

and 9,770 females). From this group there were sentenced to our time serving institutions 28,116 persons (26,007 males and 2,109 females).

When we compare the 42,539 prisoners remanded to our detention institutions in 1945 with those received in 1959, namely, 111,091, we note an increase in population of 161% without any commensurate increase in new housing facilities.

The average daily census during 1959 was 8,105 and the year's population high was 8,622 on April 27th, the highest ever recorded in the history of this department.

In comparing the overall inmate intake with combined custodial and civilian personnel, we find in 1945 a ratio of 33 to 1 in contrast to 49 to 1 in 1959. In the custodial group the ratio in 1945 was 48 to 1 as compared to the custodial ratio of 65 to 1 in 1959.

### New Legislation Passed

A Bill sponsored by the New York City Department of Correction effecting a change in week-end discharges for prisoners, passed by the New York State legislature effective April 1st, was signed by Governor Nelson A. Rockefeller on April 8, 1959.

The amendment to the Correction Law was in relation to deeming date of release from imprisonment to be on the preceding Friday when it falls on Saturday or Sunday.

Under the present practice of discharging short term inmates from the Workhouse, Hart Island, it was noted that approximately one-third of the inmates were regularly discharged on Saturdays.

While this Amendment will effect all penal institutions throughout the State, the department looks forward to a financial saving to the City of New York in that civilian skeleton working staffs will not be required to perform duty on Saturdays, thereby reducing an accumulation of overtime. . . .

It will aid in reducing the cost of transporting these inmates to the Separation Center for discharge on Saturdays. . . .

Discharging of inmates on Friday (who would otherwise be discharged on Saturday) will give them an opportunity to seek and obtain the services of the various welfare and other agencies which are usually closed on Saturdays. . . .

### Capital Budget 1960

**C-71 RIKERS ISLAND—The Bronx, Alterations and New Buildings at the Penitentiary to Establish Vocational and Industrial Training Institutions.**

The 1960 Capital Budget allotment for this project is \$9,358,653.00 of which \$6,515,653.00 is a renewal of 1959 funds and \$2,843,000.00 is for additional funds. The 1960 Capital Budget provides funds for the completion of Phase I of the project

(Housing) and Phase I-A for the modernization of the Power House Plant. Phase I for additional housing facilities will provide accommodations for 496 prisoners in 16 units, each unit containing 31 rooms; also administration facilities, messhall facilities, kitchen and gymnasium. Phases I and I-A are scheduled for completion in 1960. The architectural plans for the entire job which includes Phases II and III are scheduled for completion by the early part of January 1960. However, construction funds for Phases II and III (Industries, Laundry, Bakery, Diagnostic Rooms, etc.) have been postponed until 1962.

The Department of Correction takes the position that the interests of the City are not served by the postponement of a portion of this planned construction work to a later date.

The Department looks forward to completion of this project by 1963.

#### C-73 INSTITUTION FOR FEMALE PRISONERS, North Brother Island

This is one of the top priority projects of the City Planning Commission and the Department of Correction. Architects are scheduled to be obtained in the early part of January, 1960, to prepare necessary architectural plans. It should be noted that construction funds are not scheduled to be allocated until 1963 and, under the most ideal conditions, depending on the Department of Hospitals officially relinquishing North Brother Island in time for construction, a new institution would not be ready for occupancy by the Department of Correction until about 1965.

#### C-74 ADOLESCENT REMAND SHELTER, Brooklyn, Vicinity of Atlantic and Hopkinson Avenues, Including Site

On December 17, 1959, a Resolution was adopted by the Board of Estimate authorizing the Budget Director to expend \$1,050,000.00 for the acquisition by private purchase of the House of Good Shepherd property in the Borough of Brooklyn.

Project C-74 has been classified as one of the top priority projects of the City Planning Commission and the Department of Correction. The architects will require approximately 18 months to make a comprehensive survey of the institutional requirements, and submitting preliminary and final plans before actual construction can take place.

Construction funds will not be available until 1964 and a new institution would not be available for occupancy by the Department of Correction until about 1966.

#### C-76 WORKHOUSE OF THE CITY OF NEW YORK, Rikers Island, the Bronx

The location of this institution on Rikers Island was the result of the combined planning and decision of the representatives of the City Planning Commission, City Administrator's Office, Depart-

ment of Public Works, Budget Director's Office and the Department of Correction.

The original time-table set up for the construction of this institution by the Office of the City Administrator was for "completion of the construction by June 1963 and occupancy July, 1963."

This administration has given this project a high priority because of the status of the obsolete condemned structures on Hart Island and the critical need for a new institution. Architectural plans are now 75% completed, yet there were no construction funds allocated in the 1960 Capital Budget. Thus, bids could not be obtained as originally planned for about March 1960. These setbacks now advance the date for completion of this institution to 1964.

Interestingly enough, the World's Fair for New York City is scheduled to be held in 1964 and, from experience gained in the '30's when the last World's Fair was held here, we can expect an unprecedented increase in our inmate population.

#### C-80 HOUSING ADDITION, BRONX HOUSE OF DETENTION FOR MEN, 653 River Avenue, the Bronx.

Due to overcrowding and limited available housing areas, it was necessary to install double-decker beds in cells originally built to house one occupant, and our present emergency housing areas have now been increased to 431. The housing addition of seven stories to the present institution will provide for 240 additional beds. Architectural plans are 90% completed and construction bids will be requested in the early part of 1960 so that construction may start in the latter part of 1960.

The date set for completion of this project is 1961.

#### P. W. — 130 — NEW CRIMINAL COURT BUILDING AND PRISON, QUEENS

As the Capital Budget Project number indicates, the new Queens House of Detention for Men is a Department of Public Works project and is a part of the new Criminal Courts Building group in Queens.

The section in the rear of the court Buildings contains the eight (8) story Jail which, with its mezzanine floors, makes the Jail section equivalent to a thirteen-story building. The capacity of this new jail is 360 cells (length 8' 4", width 5' 4", height 8' 0") and 154 beds (in 8 dormitories) for a total of 514 occupants. In addition to essential services such as administration, kitchen, dining, storehouse, receiving, discharge, visiting, religion, medical and dental clinics, etc., facilities for recreation and occupation programs were provided in the form of 16 day rooms (class room size), library, multi-purpose chapel—gymnasium and auditorium, two outdoor recreation roofs and an open floor for occupational therapy.

While the total estimated cost of the combined Criminal Court Building and the Prison is \$21,650,000.00, the prison cost is estimated at approximately \$8,000,000.00. The estimated prison cost

per unit for 360 cells plus 154 in dormitories for a total of 514 capacity will average about \$15,000.00 per unit.

The date set for completion of this project is 1961.

#### *Correction Academy*

The Correction Academy which was officially dedicated on July 3, 1957 is located on Rikers Island. The Academy which is utilized for the training of new recruits in the correctional service and the re-training of experienced personnel, has undertaken an ambitious curriculum of reorganization. Under a newly appointed Director of Training (formerly Director of Rehabilitation), a program with two-fold objectives has been set up:

(1) To bring the level of instruction and materials utilized in the training of correction personnel up to the level which would result in college accreditation for courses offered by the Academy. Negotiations are in an advanced stage with one of the city's community colleges to achieve this end. This would mean that a college level specialization program in correctional science would be established by the community school and that correction personnel would be credited with work taken at the Correction Academy in this specialization program.

(2) An increased focus on human relation aspects of correctional work rather than on mere custody orientation. This goal has been established with the realization of the importance of the correction officer as a leader and supervisor of disturbed inmates rather than merely as an individual to count and lock in numbers of men.

*The In-Service Training Course* instituted for those correction officers who had been employed for a minimum of three years was started on February 3, 1958. Since that time, 579 custodial officers (529 Male and 50 Female) have completed a 40 hour training program. During 1959, 285 custodial employees (255 Male and 30 Female) received in-service training. We have now found, through experience, that the allotted 40 hours is inadequate for the proper completion of the prescribed training curriculum and it is the consensus that the training period should be extended to 80 hours.

*Program of Recruit Training.* There were 213 custodial employees (194 Male and 19 Female) who completed a 4 week (160) hours course. Since its inception, a total of 427 correction officers (364 Male and 63 Female) received recruit training.

*An Orientation Course* (15 weeks — 3 hours per week) was extended to the 12 Board of Education employees who were to teach in the new P. S. 616 School at Rikers Island.

*Special Firearms Qualification Training* is being extended to the personnel in order to determine whether personnel assigned to posts that may require use of firearms are qualified to do so and to provide required training to those who do not qualify.

*Psychiatric and Psychological Personnel Examination.* As a part of the department's long-range objective of raising and maintaining personnel standards, the practice of requiring all new prospective employees to undergo psychological and psychiatric examinations continued. Administered by members of the Mental Health staff, these psychological examinations have helped the department to screen out emotionally disturbed applicants for positions.

During the past year, 404 applicants were tested in this program.

#### *Adolescent Group Psycho-Therapy Project*

During 1959, the Department of Correction's Mental Health staff was faced with two basic problems. . . . Approximately one-third of its professional personnel funds had been curtailed from previous year's allotments. . . . An additional issue which had to be faced was the constant query as to the validity and efficiency of the remaining diagnostic and therapy programs.

To determine the effectiveness of its rehabilitation program, it was deemed necessary to set up an Evaluation Pilot Study among a selected group of sentenced adolescents (16-21 years) at Rikers Island, where an experimental program in group psycho-therapy was initiated in February, 1959. Two groups of sentenced adolescents were organized on a random, sampling, selective basis and treated during their institutional stay in identical fashion with only one important difference — *that of programming.*

One group of sixty adolescents was *subjected to group therapy* for approximately three hours per week for each youth while the *other matched group received no therapy.*

#### *Four basic goals were kept in view:*

1. To gather some knowledge of adolescent delinquents.
2. To determine if group therapy could assist the adolescent inmate in making a better institutional adjustment.
3. To determine if group therapy could effect measurably positive changes in personality patterns of the adolescent.
4. To determine whether group psycho-therapy could be helpful to the adolescent inmate in terms of his making a better adjustment to the community upon his release.

This program was begun under difficult conditions and many of the adolescents were distrustful and resentful about being placed

in group therapy. Intensive diagnostic testing was undertaken at the beginning of the therapy sessions and at the same time of each youth's discharge to ascertain changes in attitude and personality structure.

#### *Findings*

At the close of the project, research statistics indicated:

That 71.4% of the individuals *who had received group therapy* did not commit any infractions during the project period as compared with only 54% of the group that *did not receive group therapy*.

More favorable personality changes in the therapy group than in the control group as suggested by more productive personality expressions on the part of the adolescents.

A more mature realization of reality on the part of those who had received group psycho-therapy.

A more rational control of emotionality.

#### *The Problem of Community Adjustment*

The Department of Correction has not been able, at this date, to learn if it has been able to achieve its last objective—that of assisting the released adolescent in making a better community adjustment—because of the reentry of the project.

Intelligent and intensive after-care services are now vitally required to insure that the efforts of the institutional staff will not be negated.

All of the released adolescents from both the control and the experimental groups, subject to supervision by the New York City Parole Commission, will be further observed in order to enable us to compare their community adjustment. A follow-up system is now being devised which will permit the Parole Officers who have supervision of these adolescents to keep the Department of Correction posted as to the success or failure of each case. The department recognizes that this phase of the project program is the most important.

It was clearly demonstrated that the youths who had received group psycho-therapy had better attitudes and were markedly assisted in their outlook toward authority and society. Whether this supportive work will be carried over now that they are released and supplemented by post institutional guidance and help will do much to determine the full effectiveness of this pilot project.

#### *"600" School Established for Adolescents at Rikers Island*

On September 9, 1959, Superintendent of Schools John J. Theobald authorized the establishment of P. S. 616, Bronx, at the New York City Correctional Institution for Men on Riker's Island. The

concept that a school for incarcerated adolescent inmates should be conducted emanated from the pioneer efforts of the Education Advisory Committee of the Department of Correction. The Education Advisory Committee took the position that the educational responsibilities lay primarily with the school authorities.

The teaching program for P. S. 616 is under the jurisdiction of the "600" Schools section of the Division of Child Welfare, Board of Education. The "600" schools, of which there are 25, are special schools initiated in 1957 to meet the needs of troubled children and youths who are unamenable to regular school instruction. In order to expedite the establishment of P. S. 616 on Rikers Island, Commissioner Anna M. Kross transferred \$52,610 from the educational budget of the Department of Correction to that of the Board of Education to implement the initial staffing of the school. The teaching staff of P. S. 616 now includes 10 academic teachers, 4 industrial education teachers, a school secretary and a principal. All of the teaching personnel are licensed and especially selected for their skill in working with this type of pupil.

The school building consists of a renovated and improvised building formerly used by the Department of Correction as an old storehouse. There are eleven (11) classrooms in the building. The daily sentenced adolescent (16-21) population at Rikers Island averages about 600 inmates. Unfortunately, under existing limited budgetary resources and facilities, only 200 adolescents now attend the school for full time academic and vocational instruction.

Future plans call for setting up six vocational shops for the adolescent students, and the expansion of the vocational training phase of the school training program will include an apprenticeship type of practical trade experience. The adolescent students will then participate in a half-day academic and half-day vocational (on-the-job) school training program.

Mayor Robert F. Wagner visited the New York Correctional Institution for Men at Rikers Island on Wednesday, December 16th to inspect the school facilities at which time he stated in part . . . "This experimental project sponsored by the Department of Correction and the Board of Education will be the guide for the future expansion of the education program in the city's correctional institutions . . . and . . . In an attempt to resolve the delinquency problem, our schools of higher education and learning now, also, must join and collaborate with our correctional system in order that they may carry on a continuing research program for the evaluation of the present pilot diagnostic and treatment processes in effect."

### *Redesignation and Reorganization of the Penitentiary of the City of New York, Rikers Island*

Effective September 1, 1959, the Penitentiary of the City of New York on Rikers Island, was redesignated as the New York City Correctional Institution for Men and reorganized on the basis of two divisions, each operating as a separate and distinct institution. Said divisions were designated as the Adult Division and the Adolescent Division, respectively.

The New York City Correctional Institution for Men is now under the executive management and control of a warden who will be responsible for the planning, coordination, direction and supervision of all activities of both the Adult and Adolescent Divisions. Each of the two divisions is under the direct supervision and control of a deputy warden who is responsible to the warden of the institution for the coordination, direction and supervision of all functions of his respective division.

#### **The Adult Division**

This division is now responsible for the care, custody, training and treatment of all male inmates 21 years of age and over, who have been committed to serve penitentiary or reformatory sentences and those workhouse cases not amenable to treatment at Hart Island because of warrants and other considerations. The Adult Division has responsibility for the supervision and control for both the Adult and Adolescent Divisions.

#### **The Adolescent Division**

This division is responsible for the care, custody, training and treatment of all male inmates under 21 years of age who have been committed to serve penitentiary, reformatory or workhouse sentences.

#### **Board of Education Responsibility**

In conjunction with the Guidance and Counselling Program at the New Brooklyn House of Detention for Men, which is being used as an Interim Remand Shelter for Adolescents (16-21), we have a daily average of 100 young men between the ages of 16 and 17 whose schooling was interrupted. Through the cooperation of the Board of Education these inmates may have their class books brought to the institution to continue their studies. At the completion of the regular school year, the school tests are made available to the institution and inmates may then take the tests which are proctored by members of the institution staff. As many as 15 inmates have taken such tests and some have been awarded their diplomas which they might otherwise not have obtained without considerable delay after their release. The department takes the

official position that education resources should be at least provided for this group if not for the other adolescents detained there.

This is Board of Education responsibility.

#### *Military Training Program for Adolescents at Rikers Island*

Since a large group of the adolescents who are incarcerated at Rikers Island cannot be directly involved in the education program supplied by the Board of Education due to insufficient staff, the Department of Correction has undertaken a special military guidance and training program in order to constructively occupy this group.

The objectives of the program are:

1. To provide a physical form of exercise for many of the adolescents who enjoy participating in military drill for which there is no implied reward or promise of acceptance for induction by the Armed Forces.
2. To train a carefully selected and qualified group of adolescents to pass the examination for possible acceptance for induction into the Armed Forces.
3. That, through this training program, there will be afforded an ideal opportunity for the development of good character building, conduct and habits with the resultant general improvement in attitudes.

This training program has been integrated into the overall program established for the Adolescent Division and includes mass marching, guidance in studying for induction qualifying examinations, field drills, honor guards, encampment exercises, military courtesy, map reading, etc.

Most impressive has been the proficiency, spirit, and display of discipline on the part of the adolescents. There has been an ample reduction in disciplinary infractions since the institution of the program.

#### *Improved Dental Services*

The dental service available to the inmates of the Department of Correction has been subjected to a great deal of criticism by the department itself, the Board of Correction, the Medical Advisory Board, and other outside social agencies. Prior to July 1, 1959, there were assigned to the department three (3) part-time dentists, each of whom worked five day per week, three hours a day. Translating this into the number of work sessions, it was equivalent to an overall departmental total of 15 sessions of dental service per week. In view of the limited staff available, little more than emergency or token care could be extended to service a daily average inmate population of 8,105, distributed throughout four boroughs and housed in eight separate institutions. The dental

care extended was mainly comprised of extractions and thus salvageable teeth had to be sacrificed. This procedure was particularly deplorable for the youth population in our care.

On July 1, 1959, budgetary funds totalling \$50,000 were made available to the department for increased dental time.

#### NEW SCHEDULE OF INCREASED DENTAL SERVICES

Institutions	Dentists	Sessions	Total Sessions
Rikers Island	3	5 ea. (3 hr. daily)	14*
Hart Island	1	5 ea. (3 hr. daily)	5
House Det. for Women	1	5 ea. (3 hr. daily)	5
New Bklyn. Hse. Det. for Men	2	5 ea. (3 hr. daily)	10
Man. Hse. Det. for Men	1	7 ea. (3 hr. daily)	7
Branch Bklyn. Hse. Det. Men	1	3 ea. (3 hr. daily)	3
Queens Hse. Det. for Men	1	2 ea. (3 hr. daily)	2
Bronx Hse. Det. for Men	1	1 ea. (3 hr. daily)	1

TOTAL SESSIONS CURRENTLY BEING UTILIZED 47

\* One session to another institution.

During the first six months of 1959, before the budgetary allocation for increased dental services was approved, there were 5,369 visits to the various institutional dental clinics. During the second six month period, visits to the dental clinics increased to 9,258.

The program now is directed toward less extractions and more conservation of the teeth of the inmates. With more concentrated attention being directed in this area, it is noticeable that extractions of inmates teeth have been cut down from a former high of 75-90% to a current figure of approximately 50%. The new conservation program also requires more "time" to be extended to desirable concentration on reparative, restorative and preventive procedures.

There is no way of measuring the increased comfort and satisfaction given to these men, women, and boys, through these additional dental services. From the various institutions of the department, and the House of Detention for Women in particular, there has been reported appreciation of the department's expansion of its dental care services. While the reports have been most complimentary, emphasis was made on the general improvement of morale among the inmates.

#### Geriatric Santa Clauses at Workhouse, Hart Island

Five thousand (5,000) rehabilitated toys were formally presented at Christmas time to the Police Athletic League for distribution by the P.A.L. to the children of needy families throughout the City of New York.

These discarded toys were "rehabilitated" by the old, forgotten, being old. Although the world has forgotten them and passed them by this Geriatric Group at the Workhouse at Hart Island takes a senior citizens of the community whose principle crime is that of

great deal of pride in this project by remembering the needy children of needy families.

#### New Procedures for the Handling of the Voluntary Committed Drug Addict

A most progressive step forward was achieved by this administration with the official recognition given by Mayor Robert F. Wagner when he directed that:

- Local jails and correctional institutions should not be called upon to care for voluntarily committed drug addicts.
- Local detention institutions and jails should not be used as hospitals, especially for this type of individual.
- The problem of the self-committed drug addicts was a Public Health problem and should be under jurisdiction of the hospital authorities.

*Effective the first part of January, 1959, and since that date, no inmates in this category have been accepted by the New York City Department of Correction.*

In accordance with the order of the Mayor, the City Administration held conferences during 1958, with officials of the Department of Correction, Office of the Chief City Magistrate, and the Department of Hospitals to determine the most desirable procedure for the handling of self-committed drug addicts as outlined in Section 3341 of the State Public Health Law and it was agreed among these various agencies that the Chief City Magistrate will refer addicts applying for self-commitment to the Department of Hospitals where they will receive medical screening and work-ups as deemed necessary and, if required, a course of treatment to be determined by that department.

Despite the fact that the self-committed drug addict is no longer received by the department, this situation has not been completely resolved. We still have inmates who are active addicts committed from the courts, who require special medical treatment and segregated housing during their trying withdrawal period.

The action taken by the City of New York still does not relieve the Federal and State governments of their responsibilities in the care and treatment of narcotic addicts. A special treatment program, under Federal and State auspices, with mental health direction, is definitely indicated as another step forward towards resolving this socio-medical problem.

## APPENDIX A

(The following is a report stemming from a subcommittee of the New York State Committee for the 1960 White House Conference on Children and Youth, appointed by Governor Rockefeller. It was the duty of this statewide committee to make a contribution in preparation of the agenda for the White House Conference. The New York State Committee held nine advance regional meetings. The recommendations from these meetings, including proposals by members of the statewide committee, were considered at the meeting of that committee held in Albany on October 5th and 6th, 1959.)

### Report of Subcommittee on Corrective and Protectional Care of the New York State Committee for the 1960 White House Conference on Children and Youth

#### INTRODUCTION

This sub-committee, although convinced by the evidence that much can be done to rehabilitate our children and youth after their apprehension, recommends a major expansion in many of the services which can *prevent* them from becoming delinquents. Day care; family counseling services; the training of teachers to recognize incipient delinquency; child guidance programs; all-day neighborhood schools; and better planned recreation, are all helpful.

The proper treatment of a potential delinquent at an early age has a far better chance to produce a useful adult than either later treatment, or still later incarceration.

The saving of a youngster from delinquency can be shown to be enormously valuable—spiritually and economically (when reductions in court, police, correction, family service, relief and hospital costs and improvements in wages and taxes are taken into consideration).

This sub-committee, however, has defined its scope to be from the moment an offender is told by a policeman "Come with me" until his term has ended, either through release from incarceration, probation or parole.

The dual objectives of all correctional work are the protection of the public and the rehabilitation of the individual.

The apprehended youngsters have violated the laws of God and society, and our recommendations are pointed toward converting the offender into a useful citizen by eliminating his disregard for those laws.

This sub-committee has studied the recommendations of the nine

regional meetings which supplied us with much fine food for thought. The recommendations which follow represent the results of our considered examination of the regional reports combined with the thinking of the sub-committee itself.

We shall make recommendations for improvements, or expansion, in each of the groups, facilities, or activities which we believe represent our concern.

These recommendations, however, expensive they may seem, should eventually result in savings elsewhere (particularly in police, institutional treatment, social services and psychiatric costs) which will soon easily repay the investment.

#### Statement of Principle and Recommendations

*Personnel Problems.*—The most telling part of the correction atmosphere is created by the people who come in contact with the offenders after judgment has been passed. As a group these workers are underpaid in comparison with similar work in other departments in both the state and the cities. The fact that there are fewer employees in the correction departments than in other departments has probably caused this situation, as, unfortunately, the greater pressure for raises of a larger group of employees is often the decisive factor.

This sub-committee wishes to state as a fundamental principle that the Home, the Church and the School do all in their power to inculcate in youth an early and deep reverence for the laws of God and Society. All recommendations rest on these basic principles.

This sub-committee considers it to the interest of all voters and taxpayers that the pay of personnel in probation, parole and institutional care and treatment of children and youth be brought to a point where it will not curtail the number of qualified applicants for positions.

*The Police.*—A policeman must understand that a youth needs guidance while he is growing up. Our police should be acquainted with the young in their districts to make this relationship a meaningful one.

At least a limited amount of training in the field of youth problems should be part of the curriculum of any police academy.

Training in this field is particularly desirable for those responsible at the precincts for the decision as to whether the youngster apprehended for designated minor infractions be released or brought to court.

In such cases of designated minor infractions, the initial decision whether to arrest, release (in appropriate cases with warning or notice to the family), or refer for further investigation should be made by police personnel, preferably trained in the philosophy of the Children's Court.

In cases in which referral for further investigation is made, this work should be done by personnel trained in social case work, attached to an authoritative agency, and capable of full-time application to the work.

The police, and their juvenile aid bureaus where they exist, should work closely with the families, schools, courts, churches, synagogues, and other youth-serving agencies. Existing recreational agencies should meet needs so that the police do not have to step in to fill this gap—or to duplicate services.

*Children's and Youth Courts.*—Children's Court sessions should be held at definite periods, and frequently, so that adjudication of cases is not long delayed. Children's Court judges should be encouraged to study, and accept training in, the philosophy of such work.

An adjustment bureau, or equivalent services, should be an adjunct of every Children's Court. Its function should be to adjust, under the rules and supervision of the court, specified types of less serious offenses without formal court action. This bureau should have intimate knowledge of all available community social services resources and, whenever indicated, it should refer the child or the family to the appropriate voluntary agency for continued case work services.

After the court has made a finding of delinquency, *but before the disposition of the case*, an investigation and social study by the probation staff and, where indicated, a psychological and psychiatric examination of the child, should generally be made and the reports thereon should be before the court.

Clinical facilities available to the court should be expanded and improved in quality of service—in the fields of psychiatry, psychology, social work and probation. In-service training should be increased.

The interval between filing of petition and the child's appearance in court should be short.

A family court, to supersede the Children's Court, is favored and endorsed. The need for a "closed court" should be explained to the public, with emphasis on protection of the child.

Judges who concern themselves with the case of delinquent children and youth should be selected with the greatest care and should be persons having unusual and sympathetic interest in children and youth. They should be encouraged to take special training in all disciplines bearing on their work.

*Placement of Children and Youth.*—Adequate detention and training school and treatment facilities are "a necessary adjunct"

to the Children's Court. These children should not be incarcerated in jail while awaiting a court hearing. In this connection we need:

- a. more diagnostic centers where the child can be studied and analyzed;
- b. more shelters for neglected children;
- c. at the community level a variety of types of facilities to provide for different children, such as temporary detention centers, residential treatment centers, training schools with educational and rehabilitation programs, and the use of "after care residences" and foster care homes for interim placement following discharge from an institution;
- d. more facilities for the delinquent child who is a mental defective, and for the delinquent child under 12 years of age;
- e. more facilities to take care of the delinquent girls who are pregnant.

We recommend the establishment of regional detention centers covering one or more counties, dependent upon need.

The child should be kept in detention for as short a time as practicable.

We recommend that public and voluntary child care agencies and institutions expand their programs and services for the care and treatment of committed delinquents, as well as dependent and neglected children.

Youth should always be separated from adults when incarcerated, or detained pending trial. When practicable, counties should combine to provide regional detentional facilities for our youth, both male and female. An effort should be made to establish facilities such as small group homes which maintain proper rehabilitation activities. These homes should cooperate with probation, parole and institutional groups.

*Religion, Moral and Spiritual Guidance and the Clergy.*—Since experience has shown that religious instruction, religious practice and spiritual guidance are a most important part of the rehabilitation of troubled families and children, this sub-committee:

1. endorses our current law and practice in New York requiring public authorities, whenever practicable, to refer children in need of guidance, treatment, correction, and custodial care to voluntary agencies and institutions of the child's own faith; and
2. also endorses the practice of the various courts of referring, whenever practicable, families in need of counseling to voluntary agencies, churches, synagogues, and other religious organizations of the same faith as the troubled families;



3. urges that such family counseling and child caring voluntary agencies be urged to expand their program and services to the end that departments of welfare, and in proper cases courts, may avail themselves of such services to a greater extent than is now possible;
4. urges that the various state training schools employ the services of a sufficient number of chaplains and other religious instructors to encourage and increase religious observance and the religious education of children in such schools.

*Probation.*—Counties with no probation facilities should combine with others so that they have such services.

All persons who carry responsibility for the training and control of juvenile delinquents should have education and training for this work. The unfortunate dearth of properly educated and trained workers indicates that a rigorous recruitment and stronger training program is imperative at all levels—for probation, parole and institutional personnel. It is recommended that the federal government assume responsibility for providing funds for those who wish to go into this work and for those already in the field who are not already properly educated and trained, when such persons are unable themselves to pay for it. The federal funds could be provided either by stipends to carefully screened candidates as in the NIMH program for persons in the mental health field, or by grants-in-aid to states for training programs to be developed in each state.

*Psychiatric, Psychological, and Case Workers.*—The critical shortage of such trained personnel in the institutions for corrective and protectional care in our state greatly impedes the rehabilitation of our incarcerated youth.

Adequate staffs of such workers should be available to the larger police agencies, in the police courts, and in probation and parole organizations, as well as in the various facilities of the correction department itself.

As there are insufficient persons trained in these fields to meet the demand, we recommend additional efforts to encourage various methods to increase the number in training.

*Custodial Personnel.*—The work of the custodial staff requires intelligence, dedication and self-control of a high type. It is unreasonable to expect persons with such qualifications to accept the low pay offered for this work.

*Cottage Parents.*—Efforts should be made to improve the working conditions and residential amenities of cottage parents, in order to attract more qualified people for this very important service.

*Group Therapy.*—Early work in group therapy and group counseling has shown such good results that we recommend further

evaluation and application. There is a great need for extension of these services.

*Vocational Education.*—We recommend this as an extremely important part of the overall treatment of our youngsters when incarcerated. The work should be suitable to help the offender obtain a position when released.

*The Treatment of Families.*—The large percentage of recidivism cannot be substantially reduced unless we treat one of the most frequent causes of delinquency, parental inadequacy. We therefore recommend that, wherever possible the parents having custody of our delinquent and maladjusted youth be encouraged to accept counseling and actively participate in the treatment process.

*Facilities.*—We recommend a continuing move toward smaller institutions with less emphasis on security but more on rehabilitation.

*Parole and After-Care.*—After-care should be envisaged as a continuity of guidance after institutional release. It is necessary to establish a totality of approach to the youngster and his family and a liaison between the individual and the institution and the community. Use should be made of all neighborhood facilities in planning for the return of youngsters to the community. This should include contacts with the local employees to arrange for employment opportunities; with the clergy for spiritual guidance; volunteer services, and the Armed Forces. In this connection an adequate professional staff is necessary for effective operation.

An extensive program of after-care residences for children and youth discharged from institutional care is urgently required so as to prevent an almost inevitable and early return to crime by youth who have no home or whose home is deteriorated and detrimental.

All children and youth discharged from training schools and reformatories should be under parole for a while, to help them adjust.

We recommend that all agencies dealing with children and youth secure the services of qualified trained workers to plan for and secure jobs for those old enough to work, on their release from incarceration and while still under parole. State employment agencies should specialize in this work.

We favor work camps for youth over 16, if properly staffed and programmed. They can be useful in the overall corrective picture, with programs suitable to youths coming from urban centers as well as other areas. Proper work habits should be encouraged. Those sent to such camps should be carefully screened to make the plans effective.

While all the recommendations given apply to girls as well, the need for improved care and services is fully as pressing and evident in the case of the female child and youth.

*Long-Term Planning.*—Only constant appraisal and continuous research toward better methods can create continually effective operation. An essential part of long-term planning is follow-up study. We therefore recommend that funds noticeably lacking in our system, be made available so that such services are established and maintained.

*Implementation.*—This sub-committee is only too aware of the shocking lack of implementation of the recommendations made ten years ago at the White House Conference on Children and Youth. We believe the lack of progress is due primarily to the fact that the public has an ill conceived picture of what makes a criminal and what should be done about him. Only through the combined efforts of the government, the press, radio and television can this inaccurate picture be altered. It is important that those in public office who are responsible for the distribution of funds are well acquainted with the facts.

The effort to educate the public is clearly a long-term proposition. Too many feel that, as the results will only be noticeable after some years, it is not worthwhile planning such an effort. We recommend continued efforts in this field.

This sub-committee hopes that the 1960 White House Conference on Children and Youth will mark the inception of the planning and action recommended herein.

Respectfully submitted,

Carl M. Loeb, Jr., *Chairman*  
Alexander Aldrich  
Edward R. Cass  
Theodore L. Conklin  
Irving Ben Cooper  
Daniel Egan  
James Fitzpatrick  
Albert Gordon  
Irving Halpern  
John Warren Hill  
Hugh R. Jones  
Nathaniel A. Kaplan  
C. Addison Keeler  
Mrs. William Kelly

Joseph A. Fritsch,  
*Vice Chairman*  
Mary Conway Kohler  
Anna M. Kross  
Robert H. MacIver  
Julius Mark  
John M. Murtagh  
Dan Potter  
Msgr. Arthur E. Rhatigan  
Raymond Rieger  
George W. Smyth  
Philip M. Thurston  
George A. Timone  
Ethel H. Wise  
Leo Yehle

**FINANCIAL STATEMENT**  
**THE PRISON ASSOCIATION OF NEW YORK**  
**GENERAL FUND**  
**STATEMENT OF INCOME AND EXPENSES**  
**YEAR ENDED DECEMBER 31, 1959**

**INCOME**

Donations—Special purposes		
The Greater New York Fund.....		\$2,225 00
Grand Street Boys Fund		
Current.....	\$6,937 00	26,293 00
Future Years.....	19,356 00	
Other Funds.....		2,386 00
Total.....		30,904 00
Donations—unrestricted.....		33,249 40
Endowment Income		
Dividends on stock.....		37,507 83
Total Income.....		\$101,661 23

**EXPENSES**

General Administration.....	\$22,276 53
Relief prisoners and families (cash, food, clothing, etc.).....	22,078 00
Relief administration.....	6,446 75
Employment—administration.....	6,459 00
Appeal—administration.....	6,153 00
Travel expenses.....	364 59
Printing and stationery.....	1,365 77
Postage.....	559 31
Telephone and telegraph.....	282 46
Auditing, legal, legislative services.....	655 00
Periodicals, custodian fees and miscellaneous.....	2,594 53
House maintenance.....	4,771 31
U. S. old age benefits tax.....	764 94
Total Expenses.....	74,770 19
Balance.....	\$26,891 04
Less: Restricted grant for future years.....	19,356 00
<b>NET INCOME AVAILABLE FOR CURRENT USE.....</b>	<b>\$7,585 04</b>

**AUDITORS' OPINION**

We have audited the books, accounts, minutes and other records of The Prison Association of New York for the year ended December 31, 1959. In our opinion the statement of income and expenses shown above presents fairly the results of the operation for that year.

WEBSTER, HORNE & ELSDON  
*Certified Public Accountants*

New York, N. Y.  
April 14, 1960

## CONSTITUTION AND BY-LAWS

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

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

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

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

## ARTICLE FIRST

The objects of the association shall be:

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

## ARTICLE SECOND

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

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## ARTICLE THIRD

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

## ARTICLE FOURTH

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

## ARTICLE FIFTH

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

## ARTICLE SIXTH

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

## ARTICLE SEVENTH

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

## ARTICLE EIGHTH

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

## ARTICLE NINTH

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

## ARTICLE TENTH

The executive committee shall have power to add to any of the standing committees such persons, as, in their opinion, may be

likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

#### ARTICLE ELEVENTH

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

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

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

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

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

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

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

#### BY-LAWS\*

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

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 other-

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

wise, may be filled either by the association at any annual meeting or, in interims between the annual meeting, by the executive committee.

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

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

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

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

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

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

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

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

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

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

IX. There shall be at least the following standing committees; executive; finance; law; detentions; nominations; probation and

parole; prison administration. Such committees in addition to any powers or duties conferred by these by-laws shall severally possess the power and be subject to the duties designated from time to time by the executive committee. Furthermore, the committee on probation and parole shall function as the committee on discharged convicts mentioned in the constitution, and the committee on prison administration shall function as the committee on prison discipline mentioned in the constitution.

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

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

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

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

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

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

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

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

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

*The Endowment and General Funds.*—The endowment and general funds shall be under the immediate direction and control of