

STATE OF NEW YORK

THE ONE HUNDRED AND THIRTEENTH
ANNUAL REPORT

OF THE

Prison Association of New York

135 East 15th Street, New York

1957



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PREFACE

This is an official report of the Prison Association of New York to the Legislature of the State of New York, which has been made annually since 1845, and constitutes the one hundred and thirteenth 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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ONE HUNDRED AND THIRTEENTH ANNUAL REPORT OF
THE PRISON ASSOCIATION OF NEW YORK

January 20, 1958

HON. GEORGE B. DeLUCA,

Lieutenant Governor and President of the Senate:

HON. OSWALD D. HECK, *Speaker of the Assembly:*

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

THE NEW YORK TIMES

Saturday, July 13, 1957

PRISON AGENCY REPORT

In May of 1846 the New York State Legislature incorporated the Prison Association of New York as a private agency dedicated to "the amelioration of the condition of prisoners" and "the improvement of prison discipline and government." The association's 112th annual report throws interesting light on how widely ramified and changed its activities have become in working toward these objectives, originally so simply stated.

Under the direction of a distinguished board, of which Edward P. Mulrooney is president and E. R. Cass general secretary, the association is helping to bring the findings of the social sciences and the experience of enlightened practice to bear on the actual operations of the correctional institutions of the state. That these agencies are now commonly called "correctional" rather than "penal"—or just "prisons"—is an index of the profound shift in emphasis that has taken place in dealing with those who violate the law.

Individual rehabilitation has come to be recognized as at least of equal importance with detention in the protection of society—not to mention the welfare of the inmates themselves. But the association wisely urges that "the psychologists and the psychiatrists, the social worker and others be wisely and cautiously employed."

Through specific recommendations to the Legislature, by suggesting improvements to the state and city Departments of Correction based on an inspection of the institutes they operate, and in working with other public welfare agencies in its field, the association is doing conspicuous service in an important cause. It deserves all the support its needs require.

RECOMMENDATIONS *

January 20, 1958

To the Honorable Members of the Senate and Assembly:

In accordance with Chapter 163 of the Laws of 1846, we have the honor to present the following recommendations to the Legislature as a part of the 113th 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*

CITIZEN APATHY CAN BE COSTLY

The language in the above title is not intended to cause alarm or to seem unduly harsh, but instead to somewhat regretfully remind that public indifference has proven costly in the past.

An example of what we have in mind is that the disturbances in our prisons in 1929 were costly in life and property, but they did make for conspicuous gains. These in their entirety were greater than in preceding years or since. The often repeated question in areas of social welfare is "Must we have such unfortunate happenings in order to go forward?"

What were these gains? Improved physical conditions within our institutions and the establishment of new ones; a start for the development of a system of education in its broadest sense as a part of the departmental program; the better control of the prison population through security measures; the moderation of inmate body participation in the daily handling of prisoners; slight improvement of industrial operations. Generally speaking there was an awakening of public consciousness as to its interest and responsibility toward the existence of prisons. This was felt through the press and otherwise in support of the findings and recommendations stemming from the formal investigations at that time; as a matter of fact, for several years thereafter. Many of the weaknesses and needs that were emphasized in connection with the disturbances had for some time previous been pointed out in official and semi-official reports to the Legislature and others.

In the area of parole we have made our best gains as a result of scandals, and this is an expression of regret by The Prison Association of New York, which body had considerable to do with the introduction of the indeterminate sentence and parole in this country.

* 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.

Probation, and community programs for crime prevention, while showing some progress in recent years, nevertheless continue to suffer through a lack of public interest except in a cycle of upsurges of juvenile delinquency and youth crime.

It does seem to be an American practice, or tradition, that something terrible must happen, or some sudden alarm arise, in order to gain headway in dealing with a social problem such as crime so that there will result better public welfare and protection.

New York's Prison Problem

The prisons under the control of the New York State Department of Correction house close to 16,000 felons and misdemeanants. The New York City institutions house over 6,000 misdemeanants. National figures indicate that sixty per cent of the inmates of federal and state prisons are repeaters—in New York City, the figure jumps to two-thirds.

Why this recidivism? The answer lies in the inadequacy of correctional programs and the sad fact that our correctional system does not correct.

We cannot and do not argue with the premise that criminals must be incarcerated for the safety of the community. But we do argue with the thought that imprisonment in itself is sufficient. It is not enough that we house prisoners under decent living conditions, with good clothes and adequate food. *We must also feed their minds and spirits.* Our failure to do this will result in almost a routine in-and-out-of-prison-again movement of law violators.

We have underscored repeatedly in our earlier reports the cost (up to \$35,000,000 per year) of maintaining our State Department of Correction (exclusive of property investment, buildings and equipment), another nearly \$8,000,000 for the State Division of Parole, not to mention the New York City Department of Correction expending over \$11,000,000. However, added to these figures are more millions relating to police operations and prosecuting agencies and the courts. The loss to the victims of criminal acts in life, bodily harm, peace of mind, and property can never be adequately measured or compensated in dollars and cents. All of these elements, and others, support the studied observation that crime is big business and takes a good slice of the taxpayer's dollar.

The Prison Association's Answer

The Prison Association of New York feels that the basic function of the prison is that something more be done than simply keeping men within 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 instruc-

tion in social living must be utilized in order to return as many social beings to society as possible. To challenge 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.

Nor are the constantly increasing number of arrests limited to adults. Approximately one-quarter of those arrested are in the 16-20 year old group. And, of this category, over one-fifth were committed to institutions.

This, then, is our problem—to reduce the extent of recidivism by adequate correctional programming—by rehabilitating every person whose previous history indicates such a possibility.

How Can Progress Be Made?

In previous annual reports we have used such opening expressions as "On Behalf of Implementation"; "Implementing the Accomplishments"; "Are We Meeting the Challenge?" This language was intended to indicate that we do not suffer from the lack of sound ideas and suggestions in most phases of correctional treatment in an effort toward implementation and the finding of more satisfactory solutions, but that we are woefully weak in activating many of the suggestions based on intimate knowledge and experience. It is too frequently assumed that reports of investigations or special studies, or resolutions adopted by civic bodies are routine and need not to be taken too seriously.

Yet the truth is that in these various actions there is a great potential and the essence for progress, certainly in the area of crime study and treatment, to give the people of our state better protection. While the people as a whole are concerned, and some are the victims of criminal acts, yet they lack organization to develop an impetus that will bring action in branches of governments. However, at times of crisis public lethargy quickly turns to shock, condemnation and wrath.

This Association, in pleading for a more steady application of sound recommendations for the improvement of our correctional media, has only one objective in mind and that is the public welfare and protection. We know that there is sometimes afield the thought these suggestions have as their foundation the desire to coddle the criminal. So far as we are concerned it can be very definitely said that the coddling of prisoners is not a part of our recommendations, or various suggestions, and we do not believe it to be consonant with prison development or reform. As far as the prisoner is concerned, he ought not to be idolized, nor should he be ostracized. We do not believe that most prisoners are asking for sentiment, nor for anyone to weep over them. However, we do believe that there are many men in prison who recognize their weaknesses and are asking for a fair chance toward their rehabilitation. Experience has taught that we cannot treat our great social problems on the

basis of excessive sentimentality or excessive hatred. Neither one is going to accomplish the results we so greatly desire. The problem of crime and its treatment has been a challenge through the ages and always a threat to the well-being of mankind generally. *Its solution is not easy or simple, there being no one answer or any one cure.* Such simplification is eagerly sought, again in periods of crisis, by some who become experts overnight and lack wide experience.

In harmony with the above introduction the Association again makes recommendations to the Legislature, some of which have been made before. It is our hope that during the 1958 session as many as possible of these recommendations will be activated in the public behalf.

RECOMMENDATION I. COORDINATED CORRECTIONAL SYSTEM

The Prison Association has, for a number of years, advocated and urged that legislative support be given to the further coordination of the State's correctional system. While much of this may be accomplished by administrative direction, legislative approval of the necessary funds is needed. Coordination, in this sense, may better be defined as centralization of services within the headquarters of the Department of Correction. New York has long been in need of a centralized, department-wide classification system, looking toward the more efficient utilization of the wide variety of institutional facilities now available. Further, there should be centralization of other special services, such as expanded educational, medical, dental, and industrial, each placed under the immediate supervision of qualified leadership.

There is no alternative to efficient correctional administration. In general, and in theory at least, the responsibilities of classification and treatment, institutional services, personnel and administration should each be placed under a competent deputy commissioner.

RECOMMENDATION II. ACADEMY OF CORRECTIONAL TRAINING

Facilities and funds should be provided for the establishment of an academy of correctional training in the 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 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 III. 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.

Approximately 65% 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 IV. 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 V. EXPANSION OF FOREST CAMP PROGRAM FOR YOUTHFUL OFFENDERS

Budgetary support should be given to the continuation and extension of forestry camps for youthful offenders. The demonstration thus far with respect to two camps gives hope for the future.

RECOMMENDATION VI. DEVELOPMENT OF FORESTRY CAMP PROGRAM FOR ADULTS

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 VII. EQUAL STATUS FOR CORRECTIONAL MATRONS

Provisions should be made to provide equal status with correction officers for matrons at Albion and Westfield prisons for women and

to provide equal salary and to permit the Department of Correction to require the higher qualifications which are essential for the important work of rehabilitation of women offenders. Some women probation officers, parole officers and policewomen, as well as New York City correction officers, now receive equal pay with men. There is no justification for the disparity in the New York State correctional institutions.

RECOMMENDATION VIII. REMOVAL OF RESTRICTIONS RELATIVE TO APPOINTMENT OF CORRECTIONAL INSTITUTION HEADS

This recommendation is being repeated and is in support of earlier recommendations made by the so-called Knapp study group of several years ago, and other bodies. While the appointment of correctional institution heads is an administrative matter between the civil service and correction departments, the Association urges favorable legislative support of the removing of certain restrictions that now preclude the appointment of wardens and superintendents from outside the custodial service.

This is no sense a criticism of the custodial group. It is, however, a criticism of the present system of appointment. We feel that institutions should be under the direction of the best possible persons, and limiting civil service examination opportunities to those in the uniformed ranks solely is not in the best interests of approved correctional administration. As we have indicated previously, if the correctional service is to be career-centered, surely no special group should be singled out as the only ones qualified. We would make the same recommendation if appointments were restricted to any other special group, such as physicians, business managers, educators, etc. What we disapprove of is the fact that restrictions such as presently apply serve to deny equal opportunity for qualifying as superintendent or warden. It is obvious that many desirable persons, with years of experience, lose interest in the correctional service when promotions are not available to them. It is our recommendation that promotional examinations for top administrative posts be opened to all qualified departmental persons, including the custodial personnel. Any other practice is simply shortsighted, and not in keeping with correctional procedures noted in those states generally regarded as having top-flight correctional systems.

RECOMMENDATION IX. 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.

We are repeating this recommendation but not with any desire to conflict with recommendations that will be coming from Governor Harriman's committee appointed to study the organization and administration of parole in New York State. We are withholding other contemplated recommendations on parole in anticipation of the forthcoming report of the Governor's committee.

RECOMMENDATION X. 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.

We are repeating this recommendation but not with any desire to conflict with recommendations that will be coming from Governor Harriman's committee appointed to study the organization and administration of parole in New York State. We are withholding other contemplated recommendations on parole in anticipation of the forthcoming report of the Governor's committee.

RECOMMENDATION XI. STATE AID FOR EDUCATIONAL PROGRAM IN CORRECTIONAL INSTITUTIONS

Authorization should be provided through legislation to require the participation of the State Department of Education, through its Division of Rehabilitation and otherwise, to assist the State Department of Correction and the New York City Department of Correction in the development of their educational and rehabilitative programs.

The present Education Law makes provision for the furnishing of vocational rehabilitation services to the handicapped but excludes from its benefits persons confined in any penal, correctional, or mental institution. This seems an unnecessary limitation in the interest of rehabilitating not only persons physically handicapped

but other charges of the State as well. All correctional institutions in the State should have the benefit of the guidance, the skills, and specialized experience of the State Department of Education to promote educational programs in the various categories.

RECOMMENDATION XII. AGED PRISONERS

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

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

RECOMMENDATION XIII. ADVISORY COMMITTEE ON CORRECTIONAL INDUSTRIES

We again urge that there be established an advisory committee on correctional industries.

We have confidence that this arrangement will produce in time an industrial program that will rank among the best in the country. It should make for better understanding on the part of labor, management, and the public generally, and stimulate activities through energetic leadership.

Precedence for this recommendation may be found in similar bodies established in the Federal prison system, California, and to some extent in Massachusetts. It is our contention that a committee composed of representatives from industry, management, labor, agriculture and the public generally, would provide a wellrounded body of experience of immeasurable value to an industrial program. This committee should be limited in size to not more than seven persons, with appointment by the Governor, and with the commissioner of correction an ex officio member.

Coordination of the prison industries program would be the first order of business of this committee, with a view to the employment of every possible prisoner.

One of the greatest problems in correctional administration is the 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 idle prisoners recognizing, at the same time, that their dependents may be compelled to accept relief at an added expense to the public.

RECOMMENDATION XIV. AUTHORIZATION OF TRADE TRAINING COMMITTEES

The utilization of citizen groups can be extended through the device of trade training committees. Referring again to California, there are in that State some 50 such committees each composed of competent artisans in each of the major trades. For example, a small committee advises as to the most modern method of welding. The committee is composed of a small group of recognized authorities within the trade, and provides training aids and instruction and counsels on job placement for prisoners with welding competence. The authorization of committees such as these would not seem to require legislation, but the hope is expressed that legislative endorsement be given.

RECOMMENDATION XV. CAUTION AGAINST CURTAILMENT OF CORRECTIONAL INDUSTRIES

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

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

While we make this as a separate recommendation it bears close relation to a foregoing recommendation urging the establishment of an Advisory Committee on Correctional Industries (Recommendation XIII.). A Committee such as this with representation of labor, management, industry, agriculture and the public-at-large, would serve as the best possible guardian of correctional industries.

RECOMMENDATION XVI. FARM OPERATIONS AT WESTFIELD STATE FARM

Farm operations at Westfield State Farm should not be abandoned because they are not a glowing success in dollars and cents. They have a place in the rehabilitative program of an institution of this kind. They provide opportunity for the improvement of health, the cultivating of the habit of industry, and the psychological value of observing growth and development as a result of one's labors. There are also esthetic values that should make for the development of the inmates. Experience in other areas has emphasized these advantages and visitation to those institutions has brought forth repeatedly the interest and joy of inmate participation in farm operations.

RECOMMENDATION XVII. INADEQUATE HOUSING OF INSTITUTION PERSONNEL AT GREEN HAVEN PRISON

Definite steps should be taken to solve the problem of inadequate housing of institution personnel at Green Haven Prison, and thus eliminate the glaring anomalous situation whereby correctional personnel is obliged to sleep in cells.

The problem of housing personnel in Green Haven Prison has been identified with that prison since its opening. Employees of all classes, except for a few who are fortunate to be able to live within a short distance of the institution, are required to travel many miles, as far as Poughkeepsie in some instances, and on December 17, 1957, it was noted that 60 prison guards were sleeping in the cells of Cell Block A. This latter condition has existed for years, is long overdue for remedy, and in itself has a demoralizing effect. The turnover at this institution is more noticeable than at any other in the department. Cells have always been intended for prisoners but not for custodial or any other personnel identified with an institution.

RECOMMENDATION XVIII. 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 XIX. ALCOHOLISM

Alcoholism continues to be a major problem in American life, and its relation to the increasing crime rate has been substantiated numerous times. Knowledge in this field, while extensive, is limited, but enough is known to convince us that further experimentation through the use of State-aided clinics and research programs is imperative. The Legislature is urged to take every possible step to assure the people of the State that a solution of the problem is being sought. There is a significant body of knowledge available through such agencies as the Academy of Medicine, Alcoholics Anonymous, Yale University School of Alcohol Studies, and many others, and the suggestion is made that an official study group be established to sift data available and to consult with appropriate authorities in this and other states where experimentation is under way. Alcoholism requires much more attention than it is now receiving, and the State should greatly expand its existing services in the area of research and clinics.

RECOMMENDATION XX. AMEND THE PENAL LAW IN RELATION TO JUMPING PAROLE

It is urged that approval be given to proposed legislation which will add a new section to Article 162 of the Penal Law, to be known as Section 1694-b.

Comment

At present, section 1694-a of the Penal Law makes *bail* jumping a crime, a felony if the underlying crime is a felony, or a misdemeanor if the underlying wrongful act is less serious. However, the *paroled* defendant (or, as the terms are sometimes used, the defendant released on his own or another's recognizance or custody),

restrained only by his or another's word and risking the forfeiture of no assets, may fail to appear without risking any criminal consequences.

The purpose of section 1694-b is to assure the appearance of those non-jailed defendants who are on parole. As there is no "leverage" of any kind to assure their appearance, such as the forfeiture of assets, some sanction is especially needful.

This legislation is necessary. Paroled defendants are not necessarily persons whose character is such as will assure their reappearance. Because of crowding of detention facilities, persons charged with misdemeanors are frequently paroled when little is known about their background. Even accused felons may be paroled, especially when there is a delay before trial.

The proposed legislation answers another need as well. Its enactment would encourage both courts and prosecutors to make greater use of parole. This would relieve defendants of the economic burden of bails; would ease the overcrowding of detention facilities; and would diminish the frequently unwholesome contact between nearly impecunious defendants and occasional bondsmen-lawyer combinations. This last aspect is not without significance. In a report handed up in December, 1956, after nearly three years of investigation into the activities of professional bail bondsmen, a New York County Grand Jury recommended legislation making a failure to appear for trial, after parole on a pending charge, a crime.

The proposed legislation goes much further than does the existing bail jumping statute to protect defendants. It expressly provides that if a defendant's failure to appear is occasioned by facts beyond his control, including illness or fresh arrest, this shall be a defense to any charge of violation of this section. Moreover, the proposal provides for explicit warnings to paroled persons that they shall have to appear when again required, under penalty of further criminal sanctions.

The proposed legislation has nothing to do with parole violation by correction department parolees; but concerns only parole jumping (or violation of release on one's own or another's recognizance or custody) by persons facing pending charges. The statute talks in terms of both "parole" and "release on one's own or another's recognizance or custody" because these terms are used to describe the same status in different parts of the state. ("Parole" is used in New York City and "release on one's own or another's recognizance or custody" in certain upstate communities.) This statute does not concern the so-called "discharge on one's own recognizance" a term used in New York City as a form of quasi-dismissal. That is a "discharge" not a "release."

RECOMMENDATION XXI. SEX OFFENDERS

We urge that there be a review of the administration and accomplishments resulting from a passage of 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 should be kept in mind that should we have a series of sex crimes, or one of a horrible nature, the public interest will be once more engaged and many questions will be asked. 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 XXII. INCREASED ALLOWANCE FOR CLOTHING FOR FELONS

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

RECOMMENDATION XXIII. REIMBURSEMENT FOR MAINTENANCE OF MISDEMEANANTS

Article 7-A of the Correction Law should be amended to provide that when any misdemeanor 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 XXIV. REIMBURSEMENT TO COUNTY INSTITUTIONS FOR BOARD OF STATE PRISONERS

We urge that there be 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 relates to New York City.

RECOMMENDATION XXV. 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 this measure.

RECOMMENDATION XXVI. INEQUALITY OF SENTENCE

It is recommended that funds be provided for the Law Revision Committee to undertake for the State of New York a study of the inequality of sentences.

This recommendation has been made in the past and is renewed because of the increasing interest in the subject on a national level. There are bills before Congress relating to federal offenders. For some time now the American Law Institute has been studying the statutes of the various states in an effort to come up through a Model Act or otherwise with suggestions for an improvement of the present situation.

KEEPING FAITH THROUGH 1957

During its 113th year the Association endeavored to keep faith with the vision and courage of its founders through a variety of interests and approaches to more effectively deal with the menacing challenge of juvenile delinquency and the crime problem generally. While the Association was organized in 1844 to give assistance to men coming out of prison, those who drafted the objects of the Association had the foresight to understand that there was need for a wider concept and program to deal with the subject of crime more adequately in the interest of the public welfare and protection.

STATE DEPARTMENT OF CORRECTION

It is gratifying to record that our pleasant and helpful relationship with the State Department of Correction, headed by Commissioner Thomas J. Mc Hugh, continued through the year. This was further enhanced by the knowledge that Governor Harriman was interested in correctional problems, particularly those relating to youths. The Governor's special interest in the establishment of forestry camps for youths and their extension to selected adults gives support to the principle of diversified housing and treatment and the need to find less costly media of treatment to meet the ever-increasing cost of providing new prisons. The Governor also showed interest in the extension of probation services and the need to provide employment opportunity not only for probationers but parolees as well.

To have the active interest of the Governor and Commissioner Mc Hugh in support of the above objectives, and others, is a source of gratification in the light of our past endeavors toward their fulfillment. We are hopeful that as financial support and additional personnel are provided by the State further progress will be made in keeping with our recommendations to provide a more diversified approach to the problems of youth and adult crime.

NEW YORK CITY DEPARTMENT OF CORRECTION

We are pleased to again record the unceasing efforts spearheaded by Commissioner Anna Kross, with the backing of Mayor Wagner, to make for progress in the operation and facilities of the New York City Department of Correction. In this respect she has had our devoted interest and support consistent with modern penological thinking and practices. In our 112th annual report we listed the various projects pointing toward the improvement and enlargement of the physical facilities and in this connection progress has been made through the accomplishment of further preliminaries such as the drawing of plans and the providing of additional funds.

Aside from improved morale and more enlightened and cooperative staff participation, there are four conspicuous achievements listed below which will stand as markers of progress.

[26]

1. *The Opening of the Brooklyn House of Detention*, with the setting aside of a substantial part of this for the concentrated housing of young offenders and their improved treatment mentally and physically during the period they await action of the grand jury or disposition by the court.

2. *The Establishment of an Academy of Correction on Rikers Island* for the training of the custodial personnel of the department. This is an excellent idea which in various jurisdictions has been discussed or activated and sometimes lapsed. It is pleasing to note that its value has been recognized by Commissioner Kross and it is now reality. This medium serves as a toning device for the thinking and practices of the personnel, giving some the benefit of initial information and guidance and others the opportunity for refresher courses. As a building and stimulating influence it should prove of increasing value.

On July 3, 1957, Mr. Arthur K. Schoenfeld, a member of our Executive Committee, and the General Secretary participated in the dedication ceremonies of the Correction Academy on Rikers Island.

3. *The Improvement of the Housing and Treatment Facilities of Young Offenders Transferred from the Former Reformatory at New Hampton Farms in Orange County*. A change for the benefit of these young inmates was necessary since it was long recognized that the institution at New Hampton served mainly as a reformatory in name only. The concern about the hastiness of the transfer and the housing of the inmates in close proximity with older prisoners has been removed through the setting up of separate housing facilities in an area on Rikers Island reserved for this group of inmates. Furthermore, the program of academic and vocational schooling has become more realistic and vastly superior to the empty practices at the New Hampton institution. There is much yet to be achieved to bring the transposition to complete fulfillment in keeping with institutions in other areas operating on a more satisfactory level for some years in accord with the standards of reformatory programs. Nevertheless, a good start has been made and it is entitled to all the support and encouragement possible.

4. *The Passage of Local Law #25 (1957) Establishing a New York City Board of Correction*. At the dedication ceremonies in December of 1956 of the Brooklyn House of Detention for Men the General Secretary stressed the need of providing some local overseeing body to act as a stimulus for the City Department of Correction, and also to make for a continuation of approved working programs in the event of a change in commissioner-ship or administration. He emphasized that too many times in the past good starts were made but not brought to fulfillment because of changes in personnel. Mayor Wagner and other officials took special notice of this comment. It was gratifying to have agreement for the need of such a facility in the report of the Mayor's committee to study the organization and management of the New York City Department of Cor-

rection. Its content is reviewed in our report of that year to the 1957 Legislature. (Legislative Document 102.)

We regard the passage of Local Law #25 as a milestone of progress and were pleased to have opportunity to support the bill by personal appearance when it was before the City Council, and likewise when it came before the Mayor for his decision.

Organization of the Board of Correction

Mayor Wagner in a communication dated October 7, 1957, indicated his appointment of the General Secretary, Mr. E. R. Cass, as a member and chairman of the newly authorized Board of Correction, as follows:

"Dear Mr. Cass:

"I am pleased to appoint you a member and Chairman of the Board of Correction of the City of New York in accordance with the provisions of Local Law #25 (1957). I know that you will serve with distinction in this capacity, and that you will lend your talents to the successful operation of this newly created agency of our municipal government."

This confidence on the part of the Mayor and the added opportunity for service was indeed very pleasing to the Association. However, there arose a legal question as to whether the General Secretary could accept because of the provisions of Section 895 of the city charter, and also because of his membership and vice-chairmanship on the New York State Commission of Correction. The Mayor indicated a willingness to issue a waiver as permitted in the above section of the charter. With regard to the General Secretary's identity with the state government, the question was referred to the State Attorney General who came to the conclusion that the General Secretary could not serve as both a member of the City Board of Correction and the State Commission of Correction. He based his opinion on various court decisions and the provisions of the public officials law. This was an unexpected development for all concerned. However, regardless of the outcome it has been made known to the Mayor that our Association will continue to cooperate for progress in the New York City Department of Correction, not only with the newly created Board of Correction but as it has done for some years now, with Commissioner Kross.

BROOKLYN HOUSE OF DETENTION FOR MEN, AND PENITENTIARY AT RIKERS ISLAND

On March 20th, Mr. Reginald L. Auchincloss, a member of our Executive Committee, and the General Secretary visited the above institutions together with The Honorable Abe Stark, President of the New York City Council, and Anna M. Kross, Commissioner of Correction of the City of New York. The purpose of the visit was to observe the operation of the activity program for young offenders

at the House of Detention for Men in Brooklyn and to participate in the presentation of High School Equivalency diplomas to 35 inmates at the Rikers Island Penitentiary.

Brooklyn

The activity program for youths at the Brooklyn House of Detention as observed was in striking contrast to the usual scene of congestion, idleness, and promiscuous association noted in other detention places. At present all youths, except from the Borough of the Bronx, are housed in the new building in Brooklyn and are receiving specialized attention in an effort to keep them wholesomely occupied throughout the day and into the evening. There are such activities as school classes, gymnastics, directed reading, vocational pursuits, and directed open air exercise and game playing. It is anticipated that shortly the boys from Bronx County will be included.

Rikers Island

At Rikers Island, President Stark of the City Council presented High School Equivalency diplomas to those inmates who, on their own time and principally during the evenings, prepared themselves through study to take examinations prescribed by the State Department of Education. Having passed the examinations they are entitled to a certificate which gives them the same standing as a high school diploma. The entire inmate body of about 1500 witnessed the presentation of the certificates and it is felt that the occasion was sufficiently impressive to be seriously weighed by those present.

The above activities at the two institutions are further evidence of the desire of Commissioner Kross to engender the Department with a new spirit, more realistically allied with the terms "correction" and "rehabilitation".

AMERICAN LAW INSTITUTE—MODEL PENAL CODE

During the close of 1956 the General Secretary participated in meetings at the Bar Association in New York City to discuss provisions of the model penal code being developed by the American Law Institute with a view to changes that would be more acceptable to those interested in probation and parole and correctional media generally. The following five points highlighted the discussion:

1. Minimum and maximum sentence periods were discussed and it is likely that the ten year maximum provision in the tentative draft of the code will be altered.
2. The appearance of counsel at Parole Board hearings was disapproved and there is a feeling that the Institute will act in accord with the protest.
3. Parole as a right was strongly protested and here again it is felt that the change will be made in the code.

4. During the various discussions it developed that there was need for a new term to apply to those who are released, but not in accord with parole board action. In other words, those whose release is mandatory or by the action of another authority and over whom the parole board has no say in determining release. Usually in cases of this kind if there is a reversion to crime the person is referred to as a "parolee" which is not an accurate designation in that the parole body did not grant release.
5. There was considerable difficulty on the question of parole criteria. In other words, what should be the elements for parole determination. Strong protests were registered regarding that portion of the code which set up a kind of criteria and established the possibility by inference whereby a prisoner could be released if he met all of the stated criteria.

During March of 1957 it was indicated that there would be further consideration on the part of the Institute relating to the above points of protest, and others, before the making of final recommendations.

We remain alert to the situation through continued contact with the Institute and The American Correctional Association and the National Probation and Parole Association. The status at this writing is that the project is to be continued under the guidance of the American Law Institute and that the future holds the complete answer to the protests made originally.

EXPANSION OF GANG PROJECT

In its November 1956 "Youth Board News", received in January of 1957, the New York City Youth Board announced the expansion of its project and explained its philosophy which is identical with the philosophy that was developed and emphasized during the study entitled "Working With Teen Age Gangs" which was initiated by The Prison Association of New York through the interest of the Hon. G. Howland Shaw, a member of our Executive Committee, and financed through the efforts of our Treasurer, Mr. C. C. Auchincloss. The philosophy in which we concur and which is stated by the Youth Board is as follows:

"The Council of Social and Athletic Clubs is the New York City Youth Board's special project which works with anti-social teenage gangs. The method is one which embodies in essence the Youth Board's philosophy of "reaching out" to those in need of help . . . the aim is the eventual rechanneling of the gang members' destructive behavior into constructive, positive activities.

"As his first effort, a street club worker assigned to a "fighting" or "bopping" teenage group must seek out the gang—locate its hangouts—identify its leader—learn who its members are. Then, slowly, he gets to know the group and becomes known to them—allying their initial suspicions of him by "hanging around", by

mingling with them in their various places of congregation. Once a familiar figure, he endeavors to become an "acceptable" figure—one in whom, gradually, they begin to confide their problems and difficulties,—in return, for which the worker provides what realistic support he can (by helping them locate jobs, giving advice, assisting them when they are in trouble). Time, patience, interest, understanding, service . . . these are the tools with which the worker reaches out to the teenage gang, the tools with which he will try to influence its members into more socially-acceptable ways of behavior."

Later in the year when there was an upsurge of gang activities and juvenile delinquency the New York City Youth Board, among various statements, reiterated its belief in the unquestionable value of "intimate community activity with these gangs".

It is gratifying to note the continued acceptance of this philosophy which was propounded in the gang study initiated by The Prison Association of New York as referred to above.

SPECIAL CONTRIBUTION TO THE PAROLE COMMISSION OF THE CITY OF NEW YORK

Under date of January 3rd the Chief Parole Officer, Mr. A. N. Fauer, appealed for aid to enable the Commission to meet sundry needs such as carefare and food for parolees. Formerly this money was received from the Commissary Fund of the City Department of Correction but this has been discontinued and no help has been received from other city sources. Parole officers have been using their own money. In response to the request a check of \$50.00 was sent and this was duly acknowledged under date of January 8th in a letter addressed to the General Secretary by the Chairman of the Commission, John C. Maher, as follows:

"Mr. Fauer gave me your letter of January 4th enclosing check from the Prison Association, to the amount of \$50.00, to be used solely for purposes as outlined in Mr. Fauer's letter to you dated January 3rd.

"Needless to say, we of the Commission appreciate your very friendly and prompt response in coming to our assistance.

"Monthly reports will be submitted to you showing in detail as to how and to whom the money will be expended.

"Again, many, many thanks."

Later in the year an additional \$100.00 was given and then finally it developed that the City of New York had agreed to provide money from the New York City Department of Correction Inmate Commissary Fund.

GRANT OF FUNDS FOR STATE PAROLEES

Similar to the procedure indicated above related to the New York City Parole Commission there was advanced to the New York City office of the New York State Board of Parole the sum of \$100.00

to be used for emergency situations and for small items such as cafare and lunch money at times (afternoons) when parolees cannot be referred to The Prison Association of New York because of the fact that our workers are active in the field seeking employment for those awaiting release from prison, as well as parolees.

PRISON RIOTS

With the recurrence of prison riots and for renewed public information and guidance, we prepared a statement for nation-wide newspaper distribution under the caption, "We Can Stop These Recurring Prison Riots!" This was a carry-over of what is contained in our previous annual report but which was not made available as a separate publication on a national level. It was pointed out that few states had been spared the spectacle of riots, many causes were enumerated and the way toward reducing the danger of these unfortunate uprisings was indicated. We received good editorial notice from newspapers in the Midwest and West; one very interesting editorial, as set forth below, appearing in the January 2, 1957, issue of the St. Louis Globe-Democrat.

"WHAT'S WRONG WITH OUR PRISONS?"

"What's wrong with the nation's prisons?"

"Plenty say the professional penologists. They point to the black record that the penitentiaries have written in the past six years. Since 1950, nearly 100 prison riots or near riots have swept the nation—an average of a dozen a year. These uprisings have occurred in two-thirds of the 48 states.

"Recently the Prison Association of New York made a study of major outbreaks in Illinois, Missouri and other states. It concluded that the 'antiquated methods of handling and treating' prisoners are 'at the root of today's wave of riots'.

"When prison inmates run amok, there are always some basic causes. The chief ones are these, it found:

1. Political meddling and mismanagement: Picking untrained or misfit appointees for administrative jobs, as well as for guard duty. This is the cause of graft, bad food, favoritism, brutality, the sale of pardons and other abuses.

2. Prison idleness and overcrowding: Our mammoth prisons, with a population of 4000, 5000 and 6000 inmates, are 'monstrosities' that are almost impossible to run well.

3. Antiquated institutions: Nine out of 10 state penal institutions are 50 to 100 years old. Some are unfit for human habitation.

4. Inadequate classification and non-segregation: In

the cell blocks and exercise yards, first offenders and salvageable prisoners rub shoulders with the hardened criminals, the vicious, the diseased, the perverted and mentally ill.

"Our federal and state prisons are doing an incredibly bad job of preparing the inmates for life outside their walls. The association points out that two-thirds of the 175,000 offenders in federal or state prisons have gone unchanged through not only one, but two, three or more trips to the big house.

"Our prisons, the association adds, are simply building up a standing army of habitual criminals. They already number 3,000,000, according to FBI estimates.

"The same prisons which are now failing at the job of reform will soon get a high percentage of the nation's 1,000,000 juvenile delinquents.

"Six out of every 10 juvenile offenders, past figures show, will wind up in an institution which will do little or nothing to halt their headlong rush toward a permanent career in crime.

"Yet experts like Dr. Ralph Banay, former head of the psychiatric clinic at Sing Sing and an authority on penology, says that 'A large percentage of habitual criminals could be rehabilitated if currently available techniques were used.'

"The warning sounded by the New York Prison Association is one that should be taken seriously. That is, unless Americans plan to go on building bigger and bigger prisons to turn out an evergrowing legion of thieves and thugs, hoodlums and strong-arm artists.

"Many of them gravitate to the cities where the opportunities to rob and steal are better than out in the sticks. The big American cities are already going through a crime wave that is straining their police budgets and turning them into semi-deserts at night, when fewer and fewer venture into the streets.

"Can we stand the luxury of making the nation's prisons post-graduate schools in crime whose alumni prey on the nation's great metropolitan centers?"

JUKES FAMILY STUDY

In the January 11, 1957 issue of the New York Herald Tribune there appeared an item on the study made of the Jukes family by Mr. Robert L. Dugdale.

This study, an outstanding sociological contribution, was initiated by Mr. Dugdale in 1874 as a member of the Executive Committee of The Prison Association of New York and with the Association's approval. He traced the behavior pattern of 540 direct blood relatives of Max Jukes, who settled in a county of the state about the

year 1700, through several generations and in about thirteen countries. The main point of the study revealed that a low level of behavior prevailed among those descendants except where they had the benefit of better environmental influences. The latter was shown in a subsequent study conducted by Dr. Arthur H. Estabrook in 1914 under the auspices of the Carnegie Foundation.

The above study is one example of outstanding contributions made over the years by members of our Executive Committee. Some prominent names in this respect are: Dr. E. C. Wines; Dr. Samuel J. Barrows; Professor Theodore Dwight of Columbia University; a former president, Eugene Smith (particularly in his earlier days); Deccatur M. Sawyer; George W. Wickersham; Thomas Mott Osborne; Judge J. W. Edmonds; Isaac T. Hopper; Theodore Sedgwick; Chancellor Theodore Frelinghuysen; Dr. John D. Russ; Lisenard Stewart; W. P. Letchworth; Dean Sage.

COTTAGES AT WESTFIELD STATE FARM

Two new housing units of the cottage type are being designed to begin the replacement of the present undesirable housing units on both upper and lower campuses. All of these cottages are old, having been constructed at different intervals from 1901 to 1916. They have a rated capacity of from 19 to 29 rooms with no toilet facilities in the rooms themselves. Congregate type sanitary facilities are located on each floor. The interior of the buildings is of inflammable construction and the floors and stairways are of wood. In 1944 there was a movement started to replace the cottages and there arose a discussion as to the desirability of the cottage system versus the congregate type of housing. As a member of the State Commission of Correction the General Secretary urged the adoption of the cottage system and received considerable support from the administrators of women's institutions in various parts of the country.

The Commission finally went on record in favor of the cottage system by a vote of 5 to 2. However, since the chairman opposed the cottage system the work of designing congregated housing proceeded. Fortunately the plans were not brought to the point of construction and this accounts for the revival of the movement to replace the old cottages.

Since the cottage system is to be used we can feel that we have achieved success in opposing congregated housing.

At this writing, December 1957, however, it is disturbing to record that no construction work has yet been undertaken although funds are available. It would seem that the whole project is waiting for a signal from somewhere to be more encouragingly activated.

CIVIL SERVICE COMMISSION - CITY OF NEW YORK

We continued through the year to assist the Department of Personnel of the New York City Civil Service Commission in developing material and giving advice on training in correctional service and information generally in the field of correction.

THE YOUNG CRIMINAL

It has been our contention through the years, supported by various special studies, that youth has always been conspicuous in the crime picture and further that the problem is complex and that there is no one explanation or easy solution. This belief is strengthened by an editorial which appeared in the NEW YORK TIMES of February 14, 1957, bearing the caption "The Young Criminal". The editorial indicates that major crimes committed in the United States rose 12 per cent in 1956 as compared with 1955. Preliminary figures from Albany show a rise of 10.5 per cent in arrests for major crimes for the state as a whole, and 12.6 per cent for New York City.

The editorial continues with a statement which it considers alarming as follows:

"But none of these figures on crime is so disturbing as the report in a Washington speech by Police Commissioner Kennedy that there was a 32.5 per cent rise in crimes by children under age 16 in New York City last year. In the 16-to-20 age group the increase was 12.7 per cent.

"J. Edgar Hoover, director of the F.B.I., said recently that 'the present appalling youth situation' was the 'crux of the crime problem'. He added that the major problem was 'no longer one of bad children but of young criminals.' The New York City Youth Board reported recently that less than 1 per cent of the 2,000,000 families in New York City produced more than 75 per cent of its juvenile delinquents."

STATEWIDE PRISON OFFICERS CONFERENCE

The Conference was held at the DeWitt Clinton Hotel in Albany, January 14, 1957, and it is reported that there were about fifty delegates from every section of the State in attendance. It was intended to be a confidential meeting.

This Conference is attended by correction officers from the state and county services. The object is to discuss their problems and to bring some of them to the attention of the Legislature.

Commissioner Cass Criticized

It is reported that Mr. Cass was severely criticized for his statement to the press and Legislature that the heads of correctional institutions should be taken out of civil service because qualified heads cannot be found for the position.

This statement intended as a representation of our views is wholly inaccurate. It refers to our recommendations to the Legislature now for several years that the examinations for warden and superintendent be not limited to the uniformed personnel but instead be open to all categories of service in the State Department of Correction.

The quality of personnel appearing for the warden and deputy warden civil service examinations recently, at which time Mr. Cass

was one of the examiners, is a further proof of the soundness of our position. Commissioner Mc Hugh of the State Department of Correction, and the Civil Service Commission, adhere also to our viewpoint.

AFL-CIO COMMUNITY SERVICES COMMITTEE

The experience of the Department of Corrections in California with this Committee representing the two large labor groups induced Mr. Richard A. McGea, Director of the Department of Corrections in California, to arrange a meeting in New York City on February 7th, at which time our General Secretary, Mr. Cass, was present and participated. Mr. John D. Carney, National Staff Representative of the Committee, met with the group of commissioners and wardens and superintendents identified with correctional institutions in a number of states.

Mr. Carney explained the work of his Committee, which specifically is to inform and educate the rank and file members of both labor groups regarding community problems such as health, housing, civil defense, counseling, etc. Other approaches are captioned: "To Know"; "To Use"; "To Serve"; "To Support"; "To Improve".

Specifically it is stated—EDUCATION AND INFORMATION—

To provide union members with a knowledge of community and social welfare problems, and to acquaint them with community welfare facilities, or the need for such facilities.

Mr. Carney had prepared a first draft for the final approval of Mr. George Meany, President of the AFL-CIO and his associates on the problem of understanding and helping the released prisoner. The title of his material is "THE MAN WHO LIVED AGAIN". Some of the sub-titles are:

- Understanding the Problem
- Probation
- Rehabilitation Programs in Prisons
- Community Acceptance
- Union Action

Mr. Carney read the material included in the draft and the consensus was that it was excellently compiled, properly focused, and should be a substantial contribution in the general effort toward public education in the field of correction.

Those present were most enthusiastic about Mr. Carney's material and unanimously expressed delight in the willingness of a representative of the AFL-CIO to sit down with correctional people and discuss problems of mutual interest.

There was in addition some very frank discussion about the attitude and opposition of organized labor toward employment of prisoners in institutions and providing jobs for ex-prisoners.

All in all it was a very productive meeting and it is anticipated that it will serve as the beginning of further conference and co-operation toward the widening of mutual understanding and joint service.

PUBLIC DEFENDER

United States Attorney General Herbert Brownell, Jr., on February 11, 1957, asked Congressional enactment of legislation to provide for adequate representation of indigent defendants in criminal cases in the federal courts so as to give real meaning to the Sixth Amendment to the Constitution.

We have been urging for years, and specifically through our recommendations to the Legislature, an exploration of the possibility of setting up the public defender system in New York. (See Recommendation XXV, page 25 this report.)

PARTICIPATION IN TV PROGRAM

On January 31st Mr. Cass, together with Commissioner of Correction Thomas J. Mc Hugh and Paul D. McGinnis, Secretary of the Commission of Correction, participated over Television Station WKTU, Utica, New York, in a half-hour program, "May I present?"

This was one of a series to acquaint the people in the area of the station, extending as far south as Elmira, as far north as the Canadian line, and as far east as Schenectady, and as far west as Syracuse, with the operations of various branches of the State government. The program seemed to go off well. Mr. Cass was a principal participant, and a very gratifying letter of thanks was received from the Department of Correction as well as the director of education of the TV station.

KANSAS PRISON SURVEY

It will be recalled that the General Secretary on invitation of Governor Hall of Kansas, and in cooperation with a legislative committee, made a study of the Kansas Prison System. This study is beginning to bear fruit. Various bills have been introduced as a result of a legislative caucus.

It was agreed to push various bills dealing with the juvenile code and penal reforms. These bills will have to do with the physical needs of institutions, the organization and functioning of their personnel, institution programs of treatment, parole and probation, and the handling of prisoners at the time of release through providing funds and suitable clothing.

It is generally conceded that substantial advance was made although the need for improvement, generally speaking, is extensive.

Thanks is recorded in the report for assistance rendered by our General Secretary, Mr. Cass, and others identified with the correctional field.

CHANGE OF TITLE FROM PRISON GUARD TO CORRECTION OFFICER

We have urged for several years in our recommendations to the Legislature that the title of Prison Guard and Matron be changed to "Correction Officer". The subject was taken under consideration by the State and this became effective March 28, 1957. The change of title as relates to matrons particularly is not fully acceptable to the personnel and there is legislation pending to omit the word "matron". Under the reclassification by the Civil Service Commission they are referred to as "Correction Matrons".

This might seem a minor advance but it is a change in which we played a part and from our point of view, and from what we know of the attitude of correction personnel, it is a decided advance.

PLANE CRASH — RIKERS ISLAND

At home the General Secretary received a call early in the evening of February 1st, 1957, from Commissioner Mc Hugh from Albany requesting that he make every effort to convey to Commissioner Kross of the New York City Department of Correction the offer that the State Department of Correction was ready to give assistance through personnel, bedding, medical equipment, or to any extent that it could serve in the terrible disaster.

After considerable effort contact was made with various members of the Institution staff and Deputy Commissioner Rieber and Commissioner Kross.

It was established that the institution and its inmates were in no danger, and that the reports to the effect that the institution was on fire and the plane had crashed into some of the buildings were false. The shelter facilities of the institution were made available to the rescuers, and likewise medical facilities.

Fifty inmates without fear of harm to themselves behaved admirably in effecting the rescue of passengers from the plane. This has been attested by the police, fire department, and the officials of the Department of Correction. It is worthy of note how inmates of institutions respond so helpfully and humanely in moments of disaster.

FIRE PROTECTION — RIKERS ISLAND

With reference to the plane crash on Rikers Island in February the question was raised by Mrs. Julius Ochs Adler, a member of our Executive Committee, as to the accuracy of newspaper reports that fire fighting equipment could not reach the Island due to the size of the ferry boats and that the equipment stationed on the Island was inadequate.

The General Secretary conferred with the Department of Correction and the Commissioner of Marine and Aviation, and the warden of Rikers Island Penitentiary and addressed a letter under date of March 4th to Commissioner Kross.

On March 27th a letter was received from Commissioner Kross relating to the situation on Rikers and Hart Islands.

The information received from Commissioner Kross and as a result of conversation with the above officials indicates that:

1. The various officials are alert to the need for fire protection on the two islands.
2. The Fire Department is making a survey at the request of the Department of Correction.
3. The Commissioner of Marine and Aviation has indicated that every effort is made to keep the ferry service in readiness for any emergency.
4. New fire fighting equipment is needed on Rikers Island; also Hart Island.
5. The ferry was not in operation to convey motor or horse drawn vehicles on the night of the plane crash because of repair work under way at the dock at East 134th Street. However, prior notice had been given to the Department of Correction and the Fire Department and as a safety measure an extra piece of fire fighting equipment was placed on Rikers Island. This unit gave effective service in fighting the fire caused by the crash.
6. Modern fire fighting equipment can be transported on the present ferry boats.
7. Fire boats can make contact at different points on Rikers Island during high or low tide.

GLUECK STUDY ON THE SEX OFFENDER — FINAL REPORT

This reflects a continuation of our efforts as far back as 1947 to make progress in the understanding and control of the sex offender. As a follow-up of our earlier efforts there was passed a bill in 1950, and as a continuation of a preliminary study made in preparation for the introduction of the bill there was undertaken a study by Dr. Glueck under the direction of the Department of Mental Hygiene.

Sex Crime Law Not Working

As a follow-up of our recommendations to the 1957 Legislature there appeared in the ROCHESTER TIMES-UNION on Tuesday, February 19, 1957, the lead and prominently displayed editorial captioned "Sex Crime Law Not Working, Prison Association Hints." This is a lengthy editorial, quite pointed in accord with the facts, and in support of our earlier expression of disappointment regarding the operation of the so-called "sex offender law". It also supports a survey made by Senator Thomas C. Desmond, portions of which are reprinted in our 1952 annual report.

THE DEATH PENALTY IN GREAT BRITAIN

To offset the erroneous impression that capital punishment had been abolished in Great Britain the General Secretary made in-

quity of colleagues in official position at the Home Office in London and learned that the whole question remains unsettled. The bill to abolish capital punishment was passed by the House of Commons but was defeated in the House of Lords, mainly because of opposition by the Government. The Government has in preparation its own bill which will provide for abolition except in certain cases; for example, assault on a police officer.

INSTITUTE ON CORRECTIONAL PSYCHIATRY AND GROUP COUNSELING

The New York State Departments of Mental Hygiene and Correction announced that on May 20th through 24th there would be a joint Institute on correctional psychiatry and group counseling, the first of its kind held in the State, at the Hudson River State Hospital. The Institute investigated such subjects as the theories of criminal responsibility, preservation of inmates' confidence, the function of special examinations, correct use of observation, and the role of psychiatric diagnosis in modern correctional study and rehabilitation. The principal speakers, such as Dr. Winfred Overholser, superintendent of St. Elizabeths Hospital, Washington, D. C., are known to the Prison Association of New York as experienced and capable authorities.

The Prison Association is encouraged by this form of institute because it gives evidence of a growing and closer relationship between the Departments of Mental Hygiene and Correction and a willingness to cultivate a better understanding of psychiatry and inmate counseling in the field of correction, with particular reference to institutions in the State Department of Correction. We have repeatedly urged this kind of cooperative relationship.

PSYCHIATRIC SERVICE FOR THE STATE DEPARTMENT OF CORRECTION

Although we express satisfaction and some encouragement with respect to the Institute on Correctional Psychiatry and Group Counseling held in May at the Hudson River State Hospital, we nevertheless continue to be concerned about the inadequacy of psychiatric service for the institutions of the State Department of Correction. We refer to this in other reports and in recent recommendations to the Legislature, with full understanding that the problem is nation-wide. We know that there is no unwillingness on the part of the Department of Mental Hygiene to cooperate but they have their own problems and are therefore obliged to take care of them first. Perhaps it might be well to consider a return to the previous arrangement whereby the Department of Correction will have its own psychiatric personnel to be organized and directed through a division of psychiatry. This might also have an administrative advantage since personnel in one department is more likely to respond to direction and control with regard to a fixed program of study and treatment.

COMMUNITY COUNCIL OF GREATER NEW YORK

The Community Council sought the guidance and financial assistance of The Prison Association of New York to make a survey of the impact upon the families of men committed to prison. It was proposed to select a sample of 60 to 100 families containing young children of inmates on Rikers Island and assign these families to selected case workers (case load not to exceed 15 or 20 per worker) who would work intensively with them during this period of separation. The workers would maintain active liaison with the inmate. The project was to be organized so that objective data on the range of problems, the services and skills required to deal with them would be obtained. The following problems were to be attacked:

1. To prevent deterioration and hopefully strengthen the family during absence of the parent.
2. To help maintain parental and family relationships during period of separation.
3. To help prepare the family for return of inmate and inmate for return to his family, thus facilitate and expedite the reintegration of the offender into society.
4. To determine the impact of incarceration of parent on family.

OBJECTIVES

1. To provide a needed service to selected sample of families with parent incarcerated in city correctional institution.
2. To dramatize and bring before the family the difficulties they face during the incarceration of the parent.
3. To develop and test effective methods of working with such families, which would be made available to other agencies.
4. To gather objective and comprehensive data on the range of problems in such families.

The project was endorsed by the Commissioner of the New York City Department of Correction, the Commissioner of the Department of Public Welfare, the Director of the New York City Youth Board, and the Family Service Committee of the Community Council of Greater New York.

Unfortunately, the Association and the Community Council were unable to obtain the necessary funds up to the time of this writing to activate this proposal.

VOCATIONAL TRAINING—CALIFORNIA

The following item was brought to the notice of not only our Executive Committee but city and state officials, coupled with the logical question: If California can do it, why not New York?

In the Report to the Governor's Council by the Director of Corrections of California under date of February 27, 1957, there appears the following item:

"Inmates Win Journeyman Ratings

"Five inmate students in the vocational plumbing course at the California State Prison at Soledad successfully qualified as journeyman plumbers in a stiff examination given by union representatives January 11.

"The rigid three-hour examination was supervised by C. P. 'Joe' Miller, Secretary-Treasurer and Business Agent of the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 503, Salinas, and by Bob Potter, past President and Secretary of the same local.

"It ordinarily takes five years to make a journeyman plumber," Mr. Miller said, "but these men are being given credit for that much time because of intensive study on their part and because of the diligence with which they have applied themselves to this training program."

"The five inmates not only passed the examination but posted exceptionally high test scores ranging from 87 to 96. Mr. Miller said that the men are now eligible for entrance into the Union as journeyman plumbers and upon release may join a local of their choice."

CONCENTRATED SUPERVISION AND SURVEILLANCE PROGRAM

This item is recorded here because it once more demonstrates the correctness of our belief that parole when properly organized and administered can be of benefit to former prisoners and the community as well. Attention is directed particularly to the two closing paragraphs that follow.

This program requires the cooperative action of the New York City Department of Correction and the New York City Parole Commission. It was established in the latter part of 1956 by the Parole Commission and was intended for the benefit of those between the ages of 16 and 21 who have been committed to the Department of Correction under Article 7-A of the Correction Law for the period of 1 day to 3 years.

In 1956 three parole officers were obtained to undertake this pilot project. As soon as the Parole Commission declares an individual suitable for the intensive program the Department of Correction is notified and they in turn furnish the Parole Commission with all possible pertinent data relating to his institutional adjustment, school and job training, psychological and psychiatric data, medical reports, and other material.

Early in March 1957 it was reported that there are about 75 young men who are functioning under the concentrated supervision and surveillance program. This gives a caseload of 25 to each parole officer as compared with the usual 70 or more. The results of the project to date are encouraging to the Parole Commission and to the Department of Correction.

It is interesting to note that the results of the pilot project to date indicate that the delinquency of the 75 men now functioning under

the CSAS Program was 4.65% as of December 31, 1956, while the parolees included in the regular parole supervision during the same period had a violation rate of 15.55%.

OKLAHOMA LEGISLATION

There was introduced a substitute bill in the Legislature of the State of Oklahoma proposing the establishment of a State Department of Correction. The General Secretary was asked to make an analysis and this he did in considerable detail. A communication from the Legislature was to the effect that the various suggestions made by the General Secretary were most helpful.

LETTER FROM THE WIDOW OF THE LATE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES

On March 18, 1957, the General Secretary sent to Dr. Alfredo M. Bunye, a colleague and head of the Philippine Prison System, pages from the NEW YORK TIMES, relating to the tragic death of President Magsaysay. Under date of April 11th Dr. Bunye acknowledged receipt of the TIMES' pages and stated that he had sent them to Mrs. Magsaysay "because I know that she would value these papers very much in view of the recent announcement that she will devote her time only to work of charity and in collection of articles regarding her deceased illustrious husband." Under date of April 15th the following letter was received from Mrs. Magsaysay:

"Dear Mr. Cass:

"Director Alfredo Bunye conveyed to me your message of sympathy and the clippings of the New York Times issue of March 18. Please know that your very kind and comforting words have given me the strength to bear the loss of my beloved husband. It is truly gratifying on our part to know that we are not alone in our sorrows. This thought and the spontaneous manifestation of a common loss by our people and his friends in the Free World has helped soothe the bitterness of his passing.

"Please accept my heartfelt thanks and appreciation for your kind thoughtfulness.

"Gratefully yours,

(signed) Luz B. Magsaysay

(Mrs. Ramon Magsaysay)"

LEGISLATION

The Association in keeping with its practice of many years was attentive to bills introduced in Albany during the 1957 session. For a detailed statement relating to those bills holding our special interest see beginning on page 61.

LETTER OF THANKS FROM THE GOVERNOR

The Association was pleased to express an opinion on bills awaiting the Governor. It was therefore gratifying to receive a letter from the Governor under date of April 30th, addressed to the General Secretary, expressing thanks for assistance given him and his Counsel, Judge Gutman, by letter and memoranda concerning thirty-day bills before him. He stated in part, "We found your memoranda enlightening and helpful in our intensive study of the legislation upon which I had to act."

FORTY-FOUR YEARS OF SERVICE—GENERAL SECRETARY

On June 14th, Mr. Cass completed forty-four years of service with the Association. He began in June of 1913 as an Assistant Secretary and in 1922 became General Secretary. At a meeting of the Executive Committee when this item was included on the agenda, Mr. Cass took the opportunity to once again express thanks for the friendly and wholehearted support given him by the members of the committee and expressed warm appreciation of the personal friendships that have developed. He stressed that without this support he could not have served the Association to the extent required and in keeping with its rich traditions.

CAYUGA COUNTY JAIL

As far back as 1913 the General Secretary wrote reports condemning the Cayuga County Jail and suggested the desirability of a new jail. There has been little or no change for the better over the years. During the early part of 1957 he moved, as a member of the State Commission of Correction, that authorities of Cayuga County be cited to show cause why the Commission should not close the jail.

There followed a hearing at which counsel for the county and representatives of the Board of Supervisors were present. Subsequently the Commission issued a close order and the matter then went to the courts. A split decision by the Appellate Division resulted and notice was served by the Commission of an appeal to the Court of Appeals. As of this writing information is to the effect that the case will be heard by the Court of Appeals early in 1958.

This is a glaring example of the long road that needs to be traveled in the interest of progress with respect to those places having to do with lawbreakers.

DETROIT HOUSE OF CORRECTION

The General Secretary was requested by the City Council of Detroit to suggest names of qualified persons to investigate the Detroit House of Correction. This followed general complaint about the institution, and finally a mild form of riot by the inmates.

He declined, as requested, to serve on the committee but suggested the warden of the Illinois State Penitentiary at Joliet, the commissioner of correction of the Commonwealth of Pennsylvania,

and the superintendent of the women's reformatory in Minnesota. The committee applied itself most earnestly and revealed some shocking and unbelievable conditions.

It is gratifying to record that the committee finally submitted a report which showed courage and wise understanding and was highly constructive in its observations and recommendations. The report was widely and favorably acclaimed by the press and there resulted some prompt and encouraging progress. One important and likely achievement will be the action on the part of the State of Michigan to relieve the Detroit House of Correction of the burden of taking care of state prisoners.

GOVERNOR HARRIMAN'S PAROLE STUDY COMMITTEE

Following the so-called "Lanza Case" there developed considerable public concern about the organization and operations of the New York State Division of Parole. It was a situation in the category of a scandal that, as in earlier years, once again aroused public interest and alarm concerning parole. The Governor lost no time in directing an investigation, and shortly thereafter a legislative watchdog committee also went into action. Both investigations, however, were more specifically geared to determine why Lanza was restored to the status of a parolee and who was responsible in view of the record regarding this person.

The Governor recognized that a wider form of examination needed to be made and debated whether it should be through an exercise of the Moreland Act or the appointment of a specially qualified committee made up of those who had a substantial background of knowledge regarding parole. The Association, following consultation, together with others, advised against a Moreland Act investigation and urged a study. The Governor very wisely followed this course and at this writing a committee is at work. The committee consists of the following members:

MATHIAS F. CORREA, New York City, an attorney with extensive experience in investigation. *Chairman.*

SANFORD BATES, of Pennington, New Jersey, former director of the U.S. Bureau of Prisons, and a consultant to the American Bar Association.

EDWARD R. CASS, New York City, general secretary, The Prison Association of New York and The American Correctional Association, and a member of the New York State Commission of Correction.

MISS FLORENCE M. KELLEY, lawyer in charge of the criminal branch of the Legal Aid Society.

ROBERT J. MANGUN, a deputy commissioner of the New York City Police Department who represents the Police Commissioner on the City Parole Commission.

PAUL W. TAPPAN, of Tenafly, New Jersey, a law professor at New York University and former chairman of the U.S. Board of Parole.

WILL C. TURNBLADH, director, National Probation and Parole Association, New York City.

HERBERT WECHSLER, law professor at Columbia University.

The New York Times, under date of July 11, 1957, editorially appraised the makeup of the committee, stating that the names of those mentioned "command instant respect in the field."

CENTRAL STATES CORRECTIONAL CONFERENCE

On June 16th to 19th the General Secretary attended and participated as a general session speaker in the Twenty-Third Annual Conference of the Central States Correctional Association and the Ohio Probation and Parole Association, held in Columbus, Ohio.

There were 12 states represented and over 500 people in attendance. The subject of the General Secretary's address was "International Collaboration in the Field of Correction". It was based on the Geneva Conference in 1955, which was held under United Nations auspices and is, in a sense, the continuation of the activities of Dr. E. C. Wines, the then general secretary of our association, as far back as 1872.

THE FREDERICK A. MORAN MEMORIAL INSTITUTE

This Institute was held at St. Lawrence University, at Canton, New York July 28-August 3, 1957. The Institute is planned in a cooperative manner by the representatives of many New York State departments, including Correction, Mental Hygiene, Social Welfare, Civil Service; as well as the New York State Youth Commission, the Division of Parole, and St. Lawrence University. The General Secretary spent three days at the Institute and served specifically as a consultant for the section on correctional administration.

HOUSE OF DETENTION FOR WOMEN, NEW YORK CITY

In June the General Secretary met with Commissioner Kross regarding certain alterations and needs at the House of Detention for Women. The need for more adequate classification and the modernization of the isolation or punishment section was thoroughly reviewed. Since then the isolation section as such has been eliminated and another area provided for the separate detention of inmates who need to be set aside from the population generally. There has been a rearrangement of the hospital facilities and provision made for the better housing of psychiatric and other professional services.

While the institution continues with many physical and other drawbacks there nevertheless is a better enlightened and more cooperative staff activity and unquestionably an improved handling of the population through the establishment of activity programs.

Abandonment of the House of Detention for Women

It seems agreed that the House of Detention for Women should be removed to another location. The General Secretary has sup-

ported this idea in meetings with Commissioner Kross and through the State Commission of Correction. The proposal to move to North Brother Island is not likely to be fulfilled. There is no immediate prospect for a satisfactory new location.

87th ANNUAL CONGRESS OF CORRECTION

This gathering was under the auspices of The American Correctional Association and was held in Chicago, Illinois, August 18-23, 1957. There were 985 registered delegates, from forty-two states, several foreign countries, the District of Columbia and the Federal Bureau of Prisons. There is reason to believe that the attendance exceeded the actual registration.

A program innovation this year was the setting up of workshop sessions for broader and more intimate discussion of various problems relating to probation, parole, crime prevention, and departmental and institution administration.

Numerous resolutions were adopted relating to the Compact of Parole Administrators; agreement on detainers; a central statistical bureau; judicial criminal statistics; surplus food distribution; and a survey of prison labor.

Special Resolutions for the General Secretary

The Congress of Correction at its annual business meeting, and likewise the Wardens' Association of America at its business meeting, adopted a resolution recognizing the 35th year of service of the General Secretary, E. R. Cass, to The American Correctional Association.

Roberts J. Wright Elected President

It is with deep gratification that we record here the election to the presidency of The American Correctional Association for the year 1957-58 of Mr. Roberts J. Wright who before becoming warden of the Westchester County Penitentiary in May, 1956, was for twenty-two years Assistant Secretary of The Prison Association of New York, as well as The American Correctional Association. This is a fitting recognition of his devotion and labors to the national body over the years, made possible by his identity with The Prison Association of New York in pursuing its unceasing interest in the functioning of the national body.

REVIEW OF THE PROCEEDINGS OF THE AMERICAN CORRECTIONAL ASSOCIATION

The Prison Association of New York was conspicuous through its then General Secretary, Dr. E. C. Wines, in bringing about the establishment of the National Prison Association in 1870, now known as The American Correctional Association. It was his vision and plan to spread the gospel of prison reform throughout the United States and shortly thereafter he initiated a movement to do

likewise on an international level, resulting in the first meeting of the International Prison Congress in London in 1872.

Because of Dr. Wines' wisdom and fruitful labors The Prison Association of New York has never ceased to be identified with the national body. In 1921 the General Secretary of The Prison Association of New York was elected to serve as General Secretary of the national body and this arrangement has continued to date. All through these years the local organization has been a mainstay for the functioning of the national body and this position has been supported in the desire to remain faithful to the vision and efforts of Dr. Wines. The question perhaps has been in the minds of some from time to time as to whether it was worthwhile for the local body to take on this added responsibility and labor. Therefore in 1956 it was decided that there should be a review of the activities and discussions and the conclusions of The American Correctional Association and to that end General Secretary E. R. Cass succeeded in obtaining a grant of \$5,600.00 from The New York Foundation. Dr. Peter P. Lejins, Professor of Sociology at the University of Maryland, agreed to undertake the study.

At the 87th Annual Congress of Correction held in Chicago in August of 1957 Dr. Lejins presented a preliminary report at a general session meeting of the full Congress. It was indeed very heartening to those who have long been identified with the national body, and who have labored for its growth, to have through Dr. Lejins' report a substantiation of the Association's progressive influence over the years. Dr. Lejins is known for his ability to thoroughly and impartially analyze and evaluate a given assignment. This adds all the more to the weight of his conclusions.

Again because of our unceasing interest in the national body and to record a justification for our efforts we are including in this report Dr. Lejins' preliminary report in full. (See page 70.)

CONSULTANTS TO UNITED NATIONS ON THE PART OF THE UNITED STATES

The General Secretary continued to press for an increase in the present number of three to six or seven consultants. The proposal is looked upon favorably by United Nations, our United States Attorney General, and the Federal Bureau of Prisons. The State Department continues to study the proposal as last reported in a memorandum under date of June 6, 1957, based on a side discussion during a meeting of the U.N. Social Commission.

WORKSHOP SESSIONS FOR WARDENS

In cooperation with the School of Public Administration and Social Service of New York University there was established a series of workshops for the benefit of wardens of the New York City Department of Correction institutions. These workshops were divided as follows:

- I. *The Responsibility of the Community in Providing Custodial Correction Care.*

- II. *Detention and Correction Care as Constructive Experiences for the Individual.*
- III. *The Basic Needs in Programming for Inmates in Custodial and Long Term Institutions.*
- IV. *The Organization of Differential Care to Meet the Specialized Needs of Inmates.*
- V. *The Implementation of Rehabilitation and Reclamation Programs in Fulfilling the Department's Objectives.*
- VI. *Public Relations.*

On May 29th the General Secretary conducted Workshop VI on Public Relations.

STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS AND SELECTION OF PERSONNEL

These rules were approved by the Economic and Social Council of United Nations in May, 1957. They represent the work of the former International Penal and Penitentiary Commission and its successor body, the Social Defence Section of United Nations.

These rules were a major item on the agenda for the Geneva meeting, and the General Secretary and others from the United States were active in the meetings relating to the final consideration of the wording of the various standards.

United Nations requested that the Rules be distributed and The American Correctional Association defrayed the cost of having them printed for distribution in the United States.

Here again is another instance of the fulfillment of the vision of International collaboration initiated and enthusiastically supported by Dr. Wines when he was our General Secretary and who brought about the holding of the First International Congress of Correction in London in 1872. The fact that the representatives of fifty-four governments could gather in Geneva and finally agree upon a set of rules augurs well for another forward step in correctional progress on a world-wide basis. The final approval by United Nations makes that body responsible for the fulfillment of these rules, and it is required that the various governments report periodically regarding their implementation.

We think so highly of the adoption of the rules as an international influence for good and progress that we are making them a part of this report for further recording and distribution. (See page 84.)

ARCHITECTURAL GUIDANCE

Frequently we are called upon by architects who are commissioned to design correctional institutions in this or other states. This service is given, naturally, without charge. It does afford the opportunity to bring into play progressive thinking. It serves well for those architects who have no experience whatsoever in correctional design.

A recent example relates to New York City Capital Fund Project C-76 which has to do with the preliminary plans for a workhouse on Rikers Island to house 1200, and later perhaps 2000. The archi-

lectual firm employed had no experience whatsoever except for the designing of a small police lock-up in Westchester County. They required guidance as to the selection of a site and the design of the institution. This was freely given and appreciatively received.

This is unquestionably a valuable service which is non-spectacular but of benefit to the New York City Department of Correction, the fiscal authorities, and the taxpayers. The estimated cost of the project is \$7,840,000.00.

PROPOSED LEGISLATION RELATING TO FEDERAL OFFENDERS

Three bills (H.J. Res. 424; H.J. Res. 425; H.R. 8923) were introduced in Congress by Representative Emanuel Celler of New York at the request of the Federal Bureau of Prisons. These bills would:

1. Permit judges to waive present statutory requirements on parole eligibility.
2. Extend the Youth Corrections Act to persons of 25 years of age and under, and
3. Provide for a series of joint meetings or institutes attended by judges and other government officials for the development of uniform standards in sentencing procedures.

This legislation has been carefully considered and approved by the Advisory Corrections Council set up under section 5002 of title 18 of the United States Code. This Council is composed of a United States circuit judge, two district court judges, a member designated by the Attorney General, the Chairman of the Board of Parole and its Youth Division, the Director of the Bureau of Prisons and the Chief of Probation of the Administrative Office of the United States Courts. It is the duty of the Council to make recommendations to appropriate officials for the improvement of the administration of criminal justice, the integration of policies as to the disposition, treatment of correction of persons convicted of Federal offenses as to measures to promote the prevention of crime and delinquency, and to suggest appropriate studies in this field.

At this writing, at the request of Mr. Celler, these bills are being considered by The Prison Association of New York and in due time our views will be made known to the Judiciary Committee of the Congress.

UNITED NATIONS QUINQUENNIAL CONGRESS—1960

Continuing the sequence, the next international congress would be held in Geneva in 1960. However, United Nations in reducing its budget moved toward the elimination of this scheduled meeting.

We urged, through the Federal Bureau of Prisons and the Department of State, that the Secretary General of United Nations in preparing the budget for the Section on Social Defence give renewed consideration to the holding of the Congress in 1960. There was strong protest from many countries regarding the proposal to omit the 1960 Congress, and in this the United States joined. A

resolution finally provided that there be established an ad hoc advisory committee of experts to be convened in early 1958.

- (a) to study the difficulties encountered by the Secretariat under the terms of General Assembly Resolution 815(V);
- (b) to make recommendations on the future program and policy of the U.N. in social defence;
- (c) advise the Secretary General on the 1960 Congress.

HIGH SCHOOL GRADUATION EXERCISES AT RIKERS ISLAND

On invitation of Commissioner Kross, on October 3rd, the General Secretary addressed the reformatory group at Rikers Island and presented high school equivalency diplomas to 30 young men who had completed their high school New York Regents requirements.

On this occasion Commissioner Kross took the General Secretary on a tour of inspection of the facilities, both housing and rehabilitation, that had been established on the Island to take care of the young men formerly housed at New Hampton Farms. The plan is operating certainly in the right direction and is more in harmony with reformatory standards than existed at New Hampton Farms.

PRISON LABOR SURVEY

We continued through the year to give support to the proposal that the United States Department of Labor make a survey of prison labor. The last one was in 1940. There is certainly need for a more recent and reliable picture of the prison labor situation throughout the country. We know that there is by far too much idleness among prisoners but considerable of this information is obtained by word of mouth or communications, or scattered personal observations and the general opinion. The 1940 study was a careful analysis state by state, covering practically every aspect of the problem.

This proposal has the sympathy of the Department of Labor and it is simply a matter of obtaining budget approval for funds.

SURPLUS FOOD AND EQUIPMENT FOR CORRECTIONAL INSTITUTIONS

We also continued to urge both the city and state departments of correction to take advantage of the availability of surplus food and equipment. Recently the New York City Department of Correction has made some progress in this direction as a result of information brought to its attention, with the acquisition of mechanical equipment, including a large crane.

This food and equipment surplus is available to institutions, both city and state, wherein it can be shown that there is a rehabilitation program, particularly for young prisoners, in operation.

DETENTION FACILITIES—300 MULBERRY STREET

The Association continues to press for the establishment of adequate and safe detention facilities for Narcotics and Home Term

Courts. The late Commissioner Schoenfeld and the General Secretary were instrumental in bringing about the drawing of plans for certain renovations. Considerable time elapsed and no progress resulted. The matter was again brought to the attention of Chief City Magistrate Murtagh and the New York City Department of Correction. The question was submitted to Hon. Frederick H. Zurmuhlen, Commissioner of Public Works, as to why the project had not been pursued. It is gratifying to record that toward the close of the year the project was restored to the active schedule of the Department of Public Works.

FOREIGN VISITORS

We continue to receive various foreign visitors and also make it a point of maintaining contact with correctional officials of countries around the world. This has been a practice of the Association for a great many years and has a definite value toward international relationship. We have had visitors from Brazil, England, India, Denmark, Lebanon, Japan, France, Argentina, Turkey, and Pakistan.

Visit to Sing Sing Prison. On November 13th, the General Secretary accompanied the Honorable Dikran Tosbath, Member of Parliament from Lebanon, and Mrs. Ballantine of our Executive Committee, on a visit to Sing Sing Prison. The warden gave us all of his time and accompanied us throughout the institution.

REVISION OF FEDERAL FIREARMS REGULATIONS RELATING TO INTERSTATE TRAFFIC IN FIREARMS AND AMMUNITION

We are giving support to the proposal to revise Federal firearm regulations so as to require the marking of revolvers and pistols shipped in interstate commerce and the keeping of a record of sales of certain types of firearms and ammunition.

These revisions are being supported by the Federal Bureau of Investigation, the Federal Bureau of Prisons, and others.

EXECUTIVE LEGISLATIVE INSTITUTE

The General Secretary was invited by Governor Harriman through his Counsel, Judge Gutman, to attend the First Annual Executive Legislative Institute at the Executive Chamber in Albany on November 19th. The purpose of the institute was to consider the manner in which the Governor's office deals with legislation and how the interested groups can be most helpful in presenting their opinions, and in coordinating and facilitating public contact with the Executive.

MISSOURI PRISON SITUATION

On November 12th the General Secretary addressed a letter to Governor Blair of Missouri commending him for upholding the principle that the head of the State Department of Correction should receive the respect and cooperation of his subordinates, in-

cluding wardens of institutions. The Governor was required to make a decision because of conflict between the commissioner of correction and the warden of the Jefferson City penitentiary. He upheld the commissioner and reappointed him for another term, making known at the time that he would insist upon the recognition of the authority of the commissioner in the administration of the affairs of the department.

This decision is commendable and the reason that the General Secretary addressed the Governor was that in the report of the investigation of the riot at the Jefferson City prison in 1954 the need for top level administrative control of the various institutions was emphasized. The General Secretary was a member of the committee appointed by Governor Donnelly of Missouri to investigate the riot and wrote the report. This report was widely acclaimed by the press for its forthrightness in the disclosure of miserable conditions and chaotic situation regarding the operation of the institutions.

THE ASSOCIATION'S BUREAUS OF SERVICE

EMPLOYMENT AND RELIEF BUREAU

An error committed against society, within a matter of seconds perhaps—all too often results in a lifetime of penance. How well they know the costliness of their misstep, those individuals who have been released from penal institutions. For it is only then when they begin to realize that they must continue to wear the scarlet mantle of shame, a yoke of guilt, much as the Ancient Mariner emburdened with the Albatross, sadly bowed beneath the heavy weight of his sin. Who then will lend the hand to lift this yoke and remove the stigma? The same society who in the first place had set the price of the guilt? Of course. Why then is the ex-inmate rejected at every turn, even after he has paid his ransom? Every avenue of possible redemption suddenly has become a blind alley. The refuge and shelter he seeks are forbidden him. Gainful employment is not for the misguided, he learns, just as he soon discovers sympathy has suddenly become a cheap commodity, handed freely about. It is so inadequate. In lieu of sympathy, the starved one reaches hungrily for a crumb of confidence—a crust of trust, for these will provide the needed sustenance. Rehabilitation, a wonderful enough word in itself, nevertheless takes on true meaning only from the very moment an employer graciously extends his hand in warm welcome. His speculated trust and confidence will soon reap rich profits, for the ex-inmate, penitent and grateful for the second chance, proves himself most conscientious and trustworthy, a valuable asset to the business.

The Prison Association of New York, self-dedicated to the welfare of parolees, discharged prisoners and those men in various institutions awaiting release, deeply appreciates the kind cooperation and sincere efforts of those employers who willingly adopt the services of these men. It is this understanding and unselfishness that helps distribute the burden of placement. To those who have not yet ventured thus to avail themselves, the Association extends earnest wish for the same in the not too distant future.

The road to rehabilitation begins directly at the opened prison gate. Many make it, others do not. The success or failure of the wayfarer rests largely with the rest of us who suddenly become more than just spectator, we must be prepared and willing to help him along, onward and upward. The course must be direct, swift as possible, for too many inroads can lead to confusion, dismay and even complete collapse; but with a firm foothold upon the right path and faced toward the right direction, the ex-inmate will travel eagerly—straight ahead. He will once more know the sweet taste of equality; the precious restoration of grants of rights and privileges which he will grasp and hold dearly, never again to relinquish, for he will have learned that these were not his to reclaim, had he not first re-earned them through sincere and honest effort . . . happily coupled with those of the kind employer who had graciously offered gainful employment. Here we see the vital need of this assistance.

For the past fifteen years the Employment and Relief Bureau has been under the able supervision of Mr. Harry Schwartz, who is credited with more than forty years' experience in the field of crime treatment and prevention in New York City. Mr. Schwartz' activities include among others, personal contacts with employers, entailing 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 greeted with utmost respect and graciousness on the part of all those visited.

The Bureau is more than an employment agency. It is constantly confronted with recurring problems that include financial stress, inadequacy of proper clothing, lack of necessary transportation to job locations, proper tools, union dues, fees, etc. The deserved aid is granted only after careful investigation. Those clients whose means of self-sustenance have been curtailed by prolonged illness, call upon the Bureau for financial assistance and guidance throughout the critical period of readjustment. Our program deals as well with families and friends of clients along with referrals to the proper welfare agencies who are equipped to extend long-range and permanent financial aid and support.

A most worthy case, typical of many is published here for the benefit of the reader who will understand better—

One of our city newspapers called our attention to a young man who came to them in a rather distressed state of mind and explained about his difficulty in finding employment because of his prison record. * T. D., a first offender served nine months at a New York institution, the charge, unlawful entry. It had been an act of mischief as nothing had been taken. He had been living with his mother and stepfather who are receiving old age relief. The home atmosphere was very unpleasant. Happily for * T. D. the Bureau placed him as a carpenter's helper at \$50.00 a week for five days, and now * T. D. plans to attend night school to complete his full four years. A recent visit to his home disclosed that he was still very happily employed and is contributing to the support of his parents and that home conditions have greatly improved with his employment and assistance to the family.

The Bureau is in constant receipt of requests that are most deserving. Our aid is truly appreciated, and of course, our efforts well rewarded when the final outcome proves favorable for all parties concerned. The following letters of gratitude better expresses it for us.

K. T.* a first offender had spent nearly four years in the penitentiary for breaking into an apartment. Following his release he was confined to the hospital for an operation and then was unable to work. We gave him assistance. He is doing very well now . . .

“ . . . enclosed is money order for five dollars to cover part of loan extended by you and your wonderful organization. God willing,

* All names and initials are fictitious.

next week I shall contribute another part thereof and hope to meet the loan in full within month of March. Extending our sincere gratitude we remain yours sincerely"
(signed)

Mr. and Mrs. K. T.*

"Sorry for the long delay but I've been trying my best to make a good life for myself and I completely forgot I still owed you some money. I've got my own apartment now, and I hope to be married some time next year. I've still got some bills to meet yet but I think I'll make it with God's help. I'm still working and love my job I guess I'm one of the lucky ones. I hope some of the other guys get as good a break as I did. I'm enclosing the \$4.00 thanks a million you've been sweet and patient. Please answer me if you get this letter."

Included in our 1951 annual report was the case of R. S.* whose subsequent behavior and self-restoration rated further mention in our 1954 report wherein we wrote a gratifying follow-up. In this annual report we wish to conclude the saga of R. S.* ending it on a very happy note. . . .

An Example of Genuine Rehabilitation

During 1942, at which time R. S.* was eligible for parole from Dannemora where he had served twenty-seven years for a serious crime, our Secretary received a letter from him, in the nature of an appeal for employment. The letter contained simple honesty and depth of feeling, stemming from a lonely man's deprootd want of friendships and spiritual guidance—a man who had all but abandoned hope for either. His wishes were quickly granted, and our secretary secured employment for him. Soon, however, R. S.* grew unhappy at his job—and rightfully so! It seemed that the crew with whom R. S.* had been placed, had deliberately been nursing the job, the better to prolong it, but with the installation of R. S.* who naturally is conscientious and ambitious, things began to hum, much to the distress of the men who no longer could afford to slacken their efforts. They resented this, of course, and never hesitated to demonstrate their ill will, all of which made R. S.* uncomfortable. Our Secretary immediately consulted the employer and advised him of conditions. The employer, in turn, hastened to defend and commend R. S.* . . . All parties concerned concluded it would be more advisable for R. S.* to seek employment elsewhere, which he did. His next job was with a large hospital where he did painting and decorating. His honest nature plagued him to reveal his past to the superintendent, a gesture which undoubtedly must cost him his job, but which could not be denied! Acting in his behalf, our Secretary visited the superintendent. Instantly Mr. Schwartz revealed the nature of his visit and produced the official Prison Association card. The superintendent smiled in-

* All names and initials are fictitious.

dulgently, quickly assuring him that he had no interest in R. S.*' past—only his present and future! He further revealed that R. S.* was the most faithful and conscientious employee he had ever had. Several months later, however, R. S.* realized that his required chores were steadily diminishing and because he felt strongly against accepting wages he hadn't rightfully earned, he soon resigned—over the loud protests of the superintendent who was loathe to lose his valuable services.

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

Now, for the social side of R. S.*. A foreigner by birth, he was determined to better himself, so devoted most of his spare time in prison to self-education as well as the education of others willing to learn. He is a most charitable soul, always extending a helping hand to those less fortunate than himself. More important, he is most eager to help youngsters; to keep them from straying, lest they make the same mistakes he did. He is a decent man, deeply possessed of high morals, having risen above his past environs. Because of his honesty and forthrightness, people are instantly drawn to him. A little more than a year ago, he made the acquaintance of a gracious little lady whose honesty and simplicity matched his own, so it was small wonder that they fell in love. Just as in the case of all those whose friendship he highly values, R. S.* lost no time in revealing his past. But just as he had hoped, it made no difference. They were married soon after, with a simple but dignified church ceremony, attended by our Secretary and his wife.

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

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

While R. S.* indicated he had great hopes for the future, it soon developed that he was in for considerable entanglements with immigration authorities. It was in July, 1953, that R. S.* entered one of the Federal Buildings in New York to apply for citizenship papers. On completing the necessary papers he indicated his prior arrest record for serious crime. It was at that precise moment that he was informed of his detention in violation of the provisions of the McCarran Act relating to "undesirable aliens." From that

* All names and initials are fictitious.

date until December 1954, the Association in cooperation with the Common Council for American Unity struggled to assure that every measure of justice was directed towards R. S.* and his difficulties. Through the Council legal guidance in immigration matters was made available to our client, and in August 1953, the Prison Association entered a plea with the Governor of New York for a pardon to prevent this man's deportation. In the interim period, the Council appeared on behalf of this man not only in New York but in Washington.

All the while R. S.* was bedeviled with the idea that some day he might be deported to a land he had not seen since 1904, and forced to give up his home, family and position. While this preyed on his mind he nevertheless refused to let it get the better of him. One of the members of the Association's Executive Committee kindly offered legal assistance, and much time was devoted to this case by many friends of R. S.* and the Association.

At long last, in August 1954, Governor Dewey, recognizing the merits of this case as presented to him by the Association and based on careful investigation by his own representatives, granted a pardon to prevent deportation. This once and for all cancelled further hearings and actions pending against this man.

The Association has been encouraged and gratified that its hours of labor have been rewarded not only by an understanding Governor, but by all parties concerned, not the least of which was R. S.* himself, who has again demonstrated his long-announced intention of holding to the 'straight and narrow'.

P. S. . . . On August 6, 1957, R. S.* was granted his citizenship . . . those papers now being his proudest and most prized possession. A happy postscript indeed!

Statistics for Employment and Relief Bureau for 1957

Office Interviews	2,720
Telephone consultations*	1,394
Different persons interviewed	2,592
Men released from New York City penal institutions	1,753
Men released from New York State penal institutions	601
Men released from out-of-state penal institutions	48
Men released on probation	92
Relatives of prisoners concerning employment	98
Meals provided	646
Night lodgings provided	5,262
Employment contacts made by personal visits (approx.)	500
Men placed in employment	391
Men given cash relief	1,773
Total amount spent solely for relief (includes cash, meals and lodgings)	\$12,019.05

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

* All names and initials are fictitious.

FAMILY SERVICE BUREAU

In the early years of the 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 for the mothers, wives and children in many instances to meet without wise, sympathetic and rationalized guidance. The man in prison deprived of one of the most precious things in life, namely freedom, is nevertheless certain, good or bad as it might be, of food, shelter and clothing. These essentials for everyday living are not in many instances guaranteed to his family. It is not intended to play on sentimentality by stating that these people are most times made to suffer for the sins of others. It would require the makeup of a very stolid person to know of the plight of these mothers, wives and children without a feeling of pity. 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 in the community so that they will be protected from the possibility of delinquency. Then there is the added observation that there is some justice in saving these families from the ridicule and scorn of unkind people who take advantage of the fact that the father or some other member of the family is in prison.

The first important requirement is that an old mother, or a shocked young wife with one or more children, 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.

The tools of assistance are the making of certainty that there will be food and shelter and necessary clothing, that the children are kept at school, that medical and surgical and optical attention is given where required, that there be a complete change of environment through the relocation of the family in another community if that be an essential toward their welfare and protection. Money of course is a big item in dealing with these people but it is not the only important factor to be considered. For example, these unfortunate people who begin to feel themselves becoming a part of an ostracized group need the benefit of wise, comforting consultation and guidance. Many times mothers will say to our workers that it is so helpful to them to be able to sit down and talk with someone who understands their position. Again it is to be noted that this kind of service must be well balanced without an excess of feeling of pity or the approach to a routine and too formalized disposition.

As relates to money needs, the Association in this respect is best equipped to serve as a kind of 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 and electricity bills, insurance, medical aid, etc. It should be kept in mind that most of the families coming to our attention are, at best, in the group of small wage earners and that rarely, if ever, are they able to live except on a day-by-day basis. There 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.

For long range planning and financing other sources, financed by the city and state, are required and even in some of these situations the Association finds it necessary to give supplementary aid.

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 is a statistical summary of the work, which in cold figures does not begin 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 other agencies and the school frequently in their behalf.

Statistics for Family Service Bureau for 1957

Families in active category January 1, 1957	59
New cases accepted	59
Cases reopened	21
<hr/>	
Total number of cases during year	139
Cases closed	59
<hr/>	
Families in active category December 31, 1957	80
Total amount of financial assistance	\$9,735.97
Families provided with Christmas dinners and toys	82
(total of 205 persons)	
Children and mothers sent to summer camps	69
Office interviews, home and agency visits	1,211**

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

LEGISLATION 1957

The 1957 session established a record for the number of bills introduced, there being a total of 3,673 in the Senate and 4,215 in the Assembly. Of this staggering number 1,110 became 30-day bills. By this is meant that the Governor must come to a decision within the limited number of days. This in itself is a stupendous task to place upon a Governor and reflects the usual-end-of-the-session rush of action on bills in both Houses. Finally, of the total number of bills introduced 1,047 became law. The record volume of bills introduced this year, making for a tremendous cost in printing and handling during legislative days, seems to have made an impact on the Legislature with the result that a committee was authorized to study ways and means of improving the situation. (See Senate Resolution #156, Assembly Resolution #204.) In addition to the number of bills there were also 15 proposed amendments to the Constitution and finally 183 Senate and 216 Assembly resolutions.

Comparatively few bills were related to crime prevention programs, court functioning, probation, parole, and institutional administration. The Youth Court Act passed by the 1956 Legislature came in for criticism as the 1957 session approached, to a degree that was not noticeable while the Act was being discussed prior to its passage. To give opportunity for further consideration the proponents of the bill offered amendments and finally agreed to a postponement of its enactment until 1958. A bill was introduced from an unfriendly source to repeal the Act in its entirety. Another important piece of legislation that attracted considerable attention had to do with the reorganization of the courts. This bill was offered after careful study by the Temporary Commission on the Courts. There was, of course, divided opinion as to the merits of the proposal with some delayed opposition. The bill passed the Senate and was defeated in the Assembly. Fortunately, the Legislature provided for the continuation of the Commission on Courts, and it is the hope of all those who are anxious for improvement in the functioning of our courts that the effort in that direction will meet with better success during the 1958 session.

There was the usual bill to restrict the operations of the prison industries and this was directed toward the manufacture of brushes in Sing Sing. This has become a perennial piece of legislation although it meets with defeat at each attempt.

A bill to invade the confidentiality of probation reports was introduced and the association used all the means at its disposal to successfully bring about its defeat. We hold that the substance of these reports is for the information and guidance of the courts in arriving at a satisfactory determination as to whether or not a subject is suitable for probation. We opposed the suggestion in the bill that these reports be made available to other than the judges under whose direction they are initiated.

Of singular interest was a bill that had as its purpose the determination of what constitutes a parole violation by a court of law

instead of the Parole Board that granted parole in the first instance. This we strenuously opposed, holding to the belief that such an arrangement would be an invasion of the responsibility and jurisdiction of the parole authority.

MODUS OPERANDI

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.

Acknowledgement

It is gratifying to receive again from the Governor an expression of thanks and appreciation for advice and guidance given with respect to those bills before him for final action. The communication in this respect bears the date of April 30th, 1957, and the signature of the Governor.

As the following summary will reveal, we supported all bills intended for the improvement of institutional facilities and services, community crime prevention activities, and the strengthening and improvement of probation and parole organization and services.

The Prison Association of New York gave particular attention to 69 bills of which we approved 52 and opposed 17.

APPROVED BILLS

Failed to reach the Governor	24
Vetted by the Governor	4
Signed by the Governor	24
	52

OPPOSED BILLS

Failed to reach the Governor	16
Vetted by the Governor	1
Signed by the Governor	0
	17

Approved

YOUTH COURT ACT. *Senate Int. 234, Pr. 234.* Amends the youth court act, in relation to effective date to be April first, nineteen hundred fifty-eight. *Chapter 3.*

PAROLE ELIGIBILITY AND REDUCTION OF SENTENCE. *Senate Int. 420, Pr. 4292, Assembly Int. 905, Pr. 4682.* Amends the penal law, in relation to eligibility for parole and reduction of sentence for certain persons convicted of robbery in the first degree between March eighteenth, nineteen hundred thirty-two and June first, nineteen hundred forty-two. *Vetted.*

YOUTH COURT ACT. *Senate Int. 421, Pr. 422, Assembly Int. 771, Pr. 777.* Amends the youth court act, in relation to the scope of offenses covered, arraignment before a magistrate, the imposition of fines, expanded publicity for hearings and records, extending the effective date, repealing various sections and making other technical changes. *Failed of passage.*

ASSAULT ON POLICE OFFICER. *Senate Int. 570, Pr. 571, Assembly Int. 850, Pr. 854.* Amends the penal law, in relation to an assault upon a member of an organized police force of any city, town, village or municipality. *Failed of passage.*

PAROLE OF CERTAIN PRISONERS. *Senate Int. 631, Pr. 647, Assembly Int. 800, Pr. 809.* Amends the correction law, in relation to prisoners subject to parole. *Failed of passage.*

OUT OF STATE INCARCERATION. *Senate Int. 818, Pr. 843, Assembly Int. 1076, Pr. 1096.* Amends the correction law, in relation to providing for the entry by this state into the out of state incarceration amendment to the interstate compact for the supervision of parolees and probationers, and for related purposes. *Chapter 183.*

AGREEMENT ON DETAINERS. *Senate Int. 919, Pr. 4280.* Amends the code of criminal procedure, in relation to providing for the enactment by this state of the agreement on detainers with any other jurisdiction legally joining therein, and for related purposes. *Chapter 524.*

DISPOSITION OF CERTAIN UNTRIED INDICTMENTS. *Senate Int. 920, Pr. 949, Assembly Int. 2154, Pr. 2218.* Amends the code of criminal procedure, in relation to providing for the disposition of certain untried indictments, informations or complaints at the instance of a prisoner, and for related purposes. *Chapter 440.*

CLAIMS FOR ERRONEOUS IMPRISONMENT. *Senate Int. 1123, Pr. 1167.* Amends the court of claims act, in relation to claims for imprisonment following erroneous or fraudulent conviction of crime. *Approved in principle. Failed of passage.*

REIMBURSEMENT FOR MAINTENANCE, CLOTHING, TRANSPORTATION, AND CARE. *Senate Int. 1328, Pr. 1385, Assembly Int. 1347, Pr. 1379.* Amends the penal law and the correction law, in relation to state reimbursement of expenses incurred by counties and cities in connection with the maintenance, clothing, transportation and care of felons and misdemeanants or lesser offenders. *Failed of passage.*

FUNCTIONS DIVISION OF RESEARCH. *Senate Int. 1588, Pr. 1664, Assembly Int. 1311, Pr. 1340.* Amends the correction law, with relation to the functions of the division of research. *Failed of passage.*

SUPPORT OF DEPENDENTS. *Senate Int. 1602, Pr. 1685, Assembly Int. 2007, Pr. 2063.* Amends the uniform support of dependents law, in relation to itemized statements of payments (re probation cases). *Chapter 168.*

DISCHARGE NAPANOCH INMATES. *Senate Int. 1630, Pr. 1703, Assembly Int. 1307, Pr. 1336.* Amends the correction law, in relation to the discharge of Napanoch inmates retained after the expiration of their terms. *Chapter 88.*

COMMITMENTS TO MATTEAWAN STATE HOSPITAL. *Senate Int. 1621, Pr. 3089, Assembly Int. 1305, Pr. 3527.* Amends the correction law, in relation to the commitment of insane prisoners to the Matteawan state hospital. *Chapter 267.*

APPOINTMENT OF INSTITUTIONAL EMPLOYEES. *Senate Int. 1622, Pr. 1705, Assembly Int. 1313, Pr. 1342.* Amends the correction law, in relation to the appointment of institutional employees. *Failed of passage.*

YOUTH REHABILITATION FACILITY. *Senate Int. 1648, Pr. 1731, Assembly Int. 1310, Pr. 1339.* Amends the correction law, in relation to superintendents and assistant superintendents of the youth rehabilitation facility. *Chapter 381.*

DIVISION CRIMINAL IDENTIFICATION. *Senate Int. 1650, Pr. 1733, Assembly Int. 1309, Pr. 1338.* Amends the correction law, with respect to the division of criminal identification. *Chapter 272.*

GIRLS' TERM COURT. *Senate Int. 2016, Pr. 2109, Assembly Int. 2407, Pr. 2494.* Amends chapter seven hundred sixteen of the laws of nineteen hundred fifty-one, in relation to continuation of jurisdiction of court in the case of any respondent girl. *Chapter 557.*

PERIOD AND TERMINATION OF PAROLE. *Senate Int. 2173, Pr. 2297, Assembly Int. 2547, Pr. 2636.* Amends the correction law, in relation to period and termination of parole. *Failed of passage.*

NATURAL LIFE MAXIMUM. *Senate Int. 2310, Pr. 2438, Assembly Int. 2018, Pr. 2074.* Amends the correction law, in relation to the application of sections two hundred nineteen and two hundred forty-two of such law to a parolee sentenced to a term of one day minimum, natural life maximum. *Chapter 436.*

COMMITMENT MALE OFFENDERS. *Senate Int. 2393, Pr. 2523, Assembly Int. 2745, Pr. 2850.* Amends the correction law, in relation to commitment of male offenders between the ages of sixteen and twenty-one years. *Failed of passage.*

DIVISION OF CRIMINAL IDENTIFICATION. *Senate Int. 2564, Pr. 2711, Assembly Int. 3474, Pr. 3616.* Amends the correction law, to change the name of the division of criminal identification of the department of correction to division of identification. *Chapter 343.*

MANAGEMENT ADDITIONAL REFORMATORY FOR WOMEN. *Senate Int. 2596, Pr. 4324, Assembly Int. 3117, Pr. 4920.* Amends the correction law, the social welfare law, the code of criminal procedure and the penal law in connection with the establishment, government and management of an additional reformatory for women. *Chapter 802.*

PROBATION REPORTS CONFIDENTIAL. *Senate Int. 2602, Pr. 2749.* Amends the code of criminal procedure, in relation to making reports of probation officers confidential and privileged. *Failed of passage.*

TERMS OF IMPRISONMENT CERTAIN CASES. *Senate Int. 2672, Pr. 2843, Assembly Int. 465, Pr. 1152.* Amends the penal law, in relation to calculating terms of imprisonment in certain cases. *Chapter 734.*

TITLES SECURITY PERSONNEL. *Senate Int. 2734, Pr. 2905, Assembly Int. 3185, Pr. 3320.* Amends the correction law, in relation to the titles of certain security personnel. *Failed of passage.*

ELIGIBILITY PAROLE CERTAIN CASES. *Senate Int. 2974, Pr. 3164, Assembly Int. 3706, Pr. 3848.* 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. *Vetoed.*

FEMALE CUSTODIAL EMPLOYEES. *Senate Int. 3127, Pr. 3317, Assembly Int. 3975, Pr. 4117.* Amends the civil service law, in relation to the allocation of the positions of female custodial employees of the department of correction to the same salary grade as male custodial employees in state prisons having substantially equivalent duties. *Failed of passage.*

CRIMINAL STATISTICS. *Senate Int. 3135, Pr. 3325, Assembly Int. 4017, Pr. 4159.* Amends the code of criminal procedure, in relation to the annual reports of criminal statistics. *Chapter 424.*

ANNUAL REPORTS CRIMINAL STATISTICS. *Senate Int. 3136, Pr. 4099, Assembly Int. 4016, Pr. 4158.* Amends the code of criminal procedure, in relation to the annual reports of criminal statistics. *Failed of passage.*

RECORDS OF INMATES. *Senate Int. 3399, Pr. 3589, Assembly Int. 3475, Pr. 4651.* Amends the correction law, as to the records to be kept with respect to inmates in state correctional institutions. *Chapter 677.*

CIVIL SERVICE STATUS DIRECTOR OF PAROLE. *Senate Int. 3531, Pr.*

3858, *Assembly Int. 4056, Pr. 4359.* Amends the executive law, in relation to the civil service status of the administrative director of parole and the executive assistant to the board of parole. *Vetoed.*

PUBLIC DEFENDERS IN CERTAIN COUNTIES. *Assembly Int. 492, Pr. 2447.* Amends the county law, in relation to providing for the election of public defenders in certain counties and prescribing their powers and duties. *Approved in principle. Failed of passage.*

HOURS OF SERVICE EMPLOYEES. *Senate Int. 2600, Pr. 2747, Assembly Int. 767, Pr. 773.* Amends the civil service law, in relation to hours of service of employees in certain institutions. *Failed of passage.*

CREATING A STATE CRIME COMMISSION. *Assembly Int. 995, Pr. 1011.* Amends the executive law, in relation to repealing a section thereof and creating a state crime commission in the executive department. *Failed of passage.*

ALLOWANCES ASSIGNED COUNSEL. *Senate Int. 2363, Pr. 4337, Assembly Int. 1027, Pr. 4681.* Amends the code of criminal procedure, in relation to allowances to assigned counsel in certain cases. *Chapter 333.*

ACTION AGAINST CORRECTIONAL OFFICIALS. *Senate Int. 1587, Pr. 1663, Assembly Int. 1306, Pr. 1335.* Amends the correction law, in relation to actions against commissioner or deputy commissioner of correction, or officers or employees of institutions in the department. *Failed of passage.*

DISCHARGE OF CERTAIN INMATES. *Senate Int. 1586, Pr. 1662, Assembly Int. 1308, Pr. 1337.* Amends the correction law, with respect to the discharge of inmates of institutions for defective delinquents. *Failed of passage.*

YOUTH REHABILITATION FACILITY. *Senate Int. 1649, Pr. 1732, Assembly Int. 1312, Pr. 1341.* Amends the correction law, in relation to the youth rehabilitation facility. *Failed of passage.*

JUMPING PAROLE. *Senate Int. 1512, Pr. 1587, Assembly Int. 1618, Pr. 1655.* Amends the penal law, in relation to jumping parole. *Failed of passage.*

CERTIFIED PSYCHOLOGISTS. *Senate Int. 1327, Pr. 3746, Assembly Int. 1957, Pr. 2013.* Amends the mental hygiene law and the correction law, in relation to certified psychologists. *Chapter 605.*

TRANSFER DANGEROUS PERSONS. *Senate Int. 1323, Pr. 1380, Assembly Int. 2015, Pr. 2071.* Amends the mental hygiene law, in relation to the transfer of a person with a dangerous mental condition to an institution under the jurisdiction of the department of correction. *Chapter 361.*

GOOD CONDUCT CERTIFICATES. *Assembly Int. 2026, Pr. 4168.* Amends the penal law, in relation to the issuance of certificates of good conduct to persons sentenced to imprisonment for life who have been paroled and discharged from parole. *Vetoed.*

PAROLE SUPERVISION SEX OFFENDERS. *Assembly Int. 2333, Pr. 2406.* 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. *Failed of passage.*

JUMPING BAIL. *Senate Int. 3486, Pr. 3676, Assembly Int. 2571, Pr. 2660.* Amends the penal law, in relation to jumping bail. *Failed of passage.*

COMMITMENT CERTAIN ADJUDICATED DELINQUENTS. *Senate Int. 2392, Pr. 2522, Assembly Int. 2747, Pr. 2852.* Amends the Children's court act of the state of New York, in relation to the commitment of adjudicated delinquents after reaching the age of sixteen years. *Failed of passage.*

STUDY OF JUDICIAL SYSTEM. *Senate Int. 2741, Pr. 2912, Assembly Int. 3225, Pr. 3360.* Amends Chapter five hundred ninety-one of nineteen hundred fifty-three to continue to March thirty-first, nineteen hundred fifty-eight temporary commission created to study judicial system of state and administration of justice. *Chapter 618.*

FOSTER HOMES. *Senate Int. 3411, Pr. 3601, Assembly Int. 3297, Pr. 3452.* 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 paroles from privately maintained custodial institutions and state training schools. *Failed of passage.*

NEW HAMPTON REFORMATORY. *Assembly Int. 4124, Pr. 4727.* In relation to acquisition of New Hampton Reformatory by authorizing the city of New York to convey and/or lease certain real property to the state of New York, for the uses and purposes of the state department of correction. *Chapter 998.*

NEW HAMPTON REFORMATORY. *Senate Int. 3657, Pr. 4456, Assembly Int. 4196, Pr. 5014.* Amends a chapter of the laws of nineteen hundred fifty-seven, entitled "An act in relation to acquisition of New Hampton reformatory by authorizing the city of New York to convey and/or lease certain real property to the state of New York, for the uses and purposes of the state department of correction," in relation to transfer of employees. *Chapter 999.*

ACTION BY WARDENS IN CERTAIN CASES. *Assembly Int. 4208, Pr. 5049.* Adds new section 601-a, Correction Law, to require state prison warden when he is satisfied on facts submitted, that person has been erroneously sentenced as 2nd, 3rd or 4th offender, to notify district attorney of county of conviction, and if investigation so

determines, prisoner shall be taken before sentencing court for release. *Chapter 934.*

CERTAIN INFORMATION BY CLERKS IN COURTS. *Assembly Int. 4209, Pr. 5050.* Amends section 485-a, Criminal Code, to require court on sentencing person as 2nd, 3rd or 4th felony offender, to direct clerk to enter on minutes nature of prior offenses, with dates and places of conviction, to be delivered to sheriff. *Chapter 935.*

Opposed

RECOMMENDATION JURY MURDER CASES. *Senate Int. 1201, Pr. 1251.* Amends the penal law, in relation to recommendation by jury of life imprisonment for murder in first degree. (This bill requires that upon recommendation by the jury of life imprisonment the court must sentence the defendant to imprisonment for the term of his natural life.) *Failed of passage.*

INVESTIGATION CONFIDENTIALITY PROBATION REPORTS. *Senate Int. 1935, Pr. 2028.* Amends the code of criminal procedure, in relation to the examination of probation reports and records by attorneys prior to sentencing of persons convicted of crime. *Failed of passage.*

MANUFACTURE OF BRUSHES. *Senate Int. 1949, Pr. 2042, Assembly Int. 504, Pr. 509.* Amends the correction law, in relation to brush-making. (This has become a perennial bill intended to limit brushmaking by prisoners. We regard this as a dangerous initial step to restrict the operations of the industries of the institutions of the department of correction and to further reduce the already too little opportunity for employment of prisoners.) *Failed of passage.*

ELIGIBILITY PROMOTION EXAMINATIONS. *Senate Int. 3112, Pr. 3916.* With respect to the creation of a uniformed force of the department of correction and rules governing eligibility for promotion examinations. *Failed of passage.*

STATE REIMBURSEMENT PROBATION SERVICES. *Senate Int. 3472, Pr. 3663, Assembly Int. 4030, Pr. 4162.* Amends the correction law, in relation to state reimbursement for probation services. *Failed of passage.*

CIVIL SERVICE STATUS COUNTY JAIL EMPLOYEES. *Assembly Int. 425, Pr. 425.* Amends the county law, in relation to providing civil service status for county jail employees in counties outside the city of New York. (We approve the general objective of this bill but we object to its "freezing-in" provisions.) *Failed of passage.*

REPEAL YOUTH COURT ACT. *Assembly Int. 1107, Pr. 1127.* Repeals the youth court act. *Failed of passage.*

VACATING CERTAIN CONVICTIONS. *Senate Int. 2023, Pr. 2132, As-*

sembly Int. 2293, Pr. 2366. Amends the code of criminal procedure, in relation to vacating convictions against persons under nineteen years of age at time of conviction. *Failed of passage.*

GRAND JURY MINUTES TO DEFENSE ATTORNEY. *Senate Int. 2768, Pr. 2939, Assembly Int. 2416, Pr. 2505.* Amends the code of criminal procedure, in relation to availability of grand jury minutes to defense attorney. *Failed of passage.*

RECOMMENDATION BY JURY FIRST DEGREE MURDER CASES. *Assembly Int. 2443, Pr. 2532.* Amends the penal law, in relation to recommendation by jury. (This bill eliminates the discretion now given the court in felony murder cases.) *Failed of passage.*

BAIL CERTAIN CASES. *Senate Int. 2556, Pr. 2703, Assembly Int. 2508, Pr. 2597.* Amends section 552, Criminal Code, to permit N.Y. City magistrate with district attorney or assistant district attorney being present and having opportunity to be heard, to admit to bail defendant arraigned and charged with crimes or offenses not otherwise bailable by magistrate. *Vetoed.*

ACCEPTANCE PLEA LESSER DEGREE. *Senate Int. 3480, Pr. 3670, Assembly Int. 2570, Pr. 2659.* Amends the code of criminal procedure, in relation to acceptance by a county judge or a judge of the court of general sessions in the city of New York of a plea to a lesser degree of crime by a defendant. *Failed of passage.*

PUNISHMENT FOURTH CONVICTION FELONY. *Assembly Int. 2739, Pr. 4410.* Amends the penal law, in relation to punishment for fourth conviction of felony. *Failed of passage.*

COMMITMENT CERTAIN CHILDREN OVER SIXTEEN. *Assembly Int. 2744, Pr. 4656.* Amends the social welfare law, in relation to the commitment of children over sixteen but under seventeen years of age. *Failed of passage.*

BREACH OF PROBATION. *Assembly Int. 3234, Pr. 3369.* Amends the correction law, in relation to breach of probation. *Failed of passage.*

CLASSIFICATION OF PRISONERS. *Assembly Int. 3360, Pr. 3495.* Amends the correction law, in relation to classification of prisoners. *Failed of passage.*

PROFESSIONAL BONDSMEN. *Assembly Int. 3777, Pr. 3919.* Amends the code of criminal procedure, in relation to restoration of licenses to professional bondsmen. *Failed of passage.*

**PENAL REFORM
and
THE AMERICAN CORRECTIONAL ASSOCIATION¹**

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The theme of the 87th Congress of Correction is "Correctional Progress Through Strong Association". We refer to the correctional progress of the last one hundred and fifty and some years as the Penal Reform. In this country, the organization which provided a meeting place and a national forum for those who engineered this reform; which published their deliberations; and which, as an organized force itself, promoted this reform, is what is now known as the American Correctional Association.

A grant from the New York Foundation, secured with the assistance of Commissioner E. R. Cass, General Secretary of the Association, an additional grant from the General Research Board of the University of Maryland, and the courtesy of the Library of Congress in opening its facilities and providing space, enabled me to engage in what we call the "Proceedings Study". It is supposed to throw some light on the Penal Reform in the United States as it is reflected in the Association's Proceedings over a period of 87 years. As a by-product it is hoped that some new historical perspectives on the Association itself may be gained. By now the study has progressed considerably. This paper may be interpreted as being in the nature of a progress report.

The American Correctional Association, then known as the National Prison Association of the United States of America, started with the National Congress on Penitentiary and Reformatory Discipline, which convened in Cincinnati, Ohio on October 12, 1870. Except for the short-lived and much more limited American Association for the Improvement of Penal and Reformatory Institutions,² it was the first national organization of its kind in this country; but it had its local predecessors. The well-known Philadelphia Society for Alleviating the Miseries of Public Prisons, which was started in 1787 or even 1776 and which is still active; the Boston Prison Discipline Society, which came into being in 1825; and the New York Prison Association, founded in 1844, were some of the main organizing factors in the Penal Reform before the appearance of the National Association. These organizations, with their meetings and publications, developed the tradition for prison administrators and other interested reformers to get together. The formation of a national association was the logical next step. The

¹ Our interest in this preliminary report by Dr. Lejins is referred to on page 47 of this document.

² Journal of Prison Discipline and Philanthropy, Philadelphia, July 1860, pp. 137-140 and January 1861, pp. 34-36.

Association was and still is located in New York City and was incorporated in New York State in 1871. Enoch C. Wines, the Association's first Secretary, came to it from the New York Prison Association, where he served as Corresponding Secretary since 1862. This latter Association, primarily through the energetic efforts of Mr. Wines, was really responsible for the Congress of 1870, and the subsequent formation of the National Association. It was also instrumental in the revival of the Association in 1883. In the Annual Report for that year we read that the remnants of the old organization and a few new elements were gathered together for a fresh start under the auspices of the American Social Science Association and the Prison Association of New York.³ All of us know, of course, the role which the New York Prison Association has played since 1921, when Dr. Orlando F. Lewis became the Secretary of the Association, and especially during the 36 years of Commissioner E. R. Cass' activities as the Secretary of both Associations, with the national body using the facilities of the state organization.

The beginning of the Association in 1870 means that it came in almost precisely at the midpoint of the evolution of the Penal Reform. The turning away from the death penalty and corporal punishment to incarceration as a more desirable because a more humane form of punishment; the gradual change from crime control by means of punishment to crime control through correction, which manifested itself first of all in the development of penitentiaries; the famous controversy and debate between the Pennsylvania and Auburn systems of incarceration; the experimentation with various systems of prison labor; all these major developments and many other less fundamental ones had already taken place when the National Prison Association appeared on the scene.

For some time I have been suggesting that two major but distinct factors or motivations in the Penal Reform should be discerned: the humanitarian attitude and the rational-correctional plan for the control of crime. The humanitarian attitude, which gradually permeated the Western society in the course of the 18th and 19th centuries, lead among other things also to the more humane handling of criminal offenders, first by substituting incarceration for capital and corporal punishment and then by making the conditions of incarceration more humane. The rational-correctional motivation implies that, having secured the knowledge of the reasons for criminal behavior, we can, by removing these reasons, correct the offender and protect society from further crimes on his part. This places the major emphasis on correctional measures rather than on punishment and incapacitation. The major ideological force in the early stages of the Penal Reform was the humanitarian attitude. The correctional motivation began to gain ground only slowly, concurrently with the growth of the behavioral sciences, but gradually took over as the main motivational force for

³ The National Prison Association of the United States of America. First Annual Report (Second Series), New York, 1884, p. 11.

the Penal Reform, with the humanitarian attitude relegated to the background.

Also from the point of view of the comparative role played by the two above motivations, the American Correctional Association was started somewhere near the midpoint of developments. The early congresses, although yielding quite a bit of evidence of humanitarian motivation in the papers presented, are already permeated by an outright correctional ideology. As we proceed through the decades and enter the 20th century, the volumes of Proceedings become devoid of strong humanitarian appeals for reform and are more and more devoted to the discussion of rationally analyzed cause and effect relationships between various factors and criminal behavior and the rational ways of controlling these factors. Tabulations of the papers contained in nine sample volumes of the Proceedings spread over the nine decades of the Association's existence, indicate that only about 7% of the papers are primarily humanitarian in nature, while close to 55% could be classified as having a predominantly rational-correctional purpose. Moreover, these tabulations indicate a definite trend for the humanitarian motivation to disappear and the rational-correctional to increase in frequency. All of the humanitarian papers in the sample appeared in the first five decades of the Association; the last four decades did not yield a single example. On the other hand, the papers with a rational-correctional backdrop, while never reaching the level of 60% in the first five decades, steadily make up more than 60% of the content of the sample volumes in the last four decades. The conclusion seems to be obvious: by 1870 the humanitarian impulse had largely spent itself as a motivational force in the Penal Reform in this country. The correctional motivation, on the other hand, was prevalent by 1870 and became more so as the years went by.⁴ The Penal Reform, as reflected in the Proceedings, is definitely a rationally motivated plan to handle the crime problem by eliminating its causes. In that sense it fits neatly into the general pattern of the development in our "modern industrial society with its ever increasing emphasis on a rational manipulation of human affairs."⁵

At the time of the Cincinnati Congress three major issues seem to have occupied the attention of the penal reformers in this country. All three are prominently reflected in the 1870 volume of the Proceedings: namely, the Irish system, the reformatory as a new type of institution, and an international organization for Penal Reform. Among the many topics covered by the first Congress, these three stand out both as to the number of papers entirely devoted to them as well as to the number of references scattered throughout all the other papers read. The subsequent early volumes continue to show this preoccupation with these three topics. Let

⁴ Constance M. Turney, "Humanitarian and Correctional Motivations in the Penal Reform in the United States." Unpublished Master of Arts thesis, University of Maryland, 1957, *passim*. This thesis was developed as a part of the "Proceedings Study" research.

⁵ *Ibid.*, p. 72.

me say a few words about each of these three issues into which the newly-born Association stepped at the time of its creation.

First—the Irish system. American penologists became vaguely aware of the so-called Irish or progressive system some time in the late fifties, but a wider familiarity with and discussion of this new technique of handling the incarcerated offender did not come about until the mid-sixties, when it was reported on in detail by Franklin Benjamin Sanborn. It was up to the newly organized Association in its early congresses to really delve into the matter. Sir Walter Crofton himself wrote a paper on the Irish system for the first Congress, many other papers made reference to it, and at least four of the famous 37 principles in the Declaration of Principles of 1870 deal with it and fully endorse it. This strong endorsement, repeated many a time in the later years, unquestionably had its effect. Even if the detailed arrangements of the Irish system as developed by Crofton were never followed too closely in this country, the basic philosophy of the progressive system was adopted to a great extent and became the backbone of the American institutional treatment of offenders: the processing of the inmates through the various steps of the program, gradually increasing their responsibilities and privileges until they finally reach the stage of being rehabilitated and presumably ready to return to the open community, first under supervision and lastly as free citizens.

Next—the reformatory as a new type of institution. Although the law authorizing the establishment of the New York State Reformatory at Elmira was passed as early as 1869, the first congresses of the Association contributed materially to the crystallization of the concept of the reformatory as a special institution for tractable young adult offenders with an intensive correctional rather than punitive program. This concept became a reality in 1876, when the first inmates were admitted to Elmira, the first institution of its kind. The brilliant paper by Zebulon R. Brockway, entitled "The Ideal of a 'True Prison System for a State'", which he read in 1870, gives the author's conception of this new type of institution. If we remember that this author was to be the first superintendent of Elmira, to guide it for 25 years, and that the institution was to be followed by similar institutions in most of the States, the significance of the discussions of the Cincinnati meeting and subsequent congresses becomes more than obvious.

The third issue prominent at the time of the formation of the Association, viz., that of an international penal organization, hardly needs any mention in the space available here. It is generally known that one of the main purposes which Winslow had in mind in calling the Cincinnati Congress was the creation of a nation-wide American organization in the area of Penal Reform, so that it could become instrumental in the promotion of a similar international body.⁶ The resolution adopted by the Congress (pp. 511-514 of the

⁶ Blake McKelvey, *American Prisons*. The University of Chicago Press, Chicago, Ill., 1936, p. 69.

Transactions) accomplished what Mr. Wines had in mind: a decision was taken to create a national association, to support the idea of an international congress, to establish a post of commissioner to act on behalf of the United States in organizing such a congress and to secure for him appointment by the Federal Government and the necessary financial means. Mr. Wines became the first commissioner, and from then on the history of the National Prison Association is closely intertwined with the history of the International Congresses of the International Penal and Penitentiary Commission, of which there were twelve, until the United Nations took over the organization with the result that the 13th Congress, in Geneva in 1955, was arranged by that international body. The leadership exercised by Mr. Wines in this international movement and recognized by the entire civilized world, remained with the American Correctional Association as the senior partner in this enterprise.

Before leaving the formation of the Association, two more things should be mentioned. There is no need to discuss here the Declaration of Principles Adopted and Promulgated by the Cincinnati Congress. This Magna Charta of the Penal Reform in the United States is too well and too widely known for its 37 principles to be analyzed here. The Association does well to republish the Declaration from time to time in the Proceedings in the slightly revised form of 1930. Sometimes these principles evoke divided feelings. Most everybody agrees that 87 years after their adoption they still apply. Some would interpret this as proof of the failure of the Penal Reform movement in general and of the Association in particular, since the *desiderata* of almost a century ago still stand as valid goals; hence they have not been accomplished. Others take a more optimistic view and are willing to see in the Declaration permanent principles which can serve as guides, ideals or standards for any crime control system, regardless of how advanced.

Unquestionably the Principles will occupy a prominent place in the final report on the Proceedings study. At this time only a general impression of the result of the research done so far can be given. The Principles have exercised a tremendous influence. Time and again the speakers at the congresses have returned to them, thus recalling them to the broad audiences made up of correctional workers. A comparison of crime control in 1870 and in 1957 leaves little doubt that fundamental and numerous changes have gradually been brought about and that most of these were in the direction pointed out in the Principles. A careful reading of the Principles shows that although we might have said certain things slightly different 87 years later, nothing is contained in the Declaration that could be considered an outright mistake even today.

The last thing which I wish to mention in connection with the foundation of the Association is what one might refer to as the spirit of the times and especially the spirit of the first Congress. This has often been commented upon before and unquestionably

represents an historically very important aspect of the Penal Reform. The leaders and the participants in the meetings at which they spoke and acted evince overwhelming confidence in the ability to solve the problems of human relations by understanding them and by acting accordingly; a firm belief that the policies and measures which are being proposed are new and revolutionary and that there is, therefore, a good chance or even certainty that they will cut the old Gordian knots of crime control; a general moral climate of optimism about the Congress, the Association, the international organization and the entire cause of Penal Reform. Faith, confidence and optimism, supported by energy and high quality thinking and writing are perhaps the words which best characterize this early period.

The Proceedings study endeavors to trace the meaningful issues reflected in the volumes throughout the 87 years of the Association's existence, and quite a bit of this work has by now been done. It goes without saying, however, that the space available to me here is much too short to do even a semblance of justice to the wealth of materials at our disposal. To give just an inkling of this historical treasure, I have selected three types of issues, each of which I will very briefly illustrate by two examples. Since I have so far said only good things about the Association, let me take up and illustrate first a category of issues which have been taken up over a period of years but which have so far defied all efforts to solve them satisfactorily. Secondly, I should briefly like to mention the type of issues in which considerable progress or even full realization has been achieved; and thirdly, the type of issue which can be best characterized as "the old in the new", a phrase often heard from some of the oldtimers in correctional circles, by which they mean to indicate that a seemingly new concern or proposal has in reality already been dealt with sometime in the past, perhaps under a slightly different name.

The problem of the inmate who has been released from an institution, especially after a prolonged stay, and is now faced with the proposition of making a non-criminal adjustment to society, may well serve as an example of the first type of issue. There is both a humanitarian and a correctional aspect to this problem. Historically it was usually referred to as aid to discharged prisoners. It was discussed with steady regularity and—speaking impressionistically—with even intensity throughout the 87 years of the Association's existence. Unquestionably the regular appearance of this topic at the congresses was assured by the prisoners aid societies. As has been pointed out, societies of this type were the first to appear in the United States, with the Philadelphia Society in the lead. Throughout the 87 years these societies have been most faithful participants in the congresses.

The Association itself was most concerned with the issue. Already the Principles of 1870 make reference to the aid given to discharged prisoners. Principle XXII states:

"More systematic and comprehensive methods should be adopted to save discharged prisoners, by providing them with work and encouraging them to redeem their character and regain their lost position in society. The state has not discharged its whole duty to the criminal when it has punished him, nor even when it has reformed him. Having raised him up, it has the further duty to aid in holding him up. And to this end it is desirable that state societies be formed, which shall co-operate with each other in this work."

The second Congress, in 1873, gives a report of a standing committee on discharged prisoners. A similar report was given in 1874 at the third Congress. In addition, the Proceedings of this latter Congress point up the problem of the ex-convict in another way. A model constitution for branches of the National Prison Association was prepared by the executive committee and appears on pp. 603-606 of the volume. Article II of this constitution gives the general objects for the branch association, and #5 reads:

"5. To encourage and aid discharged prisoners in their efforts toward a new and better life, by providing as far as practicable, suitable and remunerative employment for them."

The introductory statement to the model constitution stresses this concern even more:

"The work of the National Association is necessarily, to a large extent, of a general character. There is a great deal of work, especially that of caring for and saving liberated prisoners, which, being local in its nature, can be done only by local organizations."

Since no other function is mentioned here for local organizations, aid to discharged prisoners figures as the very purpose of the branch associations.

With the development of parole, a certain and gradually increasing number of ex-inmates was taken out of the domain of the private prisoners' aid societies. Nevertheless, enough of a problem remained and remains even now.

Thus we see that this issue illustrates an area in which the activities of the Association were very intensive but in which no real solution of the problem has as yet been achieved. A lot of good help has been given in supplying the most necessary cash, helping find jobs, providing some normal contacts; but all this was usually not on a sufficiently large scale and lacked the necessary intensity. The private prisoners' aid associations, just like the public parole service, admittedly perform an important function, but somehow the problem of the ex-inmate who has just been released has not been solved as yet. The papers read at the congresses throughout the years substantiate this very clearly.

Another issue which seems to have defied solution in spite of the efforts of the Association and its membership is that of the local jail. It is more a question of the jail as a short-term punitive in-

stitution rather than as a detention facility that presents the problem. Also this issue was already dealt with in one of the Principles of the Declaration of 1870. Principle XX states in part:

"It is the judgment of this congress, that repeated short sentences for minor criminals are worse than useless; that, in fact, they rather stimulate than repress transgression."

Although no final tabulations have as yet been attempted in the study, judging impressionistically it seems that criticism of the jail, often of the severest kind, and proposals for improving the situation, constitute one of the most frequent and popular topics throughout the 87 years. This concern does not seem to have subsided with time, and some of the statements in the 1950's are every bit as critical as those of 1870. This seems to indicate that also this problem still exists in spite of prolonged efforts to eliminate it. This does not of course mean that some improvements have not been made through the efforts of the National Jail Association, an affiliate of the American Correctional Association; through the inspection of jails by the Federal Bureau of Prisons; and through the efforts of the local communities themselves. But the problem is still comparatively acute, as it was in 1870. Thus, in the 1911 volume, we find a statement by Professor Charles R. Henderson (p. 37), one-time International Prison Commissioner of the United States and President of the Association: "The short jail sentence has been demonstrated by thousands of cases to be worse than useless; costly to society, destructive of what little physical and moral stamina may remain." And in the 1941 volume we find Sanford Bates still saying (pp. 74-75): "The county jail and all its reeking rotteness must go."

On the more encouraging side, here are two issues which were also of major concern to the Association from its very beginning, but with regard to which considerable progress if not complete solution has been achieved. One is the organization of the separate institutions into integrated correctional systems, primarily state systems. At the time of the first Congress, the penal and correctional institutions were to a large extent like single ships at sea, some of them perhaps under capable captains, but mostly not organized into a fleet which can operate as a unit. Two principles of the Declaration are devoted to this issue. Principle XXXI states:

"The construction, organization, and management of all prisons should be by the state, and they should form a graduated series of reformatory establishments, being arranged with a view to the industrial employment, intellectual education and moral training of the inmates."

Principle XXXVI further elaborates:

"As a principle that crowns all, and is essential to all, it is our conviction that no prison system can be perfect, or even successful to the most desirable degree, without some central authority to sit at the helm, guiding, controlling, unifying and vitalizing the whole. We ardently hope yet to see all the de-

partments of our preventive, reformatory and penal institutions in each state moulded into one harmonious and effective system; its parts mutually answering to and supporting each other; and the whole animated by the same spirit, aiming at the same objects, and subject to the same control; yet without loss of the advantages of voluntary aid and effort, wherever they are attainable."

The previously quoted paper by Zebulon R. Brockway, "The Ideal of a True Prison System for a State", which was delivered at the first Congress, has contributed perhaps more than any other statement or piece of writing to the cause of integrating the institutions. We find endless mention of it throughout the volumes.

Let us make just one more reference. In his Report of the Standing Committee on Prison Discipline in 1874, Franklin B. Sanborn had the following to say (pp. 62-63): "What is now needed more than any one thing in American prison discipline, is the centralization of all prisons of one jurisdiction, by placing them all under one control and inspection. The prison system, like the school system of a state, should be a consistent adaptation of one grade of prisons to every other through the whole jurisdiction where the same authority prevails." It is hardly necessary to point out that the aspirations of Brockway and Sanborn and of the entire Association have by now been realized, if not completely then at least to a very large extent, and today it is generally taken for granted that there are state institutional systems rather than separate institutions. To use a colloquialism, the hammering away of the Association at that issue was not in vain.

Another area in which the Association has been active from the beginning on and throughout the 87 years of its existence is the broad area of the conditions of incarceration. Although these conditions were not as inhuman at the time the Association was organized as they had been in the end of the 18th and the beginning of the 19th century (I need only remind you of the Simsbury Mine), still a lot remained to be desired from the standpoint of housing, diet, clothing, health, working conditions and recreation of the inmates. In many quarters the concept that we imprison people not as punishment but for punishment still prevailed. The spirit of such laws as the State of New York Act of 1796, which instructed that the convicts "shall be clothed in habits of coarse materials uniform in colour and make, and be sustained upon inferior food . . . and shall be kept . . . at hard labour" was still alive. Quite understandable, therefore, is the language of Principle XXXIII of the Declaration:

"A right application of the principles of sanitary science in the construction and arrangements of prisons is a point of vital importance. The apparatus for heating and ventilation should be the best that is known; sunlight, air and water should be afforded according to the abundance with which nature has provided them; the rations and clothing should be plain but wholesome, comfortable, and in sufficient but not extravagant

quantity; the bedsteads, bed and bedding, including sheets and pillow cases, not costly but decent, and kept clean, well aired and free from vermin; the hospital accommodations, medical stores and surgical instruments should be all that humanity requires and science can supply; and all needed means for personal cleanliness should be without stint."

The number of papers read and resolutions adopted by the congresses in further developing and supporting the thirty-third principle is legion. Here are a few typical quotations. A Canadian, Professor Goldwin Smith, put it this way at the Congress of 1887 (pp. 43, 45):

"A man who has been convicted of crime forfeits for the time his right to freedom; but he does not forfeit all the rights of humanity, and especially he does not forfeit the right to anything necessary to his amendment."

Thirty-four years later, at the 1921 Congress in Indianapolis, Amos W. Butler, Secretary of the Indiana Board of State Charities quotes Principle II of the Declaration (p. 316): ". . . the supreme aim of prison discipline is the reformation of criminals, not the infliction of vindictive suffering."

At the same Congress Warden Joseph A. Terrell of West Virginia Penitentiary had this to say (p. 157):

"Penal servitude, which means loss of liberty and citizenship and probably a wrecked home and ruined life, is in itself a terrible punishment. The law requires this and no more, and while one is paying the debt, if he conducts himself decently and orderly, he is by every rule of right and justice entitled to be treated as a MAN."

On the other hand, the opposite views persisted and as late as 1895 we have, for instance, a statement of Warden Michael J. Cassidy of the Eastern Penitentiary in Pennsylvania, which reads (p. 279): "Incarceration is not punishment. It is a condition wherein punishment may be inflicted."

Although we consider even today that in many prisons the conditions of incarceration are below the minimum standards, progress in this respect has been very marked and the modern prison can hardly be compared with the institutions of 1870. A large share of the credit for this should go to our Association. The permanent record of its efforts are the volumes of the Proceedings.

Now let me briefly illustrate the third type of issue, viz., the one I labeled "the old in the new". A good example is the lively discussion of recent years of "legal" versus "administrative" determination of the length of the institutional stay. Should it be up to the judge to set the limits of the institutional stay in terms of a minimum and a maximum and retain supreme control over it, or should it be up to the parole board, a "board of terms" or a youth authority to handle the entire issue of the length of institutional treatment. Sometimes the issue is further broadened to include not only the question of the length of incarceration but the type of

treatment itself, e.g. probation or institutionalization. Sometimes all this is interpreted as "legal" versus "behavioral science" determination of the treatment of the offender. The contemporary correctional worker hardly needs examples of this debate. The Proceedings of each of the recent congresses contain items of this sort, and in view of the brevity of this paper I shall omit further elaboration.

Any criminologist knows that this is not a new issue; after all, the old debate about the indeterminate sentence was to a large extent just that. But let me give you a few quotations and a few dates, and "how old is the new" will become doubly evident and vivid. In 1874, that is, more than eighty years ago, Alfred H. Love of the Philadelphia Prison Society made this statement (p. 247 of the Proceedings of that Congress): "It is sufficient to sentence the criminal to the penitentiary or reformatory . . . and then let a board, properly constituted, decide as to the length of the confinement by a close observation of each case."

And somewhat later, but still 70 years ago, at the 1887 Congress (pp. 189-190), Zebulon R. Brockway reiterated his well-known position in the following words:

"Nobody knows so well as that officer in a prison, whoever he is, who thoroughly knows his prisoners, when it is safe to release them . . . if they can do that, then the warden, who has access to the prisoner in all the various departments of the institution, and knows the result of all the tests applied under this system, could be of the greatest service, as an expert, in determining the proper date of a man's release."

And here is Dr. William Healy on the same topic at the Congress of 1911 (p. 181), that is, 46 years ago:

"The overworked judge usually knows little of what the individual really needs in the way of discipline or treatment, nor does he know, generally, much about what the treatment itself is which he is officially prescribing."

Another case of "the old in the new", although perhaps somewhat more farfetched than the one just cited, is as follows. The Board of Directors of the American Correctional Association unanimously approved in its meeting of February 10, 1956 the application for affiliation and a request for encouragement of the development of the Association of State Correctional Administrators. This new organization already took an active part in the 1956 Congress at Los Angeles. Offhand one would think that we are dealing here with a relatively new type of administrative position in the area of corrections and a brand new organization. And yet, in the Proceedings of the 1907 Congress (p. 245), that is, 50 years ago, we find a report on the formation of a new auxiliary to the National Prison Association, to wit, the Association of Governing Boards of Penal, Reformatory and Preventive Institutions. From then on, through the year 1916, the Association of Governing Boards and its officers are listed in each volume of the Proceedings and the meetings held and papers read under the auspices of this organization are amply

in evidence. It is true that this organization, as also its full title implies, was made up of the board members of various institutions rather than of state administrators, but the members of the state boards also took part. Even a quick perusal of the officers of the organization reveals that these frequently were members and chairmen of the state boards and thus the functional similarity with the present organization is in reality greater than one might at first be led to believe. The reading of the papers of this organization further confirms this impression: issues of importance in the administration of state systems are quite prominent.

There is an interesting statement in the report of the first formal meeting of the Association of Governing Boards in the 1908 volume of the Proceedings (p. 120); namely, we find that the new Association will look into the matter "how wardens and superintendents should be governed." Thus it is quite obvious that we have here once again some of "the old", which under changed circumstances, fifty years later, reappeared in a new form.

With the beginning of the 20th century a gradual change took place in the role which the American Prison Association played with reference to the field of corrections. The Association was founded as a Prison Association. Since the handling of offenders consisted at that time almost exclusively in institutional handling, the Association represented for all practical purposes the entire penal and correctional field. With the rise of the extramural treatments, namely probation and parole, and their wide-spread acceptance in the 20th century, the American Prison Association gradually found itself representing only a part of the total field. The somewhat independent development of the juvenile field is another case in point. It is true that the close and friendly contact with the associations representing the extramural and juvenile interests somewhat remedied the situation, but the basic fact still remained, and the Proceedings, which are the subject matter of this study, no longer represent the major portion of all correctional activities as in the 19th century.

Another new factor came in with the change of the Association's name from American Prison Association to American Correctional Association in 1954. Although the real import of this change still remains to be seen, one potential consequence might be the broadening of the Association's activities once again to the entire field of corrections. This brings up the question of the relations with other national associations in the field. Perhaps, in answering this question, the lesson from the study of the history of the American Correctional Association should be kept in mind: the most important and basic contribution of the Association was that it provided a national forum and a repository of materials for the entire field of corrections. Such a unified national forum should be restored.

For my concluding remarks I have selected three items which do not pertain to the Penal Reform itself, nor represent an important issue in the history of our Association; instead, they are connected with our knowledge of the Association's history. In the popular

conception, historical research is always factual: it is supposed to find out facts which were not known before. So I decided to give you in conclusion three factual findings which we have made with regard to the history of the Association.

Each year all of you receive and read, or at least glance through the volume of Proceedings of the past congress. Some of you may have a number of the older volumes in your own library or have looked at them in some public library. You will remember that each volume contains a Schedule of Congresses of Correction beginning with 1870. Each year another congress is added. The year and place of the congress, as well as the name and home state (or country—we have had two Canadian presidents) of the President and the Secretary are given. This schedule appeared for the first time in the volume of Proceedings reporting the Semi-Centennial Congress of 1920 in Columbus, Ohio. Many of you will, however, remember that there is a blank in this Schedule; namely, for the fourth Congress of the Association, the year, 1876, and the meeting place, New York, are listed, but the names of the president and the secretary are omitted. The 1876 volume is missing from the set of Proceedings in the Association's headquarters, nor can it be found in the sets of the Library of Congress. In conversations with old-timers I have heard doubt expressed as to whether this congress ever actually took place. As astute an historian of the American Penal Reform as Blake McKelvey, in his book on *American Prisons*, published in 1936, dates the congress in question as 1875 and dismisses it with the remark that it assembled "only a few local friends" and was "a sorry reminder of the ambitious expectations of the Cincinnati gathering five years before." Now the uncertainty can be done away with; we have found the missing volume! A copy was traced to the Princeton University Library. The congress in question was a big and a good congress. The volume comprises 629 pages, and many of the papers are of exceptionally good quality, compared with the earlier and subsequent years. The Congress took place in New York on June 6-9 in the year 1876. The President of the Association was Governor H. Seymour of New York, but due to ill health he did not attend. Richard Vaux of Pennsylvania was nominated by the Committee on Permanent Organization and is subsequently referred to in the volume as the "President of the Congress". The Secretary and also Editor of the Proceedings still is Enoch C. Wines of New York. Thus four rather than three congresses are to the latter's credit.

The second finding concerns the Association's resumption of activities after a break of 7 or 8 years. As you may recall, no congresses are listed in the Schedule between 1876 and 1884. This lapse in the Association's activities is usually attributed to the passing away of Enoch C. Wines, the true founder and moving spirit of the Association. We found that 1883 rather than 1884 should be considered as the year when activities were resumed, and the meeting held in Saratoga, New York on September 7, 1883, jointly with the Social Science Association, well deserves being included in the list

of congresses. It performed the function of a congress although it was not labeled as such at the time. The President of the Association then was R. B. Hayes, Ohio. Rutherford B. Hayes, who became U.S. President in 1877-81, had been the first President in 1870; after the reactivation of the Association he resumed that office and continued in it for 10 more years. The Secretary was William M.D. Round of New York City, who continued in that office for 3 more terms. The volume which reports the proceedings of the above meeting is labeled "First Annual Report, Second Series".

If it is considered that inclusion of this 1883 Saratoga meeting in the Schedule of Congresses may be a matter of judgement, there should be no doubt with regard to the third matter which I wish to bring up here and which concerns the two congresses listed in the Schedule for the year 1884. Of these two congresses, only the second, September 6-10, again in Saratoga, New York, deserves to be listed as such. The first, listed as February 27-29, New York City, was in reality "A Conference of Prison Officials" held "under the Auspices of the National Prison Association". The report of its proceedings appears among reports of other conferences held in the year 1883/84.

I hope to see the next volume of the Proceedings appear with the above gap filled and the corrections just mentioned, made. But much more important, of course, than this, I hope that by the time of the next congress you will have in your hands also a volume representing the findings of this study of the Proceedings in which an attempt will be made to pull together in a meaningful summary the many threads of historical development of the Penal Reform and the Association, which have been unravelled.

RULES ADOPTED BY UNITED NATIONS FOR THE TREATMENT OF PRISONERS*

Thirty-five years ago the International Prison and Penitentiary Congress compiled its first draft of the Standard Minimum Rules for the Treatment of Prisoners. They were duly approved by the then existing League of Nations and copies were circulated in the United States.

After the interval caused by World War II the International Prison and Penitentiary Congress undertook a revision of this set of principles. This new edition was presented in August 1955 to the first International Conference on the Prevention of Crime and the Treatment of Prisoners—and representatives of 65 nations, after prolonged discussion and some amendments, ratified and approved the rules, as follows:

Resolution adopted on 30 August 1955

The First United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

Having adopted the Standard Minimum Rules for the Treatment of Prisoners annexed to the present Resolution,

1. *Requests* the Secretary-General, in accordance with paragraph (d) of the annex to resolution 415(V) of the General Assembly of the United Nations, to submit these rules to the Social Commission of the Economic and Social Council for approval;

2. *Expresses* the hope that these rules be approved by the Economic and Social Council and, if deemed appropriate by the Council, by the General Assembly, and that they be transmitted to governments with the recommendation (a) that favorable consideration be given to their adoption and application in the administration of penal institutions, and (b) that the Secretary-General be informed every three years of the progress made with regard to their application;

3. *Expresses* the wish that, in order to allow governments to keep themselves informed of the progress made in this respect, the Secretary-General be requested to publish in the International Review of Criminal Policy the information sent by governments in pursuance of paragraph 2, and that he be authorized to ask for supplementary information if necessary;

4. *Expresses* also the wish that the Secretary-General be requested to arrange that the widest possible publicity be given to these rules.

In May 1957 the Economic and Social Council of United Nations voted as follows:

The Economic and Social Council

* For comment relative to the interest of The Prison Association of New York in these standard minimum rules see page 49.

1. Approves the *Standard Minimum Rules for the Treatment of Prisoners* adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

2. Draws the attention of Governments to those *Rules* and recommends that favorable consideration be given to their adoption and application in the administration of penal and correctional institutions; and that Governments arrange for the widest possible publicity to be given to the *Rules*, not only among governmental services concerned but also among non-governmental organizations interested in social defense.

In effect therefore, there is now established a Bill of Rights for prisoners which has received the sanction of a great international organization, the United Nations.

Herewith also are the recommendations by the same World Congress on selection and training of personnel for penal and correctional institutions with the action of the Economic and Social Council of the United Nations thereon.

Mr. E. R. Cass on behalf of the American Correctional Association has agreed to arrange for their distribution.

SANFORD BATES
JAMES V. BENNETT
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the U. S. to the United Nations*

STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS*

PRELIMINARY OBSERVATIONS

1. The following rules are not intended to describe in detail a model system of penal institutions. They seek only, on the basis of the general consensus of contemporary thought and the essential elements of the most adequate systems of today, to set out what is generally accepted as being good principle and practice in the treatment of prisoners and the management of institutions.

2. In view of the great variety of legal, social, economic and geographical conditions of the world, it is evident that not all of the rules are capable of application in all places and at all times. They should, however, serve to stimulate a constant endeavor to overcome practical difficulties in the way of their application, in the knowledge that they represent, as a whole, the minimum conditions which are accepted as suitable by the United Nations.

3. On the other hand, the rules cover a field in which thought is constantly developing. They are not intended to preclude experiment and practices, provided these are in harmony with the principles and seek to further the purposes which derive from the text of the rules as a whole. It will always be justifiable for the central prison administration to authorize departures from the rules in this spirit.

4. (1) Part I of the rules covers the general management of institutions, and is applicable to all categories of prisoners, criminal or civil, untried or convicted, including prisoners subject to "security measures" or corrective measures ordered by the judge.

(2) Part II contains rules applicable only to the special categories dealt with in each section. Nevertheless, the rules under section A, applicable to prisoners under sentence, shall be equally applicable to categories of prisoners dealt with in section B, C and D, provided they do not conflict with the rules governing those categories and are for their benefit.

5. (1) The rules do not seek to regulate the management of institutions set aside for young persons such as Borstal institutions or correctional schools, but in general part I would be equally applicable in such institutions.

(2) The category of young prisoners should include at least all young persons who come within the jurisdiction of juvenile courts. As a rule, such young persons should not be sentenced to imprisonment.

* Approved by Economic and Social Council of United Nations, May, 1957. The fulfillment of these rules now becomes the joint responsibility of United Nations and its member nations.

PART I. RULES OF GENERAL APPLICATION

Basic principle

6. (1) The following rules shall be applied impartially. There shall be no discrimination on grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

(2) On the other hand, it is necessary to respect the religious beliefs and moral precepts of the group to which a prisoner belongs.

Register

7. (1) In every place where persons are imprisoned there shall be kept a bound registration book with numbered pages in which shall be entered in respect of each prisoner received:

- (a) Information concerning his identity;
- (b) The reasons for his commitment and the authority therefor;
- (c) The day and hour of his admission and release.

(2) No person shall be received in an institution without a valid commitment order of which the details shall have been previously entered in the register.

Separation of categories

8. The different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. Thus,

(a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women the whole of the premises allocated to women shall be entirely separate;

(b) Untried prisoners shall be kept separate from convicted prisoners;

(c) Persons imprisoned for debt and other civil prisoners shall be kept separate from persons imprisoned by reason of a criminal offense;

(d) Young prisoners shall be kept separate from adults.

Accommodation

9. (1) Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room.

(2) Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one

another in those conditions. There shall be regular supervision by night, in keeping with the nature of the institution.

10. All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.

11. In all places where prisoners are required to live or work,

(a) The windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;

(b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

12. The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

13. Adequate bathing and shower installations shall be provided so that every prisoner may be enabled and required to have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate.

14. All parts of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.

Personal hygiene

15. Prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.

16. In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and beard, and men shall be enabled to shave regularly.

Clothing and bedding

17. (1) Every prisoner who is not allowed to wear his own clothing shall be provided with an outfit of clothing suitable for the climate and adequate to keep him in good health. Such clothing shall in no manner be degrading or humiliating.

(2) All clothing shall be clean and kept in proper condition. Underclothing shall be changed and washed as often as necessary for the maintenance of hygiene.

(3) In exceptional circumstances, whenever a prisoner is removed outside the institution for an authorized purpose, he shall be allowed to wear his own clothing or other inconspicuous clothing.

18. If prisoners are allowed to wear their own clothing, arrange-

ments shall be made on their admission to the institution to ensure that it shall be clean and fit for use.

19. Every prisoner shall, in accordance with local or national standards, be provided with a separate bed, and with separate and sufficient bedding which shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness.

Food

20. (1) Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.

(2) Drinking water shall be available to every prisoner whenever he needs it.

Exercise and sport

21. (1) Every prisoner who is not employed in out-door work shall have at least one hour of suitable exercise in the open air daily if the weather permits.

(2) Young prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise. To this end space, installations and equipment should be provided.

Medical services

22. (1) At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organized in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of states of mental abnormality.

(2) Sick prisoners who require special treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitably trained officers.

(3) The services of a qualified dental officer shall be available to every prisoner.

23. (1) In women's institutions there shall be special accommodation for all necessary pre-natal and post-natal care and treatment. Arrangements shall be made wherever practicable for children to be born in a hospital outside the institution. If a child is born in prison, this fact shall not be mentioned in the birth certificate.

(2) Where nursing infants are allowed to remain in the in-

stitution with their mothers, provisions shall be made for a nursery staffed by qualified persons, where the infants shall be placed when they are not in the care of their mothers.

24. The medical officer shall see and examine every prisoner as soon as possible after his admission and thereafter as necessary, with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures; the segregation of prisoners suspected of infectious or contagious conditions; the noting of physical or mental defects which might hamper rehabilitation, and the determination of the physical capacity of every prisoner for work.

25. (1) The medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed.

(2) The medical officer shall report to the director whenever he considers that a prisoner's physical or mental health has been or will be injuriously affected by continued imprisonment or by any condition of imprisonment.

26. (1) The medical officer shall regularly inspect and advise the director upon:

- (a) The quantity, quality, preparation and service of food;
- (b) The hygiene and cleanliness of the institution and the prisoners;
- (c) The sanitation, heating, lighting and ventilation of the institution;
- (d) The suitability and cleanliness of the prisoners' clothing and bedding;
- (e) The observance of the rules concerning physical education and sports, in cases where there is no technical personnel in charge of these activities.

(2) The director shall take into consideration the reports and advice that the medical officer submits according to rule 25 (2) and 26 and, in case he concurs with the recommendation made, shall take immediate steps to give effect to those recommendations; if they are not within his competence or if he does not concur with them, he shall immediately submit his own report and the advice of the medical officer to higher authority.

Discipline and punishment

27. Discipline and order shall be maintained with firmness, but with no more restriction than is necessary for safe custody and well-ordered community life.

28. (1) No prisoner shall be employed, in the service of the institution, in any disciplinary capacity.

(2) This rule shall not, however, impede the proper functioning of systems based on self-government, under which specified social, educational or sports activities or responsibilities are en-

trusted, under supervision, to prisoners who are formed into groups for the purposes of treatment.

29. The following shall always be determined by the law or by the regulation of the competent administrative authority:

- (a) Conduct constituting a disciplinary offense;
- (b) The types and duration of punishment which may be inflicted;
- (c) The authority competent to impose such punishment.

30. (1) No prisoner shall be punished except in accordance with the terms of such law or regulation, and never twice for the same offense.

(2) No prisoner shall be punished unless he has been informed of the offense alleged against him and given a proper opportunity of presenting his defense. The competent authority shall conduct a thorough examination of the case.

(3) Where necessary and practicable the prisoner shall be allowed to make his defense through an interpreter.

31. Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishment shall be completely prohibited as punishments for disciplinary offenses.

32. (1) Punishment by close confinement or reduction of diet shall never be inflicted unless the medical officer has examined the prisoner and certified in writing that he is fit to sustain it.

(2) The same shall apply to any other punishment that may be prejudicial to the physical or mental health of a prisoner. In no case may such punishment be contrary to or depart from the principle stated in rule 31.

(3) The medical officer shall visit daily prisoners undergoing such punishments and shall advise the director if he considers the termination or alteration of the punishment necessary on grounds of physical or mental health.

Instruments of restraint

33. Instruments of restraint, such as handcuffs, chains, irons and strait-jackets, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances:

(a) As a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a judicial or administrative authority;

(b) On medical grounds by direction of the medical officer;

(c) By order of the director, if other methods of control fail, in order to prevent a prisoner from injuring himself or others or from damaging property; in such instances the director shall at once consult the medical officer and report to the higher administrative authority.

34. The patterns and manner of use of instruments of restraint shall be decided by the central prison administration. Such instruments must not be applied for any longer time than is strictly necessary.

Information to and complaints by prisoners

35. (1) Every prisoner on admission shall be provided with written information about the regulations governing the treatment of prisoners of his category, the disciplinary requirements of the institution, the authorized methods of seeking information and making complaints, and all such other matters as are necessary to enable him to understand both his rights and his obligations and to adapt himself to the life of the institution.

(2) If a prisoner is illiterate, the aforesaid information shall be conveyed to him orally.

36. (1) Every prisoner shall have the opportunity each week day of making requests or complaints to the director of the institution or the officer authorized to represent him.

(2) It shall be possible to make requests or complaints to the inspector of prisons during his inspection. The prisoner shall have the opportunity to talk to the inspector or to any other inspecting officer without the director or other members of the staff being present.

(3) Every prisoner shall be allowed to make a request or complaint, without censorship as to substance but in proper form, to the central prison administration, the judicial authority or other proper authorities through approved channels.

(4) Unless it is evidently frivolous or groundless, every request or complaint shall be promptly dealt with and replied to without undue delay.

Contact with the outside world

37. Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits.

38. (1) Prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with the diplomatic and consular representatives of the State to which they belong.

(2) Prisoners who are nationals of States without diplomatic or consular representation in the country and refugees or stateless persons shall be allowed similar facilities to communicate with the diplomatic representative of the State which takes charge of their interests or any national or international authority whose task it is to protect such persons.

39. Prisoners shall be kept informed regularly of the more important items of news by the reading of newspapers, periodicals or special institutional publications, by hearing wireless transmissions, by lectures or by any similar means as authorized or controlled by the administration.

Books

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

Religion

41. (1) If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement shall be on a full-time basis.

(2) A qualified representative appointed or approved under paragraph (1) shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his religion at proper times.

(3) Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his attitude shall be fully respected.

42. So far as practicable, every prisoner shall be allowed to satisfy the needs of his religious life by attending the services provided in the institution and having in his possession the books of religious observance and instruction of his denomination.

Retention of prisoners' property

43. (1) All money, valuables, clothing and other effects belonging to a prisoner which under the regulations of the institution he is not allowed to retain shall on his admission to the institution be placed in safe custody. An inventory thereof shall be signed by the prisoner. Steps shall be taken to keep them in good condition.

(2) On the release of the prisoner all such articles and money shall be returned to him except in so far as he has been authorized to spend money or send any such property out of the institution, or it has been found necessary on hygienic grounds to destroy any article of clothing. The prisoner shall sign a receipt for the articles and money returned to him.

(3) Any money or effects received for a prisoner from outside shall be treated in the same way.

(4) If a prisoner brings in any drugs or medicine, the medical officer shall decide what use shall be made of them.

Notification of death, illness, transfer, etc.

44. (1) Upon the death or serious illness of, or serious injury to a prisoner, or his removal to an institution for the treatment of mental afflictions, the director shall at once inform the spouse, if the prisoner is married, or the nearest relative and shall in any event inform any other person previously designated by the prisoner.

(2) A prisoner shall be informed at once of the death or serious illness of any near relative. In case of the critical illness of a near relative, the prisoner should be authorized, whenever circumstances allow, to go to his bedside either under escort or alone.

(3) Every prisoner shall have the right to inform at once his family of his imprisonment or his transfer to another institution.

Removal of prisoners

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

(2) The transport of prisoners in conveyances with inadequate ventilation or light, or in any way which would subject them to unnecessary physical hardship, shall be prohibited.

(3) The transport of prisoners shall be carried out at the expense of the administration and equal conditions shall obtain for all of them.

Institutional personnel

46. (1) The prison administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of the institution depends.

(2) The prison administration shall constantly seek to awaken and maintain in the minds both of the personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used.

(3) To secure the foregoing ends, personnel shall be appointed on a full-time basis as professional prison officers and have civil service status with security of tenure subject only to good conduct, efficiency and physical fitness. Salaries shall be adequate to attract and retain suitable men and women; employment benefits and conditions of service shall be favorable in view of the exacting nature of the work.

47. (1) The personnel shall possess an adequate standard of education and intelligence.

(2) Before entering on duty, the personnel shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests.

(3) After entering on duty and during their career, the personnel shall maintain and improve their knowledge and professional capacity by attending courses of in-service training to be organized at suitable intervals.

48. All members of the personnel shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their examples and to command their respect.

49. (1) So far as possible, the personnel shall include a sufficient number of specialists such as psychiatrists, psychologists, social workers, teachers and trade instructors.

(2) The services of social workers, teachers and trade instructors shall be secured on a permanent basis, without thereby excluding part-time or voluntary workers.

50. (1) The director of an institution should be adequately qualified for his task by character, administrative ability, suitable training and experience.

(2) He shall devote his entire time to his official duties and shall not be appointed on a part-time basis.

(3) He shall reside on the premises of the institution or in its immediate vicinity.

(4) When two or more institutions are under the authority of one director, he shall visit each of them at frequent intervals. A responsible resident official shall be in charge of each of these institutions.

51. (1) The director, his deputy, and the majority of the other personnel of the institution shall be able to speak the language of the greatest number of prisoners, or a language understood by the greatest number of them.

(2) Whenever necessary, the services of an interpreter shall be used.

52. (1) In institutions which are large enough to require the services of one or more full-time medical officers, at least one of them shall reside on the premises of the institution or in its immediate vicinity.

(2) In other institutions the medical officer shall visit daily and shall reside near enough to be able to attend without delay in cases of urgency.

53. (1) In an institution for both men and women, the part of the institution set aside for women shall be under the authority of a responsible woman officer who shall have the custody of the keys of all that part of the institution.

(2) No male member of the staff shall enter the part of the institution set aside for women unless accompanied by a woman officer.

(3) Women prisoners shall be attended and supervised only by women officers. This does not, however, preclude male members of the staff, particularly doctors and teachers, from carrying out their professional duties in institutions or parts of institutions set aside for women.

54. (1) Officers of the institution shall not, in their relations with the prisoners, use force except in self-defense or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations. Officers who have recourse to

force must use no more than is strictly necessary and must report the incident immediately to the director of the institution.

(2) Prison officers shall be given special physical training to enable them to restrain aggressive prisoners.

(3) Except in special circumstances, staff performing duties which bring them into direct contact with prisoners should not be armed. Furthermore, staff should in no circumstances be provided with arms unless they have been trained in their use.

Inspection

55. There shall be a regular inspection of penal institutions and services by qualified and experienced inspectors appointed by a competent authority. Their task shall be in particular to ensure that these institutions are administered in accordance with existing laws and regulations and with a view to bringing about the objectives of penal and correctional services.

PART II. RULES APPLICABLE TO SPECIAL CATEGORIES

A. PRISONERS UNDER SENTENCE

Guiding principles

56. The guiding principles hereafter are intended to show the spirit in which penal institutions should be administered and the purposes at which they should aim, in accordance with the declaration made under Preliminary Observation 1 of the present text.

57. Imprisonment and other measures which result in cutting off an offender from the outside world are afflictive by the very fact of taking from the person the right of self-determination by depriving him of his liberty. Therefore the prison system shall not, except as incidental to justifiable segregation or the maintenance of discipline, aggravate the suffering inherent in such a situation.

58. The purpose and justification of a sentence of imprisonment or a similar measure deprivative of liberty is ultimately to protect society against crime. This end can only be achieved if the period of imprisonment is used to ensure, so far as possible, that upon his return to society the offender is not only willing but able to lead a law-abiding and self-supporting life.

59. To this end, the institution should utilize all the remedial, educational, moral, spiritual and other forces and forms of assistance which are appropriate and available, and should seek to apply them according to the individual treatment needs of the prisoners.

60. (1) The régime of the institution should seek to minimize any differences between prison life and life at liberty which tend

to lessen the responsibility of the prisoners or the respect due to their dignity as human beings.

(2) Before the completion of the sentence, it is desirable that the necessary steps be taken to ensure for the prisoner a gradual return to life in society. This aim may be achieved, depending on the case, by a pre-release régime organized in the same institution or in another appropriate institution, or by release on trial under some kind of supervision which must not be entrusted to the police but should be combined with effective social aid.

61. The treatment of prisoners should emphasize not their exclusion from the community, but their continuing part in it. Community agencies should, therefore, be enlisted wherever possible to assist the staff of the institution in the task of social rehabilitation of the prisoners. There should be in connection with every institution social workers charged with the duty of maintaining and improving all desirable relations of a prisoner with his family and with valuable social agencies. Steps should be taken to safeguard, to the maximum extent compatible with the law and the sentence, the rights relating to civil interests, social security rights and other social benefits of prisoners.

62. The medical services of the institution shall seek to detect and shall treat any physical or mental illnesses or defects which may hamper a prisoner's rehabilitation. All necessary medical, surgical and psychiatric services shall be provided to that end.

63. (1) The fulfilment of these principles requires individualization of treatment and for this purpose a flexible system of classifying prisoners in groups; it is therefore desirable that such groups should be distributed in separate institutions suitable for the treatment of each group.

(2) These institutions need not provide the same degree of security for every group. It is desirable to provide varying degrees of security according to the needs of different groups. Open institutions by the very fact that they provide no physical security against escape but rely on the self-discipline of the inmates, provide the conditions most favorable to rehabilitation for carefully selected prisoners.

(3) It is desirable that the number of prisoners in closed institutions should not be so large that the individualization of treatment is hindered. In some countries it is considered that the population of such institutions should not exceed five hundred. In open institutions the population should be as small as possible.

(4) On the other hand, it is undesirable to maintain prisoners which are so small that proper facilities cannot be provided.

64. The duty of society does not end with a prisoner's release. There should, therefore, be governmental or private agencies capable of lending the released prisoner efficient after-care directed towards the lessening of prejudice against him and towards his social rehabilitation.

Treatment

65. The treatment of persons sentenced to imprisonment or a similar measure shall have as its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility.

66. (1) To these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his social and criminal history, his physical and mental capacities and aptitudes, his personal temperament, the length of his sentence and his prospects after release.

(2) For every prisoner with a sentence of suitable length, the director shall receive, as soon as possible after his admission, full reports on all the matters referred to in the foregoing paragraph. Such reports shall always include a report by a medical officer, wherever possible qualified in psychiatry, on the physical and mental condition of the prisoner.

(3) The reports and other relevant documents shall be placed in an individual file. This file shall be kept up to date and classified in such a way that it can be consulted by the responsible personnel whenever the need arises.

Classification and individualization

67. The purposes of classification shall be:

(a) To separate from others those prisoners who, by reason of their criminal records or bad characters, are likely to exercise a bad influence;

(b) To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.

68. So far as possible separate institutions or separate sections of an institution shall be used for the treatment of the different classes of prisoners.

69. As soon as possible after admission and after a study of the personality of each prisoner with a sentence of suitable length, a program of treatment shall be prepared for him in the light of the knowledge obtained about his individual needs, his capacities and dispositions.

Privileges

70. Systems of privileges appropriate for the different classes of prisoners and the different methods of treatment shall be established at every institution, in order to encourage good conduct,

develop a sense of responsibility and secure the interest and co-operation of the prisoners in their treatment.

Work

71. (1) Prison labor must not be of an afflictive nature.

(2) All prisoners under sentence shall be required to work, subject to their physical and mental fitness as determined by the medical officer.

(3) Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day.

(4) So far as possible the work provided shall be such as will maintain or increase the prisoners' ability to earn an honest living after release.

(5) Vocational training in useful trades shall be provided for prisoners able to profit thereby and especially for young prisoners.

(6) Within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline, the prisoners shall be able to choose the type of work they wish to perform.

72. (1) The organization and methods of work in the institution shall resemble as closely as possible those of similar work outside institutions, so as to prepare prisoners for the conditions of normal occupational life.

(2) The interests of the prisoners and of their vocational training, however, must not be subordinated to the purpose of making a financial profit from an industry in the institution.

73. (1) Preferably institutional industries and farms should be operated directly by the administration and not by private contractors.

(2) Where prisoners are employed in work not controlled by the administration, they shall always be under the supervision of the institution's personnel. Unless the work is for other departments of the government the full normal wages for such work shall be paid to the administration by the persons to whom the labor is supplied, account being taken of the output of the prisoners.

74. (1) The precautions laid down to protect the safety and health of free workmen shall be equally observed in institutions.

(2) Provision shall be made to indemnify prisoners against industrial injury, including occupational disease, on terms not less favorable than those extended by law to free workmen.

75. (1) The maximum daily and weekly working hours of the prisoners shall be fixed by law or by administrative regulation, taking into account local rules or custom in regard to the employment of free workmen.

(2) The hours so fixed shall leave one rest day a week and

sufficient time for education and other activities required as part of the treatment and rehabilitation of the prisoners.

76. (1) There shall be a system of equitable remuneration of the work of prisoners.

(2) Under the system prisoners shall be allowed to spend at least a part of their earnings on approved articles for their own use and to send a part of their earnings to their family.

(3) The system should also provide that a part of the earnings should be set aside by the administration so as to constitute a savings fund to be handed over to the prisoner on his release.

Education and Recreation

77. (1) Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction in the countries where this is possible. The education of illiterates and young prisoners shall be compulsory and special attention shall be paid to it by the administration.

(2) So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.

78. Recreational and cultural activities shall be provided in all institutions for the benefit of the mental and physical health of prisoners.

Social relations and after-care

79. Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his family as are desirable in the best interests of both.

80. From the beginning of a prisoner's sentence consideration shall be given to his future after release and he shall be encouraged and assisted to maintain or establish such relations with persons or agencies outside the institution as may promote the best interests of his family and his own social rehabilitation.

81. (1) Services and agencies, governmental or otherwise, which assist released prisoners to re-establish themselves in society shall ensure, so far as is possible and necessary, that released prisoners be provided with appropriate documents and identification papers, have suitable homes and work to go to, are suitably and adequately clothed having regard to the climate and season, and have sufficient means to reach their destination and maintain themselves in the period immediately following their release.

(2) The approved representatives of such agencies shall have all necessary access to the institution and to prisoners and shall be taken into consultation as to the future of a prisoner from the beginning of his sentence.

(3) It is desirable that the activities of such agencies shall

be centralized or co-ordinated as far as possible in order to secure the best use of their efforts.

B. INSANE AND MENTALLY ABNORMAL PRISONERS

82. (1) Persons who are found to be insane shall not be detained in prisons and arrangements shall be made to remove them to mental institutions as soon as possible.

(2) Prisoners who suffer from other mental diseases or abnormalities shall be observed and treated in specialized institutions under medical management.

(3) During their stay in a prison, such prisoners shall be placed under the special supervision of a medical officer.

(4) The medical or psychiatric service of the penal institutions shall provide for the psychiatric treatment of all other prisoners who are in need of such treatment.

83. It is desirable that steps should be taken, by arrangement with the appropriate agencies, to ensure if necessary the continuation of psychiatric treatment after release and the provision of social-psychiatric after-care.

C. PRISONERS UNDER ARREST OR AWAITING TRIAL

84. (1) Persons arrested or imprisoned by reason of a criminal charge against them, who are detained either in police custody or in prison custody (jail) but have not yet been tried and sentenced, will be referred to as "untried prisoners" hereinafter in these rules.

(2) Unconvicted prisoners are presumed to be innocent and shall be treated as such.

(3) Without prejudice to legal rules for the protection of individual liberty or prescribing the procedure to be observed in respect of untried prisoners, these prisoners shall benefit by a special régime which is described in the following rules in its essential requirements only.

85. (1) Untried prisoners shall be kept separate from convicted prisoners.

(2) Young untried prisoners shall be kept separate from adults and shall in principle be detained in separate institutions.

86. Untried prisoners shall sleep singly in separate rooms, with the reservation of different local custom in respect of the climate.

87. Within the limits compatible with the good order of the institution, untried prisoners may, if they so desire, have their food procured at their own expense from the outside, either through the administration or through their family or friends. Otherwise the administration shall provide their food.

88. (1) An untried prisoner shall be allowed to wear his own clothing if it is clean and suitable.

(2) If he wears prison dress, it shall be different from that supplied to convicted prisoners.

89. An untried prisoner shall always be offered opportunity to work, but shall not be required to work. If he chooses to work, he shall be paid for it.

90. An untried prisoner shall be allowed to procure at his own expense or at the expense of a third party such books, newspapers, writing materials and other means of occupation as are compatible with the interests of the administration of justice and the security and good order of the institution.

91. An untried prisoner shall be allowed to be visited and treated by his own doctor or dentist if there is reasonable ground for his application and he is able to pay any expenses incurred.

92. An untried prisoner shall be allowed to inform immediately his family of his detention and shall be given all reasonable facilities for communicating with his family and friends, and for receiving visits from them, subject only to such restrictions and supervision as are necessary in the interests of the administration of justice and of the security and good order of the institution.

93. For the purposes of his defense, an untried prisoner shall be allowed to apply for free legal aid where such aid is available, and to receive visits from his legal adviser with a view to his defense and to prepare and hand to him confidential instructions. For these purposes, he shall if he so desires be supplied with writing material. Interviews between the prisoner and his legal adviser may be within sight but not within the hearing of a police or institutional official.

D. CIVIL PRISONERS

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

B. Selection and training of personnel for penal and correctional institutions

Resolution adopted on 1 September 1955

The First United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Having adopted recommendations, annexed to the present resolution, on the question of the selection and training of personnel for penal and correctional institutions,

1. *Requests* the Secretary-General, in accordance with paragraph

(d) of the annex to resolution 415 (V) of the General Assembly of the United Nations, to submit these recommendations to the Social Commission of the Economic and Social Council for approval;

2. *Expresses* the hope that the Economic and Social Council will endorse these recommendations and draw them to the attention of governments, recommending that governments take them as fully as possible into account in their practice and when considering legislative and administrative reforms;

3. *Expresses* also the wish that the Economic and Social Council request the Secretary-General to give the widest publicity to these recommendations and authorize him to collect periodically information on the matter from the various countries, and to publish such information.

Annex

RECOMMENDATIONS ON THE SELECTION AND TRAINING OF PERSONNEL FOR PENAL AND CORRECTIONAL INSTITUTIONS

A. MODERN CONCEPTION OF PRISON SERVICE

I. *Prison service in the nature of a social service*

(1) Attention is drawn to the change in the nature of prison staffs which results from the development in the conception of their duty from that of guards to that of members of an important social service demanding ability, appropriate training and good team work on the part of every member.

(2) An effort should be made to arouse and keep alive in the minds both of the public and of the staff an understanding of the nature of modern prison service. For this purpose all appropriate means of informing the public should be used.

II. *Specialization of functions*

(1) This new conception is reflected in the tendency to add to the staff an increasing number of specialists, such as doctors, psychiatrists, psychologists, social workers, teachers, technical instructors.

(2) This is a healthy tendency and it is recommended that it should be favorably considered by governments even though additional expense would be involved.

III. *Co-ordination*

(1) The increasing specialization may, however, hamper an integrated approach to the treatment of prisoners and present problems in the co-ordination of the work of the various types of specialized staff.

(2) Consequently, in the treatment of prisoners, it is necessary to ensure that all the specialists concerned work together as a team.

(3) It is also considered necessary to ensure, by the appointment of a co-ordinating committee or otherwise, that all the specialized services follow a uniform approach. In this way the members of the staff will also have the advantage of gaining a clearer insight into the various aspects of the problems involved.

B. STATUS OF STAFF AND CONDITIONS OF SERVICE

IV. *Civil service status*

Full-time prison staff should have the status of civil servants, that is, they should:

(a) Be employed by the government of the country or State and hence be governed by civil service rules;

(b) Be recruited according to certain rules of selection such as competitive examination;

(c) Have security of tenure subject only to good conduct, efficiency and physical fitness;

(d) Have permanent status and be entitled to the advantages of a civil service career in such matters as promotion, social security, allowances, and retirement or pension benefits.

V. *Full-time employment*

(1) Prison staff, with the exception of certain professional and technical grades, should devote their entire time to their duties and therefore be appointed on a full-time basis.

(2) In particular, the post of director of an institution must not be a part-time appointment.

(3) The services of social workers, teachers and trade instructors should be secured on a permanent basis, without thereby excluding part-time workers.

VI. *Conditions of service in general*

(1) The conditions of service of institutional staff should be sufficient to attract and retain the best qualified persons.

(2) Salaries and other employment benefits should not be arbitrarily tied to those of other public servants but should be related to the work to be performed in a modern prison system, which is complex and arduous and is in the nature of an important social service.

(3) Sufficient and suitable living quarters should be provided for the prison staff in the vicinity of the institution.

VII. *Non-military organization of the staff*

(1) Prison staff should be organized on civilian lines with a divi-

sion into ranks or grades as this type of administration requires.

(2) Custodial staff should be organized in accordance with the disciplinary rules of the penal institution in order to maintain the necessary *grade distinctions and order*.

(3) Staff should be specially recruited and not seconded from the armed forces or police or other public services.

VIII. *Carrying of arms*

(1) Except in special circumstances, staff performing duties which bring them into direct contact with prisoners should not be armed.

(2) Staff should in no circumstances be provided with arms unless they have been trained in their use.

(3) It is desirable that prison staff should be responsible for guarding the enclosure of the institution.

C. RECRUITMENT OF STAFF

IX. *Competent authority and general administrative methods*

(1) As far as possible recruitment should be centralized, in conformity with the structure of each State, and be under the direction of the superior or central prison administration.

(2) Where other State bodies such as a civil service commission are responsible for recruitment, the prison administration should not be required to accept a candidate whom they do not regard as suitable.

(3) Provision should be made to exclude political influence in appointments to the staff of the prison service.

X. *General conditions of recruitment*

(1) The prison administration should be particularly careful in the recruitment of staff, selecting only persons having the requisite qualities of integrity, humanitarian approach, competence and physical fitness.

(2) Members of the staff should be able to speak the language of the greatest number of prisoners or a language understood by the greatest number of them.

XI. *Custodial staff*

(1) The educational standards and intelligence of this staff should be sufficient to enable them to carry out their duties effectively and to profit by whatever in-service training courses are provided.

(2) Suitable intelligence, vocational and physical tests for the scientific evaluation of the candidates' capacities are recommended in addition to the relevant competitive examinations.

(3) Candidates who have been admitted should serve a probationary period to allow the competent authorities to form an opinion of their personality, character and ability.

XII. Higher administration

Special care should be taken in the appointment of persons who are to fill posts in the higher administration of the prison services; only persons who are suitably trained and have sufficient knowledge and experience should be considered.

XIII. Directors or executive staff

(1) The directors or assistant directors of institutions should be adequately qualified for their functions by reason of their character, administrative ability, training and experience.

(2) They should have a good educational background and a vocation for the work. The administration should endeavor to attract persons with specialized training which offers adequate preparation for prison service.

XIV. Specialized and administrative staff

(1) The staff performing specialized functions, including administrative functions, should possess the professional or technical qualifications required for each of the various functions in question.

(2) The recruitment of specialized staff should therefore be based on the professional training diplomas or university degrees evidencing their special training.

(3) It is recommended that preference should be given to candidates who, in addition to such professional qualifications, have a second degree or qualification, or specialized experience in prison work.

XV. Staff of women's institutions

The staff of women's institutions should consist of women. This does not, however, preclude male members of the staff, particularly doctors and teachers, from carrying out their professional duties in institutions or parts of institutions set aside for women. Female staff, whether lay or religious, should, as far as possible, possess the same qualifications as those required for appointment to institutions for men.

D. PROFESSIONAL TRAINING

XVI. Training prior to final appointment

Before entering on duty, staff should be given a course of training in their general duties, with a view particularly to social problems, and in their specific duties and be required to pass theoretical and practical examinations.

XVII. Custodial staff

(1) A program of intensive professional training for custodial staff is recommended. The following might serve as an example for the organization of such training in three stages:

(2) The first stage should take place in a penal institution, its aim being to familiarize the candidate with the special problems of the profession and at the same time to ascertain whether he possesses the necessary qualities. During this initial phase, the candidate should not be given any responsibility, and his work should be constantly supervised by a member of the regular staff. The director should arrange an elementary course in practical subjects for the candidates.

(3) During the second stage, the candidate should attend a school or course organized by the superior or central prison administration, which should be responsible for the theoretical and practical training of officers in professional subjects. Special attention should be paid to the technique of relations with the prisoners, based on the elementary principles of psychology and criminology. The training courses should moreover comprise lessons on the elements of penology, prison administration, penal law and related matters.

(4) It is desirable that during the first two stages candidates should be admitted and trained in groups, so as to obviate the possibility of their being prematurely employed in the service and to facilitate the organization of courses of training.

(5) The third stage, intended for candidates who have satisfactorily completed the first two and shown the greatest interest and a vocation for the service, should consist of actual service during which they will be expected to show that they possess all the requisite qualifications. They should also be offered an opportunity to attend more advanced training courses in psychology, criminology, penal law, penology and related subjects.

XVIII. Directors or executive staff

(1) As methods vary greatly from country to country at the present time, the necessity for adequate training, which directors and assistant directors should have received prior to their appointment in conformity with paragraph XIII above, should be recognized as a general rule.

(2) Where persons from the outside with no previous experience of the work but with proved experience in similar fields are recruited as directors or assistant directors, they should, before taking up their duties, receive theoretical training and gain practical experience of prison work for a reasonable period, it being understood that a diploma granted by a specialized vocational school or a university degree in a relevant subject may be considered as sufficient theoretical training.

XIX. *Specialized staff*

The initial training to be required from specialized staff is determined by the conditions of recruitment, as described in paragraph XIV above.

XX. *Regional training institutes for prison personnel*

The establishment of regional institutes for the training of the staff of penal and correctional institutions should be encouraged.

XXI. *Physical training and instruction in the use of arms*

(1) Prison officers shall be given special physical training to enable them to restrain aggressive prisoners by the means prescribed by the authorities in accordance with the relevant rules and regulations.

(2) Officers who are provided with arms shall be trained in their use and instructed in the regulations governing their use.

XXII. *In-service training*

(1) After taking up their duties and during their career, staff should maintain and improve their knowledge and professional capacity by attending advanced courses of in-service training which are to be organized periodically.

(2) The in-service training of custodial staff should be concerned with questions of principle and technique rather than solely with rules and regulations.

(3) Whenever any type of special training is required it should be at the expense of the State and those undergoing training should receive the pay and allowances of their grade. Supplementary training to fit the officer for promotion may be at the expense of the officer and in his own time.

XXIII. *Discussion groups, visits to institutions, seminars for senior personnel*

(1) For senior staff, group discussions are recommended on matters of practical interest rather than on academic subjects, combined with visits to different types of institutions, including those outside the penal system. It would be desirable to invite specialists from other countries to participate in such meetings.

(2) It is also recommended that exchanges be organized between various countries in order to allow senior personnel to obtain practical experience in institutions of other countries.

XXIV. *Joint consultation, visits and meetings for all grades of staff*

(1) Methods of joint consultation should be established to enable all grades of prison personnel to express their opinion on the

methods used in the treatment of prisoners. Moreover, lectures, visits to other institutions and, if possible, regular seminars should be organized for all categories of staff.

(2) It is also recommended that meetings should be arranged at which the staff may exchange information and discuss questions of professional interest.

Likewise in May 1957 these recommendations were submitted to the United Nations Economic and Social Council and the Economic and Social Council

1. Endorses the recommendations on the selection and training of personnel for penal and correctional institutions, and

2. Draws the attention of Governments to those recommendations, and recommends that they take them as fully as possible into account in their administration of penal and correctional institutions and when considering legislative and administrative reforms;

3. Invites Governments to give the widest publicity to these recommendations;

4. Requests the Secretary-General to arrange for the periodical collection and publication, as appropriate, of information (a) on the selection and training of personnel for penal and correctional institutions, and (b) on open penal and correctional institutions.

FINANCIAL STATEMENT
THE PRISON ASSOCIATION OF NEW YORK
GENERAL FUND
STATEMENT OF INCOME AND EXPENSES
YEAR ENDED DECEMBER 31, 1957

INCOME

Donations—special purposes:			
The Greater New York Fund	\$2,860 00		
Other	6,224 52	\$ 9,084 52	
Donations—unrestricted		28,462 96	\$37,547 48
Endowment Income			
Dividends on stock			33,706 30
Total Income			71,253 78

EXPENSES

General administration	20,461 18		
Relief—prisoners and families (cash, food, clothing, etc.)	21,548 63		
Relief—administration	6,023 00		
Employment—administration	6,027 00		
Appeal—administration	5,591 00		
Traveling expenses	301 59		
Printing and stationery	1,432 75		
Postage	415 05		
Telephone and telegraph	305 53		
Auditing, legal, legislative services	615 00		
Periodicals, custodian fees and miscellaneous	2,152 13		
House maintenance	4,453 92		
U. S. old age benefits tax	680 44		
Total Expenses		70,187 22	
NET GAIN FOR THE YEAR			\$ 1,066 56

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, 1957. 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.
 May 1, 1958

CONSTITUTION AND BY-LAWS

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

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

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

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

ARTICLE FIRST

The objects of the association shall be:

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

ARTICLE SECOND

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

ARTICLE THIRD

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

ARTICLE FOURTH

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

ARTICLE FIFTH

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

ARTICLE SIXTH

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

ARTICLE SEVENTH

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

ARTICLE EIGHTH

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

ARTICLE NINTH

Any society having the same objects in view may become auxiliary to this association by contributing to its funds and co-operating 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 otherwise, may be filled either by the association at any annual meeting or, in interims between the annual meeting, by the executive committee.

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

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

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

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

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

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

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

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

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

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

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

IX. There shall be at least the following standing committees: executive; finance; law; detentions; nominations; probation and parole; prison administration. Such committees in addition to any powers or duties conferred by these by-laws shall severally possess the power and be subject to the duties designated from time to time

by the executive committee. Furthermore, the committee on probation and parole shall function as the committee on discharged convicts mentioned in the constitution, and the committee on prison administration shall function as the committee on prison discipline mentioned in the constitution.

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

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

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

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

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

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

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

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

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

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

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

The executive committee may in their discretion draw upon such

portions of the endowment fund as are unrestricted, for the general purposes of the Association.

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

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

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

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

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

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

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

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

XI. It shall be the duty of the committee on law to examine and report from time to time upon the penal legislation of the State, with their suggestions for the amendment thereto, to consider questions relating thereto which are under discussion in the press