

STATE OF NEW YORK

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THE ONE HUNDRED AND FOURTH  
ANNUAL REPORT

OF THE

Prison Association of New York

135 East 15th Street, New York

1948



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1949

## PREFACE

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

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

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

## SAINTS AND SINNERS\*

When some fellow yields to temptation,  
 And breaks a conventional law,  
 We look for no good in his make-up,  
 But God! How we look for a flaw!  
 No one will ask, "How tempted?"  
 Nor allow for the battles he's fought;  
 His name becomes food for the jackals;  
 For us who have never been caught.

"He has sinned!" we shout from the house-tops,  
 We forget the good he has done,  
 We center on one lost battle,  
 And forget the times he has won.  
 "Come. Gaze on the sinner!" we thunder,  
 "And by his example be taught,  
 That his footsteps lead to destruction,"  
 Cry we who have never been caught.

I'm a sinner, O Lord, and I know it,  
 I'm weak, I blunder, I fail,  
 I'm tossed on life's stormy ocean,  
 Like ships embroiled in a gale.  
 I'm willing to trust in thy mercy;  
 To keep the commandments Thou'st taught,  
 But deliver me, Lord, from the judgment,  
 Of saints who have never been caught!

\* Composed by a former inmate of the Federal Reformatory, Chillicothe.

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THE PRISON ASSOCIATION OF NEW YORK

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STANDING COMMITTEES FOR 1948

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COMMITTEE ON DETENTIONS  
SCHOENFELD, MRS. DULLES, LEE, MOORE

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

HON. JOE R. HANLEY,  
*Lieutenant Governor of New York:*

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

Respectfully,

THE PRISON ASSOCIATION OF NEW YORK

By EDWIN O. HOLTER, *President*  
E. R. CASS, *General Secretary*

### THIRTY-FIVE YEARS OF SERVICE

At the regular monthly meeting of the Executive Committee, held in May, prior to the discussion of general business, Mr. Edwin O. Holter, President of the Prison Association, made the announcement that it was the desire of the Executive Committee to observe the occasion of the thirty-fifth anniversary of Mr. Cass' affiliation with the Prison Association of New York. Mr. Holter declared that the Committee was unanimous in their desire to acknowledge the many years of the General Secretary's service with the presentation of a gift. Mr. Holter then presented Mr. Cass with a beautiful wrist watch engraved on the reverse side as follows:

*"Edward R. Cass  
1913-1948*

*The Prison Association of  
New York".*

Mr. Cass responded and extended his gratitude and appreciation for the generous support given to him through the years by the Committee. Following this a number of the Committee members indicated their individual appreciation and recognition of Mr. Cass' many contributions to the field of penology, particularly in this area.

A number of letters and telegrams of felicitation were read. Among them were included greetings from the following: Harold K. Hochschild; Commissioner Donald McMillan, Salvation Army; Mrs. Sidney Cecil Borg; John J. Bennett, Deputy Mayor of the City of New York; Commissioner Schoenfeld and his staff; Monsignor Francis J. Lane, Elmira Reformatory; Philip Heimlich, Youth Counsel Bureau; Sanford Bates, Commissioner, New Jersey Department of Institutions and Agencies; W. Frank Smyth, Jr., Superintendent, Virginia Penitentiary and President of the American Prison Association; James V. Bennett, Director of United States Bureau of Prisons; Irving W. Halpern, Chief Probation Officer Court of General Sessions; Commissioner Albert Williams, New York City Department of Correction; Commissioner John A. Lyons, New York State Department of Correction; Rt. Rev. Charles K. Gilbert, Bishop of New York; J. Stanley Sheppard, Salvation Army; Miss Ruth Collins, Superintendent, Women's House of Detention; and a cablegram from Joseph J. A. Ellis, Assistant Attorney General, Curacao, Netherlands West Indies.

## RECOMMENDATIONS\*

February 28, 1949

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 104th Annual Report of The Prison Association of New York, and urge that they receive your serious consideration.

Respectfully submitted,

THE PRISON ASSOCIATION OF NEW YORK

E. O. HOLTER, *President*

E. R. CASS, *General Secretary*

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### DETENTION — OR CORRECTION?

To those versed in correctional practices and procedures a question such as this should require but limited discussion. To the layman, however, no other three words could more adequately express the situation facing the people of New York State.

The problem cannot be stated more simply. Shall we be content with mere detention, or shall we be content only when New York regains its leadership in the *correctional* rather than the detention field?

If the people desire to be content with the knowledge that prisoners are securely behind the walls and under the control of steel, cement and bars, then we need not pursue the discussion further. We can say with a reasonable degree of assurance that those confined in the State's penal institutions will so remain until legally released. Our institutions are secure, manned by an efficient custodial force and all legal requirements of safe custody are apparently being met.

If, on the other hand, the people will be content only when the State Department of Correction becomes a *correctional* agency in every sense of the term, then we have a well-defined path ahead.

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\* These recommendations in their completeness were mailed to each member of the Senate and Assembly on February 25, 1949.

It is the purpose of this report to present a discussion outlining some of the steps the Prison Association feels necessary if the State's handling of convicted felons is to be *correction* over and above detention. This we have done for many decades through the presentation of specific recommendations to the Legislature and the offering of guidance based on many years of correctional observation throughout the country.

As we pointed out in our Annual Report for 1947\* "... we feel something more to be necessary in the overall rehabilitation of prisoners than sturdy buildings, clean surroundings, modern facilities and secure custody." We repeat, good housekeeping alone is not enough.

Reference to the budget of the State Department of Correction serves as an illustration of the fact that more than good housekeeping is needed. The budget provides for an approximate total of 1,550 custodial personnel not above the rank of correction officer. It likewise provides for 178 additional personnel assigned to what might be termed the rehabilitation program including psychiatrists, psychologists, teachers, vocational instructors, etc. Of these the majority are assigned to three institutions. With a total inmate population in the neighborhood of 15,600 the need for additional professional services is obvious. The rehabilitation of prisoners cannot be accomplished by miracles. Likewise custodial officers alone cannot be expected to substitute for needed professional services. Correction needs custody but it requires more than that in the nature of professional services.

The people of New York need not, at this time, be concerned with the need for additional penal institutions. Basically, what we have in a physical sense will suffice for the present. We will make no plea for large building appropriations.

On the contrary, our major plea is for a clear cut definition of correctional policy. Our plea is for a definition of purpose, a specific charting of the course ahead.

New York is fortunate in having a wide variety of penal institutions ranging from those of maximum security to several of minimum security. In a sense we have put the cart before the horse as we have the physical facilities but lack the blueprint of effective correctional administration. Perhaps we should qualify this comment by stating that seventeen years ago a well-defined blueprint was drawn. The deliberations of the famed Commission to Investigate Prison Administration

\* 103rd Annual Report of The Prison Association of New York, Legislative Document (1948) No. 56, Publishers Printing Co., N.Y.C., 1948, pg. 13 ff.

and Construction\*, known popularly as the Lewisohn Commission, is largely responsible for a substantial amount of the progress noted in the New York correctional field during the past twenty years. The Prison Association, through its General Secretary, E. R. Cass, was represented on the membership of the Commission. Its chairman, Sam A. Lewisohn, has given many years of devoted service to the interests of progressive correction in New York State and the nation generally. He is a past president of the American Prison Association and a member of the Executive Committee of the Prison Association of New York.

The momentum resulting from the Commission's findings carried the Department to an undeniable position of leadership but the depression years gave impetus to a decline in the momentum. There are no legitimate reasons, however, why New York cannot regain its former leadership.

Those steps that the Prison Association feel to be necessary to this end form the remainder of these recommendations to the Legislature.

In keeping with the Association's original act of incorporation it is required to report annually to the Legislature. This we have done faithfully for 104 successive years. Some of the recommendations that follow are in the nature of observations and suggestions for what might be termed administrative improvement. Others are in the nature of recommendations for specific legislative action.

The Association feels a discussion of this nature to be appropriate because some of the proposals for an improved correctional system do not require legislative action. This report, then, is in the nature of an account of what we feel is desirable from a legislative and administrative standpoint. Our comment is made wholly from a desire to be of service and is to be construed in no other fashion.

### I. A COORDINATED CORRECTIONAL SYSTEM

For the third year we commence our recommendations by urging legislative support of a coordinated correctional program. We urge that a thorough review of the State's correctional process and needs be made either by a legislative commission with the aid of technical consultants or by a special professionally qualified committee appointed by the Governor.

This review should be conducted during the current year and provide recommendations for legislative and administra-

\* Appointed July, 1930, by Governor Franklin D. Roosevelt, the President Pro Tem of the Senate and the Speaker of the Assembly.



tive revisions of existing procedures in keeping with the most progressive correctional practices of our time.

**Comment:**

It is appropriate that we again point out that this review not be in the nature of an investigation or "head hunting" expedition. The situation does not require an investigation, as such. What it urgently needs is a technical and professional review of current procedures and needs, the first of which is a coordinated correctional system.

What is meant by a coordinated system?

In the first place coordination of any process is based upon a well-planned course of action. Such a course requires a well-defined underlying purpose. It is obvious, therefore, that without a clearly defined purpose or goal the charting of a course is impossible.

When we recommend a coordinated process we assume, then, that it will be based upon a clear-cut correctional policy.

The treatment of the adult offender (with whom this discussion is primarily concerned) should be a continuous process and not a series of disjointed and unrelated steps.

In using the term "coordination" as relates to the State Department of Correction, we recognize a need for a revision of administrative organizations to permit maximum use of the State's diversified correctional institutions. Few, if any, states can boast of the diversification of confinement units that are now a part of this State's correctional system. With the possible exception of California, New York's variety of institutions rank favorably with the thirty-odd penal institutions operated by the U. S. Government, as far as diversification is concerned.

The rehabilitation of prisoners must be by design rather than by coincidence. One of the guarantees of rehabilitation is the fullest use of physical facilities in keeping with the basic purpose for which they were designed.

As we stated a year ago\*, a clear cut statement of correctional policy should be the first order of business. To assist in developing the best of correctional practice and procedure the technical review is recommended.

## II. COMMITMENT OF PRISONERS

It is recommended that all male felony prisoners be committed to the State Department of Correction instead of to

\*193d Annual Report. The Prison Association of New York, pg. 15.

specific institutions on the basis of judicial districts as at present.

**Comment:**

Chapter 554 of the Laws of 1945 establishes adequate precedent for this recommendation. That law provides for the establishment of the Elmira Reception Center for male felony prisoners between the ages of 16 and 21, except those sentenced to death or life imprisonment.

The excellent record established by the Center and similar units in various other states together with the long-standing practice of the United States courts would seem to substantiate without question a recommendation of this nature.

The establishment of the Elmira Reception Center commits the State to the theory and need for a coordinated commitment and reception procedure. The next logical step is to provide for a similar center and procedure for all male felony offenders from 21 up.

One of the first steps necessary to activate this advance is contained in the following recommendation.

### III. DESIGNATION OF RECEPTION INSTITUTIONS

It is recommended that Sing Sing Prison be designated as a reception and screening prison for male felony offenders over the age of 21.

It is further recommended that the Green Haven Prison be used as a sentence institution in lieu of Sing Sing Prison.

**Comment:**

The official record surrounding correctional affairs in New York State covers many years of recommendations urging the establishment of a statewide system of prisoners classification and reception institutions.

Thirty-three years ago, in 1916, the Prison Association recommended that Sing Sing be a reception prison for the study and observation of offenders. Using the slogan "Sing Sing Must Go" the Association in 1916 recommended virtually the same program that it repeats in 1949. The old Sing Sing has largely disappeared and to this extent its 33 year old recommendation has been fulfilled. The old cell blocks met their long delayed doom during the recent war years.

Two factors stand out among the many substantiating the Association's recommendation. First is the fact that approximately 75% of Sing Sing's commitments are from the New

York City area. Second is the announced plan to reactivate Green Haven as of the first of the next fiscal year. The latter step would make possible a shift of population from Sing Sing to the new prison thus leaving the Ossining institution available for use as a reception and screening prison. By use of the term "screening prison" we mean a receiving institution with facilities and personnel to conduct study and observation of new commitments followed by recommendations for their transfer to suitable institutions for the remainder of their sentence. The Elmira Reception Center is, as a matter of fact, a reception and screening unit. We think of Sing Sing as a similar facility for the older offender.

Some years after the Association's original recommendation of 1916, The Commission to Investigate Prison Administration and Construction\*, under date of February 15, 1931, made the following recommendation:

"We, therefore, recommend that every prisoner, immediately upon conviction should go to a receiving prison for a period of study through which will be determined the unit of the prison system for which he is best adapted and the treatment and training he should receive while in prison."

The Prison Association in 1949 can do no more than earnestly renew the 1916 and subsequent 1931 recommendations. Through the years we have urged the adoption of this recommendation now followed by such states as California and Illinois, and the Federal Government.

#### IV. COMPENSATION FOR INMATES OF WOODBOURNE AND NAPANOCH INSTITUTIONS FOR MENTAL DEFECTIVES, AND EQUALIZATION OF COMPENSATION OF INMATES OF WESTFIELD STATE PRISON FOR WOMEN.

It is recommended that payments to female prisoners at the Westfield State Prison for Women be equalized with the wage scale applicable to male prisoners in State prisons.

It is also recommended that funds be made available to provide compensation for prisoners confined in the Woodbourne and Napanoch Institutions for Defective Delinquents.

#### Comment:

The injustice resulting from the present practice of not granting incentive wages to prisoners confined in certain institutions is obvious. Prisoners at Woodbourne and Napanoch

\* Commission to Investigate Prison Administration and Construction. Feb. 15, 1931, page 9. J. B. Lyon Co., Albany, N. Y., printers.

may work at industrial tasks for years on end and at the conclusion of their term be not eligible for compensation. This creates undue hardship and a lack of incentive upon certain prisoners who, for reasons beyond their control, may be committed or transferred to those two institutions noted. A sound rehabilitation program, designed to equip prisoners for their eventual release to the free community, should include some remuneration for services rendered. This is done at the prisons but not at Woodbourne and Napanoch. Few and far between are those correctional institutions of today whose inmates are not awarded incentive compensation for their labors.

Female prisoners at the Westfield State Prison for Women are now paid up to 8 cents per day, with most earning approximately 1½ cents per day. We urge that female prisoners, whose labors are just as diligent as male prisoners, be paid on a scale equal to that of the men.

#### V. FINGERPRINTING OF JAILERS AND DEPUTY SHERIFFS ACTING AS JAILERS

It is recommended that legislation be provided whereby it will be mandatory that all persons employed in the administration of a county jail or penitentiary and city, village and town operated places of confinement, be fingerprinted.

#### Comment:

This recommendation is made in the interests of securing better personnel for the administration of locally operated penal institutions and confinement units. The recent disclosure of the appropriation of county property for personal use by a deputy sheriff assigned as a jailer in a southern tier county jail is a case in illustration. Following investigation it was determined that this same deputy sheriff had a police record dating back some years. Indictments resulted following grand jury consideration of the charges. For purposes of public protection and in the interests of securing qualified personnel, all persons engaged in the administration of a locally operated place of confinement should be required to be fingerprinted. The procedure requested is simply an extension of a long prevailing regulation of State and City of New York institutions and large institutions in other jurisdictions.

#### VI. COMPULSORY TREATMENT OF NARCOTIC ADDICTS

It is recommended that the Code of Criminal Procedure be amended to provide for compulsory rehabilitative treatment of narcotic addicts and users procuring drugs illicitly.

**Comment:**

Particularly in the Greater New York area the problem of narcotic addiction is pronounced. According to eminently qualified authority, drug addiction is considered a dangerous social and economic problem, affecting not only the individual addict but countless other members of the community.

In the opinion of the District Supervisor of the Treasury Department's Bureau of Narcotics, Colonel Garland H. Williams, there are two general types of addicts, viz., those using drugs with the consent of a duly licensed physician or dentist for legitimate medical reasons, and those using and procuring narcotics in violation of the law. With the former we are not concerned. It is the common addict who causes alarm and is in need of treatment. "*It is an established fact,*" according to Colonel Williams, "*that a narcotic addict is incapable of forcing himself to undergo treatment for his addiction, and he will never complete a cure unless he is placed under some form of compulsion.*"

Some states have recognized this fact but New York is not among them. New York does not require the non-medical addict to submit to a cure and, in Colonel William's opinion "*this area (New York) is considered to be a refuge and a happy place of abode for these criminal characters.*" The answer is simply that addicts must be cured under compulsion.

We urge therefore, that the opinion of the United States Commissioner of Narcotics, Harry J. Anslinger, and his federal narcotic agents, be accepted and legislative provision made for the compulsory treatment of narcotic addicts. We urge the adoption of legislation introduced in the 1949 session of the Legislature on January 26, 1949, by Senator W. J. Mahoney and Assemblyman Julius Volker, entitled "AN ACT TO AMEND THE CODE OF CRIMINAL PROCEDURE IN RELATION TO NARCOTIC ADDICTS OR USERS OF NARCOTICS."

This legislation is designed to provide the unlawful addict with the scientific physiological and psychological treatment now available in the United States Public Health Service Hospitals at Lexington, Kentucky, and Fort Worth, Texas. The bill in no manner applies to those using narcotics for bona fide medicinal reasons who are under the care of licensed physicians and dentists. It applies only to those who violate the law by securing and using drugs illegally. It provides that offenders may be sentenced to imprisonment for a term of not less than six months nor more than one year, with the additional provision that the sentencing judge may place such a person on

probation with the condition that he enter an approved institution for treatment and remain therein until released as cured by a licensed physician.

We endorse legislation of this nature and urge favorable action at this session of the Legislature in the interests of public protection and the general welfare.

#### VII. PROVISION OF INTERNSHIPS WITHIN THE DIVISION OF PAROLE AND THE STATE DEPARTMENT OF CORRECTION

It is recommended that budgetary provision be supported for the making available of qualified interns within the State Division of Parole and Department of Correction.

**Comment:**

We join with others in advocating the provision and, in some cases, extension of the system whereby qualified interns may be provided the parole and correction departments. The development of professional career personnel is necessary to furnish the leadership of the future. It is obvious that the co-operation of universities and colleges is necessary to effect the greatest degree of efficiency in the operation of such a plan. It is true that in the past interns have been assigned to the correction department and our plea at this time is for an extension of this system on a permanent basis.

#### VIII. DEPARTMENT OF CORRECTION — CITY OF NEW YORK

a) It is recommended that legislation be provided enabling the State to accept jurisdiction of those prisoners currently and hereafter serving indeterminate sentences in the Penitentiary of the City of New York, exclusive of those serving Workhouse indeterminate sentences.

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

c) It is also recommended that pending the passage of legislation urged in paragraph (a) above, the State be obligated by legislation to increase the per day per capita rate of payment for the maintenance of persons convicted of felonies sentenced to penitentiaries from sixty cents to one dollar and fifty cents per day.

d) It is recommended that legislation be provided increasing the clothing allowance now paid by the State to county

penitentiary superintendents from fifteen dollars to twenty-five dollars except for November through March when the value should be increased from the present twenty-five dollars to forty-five dollars.

e) It is also recommended that the Correction Law be further amended to provide for the reimbursement of counties for the cost of the temporary custody of prisoners detained by the State for violation of parole.

#### Comment:

The Prison Association has for many years advocated the adoption of recommendations (a) and (b) above. In our 103rd Annual Report for the year 1947 we acknowledged the contribution which the Citizens Budget Commission made to the thinking in this field by virtue of their survey of the City Department of Correction with which the Association cooperated.

a) We again reiterate our stand that a city or locally operated correctional system should not be required to operate long-term sentence institutions. The Penitentiary of the City of New York is one of the largest penal institutions in the country and, basically, one of the most secure. Operated by the City of New York it houses prisoners with sentences ranging up to three years. We noted a year ago that there is no indication that the task of the City correctional department will be less complex with the passage of time. The intervening year has not changed our point of view except perhaps to give it added weight.

The time, therefore, would seem to be appropriate for the City to take steps to ease its correctional problem and place portions of it in the hands of the State where it logically belongs. It is the province of the State to assume responsibility for the care and treatment of adult felony offenders. As a matter of fact the law implies that all persons with sentences of more than one year should serve their term in a State penal unit.

The present situation, as far as the City of New York is concerned, resolves itself to the fact that the City is caring for many prisoners who, had they been convicted elsewhere in the State, would be confined in State institutions.

In the interests of the tax-paying public, as well as the prisoner, the Association again urges that all prisoners committed for indeterminate sentences in the City penitentiary (exclusive of the Workhouse) be confined in an institution to be designated by the State in lieu of the present procedure.

b) Again in the case of the New York City Reformatory, the Prison Association has long been articulate in urging the transfer of this unit to the State. The Reformatory, in theory a treatment rather than a detention institution, should be an integral part of the program and plan of the Elmira Reception Center. At present it operates independently of the Center.

This comment takes into consideration the recent improvement program at the Reformatory and does not imply disinterest in the institution on the part of the departmental administration. The Association is not overlooking the vigorous efforts of Commissioner Albert Williams toward many improvements and progress generally within the Department. But it is, on the contrary, a recommendation that the Reformatory be coordinated into a unified correctional plan for the adolescent offender. This is still a further plea for a coordinated correctional system.

The record will show numerous recommendations by the Association that the Reformatory be abandoned as an inadequate piece of correctional machinery. These have been made despite our close identity with the establishment of the reformatory system in this country in 1868. While we feel that recent progress has somewhat broadened its usefulness we reemphasize the need to assimilate the Reformatory with the Reception Center and the overall State correctional plan.

c) It is recognized that the above two recommendations are somewhat long range in nature and pending their possible eventual adoption we urge immediate steps be taken to increase payments by the State to the counties for the care of felons housed in county penitentiaries. The sum recommended is one dollar and fifty cents per capita per day, an increase from the current rate of sixty cents. The arguments favoring this proposal are obviously financial and are necessitated by the greatly increased costs of institutional care. As a matter of fact, the proposed new figure of one dollar and fifty cents per day per prisoner is approximately one dollar and sixty cents below the Citizens Budget Commission's recommended rate of three dollars and ten cents.

d) and e) The same basic reasoning applies to the need for an increase in the allotment now provided for the payment of discharged prisoners' clothing. The increase is necessary in the light of present day costs.

Heretofore, as far as the City of New York is concerned, the cost of temporary housing of State parole violators has been assumed by the City as a favor and an accommodation to the State. It is only logical that again in this instance the State assume its rightful burden.

### IX. RETENTION OF PROFESSIONAL SERVICES IN STATE CORRECTIONAL INSTITUTIONS

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

#### Comment:

To those writing and reading this report it would seem somewhat incongruous to plead year after year for the retention of professional services. The rehabilitation of prisoners cannot be expected without the benefit of specialists, and there can be no argument in opposition to this recommendation if the State is to maintain a correctional program. We feel a recommendation of this nature is particularly relevant in the event of an economic recession. It will be recalled that many of the professional services were dropped during the depression of the '30's, and while we do not like to take a pessimistic view we nevertheless are forced by experience to take a practical viewpoint. As noted in the introductory statement to these Recommendations, the Department of Correction budget reveals approximately 1,550 custodial personnel not above the grade of correction officer. In addition, 178 persons are assigned to the rehabilitative program as psychologists, teachers, vocational instructors, etc. The majority are detailed to three institutions. With a total inmate population of about 15,500, the need for additional professional personnel is apparent. As long as we maintain correctional institutions we will likewise require professional specialists.

### X. RE-ESTABLISHMENT OF CENTRAL GUARD SCHOOL

It is recommended that legislative support be given to the reopening on a broad scale of the former Central Guard School of the Department of Correction.

#### Comment:

New York, at one time, held an enviable position of leadership in the training of prison personnel through the Central Guard School formerly maintained at Wallkill Prison. Another victim of the depression and war years, the Guard School should be re-organized without further delay. A competent custodial force can be secured and maintained only as a result of constant training. Persons whose daily tasks force them to work within institutions tend to become institutionalized them-

selves. To avoid becoming routinized and to remain alert as a progressive penologist refresher courses are necessary.

### XI. ADVISORY COMMITTEE ON PRISON INDUSTRIES

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

#### Comment:

The Association has long urged the authorization of an advisory committee on correctional industries, and again repeats its recommendation that such a group be provided as advisory to the Department of Correction and the people of the State in general. It is to their advantage, in the final analysis, that the committee be formed. Experience in other states and the federal government have borne out the contention that professional guidance aids materially in the planning of an intelligent and progressive work program which contributes to the overall rehabilitation of prisoners. Likewise, it aids the support of institutions and decreases to a minimum competition with private industry and labor. From a public relations standpoint an advisory committee could do much to acquaint the public generally with the intricate problems of inmate labor.

We suggest that the committee be appointed by the Governor with the Commissioner of Correction as chairman, with two persons representing labor, two representing industry, one agriculture, and one the public at large. The seven man committee would serve without salary and in an advisory capacity only.

Again referring to the 1931 report of the Commission to Investigate Prison Administration and Construction, a special sub-committee on prison industries urged the establishment of a permanent advisory committee. We feel that their recommendation of eighteen years ago should be activated without delay.

### XII. TREATMENT OF THE CHRONIC ALCOHOLIC

It is recommended that the State adopt a constructive program for the care and treatment of the chronic alcoholic.

#### Comment:

In 1948 the Association reported to the Legislature that it had been working in close cooperation with the Westchester

County Joint Committee on Alcoholism in urging the separation of the problem from the point of view that it is a penal problem. Obviously, this opinion refers only to those who may be confined solely because they are convicted of public intoxication which, in and of itself, remains a crime on the lawbooks of the State. Our recommendation does not refer to those committing crimes while under the influence of alcoholic beverages. We stress again the fact that jails and prisons are not appropriate agencies for the care and treatment of the problem drinker. Unfortunately, in isolated instances jails are contributing more in the manner of constructive treatment than hospitals. This, however, is something of a makeshift arrangement until the public recognizes the need for a State administered long-term care program for these sick individuals.

The history of the State is rich in experiments to cope with this problem dating back to the early 1800's. Most, if not all projects, have failed of their primary purpose of curing the alcoholic. No formally accepted program is currently available under State auspices. We at once acknowledge the excellent program of Alcoholics Anonymous and other local endeavors but at the same time feel the need for sound scientific experimentation and urge legislative support to this end.

As the record will show, the Association's interest in the problem drinker dates back many years. This, likewise, is true as far as the Bar Association, medical groups and others are concerned. We are glad at this time to endorse the legislation proposed jointly by the Association of the Bar of the City of New York and The New York Academy of Medicine. Proposing the establishment of a state bureau of alcoholic rehabilitation in the State Department of Mental Hygiene, the law would provide a system of hospitals, clinics, and farms, with admission by court certification or by voluntary action.

This is a progressive measure long needed within this State, and the Prison Association again urges its adoption.

### XIII. CONTROL OF BENZEDRINE TRAFFIC

It is recommended that legislation be provided to make illegal the introduction of benzedrine into a penal or correctional institution for other than official use and classifying such an act as a felony.

#### Comment:

One of the difficult problems faced by administrators of penal and correctional institutions is the control of benzedrine.

Prison administrators throughout the country agree that the uncontrolled flow of benzedrine is detrimental to the health and morale of prisoners. The fact that benzedrine is not classified as a narcotic, and that no penalty exists in this State for the introduction of the barbiturate within a penal institution, adds to the difficulty of administrators in solving the many problems resulting from its unauthorized use by inmates. It has been noted that legislative action in this vein has already been provided by the California legislature and other states, and penal institutions in those states are now relieved of the problem. Benzedrine may be purchased from any druggist without a prescription and its easy availability adds to the present problems of control.

### XIV. EXTENDING THE POWER OF THE BOARD OF PAROLE IN CERTAIN CASES

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

#### Comment:

Discretionary power should be provided the Board of Parole to determine in each individual case the time to be served on a current sentence from which a parolee has been paroled and who commits another felony while on parole. It would seem unfair to require all parolees without exception to serve the balance of their maximum sentence before commencing the second sentence. There are instances where parolees have made excellent records on parole only to make another mistake resulting in another felony sentence. We hold to the opinion that parole, to be of its greatest value to society as well as the offender, should be determined and administered on the basis of individual cases. New York State has, without exception, the most progressive parole system in the country and this added discretionary power can be safely placed in the hands of the Board membership. It should be noted that Chapter 678 of the Laws of 1945 excluded Elmira Reformatory violators from the mandatory language of Article 8, Section 210 of the Correction Law.

### XV. FIVE YEAR LIMIT TO COXSACKIE SENTENCES

It is recommended that Section 343 of Article 13A of the Correction Law be amended so as to impose a five year limit

on all sentences of those committed to the New York State Vocational Institution at West Coxsackie.

**Comment:**

On the basis of experience with a similar limitation of sentence applying to all sentences of those committed to the Elmira Reformatory (by virtue of Chapter 678, Laws of 1945) the Association recommends that Coxsackie sentences be so limited. Particularly in the cases of adolescent offenders it is highly unlikely that the average offender will profit from more than five years of confinement, and whatever rehabilitative means the institution has at its disposal. The institution at Coxsackie should not be burdened with the task of housing offenders for longer periods. To do so weakens its basic program.

**XVI. IMPROVEMENT OF PROBATION**

It is recommended that the following proposals be given legislative support in the interests of improved probation in New York State:

- a) Legislation to raise to the highest possible level of organization and efficiency the eight different and unrelated probation departments now in operation in New York City.
- b) Extension of the authority of the State Probation Commission to the point where its authority will be of greater value to the people of the State than is the case with its present limited powers.
- c) The establishment of a State subsidy for the development of probation in those areas not now utilizing this progressive correctional technique.

**Comment:**

The subject of probation, particularly in New York State, is a matter close to the interests of the Prison Association. As is well known, the first probation law to be written in this State was drafted in the offices of the Association more than 40 years ago. Despite the many advances noted in probation there is still room for considerable improvement. We are pleased to note that some of the best probation departments in the country are located within the boundaries of Greater New York.

The probation departments of General Sessions Court and Kings County Court rank at the top and in our opinion are

unsurpassed. The same, however, cannot be said of some of the remaining six probation departments in Greater New York. Despite qualified administrative supervision some of these departments have been starved, in fact almost to extinction, during the past few years. Several solutions suggest themselves, including State subsidy, consolidation of services or a combination of both. We lean toward the latter as a first step. It should be noted, however, that recent steps to consolidate the local courts will obviously affect a recommendation of this nature. The subsidy plan as recommended would also enable the development of probation in those areas not now in a position to financially sponsor such a service. In the interests of improved probation services in other sections of the State, the Association recommends the extension of the authority of the State Probation Commission beyond the point of its present limited powers.

The State Probation Commission, in a 1946 report to the Mayor of the City of New York, recommended the consolidation of the probation departments of the eight courts and stated:

"A consolidated probation department would provide the best means of coordinating and systematizing the probation work in the City, eliminating the duplication of effort and overlapping of functions that now exist. . . . The primary purpose of a consolidated department would be to establish and maintain the highest quality of probation work for the entire City."

The Association again urges favorable legislative action toward the improvement of probation services within the State.

**XVII. VETERAN PREFERENCE IN CIVIL SERVICE**

It is recommended that the Legislature take favorable action in connection with the passage of the Mitchell-Van Duzer resolution, relating to extra credits allowed veterans competing for civil service positions.

**Comment:**

The Mitchell-Van Duzer bill provides a fair basis for the establishment of a system of permanent veteran preference and evens out the inequalities now existent and further extended by the Condon-Austin proposal. In consideration of the sacrifices of thousands of New Yorkers who served their coun-

try in time of war we stand with many others for their recognition in civil service. We feel, however, that there is no justification, either to the veteran or to the people of the State, in perpetuating the inequalities proposed by the Condon-Austin resolution. The approval of the Mitchell-Van Duzer proposal is urged.

#### XVIII. STATE COMMISSION OF CORRECTION

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

##### Comment:

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

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

#### XIX. EXAMINATION INTO SENTENCING PROCESS

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

##### Comment:

It has long been acknowledged that a disparity of sentences is evident throughout the State. The major result of this condition is discontent and a feeling of injustice among those confined in the institutions of the State Department of Correction and other penal institutions within the State. The goal to be attained is the even application of justice dispensed on the basis of individual consideration rather than stereotyped punishment. The Law Revision Commission is the logical body to conduct such a study and the Association urges legislative support to this end.

#### XX. PUBLIC DEFENDER AND DEFENSE ATTORNEYS

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

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

##### Comment:

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



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

#### **XXI. ATTEMPTS TO CURTAIL PRISON INDUSTRIES**

We feel it is in order to again depart from our custom of many years in limiting this section of the Annual Report to legislative recommendations, to urge the members of the Legislature to be alert to attempts to curtail the prison industries. Unfortunately each session of the Legislature for the past few years has witnessed an attempt to seriously curtail, if not prevent altogether, the prison industries of this State. Now operated in keeping with progressive penological thinking, the prison industries produce for State-use purposes only. Competition with free labor is negligible. In fact, the problem of securing sufficient work to keep prisoners occupied is one of the most serious of many facing the institutional administrator. Idleness amongst prisoners is one of the greatest producers of discontent and turmoil. To those versed in prison affairs of this State this fact needs no elaboration. The riots of 1929 and the idleness of the depression days are experiences no prison official is anxious to repeat. The sight of men lounging about and loafing in prison shops and yards and other places is in striking contrast to the law-abiding citizen who, anxious to earn his living, goes regularly to his work for eight hours a day or more.

We urge the Legislature to be alert to defeat or ignore attempts by selfish interests to curtail the industries as well as the vocational operations of the State's institutions. At the same time we call upon the Legislature to strengthen and encourage the present industrial facilities and operations through appropriations for modern and urgently needed new equipment and trained instructor personnel.

#### **XXII. CONSOLIDATION OF COURTS OF NEW YORK CITY**

It is recommended that the Legislature give careful consideration to the proposals to consolidate the various courts of the City of New York.

##### **Comment:**

The Prison Association endorses in principle the proposed legislation having the endorsement of the Bar Association of New York and the New York County Lawyers' Association originating with Presiding Justice David W. Peck of the Appellate Division, First Department. In the interests of efficiency of operation and increased service to the people, long-range planning is necessary leading toward the eventual consolidation of the numerous courts.

### GOING FORWARD IN 1948

The year 1948 found the Association exercising its alertness and breadth of interest in all branches of correctional discussion and administration. The Association's record of over 100 years of service and intimacy with historical backgrounds, relating to various movements and achievements in the correctional field, continually enables it to function in accord with the vision and example set by its founders. During the year there was continued public anxiety regarding various phases of the crime problem and the cry from time to time that we were experiencing a crime wave attributable to the after-effects of the war. Despite these various flurries of concern and excitement, the statistical information does not support the feeling that we experienced a crime wave or a substantial increase following the war. However, whether or not we have an upsurge of crime at different times, with varying emphasis on certain types of crime, the fact always remains that we have too much crime, and its effect on the public welfare and its burden to the taxpayer presents a challenge continually requiring that the public be reliably informed and that our private agencies and government officials be unceasing in their efforts to reduce crime. An examination of the reports of the Association through the years will reveal an eagerness and alertness unsurpassed with devotion and accomplishment. Many of the pillars of penological progress in this State and nation are traceable to the initiative and steadfastness of those identified with the Association's efforts. These fine people were able to see not only the immediate needs, but were possessed of a vision that resulted in giving us some of our best methods of crime treatment in operation today.

This section of the report states but briefly the breadth of interest on the part of the Association during the year 1948. However, to obtain a fuller idea and evaluation of the Association's work it is necessary to examine our report in its entirety.

#### Chronic Alcoholic Problem

One of the many difficult problems facing administrators of local and short-term institutions concerns the commitment and treatment of chronic alcoholics. In all Counties of the State, outside of the Greater New York Area, public intoxication is an offense as such. Within the five Counties of Greater New York public intoxication as such is not a crime but is generally covered under such offenses as disorderly conduct, vagrancy,

etc. For a number of years the Association has been working individually, and at times in cooperation with other groups, to impress upon the people generally that the problem drinker is not an appropriate subject for a penal institution.

In 1948 we continued our close cooperation with the Westchester Joint Committee on Alcoholism and the appropriate committees of the Bar Association of the City of New York and the New York Academy of Medicine. Mr. Wright, Assistant Secretary of the Association, also served as Vice Chairman of the Westchester Committee and as Chairman of its sub-committee on long-term hospital treatment. Detailed statements have been compiled by the Committee proposing that the State accept responsibility for providing facilities for the care and treatment of chronic alcoholics and considerable public interest has been aroused throughout the State. Copies of the suggested program were forwarded to the Governor and his Counsel.

The New York Times on Sunday, December 12, 1948, carried a lengthy news item concerning the proposed legislation for the treatment of chronic alcoholics, sponsored jointly by the Association of the Bar of the City of New York and the New York Academy of Medicine. The news item, together with an editorial in the New York Herald-Tribune of the same date, noted the long interest of the Prison Association in this matter. It is the intention of the Association to approve the proposed legislation when it is introduced in the 1949 session.

On May 10th the Westchester County Committee on Alcoholism sponsored a dinner meeting of some 75 judges and other Westchester civic leaders at the County Penitentiary. At this meeting a representative of the Connecticut Commission on Alcoholism presented a statement concerning the progress being made in that State. It was brought out by Warden Paul R. Brown of the Penitentiary, and Chairman of the Westchester County Committee, that of the 190 prisoners under his care at that time, 120 were committed for public intoxication. None of these had committed a crime but had been convicted and sentenced purely as problem drinkers. Also in May the Association forwarded letters to the Westchester newspapers, approving the work being accomplished by the Committee and Alcoholics Anonymous, with particular reference to the latter's interest in the County Penitentiary and Wallkill Prison.

The AA unit at Wallkill Prison celebrated its third anniversary with a supper meeting on April 26, 1948. Approximately 175 prisoners were in attendance, together with some 25 members of civilian AA groups. This meeting was planned and managed by the prisoners and was attended by Warden Brown

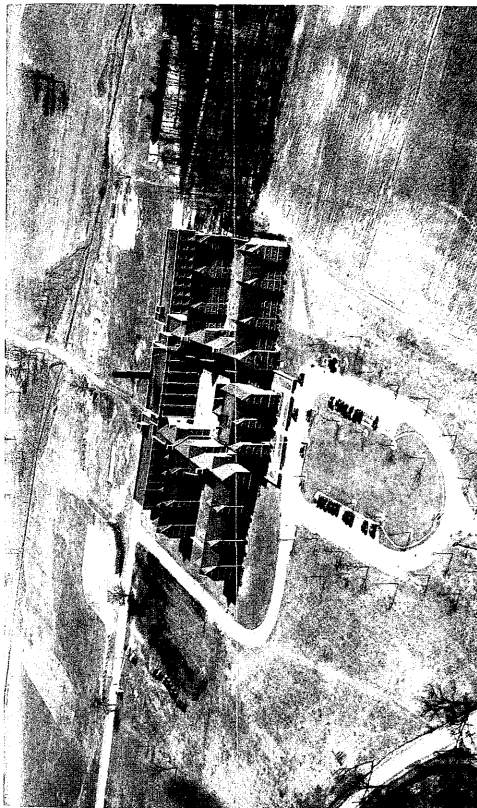
and Mr. Wright. Numerous talks were given by the prisoners and outside AA members, including three or four Wallkill parolees. Wallkill is one of the first correctional institutions to make use of the AA movement and much credit is due the administration and the Catholic and Protestant Chaplains for their efforts in promoting its cause.

#### Alcoholics Anonymous

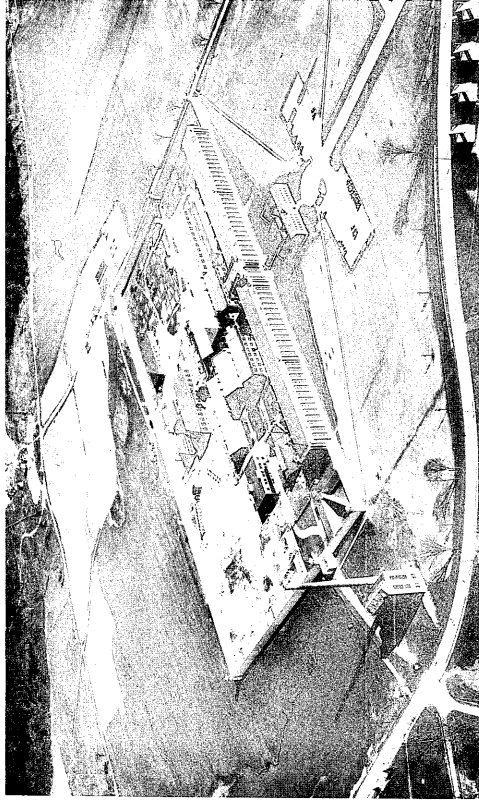
As noted in the above statement, the Association has a good deal of interest in the work of AA in Wallkill Prison. By special invitation, the Rev. George F. McKinney, Catholic Chaplain of Wallkill Prison, discussed on March 18, 1948, for the benefit of the Association's Executive Committee, the background and work of the unit at the institution. In outlining its background Father McKinney stated that three officials of the institution and two former prisoners visited an Alcoholics Anonymous meeting in Forest Hills in April, 1945. As a result of this meeting and with the approval of Commissioner of Correction Lyons and Warden Walter M. Wallack (who was one of those attending this meeting), the unit at Wallkill was established. Since that time weekly meetings have been held every Monday evening.

Father McKinney noted that there was a definite connection between the "taking of alcohol and the commission of crime" and stated that at Wallkill the Alcoholics Anonymous work was "born of necessity." At the beginning a few members of AA in nearby communities were asked to talk with prospective members at Wallkill. The first session included thirty-five prisoners and this dropped to fourteen by the time of the second meeting. It was obvious that the curiosity seekers had decided not to continue. At the present time there is a membership of approximately seventy and the same number attend regularly each weekly meeting. These persons are alcoholics and those considering alcohol to be the basis of their problems. Twice a month members of outside AA units are invited to attend their meetings.

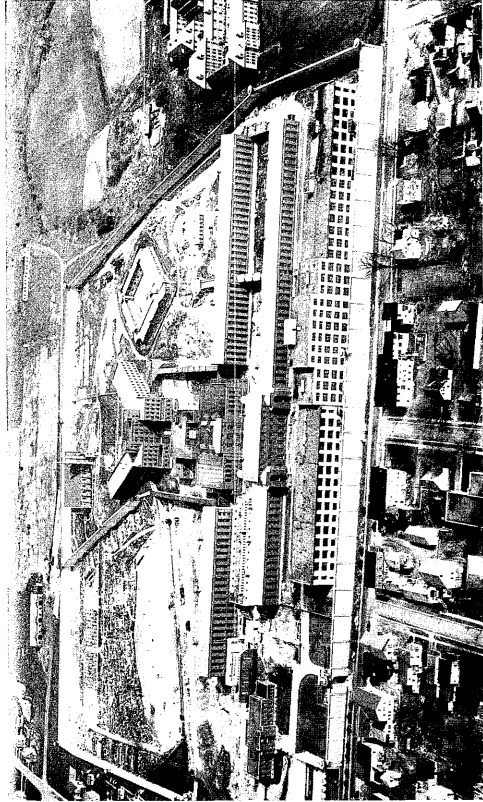
Father McKinney, in outlining the strength of the Alcoholics Anonymous unit, emphasized the importance of following the twelve steps which are considered necessary for membership. He outlined briefly three or four of these steps and indicated that he would make copies of the twelve steps available to members of the Executive Committee. The first and probably foremost step relates to the fact that an alcoholic must be willing to acknowledge that he is a slave to alcohol and entirely under its control and that he is in need of help. Acknowledging this fact prospective members are then asked to acknowl-



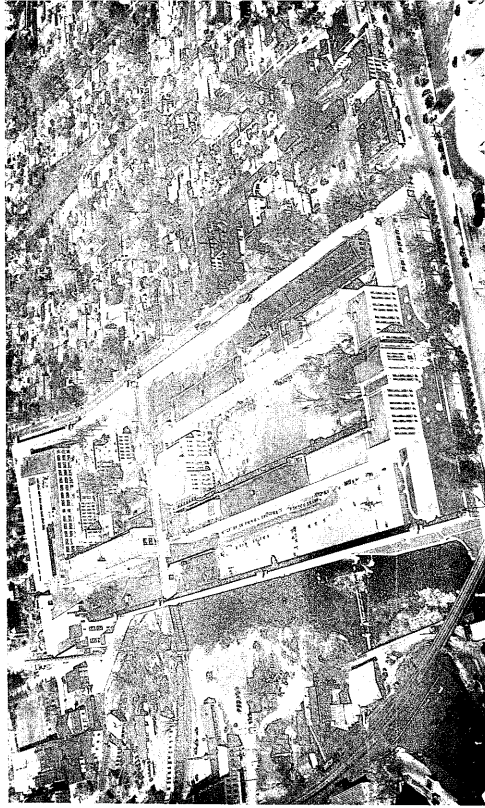
Aerial View Wallkill Prison, Wallkill, New York  
(Photograph courtesy of Fairchild Aerial Surveys, Inc.)



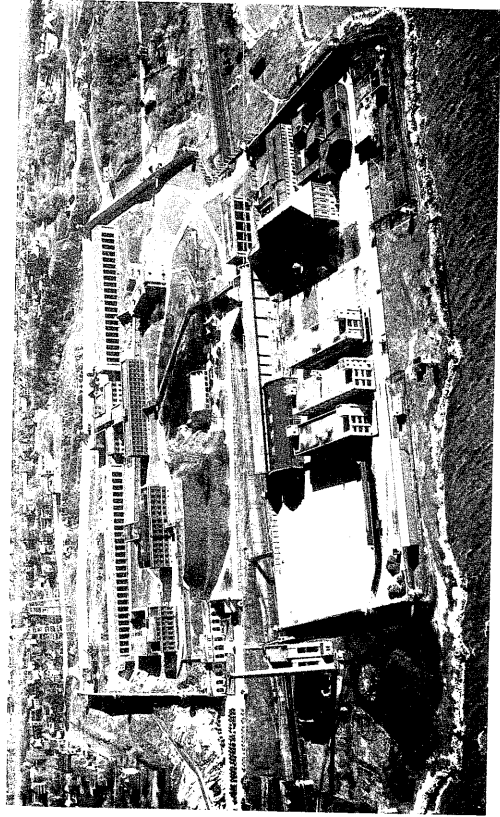
Aerial View Great Meadow Prison, Constock, New York  
(Photograph courtesy of Fairchild Aerial Surveys, Inc.)



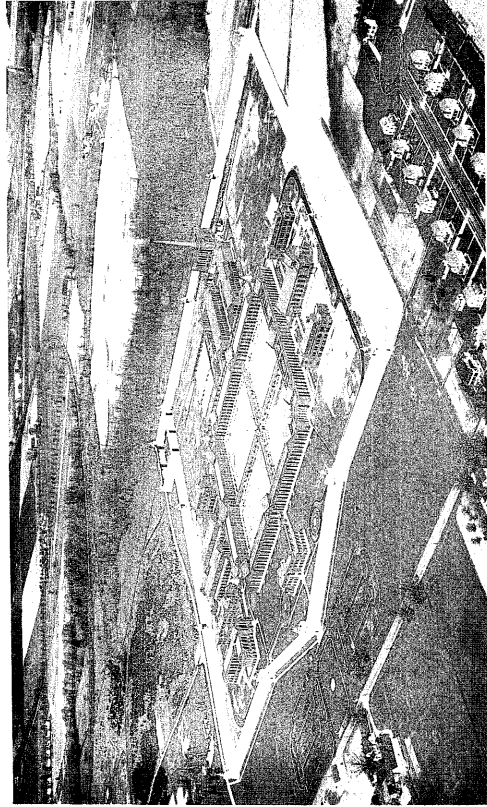
Aerial View Clinton Prison, Dannemora, New York  
(Photograph courtesy of Fairchild Aerial Surveys, Inc.)



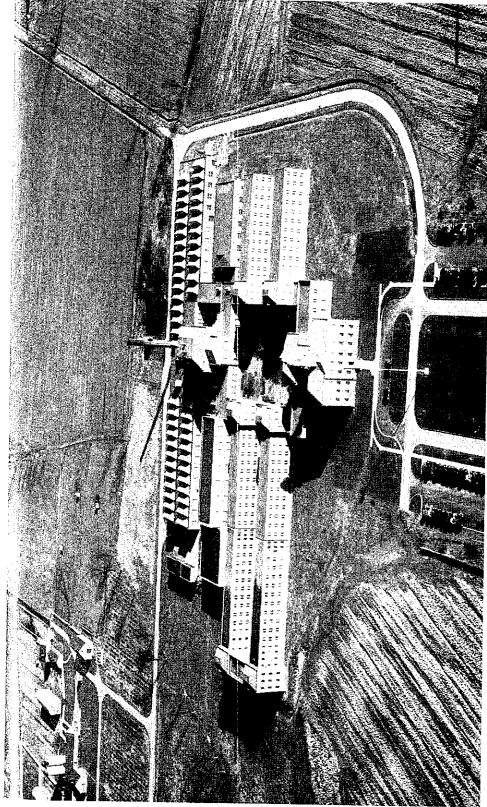
Aerial View Auburn Prison, Auburn, New York  
(Photograph courtesy of Fairchild Aerial Surveys, Inc.)



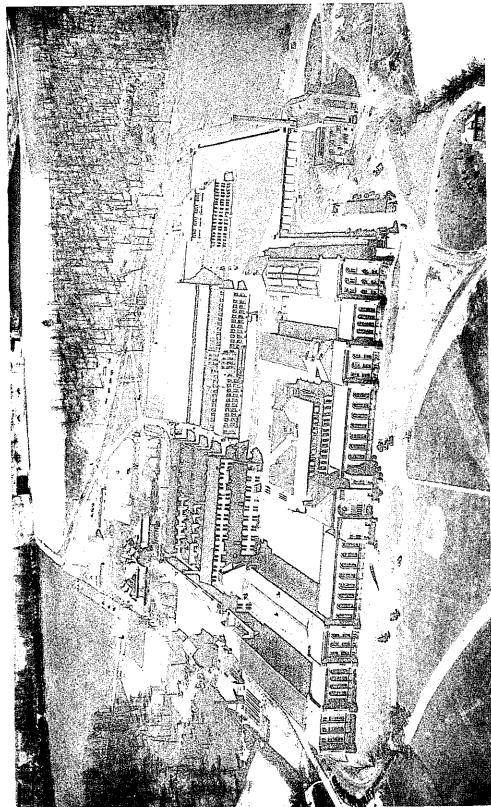
Aerial View Sing Sing Prison, Ossining, New York  
(Photograph courtesy of Fairchild Aerial Surveys, Inc.)



Aerial View Attica Prison, Attica, New York  
(Photograph courtesy of Fairchild Aerial Surveys, Inc.)



Aerial View New York State Vocational Institution, West Coxsackie, New York  
(Photograph courtesy of Fairchild Aerial Surveys, Inc.)



Aerial View State Reformatory, Elmira, New York  
 (Photograph courtesy of Fairchild Aerial Surveys, Inc.)

edge that belief in God is the answer to the way out. They make special emphasis of the point that there is no set definition of God and that members should accept God as they believe Him to be. It is obvious that Alcoholics Anonymous works in a spiritual manner and at the meetings members make public testimony of their problems and experiences.

The Chaplain read from several letters received from parolees and stated that of 67 former members of the institutional Alcoholics Anonymous group, seven had relapsed, so to speak, and had been returned. One of these has since rejoined AA and is making successful adjustment in the community. Members upon release are referred to outside groups and the Chaplain indicated that the record at Walkkill was unusually successful. He stressed that the Alcoholics Anonymous group is under the general guidance of the two resident Chaplains and stated that "the men are proud of the work of their own hands." He brought out the point that members of the institutional AA unit were model prisoners and showed that the value of membership was reflected in the men's institutional conduct. There is no custodial supervision and there has been no single embarrassing incident since the group started. All persons, regardless of race, creed or color, are welcome as members and Father McKinney stressed the value of the men realizing that they are doing something for themselves.

There were several questions on the part of members of the Executive Committee and Father McKinney discussed the conduct of a typical meeting and pointed out that the Alcoholics Anonymous experiment was one of the very few movements making for the possibility of successful adjustment of alcoholics to the community. It was brought out that an alcoholic is seldom cured as such. He remains a potential alcoholic right along, because one lapse would again produce acute intoxication. It is the members' realization of this fact, simply that one drink is too much and one hundred not enough, that accounts for much of the success of the movement.

Generally speaking, Alcoholics Anonymous around the country claim seventy per cent of its members remain "dry." They likewise infer that persons cannot be considered "dry" until they have been abstainers for at least two or three years. An increasing number of institutions are utilizing the Alcoholics Anonymous movement and progress in these groups is being watched with considerable interest by correctional workers.

#### The Narcotic Problem

The Association continues to be deeply interested in this problem and is presently supporting a bill before the State

Legislature, Senate Int. 793, Pr. 816, by Mr. W. J. Mahoney, and Assembly Int. 1040, Pr. 1063, by Mr. Volker. During the year the Executive Committee had as its special guest Col. Garland H. Williams, District Supervisor for the New York Area, Bureau of Narcotics of the Treasury Department. He presented an interesting and informative discussion concerning the Narcotics problem in this area. It is briefly summarized as follows:

The basic purpose of the Bureau of Narcotics, according to the Colonel, is (a) to regulate, supervise, and control the flow of narcotics and (b) to attempt to eliminate illicit traffic in narcotics. Their entire activity is governed by international treaties to which 67 countries have signified their support. In this connection Colonel Williams indicated that individual physicians, as an example, could be controlled by reference to international treaties.

The Bureau of Narcotics in the United States is organized into fifteen districts with the New York district of greatest importance. This district covers the entire State of New York and the northern part of New Jersey, with greatest emphasis being given to New York City. The Colonel stressed the fact that Metropolitan New York is the center of illicit drug traffic in America and stated that practically the entire supply of drugs used by addicts east of the Rocky Mountains originated in New York City in addition to a good part of the drugs used illegally west of the Rocky Mountains. Approximately one-fourth of the strength of the entire Bureau of Narcotics is centered in New York and some sixty-five agents are at work in this vicinity.

Colonel Williams indicated that drugs presently cost the addict somewhere between \$25 and \$100 *daily* with the average addict spending about \$25 a day for this purpose. He pointed out that the relation of this to criminal activity was obvious and that a good part of an addict's income represented the proceeds of crime. The Colonel was careful to stress that drug addicts make dealers and that dealers in drugs *never* make addicts. This is a point that often escapes the attention of laymen.

The answer to drug addiction, while it may be simply stated, is most difficult to attain, according to the Colonel, but it is basically the curing of addicts. The Federal Government in this respect has established two hospitals for addicts under the direction of the United States Public Health Service at Lexington, Kentucky, and Fort Worth, Texas. There is a vast need for additional treatment centers, particularly in this locality. The Colonel indicated that there were approximately five thou-

sand known drug addicts in New York City representing about 80% male and 20% female.

The Colonel likewise stressed the need for legislation in this State providing for the commitment of drug addicts for specific periods of time. The present difficulty is that addicts may not be compelled to remain for treatment. He is of the opinion that with proper legislation a good many of the addicts in New York could be controlled.

Particular emphasis was given to the use of opium (now in decreasing use), heroin (in increasing use), and marijuana. Displays of these drugs were used by way of illustration. Concerning marijuana, the Colonel indicated that this is not legally classified as a drug but that its use in some areas of New York was increasing. At the same time he was careful to emphasize that most, if not practically all, of the numerous stories concerning the use of marijuana by juveniles and adolescents is simply the product of news reporters. He made the encouraging and heartening statement that every single complaint concerning the use of marijuana by juveniles is immediately investigated even at the expense of removing trained personnel from serious organized drug traffic cases.

There is considerable confusion in the mind of the layman relative to the difference between barbiturates and marijuana and the Colonel indicated that the use of the former by adolescents is not unknown. These, however, are not classified as narcotics and legally cannot be controlled by the Bureau of Narcotics. The use of barbiturates prior to the war was unheard of, but since the war some 90 per cent of addicts arrested have various forms of barbiturates in their possession. They create unpredictable behavior and frequently persons can become unmanageable as a result of their consumption. Often they are used as substitutes for narcotics when drugs are not available because of scarcity of supply or unusually high price.

#### Sexual Psychopath Study

As previously stated, the plan agreed to by the Governor's Interdepartmental Committee provided for a clinical study at Sing Sing of a selected group of inmates located there or transferred from other institutions. The study began in April, 1948, and was under the guidance of the State Department of Mental Hygiene, headed by the Commissioner, Dr. Frederick MacCurdy. This study has progressed through the year but has not arrived at final conclusions, and should be extended for a longer period. The intensive analysis of the character and background, mental, physical and social, of a number of indi-



viduals, has given ample encouragement for the continuation of the study and the making of some far-reaching plans looking toward better understanding, treatment and control of these problem people. The Association continues to be allied with the Governor's Interdepartmental Committee, through membership of its General Secretary, and it is therefore gratifying to know of the value and progress of the study thus far.

#### Prison Ward Bellevue Hospital

Commissioners Schoenfeld and Cass, functioning both for the State Commission of Correction and the Prison Association of New York, maintained a careful watch of the prison ward at the Bellevue Hospital in New York City. Early in the year conditions were found to be extremely unsatisfactory. The criticisms related to inadequate quarters, improper separation as to ages, uncleanness, insufficient supply of towels and wearing apparel, damaged equipment, and some insecurity relating particularly to the women's section. These conditions were brought to the attention of Mayor O'Dwyer, Commissioner of Hospitals Dr. Bernecker, and Commissioner Albert Williams of the New York City Department of Correction. The interest and concern of the Mayor and his Commissioners was quickly noted and during the course of the year all of the criticisms were remedied and the entire tone and administration of the prison ward completely changed for the better. A substantial amount of money was made available for repainting and also to make such needed structural changes. The final check made by Commissioners Schoenfeld and Cass on December 4, 1948, resulted in most gratifying observations. Regardless of the vast improvements that were made, it is not intended to convey the impression that the prison ward arrangement is at all ideal. It is contemplated to provide in the new psychopathic pavilion more adequate and better designed detention quarters. It is fitting to acknowledge the cooperation given by the Mayor and his Commissioners.

#### New York State Division of Parole

There was made available, during the latter part of 1948, a summary entitled "Ten Years Experience in a Scientific Approach to the Evaluation of Parole." The summary is included here because of its particular interest to the Prison Association of New York, the organization having had so much to do with the introduction of the indeterminate sentence and parole in this country. Furthermore, the Association as far back as 1915 and 1916 initiated the movement for better parole organization

and procedure through its various studies and attacks on the shortcomings of the parole system. The fact that New York State now has the best parole organization in the country is a source of deep gratification to the Association, which carries with it a feeling of reward for the hard labors that aided in bringing this about, and especially since the early efforts were not popularly received in official quarters. The summary that follows, covering as it does a ten year period and including 21,760 persons, thoroughly upholds the value of good parole organization and administration.

#### Ten Years Experience in a Scientific Approach to the Evaluation of Parole\*

The usual method of presenting statistics regarding the results of parole is to indicate the number of parolees declared delinquent during a statistical or calendar year and to compare this with the number of persons who were under supervision all or part of the same year.

This does not show the final results of parole as regards different individuals but indicates merely what happened to those under supervision during a given year.

While the average period of supervision in this state is longer than one year, this method concerned itself solely with delinquencies of one year. The number of such delinquencies are then divided by the combined total of those released during the given year and those continued under supervision from previous years. The resulting percentage is usually found to be small.

The claims that only two, five or even ten per cent of those placed under supervision have been found to violate the terms of their release have resulted in sound and justifiable criticism of parole statistics based upon this method of computation.

While the Board continues to compile and publish annually statistical information regarding the movement of the parole population during each calendar year, in addition, beginning with 1934, separate records have been maintained for persons originally released to parole supervision during each calendar year. The releases of each year have been treated as a separate unit and have been followed for a period of five calendar years. During this five year period notations are made of all occurrences which affect the parole status of each parolee. At the end of five years tabulations are made showing the number

\* This material, on request, was supplied by the Chairman of the Board of Parole, Frederick A. Moran, in November of 1948.

declared delinquent, or restored to supervision, and those discharged at the expiration of their maximum sentences or by death.

At a later date it is planned to publish the results of a detailed study that will include specific violation rates based on age groups, previous criminal records, education status, length of institutional treatment, and other social data.

It is now possible, however, to summarize the results of parole for ten such groups, which include 21,760 individuals, originally paroled from the Elmira Reformatory and the prisons of the State during the years 1934 to 1943. The results are based on observation of the 21,760 persons for five years, or as much of the five year period as the parolees remained under the jurisdiction of the Board.

#### Summary

1. Two-thirds of the 21,760 persons were never declared delinquent.
2. There were 7,395, or 34 per cent, who had violated their parole; of these, 4,025, or 18.5 per cent, were arrested; and 3,370, or 15.5 per cent, had absconded or had violated the rules and regulations of parole.
3. Of the 4,025 individuals arrested, 1,721 were convicted of felonies, and 1,594 were convicted of misdemeanors or lesser offenses. In the remaining 710 cases the charges were dismissed or not disposed of at the end of the five year period.
4. In 133 of the 1,721 cases convicted of felonies, the Courts either deferred or suspended sentences. Of the 1,594 individuals convicted of misdemeanors or lesser offenses, 326 had their sentences deferred or suspended by the Courts.
5. Of the 7,395 persons declared delinquent 6,348, or 85.8 per cent, were returned to the Elmira Reformatory or the prisons of the State. In 360, or 4.9 per cent, the individuals were serving sentences in institutions not under the jurisdiction of the New York State Department of Correction, and parole violation warrants had been lodged against them. Six hundred and nineteen, or 8.4 per cent, were absconders who had not been apprehended, and in 68 cases, or less than 1 per cent, the individuals had not been returned because the disposition of their cases was pending.
6. Less than one-fifth (18.5 per cent) of the 21,760 individuals under observation for five years had been arrested during this period.
7. Less than 8.0 per cent of the 21,760 parolees had been convicted of felonies during the five year period.

8. A total of 9,556 persons in good standing, or 43.9 per cent of the 21,760, were discharged from jurisdiction at the expiration of their maximum sentences.

9. At the end of the five year period of observation of the 21,760 persons released to parole supervision during the ten year period 6,156, or 28.3 per cent, still remained under supervision in the community. The other 15,604, or 71.7 per cent, had been either permanently removed by the expiration of their sentences or by death, or had been temporarily removed by declaration of delinquency.

#### Veteran Preference

Mr. Cass was made a member of the Executive Committee of the Citizens Committee on Veteran Preference, which is sponsored by the Civil Service Reform Association. It will be recalled that two bills were introduced at the last session of the Legislature concerning the problem of veteran preference. The Association is taking a stand on the Mitchell-Van Duzer Bill, which somewhat parallels the principles of the Federal system in that veterans are given a certain number of points in keeping with their service experience. Present day procedure in New York State, it will be recalled, gives veterans complete preference over all others on the list regardless of the veterans' mathematical standing. The Association's position is concisely stated as follows:

The exciting carte blanche veterans preference, while well intended, works an injustice to non-veterans and has shown itself to be the basis for discouragement and discontent among employees of correctional departments and institutions. It tends to stymie the initiative and opportunity of those capable and faithful employees who for legitimate and good reasons were unable to serve their country in the armed forces. Believing that veterans are entitled to preference consideration we support the Mitchell-Van Duzer Bill as a more just and equitable formula of procedure.

#### Street Clubs Project

The Association, as stated previously, became aware of the need for this project through the intimate knowledge of conditions, especially in the Harlem area, by a member of its Executive Committee, the Hon. G. Howland Shaw. Through the financial help secured mainly by our Treasurer, Mr. C. C. Auchincloss, the project was put in motion and has been kept going, under the administrative guidance of the Welfare Council of the City of New York. The combined enthusiasm of

Messrs. Shaw and Auchincloss has proved to be the keystone in this worthy endeavor in behalf of young people in Harlem who need the right kind of understanding and guidance. During the latter part of 1948 a progress report was submitted on the Central Harlem Street Clubs Project, and that report in its essentials is set forth as follows:

**A PROGRESS REPORT ON  
THE CENTRAL HARLEM STREET CLUBS PROJECT  
1947 - 1948**

The purpose of this report is to share with you our experiences of the past year, our disappointments and failures as well as our achievements. It will outline for you our general objectives for the coming year and point up some of the problems confronting us in achieving the overall goals of the project.

Last year, you will remember, we had just begun to work with several street clubs. At that time we had been set up in our office for about three months. Our staff consisted of an Area Director, a Research Director and by the end of the year, three area workers. We had made contact with one street club, The Noble Dukes, and were in the process of making contact with the Capitols and Copians.

We had three overall objectives. First, we aimed to work with a number of anti-social street clubs from the inside, using their gang life situation for socially constructive ends. Second, we planned to form a Neighborhood Council made up of adults in the community to work with the project and carry it on after the demonstration is over. Third, we hoped to work out methods which might be applied in similar projects in New York City and elsewhere. In connection with this third objective, we set up a limited research program to evaluate the effectiveness of our work.

We were, and are operating in a terribly congested slum area. The population increased 40% during and after the war. Instead of swimming pools there are bars of the gin-mill variety; instead of baseball diamonds there are pool rooms; instead of teen canteens there are prostitutes operating on the corners opposite club hang-outs; instead of basketball courts there are candy stores which front for number-playing and the selling of narcotics. The environment is hostile and frustrating. The boys react to it with aggression—against each other and against themselves. Feeling rejected, they in turn reject.

Our clubs are reputed to be among the most aggressive, anti-social clubs in Central Harlem. Each club has a "past" spotted

with violent gang warfare, weapon-carrying, stealing, and rape. Truancy is common among the younger members. Many boys drink, smoke narcotics, and gamble. Tangles with the police are frequent, and many of the older boys have court or prison records.

A year ago we were not at all sure that it was possible to gain acceptance in such clubs, but we felt that if a warm, understanding relationship with an adult could be established, it would be a potent tool for encouraging constructive changes.

Now we have behind us a year of actual experience in the field. Our staff is complete, and includes, in addition to the Area Director and the Research Director, four male area workers, one female area worker, and four clerical workers. We have strengthened our relations with social agencies in the community. We have organized the beginning nucleus of a Neighborhood Council.

We are currently working with three street clubs on a full-time basis. (The Noble Dukes—ages 17-20; the Capitols—ages 13-16; the Copians—ages 15-19.) We are in close contact with approximately 135 boys, and have casual relations with about 500 other boys and adults. We plan to work with one other boy's gang and with girls who associate with boys in the gangs.

**How Did We Get Next to the Clubs?**

One worker contacted his club by "hanging around". The worker introduced himself on the club's block as a person looking for an apartment. He talked to superintendents, ice-men, number men, pimps and candy store proprietors. He spent many hours in the boys' hang-out, a candy store. He played the juke box, drank coffee, did a lot of listening, and occasionally chimed in on the boys' discussions of baseball, the Apollo, be-hop, boxing, the army and girls. Thereafter, the boys invited him to pitch pennies and play football with them. They got to know each other's names and the relationship developed from there.

Another worker was introduced to his club, the "Copians," by friendly members of the "Noble Dukes". He was presented ". . . as a guy who can help you with a basketball team and things like that. He is from that office where they work with us 'Noble Dukes'."

The third worker replaced an area worker who resigned from the staff. He was introduced to the "Noble Dukes" by the Area Director as ". . . the guy who will take B.J.'s place in working with you." At first the "Noble Dukes" mistrusted him, but later they grew to like and accept him.

One worker comments, "They were highly suspicious of me at first, but as I began to help them with a basketball team they began to 'open up' and include me in their conversations which revealed confidences, which they didn't dare tell when I was suspected of being a police officer. They told me about mass-rape, muggings, and other anti-social acts. I passed these 'tests' by accepting what they told me in a matter-of-fact way without moralizing or being shocked."

#### What Do We Do When We Are With the Boys?

Mostly we do what the boys do. When they have a bull session, we join in. When they shoot pool, we play pool. When they go to the movies, so do we. We join them in stickball, stoopball, baseball, listening to the radio or records, "jumps", ping-pong, swimming, overnight hikes, block parties, flying pigeons, bowling, and playing cards.

We see club members almost every day (usually in the afternoon and evening) and spend anywhere from 15 to 25 hours a week with them. Usually we see from four to twelve boys in a contact. Sometimes we may see only one boy in a contact, sometimes as many as fifty. Most contacts take place wherever the boys hang out—the street, candy store, roof, or pool room; some take place in the Project office.

We vary our role with the needs of the group. Usually we seem to be just "one of the boys." At times the boys ask us to arbitrate disputes, they ask for help in getting jobs, they ask for advice on personal problems. Our word is not law, and the boys freely accept or reject what we say as they see fit. Of course, we have the same privilege. If we feel like disagreeing with them we do so.

When the boys discuss anti-social activities our role varies, depending upon circumstances. Frequently, we will just listen without approving or disapproving. Sometimes we may ask questions to learn more about their attitudes or behavior. At other times, we openly disapprove of their behavior and give our reasons. (When we disapprove, we try to disapprove the activities, not the boys.) We may point out dangerous consequences, or we ask them to put themselves in the victim's shoes. Of course, sometimes we don't say anything, because we don't know what to say. We never use force with the boys. Once we had to forbid the use of office telephones and typewriters. We gave our reasons for this, and the boys readily cooperated.

#### What Have We Accomplished Thus Far?

We had two immediate goals this first year. First, we wanted to contact a number of hostile gangs, gain their confidence and trust, and establish a relationship through which we might influence them. Second, we wanted to learn as much as we

could about these boys, what they were like, how they lived, what their needs were—in order to plan our approach intelligently.

We believed that a good relationship with the boys was absolutely necessary if we were to stimulate desirable changes in them. We felt that the boys would have to trust us enough, and feel free enough, to drop their usual defenses. We realized that they would have to have confidence in us, that they would have to accept us as guys they might want to listen to and learn from without feeling inferior or humiliated. We realized that we could influence them only if they liked and respected us. The more they felt such like and respect for us the freer we could be to help, to advise, and to disapprove when necessary, without making them feel resentful. In short, they would have to feel that we were with them, not against them.

Establishing a good relationship with the boys was not easy. We were strangers. For all the boys knew we were "coops" or "stoolies." We had to overcome natural suspicions. We had to avoid threatening the leader's status in his club. We had to meet them on their own terms without "pushing."

What kind of relationships have we been able to achieve? We have been in some of their homes and met their parents. They share their food with us. They tell us about their personal problems. They seem to consider us as members of their clubs. They freely discuss secret club business with us. They tell us about their anti-social scrapes. They invite us to dances and other social activities.

Two area workers have been invited to their clubs' secret hang-outs. One club leader introduces his area worker as his "brother." Another area worker is teased freely by the boys; they call him "lame" and "turkey" as they do other club members.

However, we can't claim that all the boys like us to the same degree. Some do more so than others. For example, one boy feels cool toward his area worker possibly because he feels that the worker favors another boy. Once, when our worker with the Copians discouraged a gang fight, some of the younger boys were angry at him because they felt he had caused them to "punk out."

We felt it was necessary to fulfill our second goal—learning as much about the boys as we could—in order to plan our approach intelligently. We had to learn their "language," their likes and dislikes, their fears, their needs and frustrations. We realized that we could not be accepted as "one of the boys" unless we "knew our way around." If we were going to stimulate changes, we had to learn which attitudes and behavior

patterns required change. If we were to deal with causes rather than superficial symptoms, we had to learn why the boys felt and behaved as they did.

We feel that we have learned a great deal about the boys this past year. Most important, we have learned that the boys do have the ability to establish a relationship with an understanding adult. We have learned about the world in which they live. We have learned what their typical days are like. We have learned about their anti-social activities and their attitudes toward these activities. We have learned how they feel about parents, school, the police, girls, sex, and other racial and religious groups.

We still have much to learn. Although we know something, we need to know more about why they fight, why they steal, why they hate authority, why they hate being pushed around while at the same time they push others around, and which of their basic attitudes are most vulnerable to change.

#### Have There Been Any Changes in the Clubs?

We have concerned ourselves thus far with the immediate objectives of the past year. However, we feel that these should be seen in relation to the overall goal of the project. Can the energies expended on such activities as gang-fights, rapes, stealing and use of narcotics be re-directed into socially constructive channels? We recognize that such re-direction of energy must involve deep-rooted changes in attitudes and behavior. One year has passed. What has been accomplished thus far? Have we noted any significant changes in the attitudes of the boys?

This is a difficult question to answer. For one thing, we do not have any precise estimate of the extent to which the boys engaged in various activities at the beginning of the project. Therefore, it is extremely difficult to make accurate comparisons with their pattern of activities today. The boys tell us a great deal, but we can't be sure they "tell all." What we learn from them may give us only a partial picture of what they do and think.

Despite the above uncertainties we feel we can make certain tentative judgments about change in the clubs. *These estimates are personal impressions only; they will need to be verified by systematic analysis of our records and other checking procedures.*

1. Constructive activities have increased markedly. The boys spend more time in constructive activities than they did at the beginning of our relationship. They have organized baseball

and basketball teams. They have held five block parties. They have sold raffle tickets to raise money for athletic equipment. They have raised funds (approximately \$28.00) to send a small girl to camp. They have gone on two over-night hikes. They have put on movie programs and parties. Approximately 35 boys have sought our help in getting jobs, and about half this number obtained employment.

Behind most of these activities there are weeks of planning and organizing. The boys hold meetings, swap ideas and suggestions, and assume responsibilities. They learn about new resources that are open to them. They learn that they have "the stuff" to carry through projects successfully and as a result they gain confidence in themselves. They see that adults—storekeepers, parents, "even cops"—are willing to help them.

2. Anti-social activities have decreased somewhat. None of our gangs have engaged in warfare with other gangs since the beginning of the project. (Of course, it isn't safe to conclude from this that we have stopped gang fights, since we know of other gangs in the area, with whom we do not work, which have also been at peace.) Stealing, fighting, weapon-carrying, and sex offenses have decreased. (On the other hand, truancy and drinking have remained fairly constant. One area worker feels that his gang gambles more than it used to. Another area worker feels that his group has increased its use of narcotics.)

We feel that if reductions in anti-social activities have really taken place, this may have resulted from the fact that the boys have begun to substitute for these activities more satisfying, socially acceptable activities. One area worker feels that he may have influenced his boys by letting them know frankly how he feels about their anti-social activities; they seem to respect his opinion. Another area worker feels that some of the reduction may be attributable to increased age and changing interest.

3. Relations within the group have improved slightly. We feel there has been some improvement in the group atmosphere within the clubs. The leaders seem somewhat less autocratic. They call for members' opinions a little more often than before. Boys who never previously participated in discussions are now taking part.

The worker with the Capitols feels that there is a more friendly atmosphere in his group now. The boys don't fight and argue with each other as frequently as they used to; scapegoating has decreased.

One area worker is inclined to attribute some of these changes to his frequent suggestions that "we get everybody's

opinion and let the guy who doesn't get a chance to talk be allowed to talk." The worker with the Noble Dukes feels that meetings held in the Project office setting tend to encourage more democratic participation.

4. Relations between the club and community adults have improved slightly. We feel that adults on the clubs' blocks have shown more sympathetic interest in the boys. Parents helped them put on their block parties; storekeepers on the block have been expressing less hostility toward them. We feel that if these changes are genuine, they may also be due to the reduction in the clubs' anti-social activities and to the increase in their constructive activities.

Two workers feel that there might be a slight improvement in their clubs' attitudes toward the police. These slight changes may be due to the clubs' favorable experiences with PAL dances and games and to their obtaining block permits from the police.

#### What About the Future?

It is not the purpose here to suggest that all of our problems have been met. Whatever we may have accomplished seems to be in the area of pointing out the even greater tasks which lie ahead:

1. All boys do not participate in the organized activities of the clubs. One of our future goals will be to facilitate maximum participation in the planning, decision, and execution of their undertakings.
2. Although anti-social behavior may have decreased somewhat, much remains to be done, especially with the clubs' anti-social ideology.
3. Most of the clubs remain essentially autocratic, even though somewhat less so than they were a year ago. One of our goals will be to encourage more democracy in club relations.
4. Within the club there are many boys with severe personal problems. Solutions to these problems must be worked out with the individual boys involved.
5. Although community acceptance of the clubs has improved slightly, there still remains considerable negative feeling toward them. One of our future goals will be to encourage greater mutual acceptance between our clubs and community adults.

We recognize that much of the club members' overt behavior is symptomatic of deep-rooted conflicts in themselves, and that in many instances it will be necessary to get at these inner conflicts. We feel that through the medium of the group, and

through the relationships we have established with the boys, along with the Neighborhood Council and all available community resources, it will be possible to effect positive changes in these areas as well as in overt behavior. On the basis of our experiences of the past year, we are confident that together we can meet the challenge inherent in these tasks which lie ahead of us.

Along with our optimism, we realize that we are working within the framework of exacting limitations. These boys live in an area of impoverished housing, inadequate facilities of all sorts—hospitals, school, libraries, parks, and playgrounds. Job opportunities are much more limited than in other areas of the city. Nor should we ever forget the haunting spectre of racial discrimination with all of its attendant evils.

Working every day in this area, we realize that our goals are severely limited because of these factors. We further recognize that before any program directed toward changing anti-social behavior of street gangs in Harlem can be totally effective, it must be accompanied hand-in-hand with a broader program which reaches the basic problems of inadequate housing, unemployment, and racial discrimination.

#### Motion Picture Industry

The Association joined with others in urging the Motion Picture Producers Association of America to revise the regulations and codes to halt the production of pictures glorifying the criminal and making crime inviting to young people. These revisions were made in the closing part of 1947 and during 1948 we had the continued help of The Hon. Richard C. Patterson, Jr.\*, a member of our Executive Committee, in keeping alive our contacts with Mr. Eric C. Johnston and his associates in the Motion Picture Producers Association.

#### Sentencing

During March of 1948 there was considerable public hostility and alarm relating to the conduct of one Hugh Coughlin, who killed a policeman and critically wounded another during an early morning escapade. It was obvious that if better control had been established earlier in this man's criminal career the unfortunate killing might not have occurred in that Coughlin would probably have been in safe custody for some time prior. A letter addressed by the General Secretary to various New

\* Former Commissioner New York City Department of Correction, former Chairman of the Board of KKO, former Ambassador to Yugoslavia, and now United States Ambassador to Guatemala.

York newspapers pointed out that Coughlin was not a suitable type for a reformatory commitment and under a better procedure would have been sent to an institution for mentally defective delinquents, such as Napanoch. The hasty and superficial examination of this prisoner by psychiatric personnel practically tied the hands of the Court, making commitment to Napanoch impossible at the time.

#### Disbarment Proceedings

It is sometimes said that the halls and recesses of a Criminal Courts Building shelter those who act like human vultures in that they are continually alert and anxious to exploit for their own gain the serious predicaments of those charged with or convicted of crime. Criminal activity should never be condoned, yet the plain truth is that the effects of criminal conduct are widespread. It is necessary to take into consideration at times the disgrace and bewilderment and helplessness that falls upon not only the criminal himself but many times his loved ones, be it an old mother, a wife and children. It is regretfully noted that some members of the legal profession, quite contrary to the high standards of their professional schooling and their pledge under oath regarding their privilege to practice law, are included among these human vultures.

For a period of over a year the Prison Association, together with other groups and individuals, focussed interest on the disbarment proceedings of a woman attorney residing in Harlem. She had been known to our office for a number of years through complaints made by letter or at the time our prison visitor made contact with inmates in the course of his routine duties. This woman repeatedly challenged the jurisdiction of the Grievance Committee of the Bar Association and showed an utter disregard at any attempt to halt her inhuman and avaricious conduct. Finally the day came when the Bar Association determined to act for a showdown. The Appellate Division subsequently appointed a Referee, the Prison Association of New York testified before him, and in due time the Appellate Division formally disbarred the woman attorney. All concerned, interested in ordinary decency, were rewarded for their efforts to bring this woman to justice.

#### National Conference on Juvenile Delinquency

Mr. Shaw continued to be active in his capacity as Chairman of the Continuing Committee of the National Conference on Prevention and Control of Juvenile Delinquency. Its purpose is to spread, so far as possible, the benefits and conclusions of

the Conference held in November of 1946. During the year there was released a Proclamation by the President in support of the Conference, and relating to its important field of interest. A significant sentence reads:

"J. HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States, in their homes and churches, in the schools and hospitals, in social welfare and health agencies, in enforcement agencies and courts, in institutions for the care of delinquent juveniles, and in their minds and hearts, to act, individually and together, for the prevention and control of juvenile delinquency, so that our children and youth may fulfill their promise and become effective citizens in our Nation."

The full Proclamation is contained in our files. Also distributed by the Conference is a Handbook setting forth the "First Steps in Organizing State or Local Conferences on Prevention and Control of Juvenile Delinquency." The President in his Proclamation strongly suggested that these local conferences be held.

We can take satisfaction in having Mr. Shaw, a member of our Executive Committee, so conspicuously active in this national effort directed toward the reduction of juvenile delinquency and the betterment of community life.

#### International Penal and Penitentiary Commission

As has been stated previously, there exists a question as to the future of the International Penal and Penitentiary Commission, established in 1872 under the inspiration and guidance of Dr. E. C. Wines, a General Secretary of the Prison Association of New York. The question hinged mainly on the point as to whether the I.P.C.C. should continue to function in the light of the establishment of the Economic and Social Council of the United Nations. The Association from the start of this discussion held to the position that there was a definite place for the I.P.C.C. in the field of worldwide crime study and treatment, and that it had much to offer in the way of knowledge and experience to cooperate with the Economic and Social Council, if that be desired. This position was steadfastly held and supported by the Hon. Sanford Bates, the American representative on the Commission and also its President. Through the year there continued earnest discussion and the passing of various letters and memoranda. Mr. Cass accompanied Mr. Bates on the occasion when he was given, finally, the opportunity to appear at Lake Success before a sub-committee of the Eco-

nomic and Social Council. Strangely enough, at that meeting more than two hours of time was consumed in a discussion of Mr. Bates' credentials and his authority and further, on the question as to the relationship between Spain and the I.P.P.C. Mr. Cass was permitted to sit in at this meeting as Mr. Bates' advisor. Mr. Bates was confronted with a seemingly unnecessary number of obstacles and should be commended for the patience he displayed.

This meeting, however, did not settle the main question and it was not until later in the year that it was finally agreed, at a meeting in Paris, that the International Penal and Penitentiary Commission would be included among a number of international bodies on a consultative basis.

This is the present status, and Mr. Bates and his associates on the Commission are prepared to be of service to whatever extent is desired. In the meantime, he has undertaken the task of reorganizing and strengthening the personnel of the office staff of the Commission.

Throughout the prolonged period of correspondence and discussion Mr. Bates kept Mr. Cass informed. He likewise has indicated appreciation for the assistance, counsel and moral support given without reservation.

#### United Nations

The Economic and Social Council of the United Nations, interested in correctional methods and procedures, requested that there be organized, to consist of American representatives, a Working Party on the treatment of adolescent and adult offenders. The plan was to have various statements prepared under titles such as "Parole and Other Release Procedures", "Trends in Penal Treatment", "Selection and Training of Personnel". The General Secretary of the Prison Association was asked to treat the subject of "The Selection and Training of Personnel". The complete list of assignments is as follows:

"Parole and Other Release Procedures" by the Hon. Sanford Bates of New Jersey.

"Use of Correctional Camps and Colonies for Adolescent and Adult Offenders", by Karl Holton of California.

"The Pre-Sentence Examination of Offenders", by Dr. Paul L. Schroeder of Georgia.

"Trends in Penal Treatment", by Thorsten Sellin of Pennsylvania.

"Specialized Treatment of the Woman Offender in America and the Reasons for the Success of this Movement", by Miriam Van Waters of Massachusetts.

"The Selection and Training of Personnel", by E. R. Cass of New York.

"The Habitual Criminal", by James V. Bennett of Washington, D. C.

"The Short-Term Sentence and its Alternatives in the United States", by Walter C. Reckless of Ohio.

"Classifications", by F. L. Bixby of New Jersey.

"Function of Penal Institutions", by Austin H. MacCormick of New York.

"Adolescence", by G. Howland Shaw of Washington, D. C.

A similar Working Party was organized to deal with probation and parole. The material gathered from these two Working Parties is designed to serve as a reservoir of information to be utilized by the Economic and Social Council in its treatment of correctional problems in the various countries of the world.

#### Cooperation with Director of the Budget

The Association was called upon to assist the Director of the Budget of the City of New York following up the recent study made by the Citizens Budget Commission (this report under the title "A Better Government for a Better City" was released January 12, 1948). During the year the Association cooperated with the Commission and assisted in the preparation of that part of its report concerned with the various operations of the Department of Correction. The Director of the Budget was requested by the Mayor to analyze and evaluate the numerous recommendations made by the Commission. The Budget Director's representative conferred at length with the General Secretary, with particular reference to the New York City Reformatory at New Hampton. The Association has long been concerned with the numerous problems facing the Reformatory and the question at hand is whether or not the institution should be turned over to the State for use as part of the State's correctional program.

#### City Prison, Brooklyn

This institution has been discussed in various reports and by different bodies over a long period of years. The conclusion most times has been that a new institution is desirable. In the year 1948 definite progress was made in that a site was determined upon and the drawing of plans and the making of necessary appropriations resulted. During the year Commissioners Schoenfeld and Cass cooperated with Commissioner of Correction Albert Williams and the architect, Clarence B. Litchfield



of the firm of Alfred Hopkins and Associates. This relationship with the Commissioner and the architect began early and was indicated in our 103rd Annual Report for the year 1947 (beginning page thirty-three). Both Commissioner Williams and Mr. Litchfield are to be especially commended for the thoroughness of their approach to the problem and their desire to reach the best conclusions. It has been a refreshing experience to observe the care and earnestness employed in this particular project. At this writing progress continues and early in 1949 excavation and construction should be under way. There is every reason to believe that the completed institution will be a model worthy of the study of those who have similar responsibilities in other areas.

#### Detention Pens, Mulberry Street

In our report for the year 1947 our objections to the detention quarters and detention pens in the old Police Department Headquarters Building at 300 Mulberry Street, as emphasized repeatedly by Commissioners Schoenfeld and Cass, were recorded. One of the most gratifying results during the year 1948 was the discontinuance of these undesirable detention pens and the reopening, on July 26, 1948, of the Lower Manhattan Magistrates' Court in the Essex Market Court Building, 2nd Avenue and 2nd Street. The detention facilities in the Essex Market Court Building are not new, but they are in every way far superior to those in the old Police Headquarters Building. Commissioner Schoenfeld particularly is to be commended for his persistence which contributed substantially to bringing about this much needed change.

#### Syracuse Police Lockup

On the night of October 26, Commissioners Schoenfeld and Cass inspected the lockup located in the basement of the headquarters of the City of Syracuse Police Department. Their inspection revealed conditions which could not be excused or tolerated by any public official. The jail itself was in a filthy condition and apparently had not been cleaned for some days. It was obvious that the city officials had given little or no attention to the local jail despite the fact that similar conditions were previously noted. At that time, the Mayor was informed of the conditions and he promised to give orders to have the lockup cleaned. This was not done and in the opinion of the inspectors conditions were without parallel, considering their years of widespread observations. An official report was made to the State Commission of Correction, recommending that un-

less conditions were improved immediately the City should be cited to show cause why the jail should not be closed as unfit for human habitation.

Subsequently the State Commission of Correction served a "show cause" on the Mayor of Syracuse and other city officials, requiring their presence at the December 22nd meeting of the Commission. In response to an order of this nature, municipal officials are required to show cause why the place of detention should not be closed for reasons of inadequate facilities, unsanitary conditions, etc. On December 22, 1948, the Mayor of Syracuse appeared before the Commission and agreed regarding the criticisms. He gave assurance that improvements were under way and that every effort would be made not only to keep the lockup clean, but to make all necessary repairs and to have it supervised by the Police Department in accord with the best practices. It is expected that the Mayor this time will keep his promises. It was quite evident that he was greatly surprised and disturbed at the conditions in the lockup. The city will be required to expend perhaps a considerable sum of money to make certain repairs and renovations, but this should not be a cause for complaint because of the fact that for many years the lockup has been neglected. The written report of inspection makes anything but pleasant reading at a time when there is so much discussion about respecting the dignity of man.

#### Police Lockups

Commissioner Schoenfeld, acting both for the Prison Association of New York and the State Commission of Correction, continued zealously through the year his inspection of police lockups, principally in the New York City area. In this respect, he had the best kind of cooperation from the late Chief Inspector Martin J. Brown; the various precinct commanders; and the Superintendent of Buildings, Byron P. Wilson. The nature of this relationship is set forth in a departmental letter of January 15, 1948, addressed to Commissioner Schoenfeld, relating to conditions and progress in various lockups. It is interesting to note the value that the Police Department attaches to these inspections and, of course, it is gratifying to experience their response and cooperation. It is shown that the minuteness of some of these inspections brings to light conditions not known to experienced police officials.

#### Meal Tickets for Police Prisoners

Commissioner Schoenfeld reported that he had a conference with Police Commissioner Wallander, which resulted in a re-

vision of the procedure concerning the distribution of meal tickets by the Police Department to prisoners in their custody. Under date of November 30th Commissioner Wallander wrote that the unit price was being changed from 10c to 15c. This is an improvement over the previous inadequacy.

#### Youth Term Court of General Sessions

At the December meeting of the Executive Committee our special guest was The Hon. Saul S. Streit, Judge of the Court of General Sessions. He was asked to speak on the operations of the Youth Term in that Court. In introducing Judge Streit, Mr. Cass remarked upon his many years of friendship with the Judge, dating back to the Judge's days in the Legislature as a member of the Assembly. Mr. Cass stated that both Commissioners Mulrooney and Schoenfeld long had been close friends of the Judge and that it was a privilege to have him present at this meeting.

The Judge, in commenting upon the Youthful Offender Act, which resulted in the establishment of the Youth Term Part of the Court of General Sessions, remarked that he was very happy to have the opportunity to discuss the Act with the Executive Committee. He stated that he had been inspired by the activity of our Executive Committee over the years and that it was encouraging to the Court to know that important members of the community were interested and active in the welfare of the State. Briefly tracing the development of the Youthful Offender Act, Judge Streit remarked that in 1938-39 a notable increase in juvenile crime was apparent. Many advocated numerous reforms and all concerned were impressed with the acute necessity for improving the procedures of handling the adolescent offender. In 1943 this interest culminated in the enactment by the Legislature of the Youthful Offender Act. The Judge stated that the Act was statewide in application and was "as good as those who enforce it". Judge Streit further remarked that the Act needs an understanding judge and a trained probation department in order to be effective. He added that the Court of General Sessions was fortunate in having the best probation department in the country.

The law pertains to those offenders 16-19 years of age and provides that the police department will segregate such offenders from older persons. It further gives magistrates authority to parole defendants in the custody of parents, attorneys, friends, etc. However, if the offender is held in confinement he must be segregated from offenders of other age groups.

Those between the ages of 16 and 19, according to Judge Streit, make up 21% of all cases coming before the court. A preliminary examination and conference between the district attorney and the court is held and a decision made as to whether or not the offender may be adjudged a youthful offender. The final decision is postponed until the probation department submits its detailed report, which may take upward of three weeks.

Judge Streit stated that of those coming before the Youth Term Part for examination, 85% were held for larcenies and 60% of these were larceny of automobiles. He added that 3% were girls; 96% had normal intelligence; 60% had attended high school, with 5% graduating. He pointed out that 60% were from broken homes and that 47% were unemployed. In commenting upon the three outstanding factors which led to adolescent delinquency Judge Streit felt that broken homes, lack of education, and unemployment were largely to blame. Of all offenders examined by Youth Term Court, 65% of those investigated were disapproved and 35% were approved and adjudged youthful offenders. Of this 35% approved, 95% were ultimately placed on probation. These offenders are not legally charged with the commission of a crime but instead they are charged with violation of the Youth Offender Act. Technically this permits the avoidance of being classified as a felon and likewise enables offenders to state legally that they have not been convicted of a crime. The offenders are entitled to trial without jury and the judge must find the offender guilty beyond a reasonable doubt. The offender's "slate can be kept clean" and the felony indictment as such dismissed. The court papers are sealed and are not available for perusal by any persons without explicit court order. Of those on probation, Judge Streit added that 89% were successful and that of some 700 youthful offenders on probation during a four-year period none was returned for violation or additional delinquencies. "The Youthful Offender Act is here to stay," Judge Streit remarked, and added that extreme caution should be exercised in expanding the age limits or in making additional changes in the law. He felt this to be necessary in view of the experimental nature of the entire procedure.

#### Legislation

It has long been the practice of the Association to concern itself during the Legislative session in the matter of bills affecting the administration of criminal justice. For a fuller statement of the bills which held the attention of the Associa-

tion during the 1948 session, see page (84). Of immediate interest is the following tabulation regarding a total of 66 bills:

Total number of bills holding our attention	66
Bills approved by the Association	48
Became law	22
Vetted	9
Failed of passage	16
To Secretary of State (Veterans' Preference— Modifies present system)	1
Bills opposed by the Association	18
Became law	4
Vetted	3
Failed of passage	13
To Secretary of State (Veterans' Preference— Extends present system without modifications)	1

Of special interest is the signing by the Governor of the bill that sets up an experimental unit at Sing Sing Prison to deal with the sex offender. This bill is now Chapter 609 of the Laws of 1948. Another bill of particular interest is one initiated by the Association designed to expedite the transfer of those who are regarded as insane from institutions of the New York City Department of Correction to the Matteawan State Hospital.

#### Citizens Budget Commission Survey

As previously noted, Mayor O'Dwyer, early in 1947, requested Citizens Budget Commission to undertake a survey of a number of City Departments, including the Department of Correction. The latter part of the Survey was assigned to City Magistrate Morris Ploscowe and it was pleasing to our office to have the opportunity to consult with and assist him in various ways. Our general approval of the findings of the survey was referred to in our 1947 report and during the year 1948 we continued to press for a fulfillment, so far as possible, of some of the recommendations contained in the Survey. Here again, it is pleasing to note that the present Commissioner of Correction of the City of New York, Albert Williams, aimed to fit the recommendations of the Survey into the operations of his Department to the best of his ability. Some of the recommendations, regarded perhaps by some as drastic and designed to be far-reaching, will require legislation.

#### Prison Officers Conference of New York State

This Conference was held in Albany during September, 1948. There were adopted various resolutions and these were later referred to the Prison Association of New York and other organizations for discussion and comment. The Prison Associ-

ation at one of its monthly meetings agreed to support in principle the following resolutions:

1. The need for providing a twenty-five service retirement for prison guards and their supervisory officers.
2. The provision that standards to be required of applicants for the position of guard in County or New York City correctional institutions shall be not less stringent than those required of State prison guards.
3. That the Legislature provide by law for the creation and maintenance of prison guard training schools for the use of State, County and New York City correctional personnel.

#### Manual of Suggested Standards

This manual, developed under the direction of Mr. Sam A. Lewisohn, a member of the Executive Committee of our Association, has become a guide and textbook for those desirous of progressively organizing and arranging for the intelligent administration of their correctional institutions and systems. Its distribution included not only every state in the United States but practically every country around the world. Dr. Paul Cornil, Deputy Minister of Justice of Belgium, at a luncheon meeting of our Executive Committee, highly commended the value of the manual. It is also being used by members of the International Penal and Penitentiary Commission and staff members of the Economic and Social Council of the United Nations. When the original supply became exhausted Mr. Lewisohn, again at his own expense, very kindly made available another printing.

#### Cooperation with the Classification Committee

Both Messrs. Cass and Wright met with and cooperated in the plan and operations of the Committee on Classification of the American Prison Association. This committee is responsible for producing the valuable and very much desired Classification Handbook, published in 1947. As a follow-up of this excellent contribution to the field, the committee is expanding its interest to implement classification with case work procedure and therapeutic methods. Further, the committee, headed by Dr. Norman Fenton, Chief, Classification Bureau, California Department of Corrections, is made up of those who are devoted to their work and who have a wide range of practical and theoretical knowledge.

### Floggings of Prisoners

A letter was written on March 30th, urging Governor Fielding L. Wright of Mississippi to sign bills before him relating to the improvement of pardon and parole proceedings and the partial elimination of flogging. Favorable action resulted and the Association is happy to have played a part in the effort to make for this much desired progress.

In October it was noted that the Director of the Alabama Department of Correction defended flogging in testimony before a prison investigation committee in his State. One of his points was that the Legislature had twice abolished it and it was later reinstated. Protest was recorded by Mr. Cass, and one of the wardens in the State of Alabama indicated that he personally was not in favor of flogging. He indicated that at his institution solitary confinement is utilized in lieu of flogging. He further commented, "We are trying to get away from both corporal punishment and solitary confinement and use complete isolation instead and I believe our program will go over."

### Texas Prison System

During the year the General Secretary was consulted on numerous occasions by the General Manager, Mr. O. B. Ellis, whose interest and efforts give promise of progress in the re-vamping of the Texas Prison System. For too long a time has it been known that many changes are necessary if the people of Texas can claim any credit for dealing intelligently and humanely with their prison population. Repeatedly through the years there have been various charges of mismanagement and brutality directed toward the system. With the advent of Mr. Ellis it is gratifying to report that he, together with the members of the Prison Board, in a short time made a very frank and unprecedented statement of the shortcomings of the Texas Prison System, and also earnestly appealed to the citizens of the State to give assistance toward progress. Many changes for the better have been made and there is likelihood of an encouraging response by the Texas Legislature, but in all events, it will be a long journey before Texas can take its place among the progressive states in the field of penology.

### Southern States Conference

On invitation, Mr. Cass attended the Southern States Probation, Parole, and Prison Conference held in Nashville, and spoke on the subject of the sex offender. Copies of this address have been generally distributed. The Southern Conference em-

braces fourteen states and the meeting was well attended. There was considerable earnestness and enthusiasm. It is quite clear that there is a desire to do better regarding the various correctional processes among most of the Southern States.

### Central States Parole and Probation Conference

Mr. Cass, on invitation, addressed a large luncheon meeting of the Central States Parole and Probation Conference held in Des Moines, Iowa, on the subject of the sex offender. Discussion was directed toward the problem generally, and the efforts made legislatively in New York State, and the final establishment of a unit at Sing Sing Prison for the study of a selected group of offenders.

### 78th Congress of Correction

The Annual Congress of Correction was held under the auspices of the American Prison Association, of which Mr. Cass is also the General Secretary. This national body stemmed from the interest and activities of the Prison Association of New York, going back to 1870, and this is one of the reasons why the Association allies itself so closely in the affairs of the national body. It gives opportunity to extend the influence of the Association and to assist in the effort to keep progressive thinking and objectives before the heads of departments, commission members, and personnel of institutions and agencies throughout the country. In 1948 the Congress was held in the City of Boston, August 29th to September 3rd. There were registered 850 delegates from 41 states and 5 foreign countries. This was the best attended Congress since 1941. There was considerable interest and enthusiasm in the Congress program from the opening to the final meeting. The Congress emphasized the theme of unifying the correctional processes and pointed out the necessity of applying the different correctional techniques as one general process.

### The Prison World

This is a bi-monthly publication of the American Prison Association, running more than 40 pages. It has become in a sense the trade publication for the workers in the correctional field. The preparation of the various issues we consider an important national contribution on the part of the Prison Association of New York through the combined efforts of its General Secretary and its Assistant Secretary, Mr. Roberts J. Wright. A very important addition to the publication, begun in 1947 and added to during 1948, is the section under the title "Cor-

rection Officer's Training Section". This material is included in about 4 pages of each issue and it is prepared by various correction officers throughout the country and deals with pertinent problems of administration, such as "How to Search a Cell", "How to Transport Prisoners", "How to Patrol a Tower Box", etc. These are all vital factors, varying in degree of importance, which make this section of *The Prison World* a kind of textbook which is being increasingly sought by departmental and institutional personnel. The editorial consultant is Dr. Walter M. Wallack, Warden of Walkkill Prison, New York, who discharges his responsibility with the unusual skill and patience that he fortunately possesses. In a short period the addition of this section to the magazine accounted for over 1,000 new subscriptions.

#### New York City Youth Board

Upon invitation of the Executive Secretary of the New York City Youth Board, Mr. Wright, our Assistant Secretary, is functioning in a consultant capacity with the Youth Board's Bronx Pilot Project. The project is leading up to a neighborhood conference on the problems of juvenile delinquency and is scheduled for the first part of 1949. It is anticipated that a considerable sum of money will be set aside by the Youth Board for implementation of the various recommendations which will undoubtedly be made. The project looks forward to the establishment of a community action program and covers the areas of Mott Haven, Tremont and Morrisania.

The Youth Board has planned an extensive citywide program of delinquency prevention aimed particularly at spotting potentially delinquent children within the city's schools. With City funds matched by the State through the State Youth Commission, the project is scheduled to be launched early next year. The Board will strengthen existing facilities, provide training opportunities for social workers and teachers, and for the first time on a citywide scale will provide attention to the problem on an individualized basis. At the invitation of Mr. Nathaniel Kaplan, chairman of the New York City Youth Board, Mr. Wright of our staff has accepted appointment as a member of the Board's Advisory Committee on Child Welfare. Consisting of twelve members, the Advisory Committee will provide technical guidance on the planning and implementation of the Board's programs.

#### New York City Police Academy

At the request of the Commanding Officer of the New York City Police Academy, Deputy Chief Inspector William A. Turk,

Mr. Wright, Assistant Secretary of the Association, gave weekly lectures to a total of 1,200 police officers in what is known as the Detectives' Training School. The course started January 19th and continued through March and Mr. Wright repeated the same lecture on successive Monday afternoons. The course consisted of a four-day intensive training period and successful graduates were placed in a pool from which detectives are appointed. This is the first time, according to the Commanding Officer of the Academy, that they have included a discussion of criminology and penology with this group. We feel this gave an excellent opportunity for the Prison Association to cooperate in a realistic manner with the Police Department. At the conclusion of the course, Mr. Wright received the following letter of appreciation from Police Commissioner Arthur W. Wallander:

"Dear Mr. Wright:

"Please accept my sincere thanks and appreciation for your wonderful cooperation and assistance in connection with the subject matter presented by you to the members of the Department attending the Detectives' Training School, at the Police Academy, 7 Hubert Street, Manhattan, during the past semester.

"The lectures were well received by the students, and I am sure will be beneficial to them in the future in the performance of their official police duties.

"With kindest regards, believe me to be,

Sincerely yours,

/s/ ARTHUR W. WALLANDER"

#### Courses in Criminology

Mr. Wright, for the 13th consecutive year, continues to conduct the criminology course at Springfield College (Massachusetts). This involves one afternoon a week and offers an excellent opportunity to reach a select group of students, some of whom indicate a strong desire to take up correctional work as a life career.

Also, Mr. Wright has been added to the faculty of New York University to conduct a course on penology. This is to run from February to June. It is part of the expanding program of NYU under the Graduate Division of Public Service Training. It should be noted that the University is making extensive plans to considerably expand its criminology program. This year ten courses are being conducted in the Graduate Program on Correctional Administration.

#### Welfare Council Correctional Group

One of the seven conference groups of the Welfare Council is the Conference Group on Correctional and Allied Services.

Consisting of some 68 private and public agencies affiliated with the correctional problem in New York City, regular monthly meetings of its Steering Committee of 18 persons were held during the year. Mr. Wright, our Assistant Secretary, was elected Chairman of the Conference Group in December, 1947, and continues in office until the close of the 1948-1949 season. Various open meetings have been offered by the Conference Group dealing with such topics as "Are we preventing Juvenile Delinquency in New York City?", the problem of securing adequate institutional placements for disturbed children, the Street Clubs project, and other pertinent topics. At the January, 1947, meeting dealing with the question of juvenile delinquency, an overflow crowd of 400 persons heard papers prepared by Adrian Burke, Judge Justine Wise Polier of the Children's Court, and former Justice Martin Callagy, Attorney-in-Chief of the Legal Aid Society.

During the year the Conference Group had a number of sub-committees at work attempting to improve various specific aspects of the local prevention and correctional picture. The annual meeting of the Conference Group was held on March 18th. The guest speaker was Branch Rickey, President of the Brooklyn National League Baseball Club, who gave an impressive presentation concerning juvenile delinquency prevention. In addition to Mr. Rickey's talk, Mr. Wright reported on the year's activity of the Conference Group, which covered the work of the various sub-committees, including a sub-committee on problems of institutional placement of juveniles, a sub-committee on personnel standards and legislation, the Teen-Age Committee, and others. The affiliation of the Association and Mr. Wright personally with the Welfare Council Correctional Group offers numerous opportunities for both to be of service to the correctional interests of the city. Association cooperation with the Welfare Council dates back to its beginning and has been continued ever since.

#### Welfare Council Delegate Body

Mr. Shaw and Mr. Cass are the two delegates for the Prison Association to the Welfare Council. There was a meeting of the Delegate Body held on February 10th at the Russell Sage Foundation building in New York City. The important business was to discuss the financial difficulties of the Council. Mr. Shaw, as President of the Council, presided and told the hard facts which threaten its future and the loss of its service to the agencies of the community. Various proposals were discussed and acted upon. They included:

1. Freezing the Rateable Shares for the year 1948 at the dollar amount of the 1947 dues for each agency;
2. Authorizing the Board to negotiate with the Greater New York Fund for withdrawal from participation in the Fund in order that the Council could seek supplementary support from publicly held corporations, partnerships and employee groups and in addition seek increased support from individuals and foundations;
3. Authorizing the Board to develop a new formula for agency dues for 1949 and thereafter that will retain the important principle of equitable distribution of dues in relation to agency income and expenditure; and
4. The setting up of a committee to study the various proposals that have been made in the past for financing social work in New York City.

Item 1 was voted favorably; likewise 3 and 4. Regarding item 2, it was evident that there was hesitancy about approving the withdrawal from the Greater New York Fund and the matter was left open until a future meeting, with instruction that in the meantime the Welfare Council endeavor to have the Greater New York Fund reconsider its decision that would affect the continuation of its financial support to the Council.

In compliance with the request at the February 10th meeting of the Council that member organizations write the Greater New York Fund urging that it reconsider its decision affecting the Council, it was voted that the Prison Association send such a letter.

The General Secretary at the February 10th meeting spoke a number of times and took the position that the Association believed in the Welfare Council, was glad to pay its rateable share, but was somewhat concerned as to the danger of increasing the cost of supporting the Welfare Council beyond the limits of reasonable participation by the membership agencies. He stressed the point that all agencies, large and small alike, are finding it difficult to obtain financial support and that, therefore, future outlays would of necessity require careful consideration. He stated frankly that it would be a sad day when a professionally equipped organization with a good record of public service would be prevented from belonging to the Welfare Council solely because it was too costly.

#### Committee on Detainers

The General Secretary participated in meetings called by the Council of State Governments. There were present representatives of the Association of Administrators of the Inter-

state Compact for the Supervision of Parolees and Probationers, the National Association of Attorneys Generals, the Section on Criminal Law of the American Bar Association, and The American Prison Association.

The purpose of these gatherings was to arrive at some better basis of operation regarding the filing and execution of detainers. The attitude of the authorities of the various States differs with the result that there is confusion and slowness in the administration of justice as well as some injustice. Whether the problem can be dealt with through national legislation or some kind of a compact between the States remains to be further studied and explored. It should be noted that so far as our particular interest is concerned, the filing of a detainer, knowing when it is shown later that there is no serious intention of executing it, is a handicap to an administration attempting to formulate a rehabilitation program. Generally speaking, men in institutions against whom there have been filed detainers are restricted in their operations.

#### Civil Service

During the year Mr. Cass cooperated with the Civil Service Commission in the matter of promotion examinations. Mr. Wright, together with Mr. F. Spencer Smith of New Jersey, conducted oral examinations at the request of the Civil Service Commission of the City of Baltimore, for the post of Deputy Warden of the Baltimore City Jail. This form of service is arduous at times, but is very important in the general direction of obtaining the right kind of personnel for correctional operations.

#### Navy Department

Mr. Wright, who served with the Corrective Services Division, Bureau of Naval Personnel, during the war, at the request of the Navy, returned for two weeks' active duty with the Bureau of Personnel during the month of June. During the year Mr. Wright was advanced to the rank of Lieutenant Commander, USNR. The Navy Department has demonstrated its interest in maintaining a progressive correctional system and through Mr. Wright, and others affiliated with the program, a strong relationship exists between the Association and the Corrective Services Division.

#### Naval Correctional Program

In the early part of 1948 the Secretary of the Navy convened a national advisory board on naval confinement policies to review and make recommendations concerning the naval correc-

tional program. Mr. James V. Bennett, Director of the United States Bureau of Prisons, was appointed chairman of the committee, with the following members:

Richard A. McGee, Director, California Department of Corrections, Austin H. McCormick, Executive Director, The Osborne Association, Hon. William J. Campbell, Judge, United States District Court, Chicago, Rev. Louie D. Newton, Atlanta.

Later in the year, after the committee had visited many of the naval confinement units, Mr. Wright, the Association's Assistant Secretary, was requested to act as secretary for the committee.

Several two day meetings were held the latter part of 1948, including a series of conferences with ranking naval officers and civilians. It is anticipated that the committee will issue, early in 1949, a detailed report consisting of general observations and recommendations concerning the Navy's confinement program. The Association has been encouraged to note the commendable progress being made by the Naval Correctional Division under the direction of Captain Jack Maginnis, USN, Head, Corrective Services Branch of the Bureau of Naval Personnel. The program meets with the best of progressive penological thinking and surpasses the existing procedures in many states.

#### Nebraska Prisoners' Aid

Assistance was given to interested citizens of Lincoln, looking for guidance toward the formation of a prison association for the State. The General Secretary replied to Mr. Kenneth W. Willey of the Inmate Welfare Department of the State Penitentiary at Lincoln, under date of December 29th, making various suggestions and giving general guidance and also sent literature including copies of our Annual Reports.

#### Foreign Visitors

During the year the Association assisted numerous visitors from foreign lands and in some instances developed extensive itineraries for their institutional visits throughout the country. Included were persons from Belgium, Iran, India, Turkey, Burma, England, France, Holland and the Netherlands West Indies.

#### Assistance in South Carolina

Again on invitation, the General Secretary addressed the South Carolina Conference of State Social Work at Columbia.

He dwelt on the essentials of progressive penology. At the same time he gave special emphasis to the need for improvement within the South Carolina penal institutions. A letter, dated October 11th, from the Executive Secretary of the Conference, reads, in part, as follows:

"We are writing to thank you deeply for your visit to our state and the splendid contributions which you made on the program of our State Conference of Social Work. We feel that those in attendance received much information and inspiration from your talks and will be able to express to those in authority the need for effective planning for the prisoners confined in the prisons in our state."

Likewise, a letter dated October 14th from Colonel Wyndham M. Manning, Superintendent of the South Carolina Penitentiary, reads, in part:

"Thank you for the very effective boost you gave our plans in your talks."

#### State Conference of Social Work

Mr. Cass presided at a morning general session of the New York State Conference of Social Work on October 22nd. Speakers at that session were: Judge Thomas Walsh of the Richmond County Court; Kings County Assistant District Attorney Helfand; Dr. Glenn M. Kendall, Director of the Elmira Reception Center; Frederick A. Moran, Chairman of the New York State Parole Board; and Leonard Probst, Member, New York State Probation Commission. Mr. Cass commented upon the high quality and frankness of the discussion and the practical viewpoints which the speakers followed in discussing the problems of the adult offender.

#### Sing Sing Prison Visits

A visit was made on March 16th by Messrs. Hochschild and Shaw of our Executive Committee and the General Secretary. The physical layout of the prison continues to reflect a hodge-podge design. The need to keep alive the suggestion of abandoning this prison as a major type of institution and using it only for special detention and for reception purposes seems always in order as one views its physical layout and operations. The overmanning of the industries and the lack of sufficient employment is one observation that immediately gives rise to the question: How can men be improved without adequate work opportunity of a productive or educational nature? This

presents again the whole question of the purpose of the institution, the adequacy of its program, and the complex problem of prisoner employment.

On December 7th Messrs. C. C. Auchincloss, Reginald Auchincloss, George F. Baker, Jr., John L. Schoenfeld, Walter C. Teagle, Jr., and E. R. Cass visited Sing Sing Prison. Mr. Auchincloss commented upon his favorable impressions of the institution compared with earlier observations. He added that institutional visits on his part drove home the necessity of developing adequate probation and parole services which have long been the concern of the Association.

#### Visits to Other State Institutions

*State School Annex*—On November 12th Mr. Wright visited the State School Annex located adjacent to the City Reformatory at New Hampton near Middletown, New York. The Annex was opened twenty-two months ago as a five year experimental basis for those boys unable to adjust satisfactorily at Warwick and Industry. The population at that time was 46 and plans are being made to extend the present capacity to approximately 60. The Director of the Annex stated that some 50%, in his opinion, are in need of special psychiatric treatment and that the boys are chronic runaways and many are noticeably aggressive. Offenses range from homicide on down the scale. Certain weaknesses in the program were apparent but none of them were considered to be alarming. Most of them resulted from the fact that the unit is operating on an experimental basis and is without precedent in the New York State Department of Social Welfare. These weaknesses include:

- (a) A rather loose social service program lacking adequate psychiatric and case work services,
- (b) there is need for strengthening the relationship between after care officials and the institution program,
- (c) the school program is in need of strengthening particularly with respect to vocational training opportunities,
- (d) there is considerable question concerning the location of the Annex in close proximity to an adult reformatory.

Concerning this last point, the Director of the Annex indicated that plans were being made to set up a separate institution removed from the present location at some future time.

*Clinton Prison*—On November 22nd Messrs. Shaw and Cass visited Clinton Prison at Dannemora, New York. Mr. Shaw, commenting upon the visit, stated that both he and Mr. Cass were most favorably impressed by the high standards of house-



keeping and compared it with the United States Penitentiary at Atlanta, Georgia, which he visited a week earlier. Mr. Shaw indicated that Clinton in this respect was ahead of Atlanta. It was apparent that a full program of industrial activity was available. He also commented upon the high quality of the hospital facilities and administration. He remarked that he and Mr. Cass were of the opinion that a favorable program was in operation generally. The humane attitude of the Staff and the recreational program did not support any suspicion of harsh treatment of inmates. Mr. Shaw remarked that it had been called to his attention that the institution had been practically rebuilt in recent years.

*New York Training School for Boys*—The State Training School for Boys at Warwick was visited on December 11th by Messrs. Lee and Moore of the Executive Committee, and Mr. Wright. Following a round table discussion of the over-all program of the institution those present were taken on a tour of the facilities. In addition to those mentioned, the visiting party included Mr. James R. Dumpson of the Welfare Council of New York City, Mr. Elmer Reeves of the Court of General Sessions Probation Department, and Mr. John Murphy, Superintendent of the New York City Children's Center. Mr. Murphy was formerly a staff member of the Warwick institution. Mr. Lee reported on the visit, stating that he and Mr. Moore and the others were highly impressed with the physical facilities and the general appearance of the boys. He said that while a few hours' visit is not sufficient as a basis for specific recommendations he felt that possibly a stronger leadership might be advisable on the part of the top officials. It should be noted, however, that the institution lacks a superintendent pending the results of a recent civil service examination for this position. The present Acting Director is the regular assistant superintendent. The institution is not filled to capacity and expansion of the facilities is dependent upon additional personnel. The population at the time of the visit consisted of 384 boys.

#### Directory of Correctional Institutions

A valuable service to institution heads, law enforcement agents, probation and parole departments, is the Directory of Correctional Institutions for the United States, Canada, England and Scotland, prepared annually in cooperation with the American Prison Association. This directory is the only one of its kind and the eager demand for it each year is ample testimony of its rich content and practical value.

#### General Service

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

## THE ASSOCIATION'S BUREAUS OF SERVICE

### Employment and Relief Bureau

The steady downward trend in the demand for available manpower continues to make drastic inroads in employment opportunities for ex-prisoners.

The Prison Association of New York and similar organizations albeit have not permitted this crisis to stem their efforts altogether. Nor have they been daunted by other prevailing problems such as the employer who remains adamant in his refusal to offer employment to a prospect unseen and otherwise unknown to him, or likewise that employer who will not hold in reserve a placement for an individual being processed for release. It is not too difficult then to realize that welfare agencies must be willing to be confronted with serious setbacks when they seek to secure placements for parolees, discharged prisoners and those men in various institutions awaiting release. One, therefore, cannot help but appreciate all the more the accomplishments of the Prison Association of New York and similar organizations.

Rehabilitation would be nothing more than a mere word were it not for that employer who graciously offers both hand and heart to less fortunate fellowmen. This sincere display of sheer faith and honest compassion is a truly vital thing highly indicative of the removal of the foremost barrier from the difficult road to rehabilitation. The ex-inmate thence can feel free to proceed toward his goal, cherished readjustment to civilian life where he will strive for complete restoration as a useful and respected member of his community. We feel obliged to extend our heartfelt gratitude to those employers who so readily have accepted ex-prisoners as employees.

A very definite pattern must be carried out to the full letter if the individual is to achieve ultimate rehabilitation. He must consider every measure carefully and then act accordingly in his pursuit. The proper discharge of his duties will serve as a primer whereby he will go on to feel qualified to accept his rights and privileges. Thus, too, will he have been taught the value of extending to others the courtesy and respect that will win theirs in return. All this achieved, our ex-inmate will emerge the self-respecting, law-abiding citizen for which he was intended. Now rises the need for gainful employment! The various penal institutions throughout the State must be commended for their contribution toward rehabilitation. They have

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adopted such measures as to enable their respective inmates to avail themselves of desired vocations, thus encouraging development of individual skill, a vital factor if one is expected to meet the requirements of prospective jobs.

The Prison Association of New York has been foremost over the past century in the task of aiding the parolee and discharged prisoner. For the past seven years the Employment and Relief Bureau has been under the able supervision of Mr. Harry Schwartz who is credited with more than thirty-five years experience in the field of crime treatment and prevention in New York City. Mr. Schwartz's activities include hundreds of personal contacts with employers, innumerable visits to whom cover an extensive area representing equally extensive fields such as business houses, factories, mills, garages, laundries, stores, etc. A note of encouragement worthy of mention is the fact that where no actual placement took place, our representative nevertheless was accorded heartening cooperation on the part of those visited.

The Bureau is more than an employment exchange for its clients. Some of the more prevailing problems with which our clients are confronted include financial stress, inadequacy of proper clothing, lack of necessary transportation to job locations, required tools, union dues, fees, etc. In each case the sought aid is granted when fully substantiated by thorough investigation. Those clients whose retarded health or advanced years have rendered them somewhat helpless insofar as self-sustenance is concerned, make it requisite for the Bureau to serve through the medium of financial aid that will guide them through the critical period of readjustment. The contacting of families and friends in addition to referrals to the proper welfare agencies who can better assure more permanent and long-range financial aid and support comprise only a portion of our program.

Of the extensive number of cases with which the Bureau found itself deluged during the past year, each and every one is worthy of mention here. However, limitation of space compels us to select only a few at random for the edification of the reader.

R. M.\* having spent fifteen years in prison for armed robbery, his second offense, recently was released at the age of forty-one. He appeared at the office of the Bureau's secretary where he presented a true portrait of dejection. He was totally forsaken, with no prospect of work or lodgings and was emotionally upset to the point of threatening to "blow his top."

\* All initials and names are fictitious.

Our secretary secured employment for R. M.\* where he soon found means of complete restoration of self-confidence. During his second visit to our office, R. M.\* was so completely overwhelmed that he broke down and wept and further swore by his departed parents that he would remain faithful for the rest of his life. Upon taking his leave, R. M.\* suddenly seized the hand of our representative and kissed it fervently. Our secretary was deeply touched by this display of profound gratitude. An added note here is the fact that R. M.\* is doing excellently at his job as was attested by his employer who telephoned for the express purpose of so advising him.

L. W.\*, an erstwhile juvenile delinquent who advanced to the questionable heights of a wayward minor and later graduated to committing grand larceny, was convicted and sentenced to a lengthy term. His period of incarceration was utilized to full advantage. Upon his release, L. W.\* was placed with a large hospital where the Bureau secured employment for him and where he is doing very well.

M. R.\*, a first offender, had been arrested and convicted for Assault and had been sentenced to serve an indefinite term. During his period of servitude, M. R.\* was a model subject and upon his release was placed with an established firm through the means of the Bureau and where he is doing creditably.

An interesting note here is the fact that Mr. Schwartz recently had occasion to contact an employer regarding possible placement for a client, whereupon the employer promised to consider it and further informed him that a parolee who had been placed with him three years ago by the Bureau, now is a foreman and is earning better than \$100 per week.

The following is a case history taken from our Report of 1946 and reprinted herewith for a very definite reason—

"This case history of one T.M.\*, is a very unusual depiction of a man and his characteristics. While T.M.\* appears to be a hardened and pugnacious sort of individual whose three arrests and convictions represented offenses ranging from assault to grand larceny, he nevertheless deserves to be commended. Even as a child his thoughts were foremost for his parents and he spent weekends and holidays earning money by shining shoes, thus contributing to their support. Having been paroled and placed by us with a yarn dyeing company, where he merited several increases in salary, he found later that he had to increase his income to provide for family expenses. He therefore left his job and obtained one as a longshoreman. T.M.\* recently had occasion to make a very daring rescue. He noticed an object in the icy waters far below and when closer scrutiny convinced him that it was a human being who had fallen into the river, his first thoughts were to get that person to safety, and this he did at the risk of his own life. Later, T.M.\* learned that the man he had rescued was an

\* All initials and names are fictitious.

important citizen and one of financial means, but T.M.\* declined any monetary remuneration. They now are close friends. Incidentally, T.M.\* averages about one hundred and twenty-five dollars per week as a foreman longshoreman."

Recently this same T. M.\* came to us and informed us that he had a splendid opportunity to enter into a business of his own as general contractor—an enterprise that required five-hundred dollars, which amount T. M.\* sorely lacked, but he told us of a sister who resides in California and who was in a position to advance the required amount. However, T. M.\* felt reluctant to approach his sister lest she refuse him on the basis that he would not use the money to good advantage, and so was prompted to turn to the Bureau for aid. The Bureau contacted T. M.'s\* relative and obtained the necessary amount of money on the strength of T. M.'s\* promise to make early repayment. T. M.\* now is doing a thriving business and has repaid every cent of the loan.

#### Visits to City Prison

Anent our regular semi-weekly visits to the City Prison, Manhattan, we would like to publish herewith the following—

It is indeed very pleasing to record that the Association continues its long established practice of making contact with those held in the City Prison, Manhattan, charged with or convicted of crime. Often prisoners write for an interview if they find themselves in trouble or out of touch with friends or relatives—many of them have no contact whatsoever. In this phase of our work we are glad to acknowledge the cooperation of Warden Herman J. Ruthazer of the City Prison and his staff members.

This form of service has the value of keeping prisoners out of the hands of designing persons and thus prevents exploitation in time of trouble. This is particularly true regarding legal services and it has been our privilege to refer to the Voluntary Defenders' Committee of the Legal Aid Society prisoners who are without funds with the knowledge that they will receive the best kind of legal guidance and service.

We would like to introduce a personal note here to illustrate that the accomplishments of our secretary are not confined to office duties alone. It was during one of his frequent visits to City Prison that Mr. Schwartz chanced to befriend L. B.\* who had spent three days there for intoxication but whose magnetic personality nevertheless had failed to be dulled. Our secretary soon learned that this gentleman had been an actor of no little

\* All initials and names are fictitious.

renown but who now was finding the "way back" a little too steep. Mr. Schwartz furnished him with financial aid as provided by the Bureau, but later took him home to dinner and outfitted him with articles of clothing. A few weeks later, the eldest daughter of the secretary, Mr. Schwartz, extended an invitation to L. B.\* to share Thanksgiving dinner with her husband and family, an invitation cheerfully accepted by L. B.\* who later expressed his profound gratitude for having been received with such warmth and sincerity by all those around him. Gradually he is making his way upgrade much to the gratification of both his new friends and himself!

#### Visits to Sing Sing

Our secretary makes periodic visits to Sing Sing where he meets various inmates and invites them to call upon the Bureau's services, as the following excerpts from letters received from these men can attest—

V. L.\* writes "... and I have wrote my mother eight letters and didn't get any answer yet and the letters did not come back ... so would you try and find out what's wrong. . . ."

J. Y.\* "... please send someone to my brother's house to pick up bankbook or death certificate of my late wife so that I can collect balance of joint account . . . my own brother promised he'll send bankbook but I never got it. . . ."

K. T.\* "... I am in need of some legal help at present and would appreciate it if you will grant me an interview on your next visit here. . . ."

The Bureau continues to receive a flood of letters of thanks from grateful clients who are most sincere in their expression and who further pledge their utmost support as the reader can readily gather from the following excerpts—

From W. W.\* "... I am returning to you a portion of the loan I made approximately three weeks ago. I shall never really be able to thank you enough for your kind assistance. I can only hope that someday I may be in a position to help you as you have helped me and other fellows like myself when we were down in the 'dumps'. I sincerely wish that you have all the success and good fortune that you rightly deserve. On behalf of the fellows who shall seek your assistance in the future, and myself, let me once again say, as so many have said; may God bless you and guide you. . . ."

L. K.\* said in part "... I am terribly sorry for not writing you sooner. I am doubly sorry for allowing such an important matter as the loan to slip my mind. Please forgive me. I sin-

\* All initials and names are fictitious.

cerely dread the thought of being the one who might end the marvelous work that you are doing. . . ."

From P. T.\* "... just a word or two to thank you for splendid help you gave me. I am now working at the—Company as a delivery boy and am learning to be a polisher when I am not making deliveries. I am sure I am going to make good. . . ."

H. R.\* "... this is to acknowledge the courtesy you have shown me in answer to my letter requesting your assistance in securing employment. That yours is a tremendous task and so makes inevitable delay I understand. You, however, leave me filled with gratitude, for *your hand has been extended. . . .*"

Letters of appreciation are not limited to those men who have received aid from us. There have been countless others from chaplains, heads of various institutions and relatives and friends of inmates.

Institution Superintendent L. O.\* wrote us in part "... Your organization has been very helpful in the past and I want to assure you that I am very grateful for the assistance that you have given these men. . . ."

The aims and achievements of this Bureau are most constructive and valuable as can be attested by those we have helped. Their continued loyalty, trustworthiness and efficiency is our conclusive proof. In remote cases we occasionally learn that one of our men has sadly disappointed his employer, the Bureau and himself, but these occurrences are so negligible as to be completely obliterated by the vast number of those who have remained faithful to the confidence entrusted in them. Thus are we rewarded for our combined efforts.

#### Statistics for Employment and Relief Bureau for 1948

Office interviews	2,023
(Increase of 211 over 1947)	
Other interviews†	1,831
Total interviews	3,854
Different men interviewed	1,748
Men released from New York City penal institutions	1,114
Men released from New York State penal institutions	413
Men released from out-of-state penal institutions	53
Men released on probation	72
Men with no criminal record (special)	96
Meals provided	781
Nights lodgings provided	4,231
Employment contacts made by personal visits (approx.)	1,000
Men placed in employment	421
Men given cash relief	906
Total amount spent solely for relief (includes cash, meals and lodgings)	\$3,939.60

\* All initials and names are fictitious.

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

## Family Service Bureau

During the year 1948 the Family Service Bureau of the Prison Association experienced one of its busiest and most satisfying periods from the standpoint of the number of families served with constructive programs. From the table given immediately below it will be seen that during 1948 the Bureau supervised 360 cases and distributed \$7,042.98 for relief purposes.

## Statistics of Family Service Bureau for 1948

Families under supervision January 1, 1948	228
New cases received	131
Cases reopened	1
Total number of cases under supervision	360
Cases closed	102
Families under supervision, December 31, 1948	258
Total amount of cash relief given	\$7,042.98
*Office interviews, home and agency visits	1,063
Individuals provided with Christmas dinners and toys	672
Children and mothers sent to summer camps	67

These mounting figures are accounted for in most part by the increased cost of living, which made it necessary for many of the mothers to ask for financial assistance. Under normal living conditions they would have been able to maintain their families on their wage earnings. Further it is not the policy of the Association to supplement Department of Welfare budgets except in cases where some needed item is not included on the Welfare budget, or pending completion of their investigation.

All clients of the Family Service Bureau regardless of race, creed or color must have some member of the family in prison in order to be eligible for the Bureau's services. The Prison Association works only with the families of male prisoners. Families of women prisoners are referred to the Women's Prison Association in New York City.

Clients are brought to our attention by prison wardens and chaplains, parole officers, prisoners themselves, agencies in the city such as the Department of Welfare, social service departments of hospitals, friends of the Association, clergymen and others.

It is a source of gratification to the Bureau to be able to report that, despite today's economic conditions, an increasing number of clients sought the services of the Bureau for advice and help relating to family difficulties instead of asking for money. These clients deprived of the husband's share of the

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

responsibility in the conduct of the family group, have come to rely upon the Bureau for the advice, assurance, and sense of security so badly needed by those confronted with what seems to them a hopeless task—playing the role of both mother and father in the home.

These family problems take the form of a rebellious and disobedient adolescent, illness in the family, future plans in the event of the prisoner's release, anxiety regarding an illegitimate child born during the husband's absence in prison, the problem of a mother who must choose between committing her children to an institution or applying for Department of Welfare maintenance, and other difficulties created by the absence of the head of the family.

During 1948, the Bureau in its efforts to help clients set up and maintain their own homes, became acutely aware of the difficulties presented by the housing shortage in Greater New York. It was found that living in a public shelter such as the Municipal Lodging House, with its lack of privacy and other disturbing elements coincident to mass living, had a most demoralizing effect on the family and a destructive influence on the children. A child derives from his own home a sense of possession, of security and protection. Deprived of these, one can detect in a child almost immediately the deleterious influence on his behavior. There is, too, in a public shelter, always the danger of infection and contagion, to which children are particularly susceptible.

This situation presented a challenge to the Family Service Bureau which was able to help in finding some available apartments and provide second-hand furniture toward the reestablishment of the home.

Typical of some of the cases handled by the Bureau are the following stories, illustrating the problems brought to us and the steps taken by the Bureau in an effort to solve them.

Mrs. B.\* was employed as bookkeeper until her fifth month of pregnancy when she left her position because of her condition. When her husband was sent back to prison as a parole violator she knew not where to turn for aid. Her family was unsympathetic and estranged. They had opposed her marriage to an ex-convict and now in her humiliation and misfortune there would only be recriminations and accusations—reminders of her marriage against their advice and wishes. She had confidence in her husband and their future. She believed in him despite her parents' attitude and the indications of his lack of responsibility and integrity.

\* All initials and names are fictitious.

She knew that as soon as the baby was born she could return to employment. She had training and experience in many lines of office work and was confident that she would be able to find a position and perform successfully at her duties. She could arrange for a friend to take care of the baby during the day. The Department of Welfare would hardly accept her case. They would feel she should live with her parents which meant the complete break-up of her home, at a time when it would be so difficult to find an apartment when the time came for her husband's release. If the Prison Association could help her with rent, the money she had saved for the baby's layette, baby carriage, etc., could be used for food for the next three months and then she could keep her home so her husband would have a place to come to when he left prison.

The Family Service Bureau was able to help in this situation so that Mrs. B.\* could return to her position and maintain her home during her husband's absence.

Mrs. L.\* has spent three years in a mental hospital. At the time of her nervous breakdown her three children, 4 years, 2 years, and 3 months, were placed in a child-caring institution. Two years ago when she returned home from the hospital, she and her husband tried to get their home together so that they could gain custody of their children. When their next child was two months of age, Mr. L.\* was committed to prison. Mrs. L.\* was discouraged and frightened. Her greatest fear was that she would lose the baby as she had lost the other children.

The Municipal Lodging House with its numerous occupants and the resultant confusion and commotion only increased Mrs. L.'s\* fear and loneliness.

The Family Service Bureau was able to secure a room for Mrs. L.\* and the baby with an elderly couple who are giving Mrs. L.\* the encouragement and reassurance she so much needs.

When Mr. G.\* was sent to State Prison, his plucky wife secured employment as a receptionist and switchboard operator, earning \$45 per week to support herself and three children, twins 14 and a daughter 10.

Exhausted by worry and overwork she wondered whether to place her children in an institution, or apply for public assistance. She preferred to work, but with the ever increasing bills to meet, and the loss in salary when she was forced to remain at home to take care of one of the children who was ill, she feared a nervous collapse.

The Family Service Bureau was able to help with some of

\* All initials and names are fictitious.

the unpaid bills and to give supplementary financial assistance so that Mrs. G.\* could continue her employment and maintain a home for the children.

Before James' third birthday his father was sent to State Prison for a long time. His mother went to work in a factory to support herself and child, arranging with neighbors and relatives to take care of James. James is now 10 years of age. Easily influenced, he has become a member of a street gang. His mother is obsessed with fear that he will become like his father. She would have liked to move from the neighborhood, but there were no available apartments. With counseling and guidance, a better relationship developed between the mother and son. Arrangements were made for James to join a neighborhood center where boxing and swimming lessons were given and in which James is particularly interested. The mother is gaining a constructive attitude toward her son. She is gradually acquiring a real interest in the boy's activities, showing encouragement and praise in place of the former tendency to nag, criticize and humiliate.

\* All names and initials are fictitious.

## LEGISLATION — 1948

The following is a brief summary of those bills receiving our support or opposition during the 1948 session of the Legislature. We have always regarded as an important phase of our efforts toward fulfillment of the purposes for which the Association was established, the keeping of a watchful eye on the discussions and the bills introduced during legislative days and their relation to progress in the correctional field and public protection generally. The Association makes personal representation in Albany, addresses communications to the various committees, and is requested to give its advice concerning legislation to officials and others. It has a legislative service that enables it to know what bills are being introduced and what action is taken on them from day to day during the session. It is gratifying to note throughout the years that the opinions expressed by the Association for or against bills are respected and appreciated by not only members of the Legislature but the Governor's office as well. (See page 60 for tabulation on bills).

## Approved

**REDUCTION OF SENTENCE.** *Senate Int. 146, Pr. 2917; Assembly Int. 163, Pr. 3529:* Allows prison boards to put into effect reductions of sentences to state prisons and penitentiaries, for good behavior and diligent performance of duty, which are now made by governor on recommendation of prison boards. *Chapter 631.*

**FELONY COMMITTED WHILE ON PAROLE.** *Senate Int. 334, Pr. 334; Assembly Int. 446, Pr. 448:* Authorizes board of parole to determine portion of former sentence which felon shall serve after committing felony while on parole; extends provisions to include parolees from Elmira reformatory. *Failed of passage.*

**DANGEROUS TOYS.** *Senate Int. 343, Pr. 343; Assembly Int. 365, Pr. 365:* Makes it a misdemeanor to manufacture, sell or dispose of toy gun or weapon from which tear gas or other dangerous gas, fluid or fire sparks may be projected. *Failed of passage.*

**FINGERPRINTING FIGHTERS AND PROMOTERS.** *Senate Int. 422, Pr. 2826:* Requires boxing commission to cause fingerprints to be taken of applicants for licenses; copy shall be filed in criminal identification division of correction department, Albany. *Chapter 685.*

**CORRECTION OFFICERS' SALARIES.** *Senate Int. 450, Pr. 2034:* Provides when cities maintain correction departments, minimum annual salaries of competitive civil service employees in title of guard, prisoner officer or correction officer shall be not less than that paid corresponding police officer or patrolman with same length of service. *Failed of passage.*

**CORRECTION OFFICERS' SALARIES.** *Senate Int. 557, Pr. 562; Assembly Int. 601, Pr. 605:* Establishes minimum salaries for members of uniformed force of N. Y. City police and correction department, fixes grades and provides for referendum to voters of city at general election in 1948. *Failed of passage.*

**DELINQUENT CHILDREN.** *Senate Int. 824, Pr. 1924:* Requires court to file as sealed indictment, one found against person who was 15 years at time of commission of crime punishable by death or life imprisonment, upon statement by district attorney that recommendation will be made to investigate defendant for determining whether or not action shall be removed to children's court; grand jury may make similar recommendation and if court so determines, indictment shall be dismissed and defendant shall be transferred to custody of children's court. *Chapter 553.*

**DEFINITION OF CRIME AND OF DELINQUENT CHILD.** *Senate Int. 825, Pr. 2111:* Excepts from definition of delinquent, children 15 years of age who commit crimes punishable by death or life imprisonment unless order has been made removing action to children's court. *Chapter 554.*

**DEFINITION OF DELINQUENT CHILD.** *Senate Int. 826, Pr. 1812:* Excepts from definition of delinquent child for children's court purposes children 15 years of age who commit acts punishable by death or life imprisonment unless order has been made removing action to children's court. *Chapter 555.*

**DEFINITION OF DELINQUENT CHILD.** *Senate Int. 827, Pr. 2112:* Extends definition of delinquent child for N. Y. City domestic relation's court purposes to include children over 7 and under 15 years of age who commit acts punishable by death or life imprisonment. *Chapter 556.*

**CONFESSIONS.** *Senate Int. 923, Pr. 944:* Prohibits use in evidence, of confessions made by defendants whose arraignments did not take place within 24 hour period after arrest and competent court or magistrate was available for arraignment during period. *Failed of passage.*

PER CAPITA MAINTENANCE. *Senate Int.* 967, *Pr.* 988; *Assembly Int.* 1132, *Pr.* 1152: Increases from 60 cents to \$1.25 a day, per capita charge to be paid by state for felons sentenced to penitentiaries. *Failed of passage.*

FELONS IN OFFICE IN LABOR ORGANIZATIONS. *Senate Int.* 1645, *Pr.* 1754; *Assembly Int.* 1908, *Pr.* 2004: Provides that persons convicted of felonies shall not hold elective or appointive offices in labor organizations; excepts those pardoned by governor or receiving good conduct certificate from parole board. *Failed of passage.*

DISCRETIONARY REDUCTION OF DEFINITE SENTENCES. *Senate Int.* 1747, *Pr.* 1868; *Assembly Int.* 2379, *Pr.* 2560: Allows prisoners to be released on parole and to receive discretionary reduction of definite sentences for certain convictions as 2nd or 3rd offenders. *Chapter 230.*

DUTIES OF PROBATION OFFICERS. *Senate Int.* 1778, *Pr.* 1899; *Assembly Int.* 2078, *Pr.* 2198: Requires that probation officers shall report to head of bureau or department, if there be one, instead of directly to the court. *Chapter 215.*

CONSOLIDATION OF LOCAL PROBATION SERVICES. *Senate Int.* 1779, *Pr.* 1900; *Assembly Int.* 2080, *Pr.* 2200: Provides that officers and employees of county probation departments shall be in competitive class of civil service and changes provisions relating to appointment of county directors. *Failed of passage.*

EMPLOYMENT OF FELONS BY ALCOHOLIC BEVERAGE LICENSEES. *Senate Int.* 1840, *Pr.* 2009; *Assembly Int.* 2140, *Pr.* 2279: Exempts from provision prohibiting employment of felons by alcoholic beverage licensees, those who have received certificate of good conduct from parole board to remove disability. *Vetoed.*

DOMESTIC RELATIONS COURT ACT. *Senate Int.* 1860, *Pr.* 2029; *Assembly Int.* 2424, *Pr.* 2614: Corrects erroneous references and clarifies provisions relating to administration of N. Y. City domestic relations court. *Vetoed.*

DELINQUENT CHILD. *Senate Int.* 1990, *Pr.* 2793: Changes definition of delinquent children for public welfare purposes to except children of 15 years of age who commit acts that would be punishable by death or life imprisonment if committed by adult, unless order removing action to children's court has been made. *Chapter 557.*

RETENTION OF INSANE PRISONERS. *Senate Int.* 2013, *Pr.* 2216; *Assembly Int.* 2323, *Pr.* 2498: Provides that examination of persons for retention by Dannemora state hospital shall be made in same manner as prescribed for commitment to Matteawan. *Chapter 377.*

LISTS OF PRISONERS IN JAILS. *Senate Int.* 2069, *Pr.* 2290; *Assembly Int.* 2405, *Pr.* 2595: Transfers to Criminal Code, provisions of County Law relating to reporting lists of prisoners in jails to courts. *Vetoed.*

COUNTY JAILS. *Senate Int.* 2073, *Pr.* 2294; *Assembly Int.* 2412, *Pr.* 2602: Transfers to Correction Law, provisions of County Law relating to use of jails and custody and control of prisoners. *Vetoed.*

COMMITMENTS TO MATTEAWAN. *Senate Int.* 2268, *Pr.* 2513: Provides that if physician of correctional institution in N. Y. City reports that prisoner confined is insane, warden shall transfer prisoner to Bellevue or Kings county hospital for observation, and if insane shall be certified for commitment to Matteawan state hospital. *Chapter 447.*

CONSTITUTIONAL AMENDMENT — CIVIL SERVICE APPOINTMENTS. *Senate Int.* 2370, *Pr.* 2615, *Assembly Int.* 2902, *Pr.* 3131: Changes provisions relating to appointments and promotions in state and municipal civil service and to preference for veterans. *To Secretary of State.*

PUNISHMENT. *Senate Int.* 2384, *Pr.* 2629; *Assembly Int.* 2898, *Pr.* 3127: Provides that imprisonment of persons committed to correction department reception center, if punishment is not determined by court, shall be terminated by parole board. *Failed of passage.*

EDUCATION PROJECTS. *Senate Int.* 2488, *Pr.* 2771: Strikes out provision limiting education projects for youth bureaus to children who show signs of probable delinquent behavior. *Failed of passage.*

INEBRIATES. *Assembly Int.* 298, *Pr.* 298: Requires mental hygiene commissioner to establish centers in or adjacent to state hospitals other than Matteawan and Dannemora state hospitals for care and treatment of inebriates and drug addicts. *Approved in principle. Failed of passage.*



**CERTIFICATION OF INEBRIATES.** *Assembly Int. 805, Pr. 812; Senate Int. 859, Pr. 880:* Provides that certificates presented for commitment of inebriates to mental hygiene department institutions, shall be executed by at least two certified instead of two qualified examiners and that petition, certificate, orders and decisions shall be presented at time of admission, to physician in charge of institution and copies forwarded by him to department and to office of clerk of county in which inebriate resides. *Chapter 32.*

**EFFECT OF ADJUDICATION.** *Assembly Int. 1091, Pr. 1111:* Provides that the taking of youthful offenders into custody shall not be deemed an arrest. *Vetoed.*

**BUDGET BILL.** *Assembly Int. 1222, Pr. 1243; Senate Int. 1085, Pr. 1077:* Makes appropriations for personal service, maintenance and operating expenses of state government. *Chapter 100.*

**BUDGET BILL.** *Assembly Int. 1225, Pr. 1246; Senate Int. 1038, Pr. 1080:* Makes appropriations from postwar reconstruction fund for construction, improvements, repairs and equipment in various state departments. *Chapter 102.*

**BUDGET BILL.** *Assembly Int. 1227, Pr. 1248; Senate Int. 1040, Pr. 1082:* Makes deficiency appropriations for support of government. *Chapter 104.*

**BUDGET BILL.** *Assembly Int. 1231, Pr. 1252; Senate Int. 1044, Pr. 1086:* Increases minimum salaries of warden and chief administrative officer of correctional institutions where felons are confined, from \$5,000 to \$5,700, with annual increase of \$570 instead of \$500 and maximum salary of \$9,120 instead of \$8,000. *Chapter 136.*

**COURT OF SPECIAL SESSIONS.** *Assembly Int. 1424, Pr. Senate 2821:* Provides that part of N. Y. City court of special sessions for hearing and trial of cases against adults, shall be held every day in the year except Saturdays, Sundays and holidays in Brooklyn, instead of at least three days a week. *Failed of passage.*

**GOOD CONDUCT—ATTORNEYS.** *Assembly Int. 1593, Pr. 1639; Senate Int. 866, Pr. 887:* Authorizes appellate division to vacate or modify order of disbarment of attorneys after board of parole grants certificate of good conduct removing disability because of felony conviction. *Vetoed.*

**GOOD CONDUCT—INSURANCE ADJUSTERS.** *Assembly Int. 1629, Pr. 1675; Senate Int. 1379, Pr. 1439:* Provides that restrictions on licensing as insurance adjusters, persons convicted of felony or certain fraudulent crimes, shall not prevent employment after receipt of certificate of good conduct granted by parole board removing disability. *Chapter 621.*

**FINGERPRINTS AND PHOTOGRAPHS.** *Assembly Int. 1651, Pr. 3153; Senate Int. 1394, Pr. 2260:* Provides that in criminal cases, fingerprints and photographs of persons acquitted shall be returned after previous conviction elsewhere if crime or offense, vagrancy or disorderly conduct is not as defined by penal law or criminal code of this state. *Vetoed.*

**PROBATION.** *Assembly Int. 1857, Pr. 1949:* Permits revocation of probation by court of special sessions and city magistrates in N. Y. City within maximum periods fixed; court may issue warrant for arrest for violation of probation and may revoke or impose sentence on arraignment. *Chapter 845.*

**YOUTHFUL OFFENDERS.** *Assembly Int. 1879, Pr. 1975; Senate Int. 1644, Pr. 1753:* Provides that an arrest shall be considered detention in proceedings involving youthful offenders. *Vetoed.*

**CORRECTION OFFICER COMPENSATION.** *Assembly Int. 1997, Pr. 2105; Senate Int. 1890, Pr. 2072:* Allows persons employed in local penitentiary or by municipal correction department as guard or correction officer, expenses for injuries in performance of duty and pay for period of disability. *Failed of passage.*

**CORRECTION OFFICERS' SALARIES.** *Assembly Int. 2041, Pr. 2161; Senate Int. 1889, Pr. 2071:* Provides that gross annual pay for penitentiary guards and correction officers in competitive civil service class of municipalities, shall not be less after equal years of service, than gross annual pay for patrolmen of the local police force. *Failed of passage.*

**REIMBURSEMENT TO COUNTIES—PAROLE VIOLATORS.** *Assembly Int. 2322, Pr. 2497; Senate Int. 2085, Pr. 2306:* Allows counties to be reimbursed for temporary custody of prisoners retaken for violation of parole, to be paid by state at rate of \$1.50 a day after first five days. *Vetoed.*

**MALTREATMENT OF MENTAL PATIENTS.** *Assembly Int. 2349, Pr. 2528:* Prohibits maltreatment of patients in state institutions in mental hygiene department by officers and employees; makes violation a felony subject to fine of not more than \$2,500 and imprisonment for not less than two or more than five years, or both. *Failed of passage.*

**TRANSFER OF CHILDREN.** *Assembly Int.* 2395, *Pr.* 2578: Provides for transfer of children from one institution or agency to another after commitment by N. Y. City domestic relations court, on application of first institution or agency, because of condition detrimental to institution or children therein. *Failed of passage.*

**CANTEENS.** *Assembly Int.* 2897, *Pr.* 3126; *Senate Int.* 2385, *Pr.* 2630: Authorizes correction commissioner to allow heads of institutions to establish canteens for use of inmates and employees and to deposit profits therefrom in special fund for general purposes of institutions. *Chapter* 535.

**ELMIRA REFORMATORY.** *Assembly Int.* 2899, *Pr.* 3128; *Senate Int.* 2386, *Pr.* 2631: Provides for confinement in Elmira reformatory of persons convicted of offenses less than felonies and transferred by correction commissioner from another institution. *Chapter* 647.

**SEXUAL PSYCHOPATH CLINIC.** *Assembly Int.* 2949, *Pr.* 3271; *Senate Int.* 2554, *Pr.* 2954: Appropriates \$35,000 to mental hygiene department for study of persons convicted of sex crimes; study shall be made at Sing Sing prison where prisoners shall be transferred by correction commissioner. *Chapter* 609.

**BUDGET BILL.** *Assembly Int.* 2973, *Pr.* 3347; *Senate Int.* 2557, *Pr.* 2960: Makes supplemental appropriations for support of government. *Chapter* 468.

### Opposed

**BRUSH-MAKING.** *Senate Int.* 215, *Pr.* 215; *Assembly Int.* 1487, *Pr.* 1520: Provides that no brush-making shall be done in any state prison, penitentiary or reformatory for state or political subdivision or for public institution, except as may be required for use in state correctional and charitable institutions. *Failed of passage.*

**PAROLE.** *Senate Int.* 333, *Pr.* 1019; *Assembly Int.* 447, *Pr.* 1083: Provides that prisoners on parole shall not be released except by majority instead of unanimous vote of members of parole board; if member of board is unable to act, governor shall appoint competent informed person to act during disability. *Failed of passage.*

**DISCRETIONARY REDUCTION OF JAIL SENTENCES.** *Senate Int.* 913, *Pr.* 934; *Assembly Int.* 1181, *Pr.* 1151: Increases from five to ten days for each month during period of sentence to county jail, amount of discretionary reduction which may be allowed for efficient and willing performance of duties. *Vetoed.*

**BAIL.** *Sentence Int.* 921, *Pr.* 1850: Permits city magistrates to admit to bail persons charged with felony, upon consent of district attorney. *Vetoed.*

**GIRLS' TERM COURT.** *Senate Int.* 1028, *Pr.* 2964: Establishes in N. Y. City, court for girls 16 to 21 years of age, to be known as girls' term and to be part of magistrates' courts; gives courts exclusive jurisdiction except where cases are being continued in domestic relations court; authorizes court to enter order of disposition appropriate for welfare of girls or to remand them for physical and psychiatric study to city hospital department. *Failed of passage.*

**COURT ATTENDANTS.** *Senate Int.* 1435, *Pr.* 2261; *Assembly Int.* 1682, *Pr.* 2530: Authorizes judges of court of general sessions in N. Y. county to appoint attendants; fixes qualifications and civil service status. *Vetoed.*

**VOTING BY FELONS.** *Senate Int.* 1725, *Pr.* 1844: Provides that disqualification of voters convicted of felonies shall cease two years after expiration of maximum sentences. *Failed of passage.*

**YOUTHFUL OFFENDERS.** *Senate Int.* 1733, *Pr.* 2268; *Assembly Int.* 2114, *Pr.* 2240: Defines youthful offenders for criminal proceedings, as those who have not reached age 21, instead of 19. *Failed of passage.*

**PLEA OF GUILTY.** *Senate Int.* 1772, *Pr.* 1893; *Assembly Int.* 2196, *Pr.* 2337: Authorizes courts in criminal cases at any time before conviction, to accept plea of guilty to lesser crime, with statement in writing of reasons for accepting such plea. *Failed of passage.*

**CIVIL SERVICE.** *Senate Int.* 1794, *Pr.* 1939; *Assembly Int.* 2040, *Pr.* 2160: Provides that conviction of crime before entry into military service shall not disqualify honorably discharged war veterans for civil service employment. *Failed of passage.*

**REMAND OR PAROLE OF CHILDREN.** *Senate Int.* 1859, *Pr.* 2028; *Assembly Int.* 2394; *Pr.* 2577: Authorizes N. Y. City domestic relations court to remand or parole children between time of commitment and delivery to associations, agencies, societies or institutions. *Chapter* 838.

**REHABILITATION.** *Senate Int.* 1884, *Pr.* 2066; *Assembly Int.* 506, *Pr.* 508: Provides for rehabilitation by release of penalties and disabilities on petition of offenders convicted of felonies or misdemeanors after ten years have elapsed without another conviction since suspension of sentence or expiration of parole, probation, or imprisonment. *Failed of passage.*

**VISITATION BY JUDGES.** *Senate Int.* 1988, *Pr.* 2186; *Assembly Int.* 2486, *Pr.* 2676: Authorizes children's court judges to visit schools to which children have been remanded or committed and to attend conferences and meetings of children's court judges' association; traveling expenses shall be paid by counties. *Failed of passage.*

**CRIME INSTITUTE.** *Senate Int.* 2267, *Pr.* 2512: Establishes in correction department, state institute for study of crime and for rehabilitation and treatment of delinquents and criminals; appropriates \$15,000. *Failed of passage.*

**SEGREGATION OF FIRST OFFENDERS.** *Assembly Int.* 2162, *Pr.* 2301: Requires that state correction commissioner shall segregate first offenders from other prisoners in state prisons. *Failed of passage.*

**FINGERPRINTS OF YOUTHFUL OFFENDERS.** *Assembly Int.* 2328, *Pr.* 2507: Provides that after end of parole or probation, fingerprints of youthful offenders shall be returned to them upon order of judge of court of record and upon recommendation of parole or probation authorities. *Failed of passage.*

**SEX OFFENDERS.** *Assembly Int.* 2437, *Pr.* 2627: Requires that persons convicted of sex offenses shall register with chief of police or sheriff within five days after effective date, or within five days from release from custody, or within five days after entering state; notice shall be given of change of address within 24 hours. *Failed of passage.*

**CONSTITUTIONAL AMENDMENT—CIVIL SERVICE APPOINTMENTS.** *Senate Int.* 2259, *Pr.* 2504; *Assembly Int.* 2680, *Pr.* 2900: Provides that after Dec. 31, 1950, and until Dec. 31, 1955, war veterans shall be entitled to preference after disabled veterans for civil service positions only as to appointment and not for promotion. *To Secretary of State.*

## FINANCIAL STATEMENT

THE PRISON ASSOCIATION OF NEW YORK  
GENERAL FUND  
STATEMENT OF INCOME AND EXPENSES  
YEAR ENDED DECEMBER 31, 1948

## INCOME

Donations—special purposes		
The Greater New York Fund	\$ 1,937.00	
Other funds	5,899.19	\$ 7,836.19
Donations—unrestricted		19,732.25
Endowment Income		
Interest on mortgages	466.78	
Interest on bonds	1,270.00	
Dividends on stock	17,594.50	19,331.28
Total Income		46,899.72

## EXPENSES

General administration	18,598.59	
Relief—prisoners and families (cash, food, clothing, etc.)	10,982.58	
Relief—administration	3,762.50	
Employment—administration	4,183.50	
Appeal—administration	4,038.50	
Traveling expenses	134.62	
Printing and stationery	757.18	
Postage	739.35	
Telephone and telegraph	307.07	
Auditing, legal and legislative services	337.00	
Periodicals, custodian fees and miscellaneous	709.96	
House maintenance	2,390.18	
Total Expenses		46,941.03
NET LOSS FOR THE YEAR		\$ 41.31

## 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, 1948. In our opinion the statement of income and expenses shown above presents fairly the results of the operations for that year.

(signed) WEBSTER, HORNE & ELSDON

New York, N. Y.  
May 12, 1949

Certified Public Accountants

### CONSTITUTION AND BY-LAWS

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

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

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

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

#### ARTICLE FIRST

The objects of the association shall be:

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

#### ARTICLE SECOND

The officers of the society shall be a president, four vice-presidents, a recording secretary, a corresponding secretary, and a treasurer, and there shall be the following committees,

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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 cooperating with it.

## ARTICLE TENTH

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

## ARTICLE ELEVENTH

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

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

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

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

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations, relative to the management and disposition of the estate, and concerns of said

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

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

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

## BY-LAWS\*

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

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

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

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

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

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

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

† At the February, 1938, meeting of the Executive Committee, section 1 of the By-Laws was amended to provide that the monthly meeting of the committee be held on the second Monday of each month, and that the annual meeting of the Association be held on the second Monday in January of each year. However, at the November meeting the By-Laws were again amended to provide that the monthly meeting be held on the third Thursday of each month, as heretofore, and that the annual meeting of the Association be held on the third Thursday in January of each year.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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