

STATE OF NEW YORK

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THE ONE HUNDRED AND FIFTH  
ANNUAL REPORT

OF THE

Prison Association of New York

135 East 15th Street, New York

1949



NEW YORK, N. Y.  
1950

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## 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 fifth 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.

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THE PRISON ASSOCIATION OF NEW YORK

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STANDING COMMITTEES FOR 1949

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ONE HUNDRED AND FIFTH 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 Fifth 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*

## RECOMMENDATIONS\*

February 13, 1950

*To the Honorable Members of the Senate and Assembly:*

In accordance with Chapter 163 of the Laws of 1946, we have the honor to present the following recommendations to the Legislature as a *part* of the 105th 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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### NOT PLANTS, BUT PROGRAMS

Not plants but programs, not prisons but personnel. This could well be our theme as we review the highlights of correctional shortcomings and the need for their elimination.

As if to herald the departure of 1900's first fifty years, comment in correctional circles in New York State in 1949 gave emphasis to major lags.

That we shall always observe correctional lags is not to be denied. Progress itself would be impossible without them. That we have pursued these same lags on previous occasions is likewise not to be denied. Long years of experience have only too well emphasized that correctional progress is a time-consuming process. These same long years are, however, equal proof that progress is none the less certain. A portion of this comment will, therefore, reiterate recommendations of previous years.

Our theme well introduces the problem. New York, unlike some other states, is not in need of additional institutions for the adult offender. For this the people of the State can be thankful, but New York is in need of a well-defined, over-all treatment plan. We need not prisons, but personnel. Let's break this down still further. We are not so much in need of more

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\* A summary of these Recommendations was available to each member of the Senate and Assembly on February 13, 1950.

custodial officers, as we are in need of additional professional personnel. Lest this be interpreted as a single thrust at correctional officials of the State, we hasten to state that it is, on the contrary, a job at the conscience of the people generally. We need to recognize the many implications of the problem of dealing with the convicted offender. We need to recognize the basic truth that detention alone is not the answer. We need to recognize that five years confinement, ten years confinement, or whatever the sentence of the court may be, is not alone, the answer. Basically the only answer it provides is segregation—removal from our midst. But after that, what? We say again, we have enough steel and stone, bars and walls. Our need now is to direct our attention to the individual prisoner even more than we have done heretofore.

Our illustrious predecessors of the last century discovered without question that detention and confinement do not in themselves provide the answers to our problems. Had this been so our famed Pennsylvania and Auburn systems would be sufficient for the present day.

Our plea is for the full utilization of our resources. It is necessary that we capitalize on what we have, and extend our correctional procedures to make full use of existing facilities.

On numerous occasions in 1949, at state-wide conferences, regional meetings, and professional gatherings stress has been given to the lack of treatment resources within local correctional systems. The Association has joined in much of this discussion, pointing up the necessity for certain improvements. The safe custody of prisoners is not enough.

The Association has frequently referred to the establishment of the Elmira Reception Center as a milestone of correctional progress in New York State. Authorized by Chapter 554, of the Laws of 1945, the Center meets a long-felt need for the screening and classification of male felony offenders from 16 to 21 years of age. It is quite obvious, however, that the Center can not accomplish its long-range task alone. The recommendations made by the Center for the individual offender which it processes can not be met by some of the State's correctional institutions as they are now constituted. Recommendations in the interest of vocational training, education, psychiatric treatment, etc., can not always be activated. This is due largely to the lack of professional personnel and the lack of a State-wide co-ordinated correctional plan.

We fear that the Elmira Reception Center is bearing the brunt of criticism to which it is not entitled. The Center can do no more than screen and make recommendations for further treatment. It is not, in itself, a treatment center but rather a

diagnostic unit. It is necessary that all units of the correctional system attune themselves to the work of the Center. Failing this, the Center program suffers through no fault of its own.

To quote from the official "Manual of Procedures in Classification" of the California Department of Corrections, ". . . classification is the study of the individual prisoner for the purposes of understanding his needs and of providing an administrative procedure for carrying out a program for his development . . . the program of the prison is aimed, therefore, toward the understanding of the individual in order to insure his best possible training and treatment in the institution and to facilitate his adjustment later in society." Cognizant of the small percentage of recalcitrant prisoners, the Manual states "Those exceptional inmates whose criminality seems to be relatively incurable in terms of present day knowledge are assigned by classification procedures to humane, but also secure, custodial care." Pointing out the need for the full use of facilities, the Manual states "As a result of classification, more practical use may be made in individual cases of available institutional facilities for care and treatment."

We include these quotations to substantiate our argument that the process which received such an auspicious beginning at the Elmira Reception Center five years ago, must be integrated as part of a sound correctional plan. It cannot operate alone. It must operate as a living part of the correctional team.

One further argument so well emphasized by the California system in the Manual referred to above relates to institutional personnel. "Better staff morale," the Manual continues, "can be achieved through classification if the officers grow to consider themselves part of a live and interesting treatment agency; rather than a mere custodial institution. Greater mutual acceptance and respect between lay and professional personnel may result when they work together as a team and understand the usefulness of each other's activities." (Italics are ours.)

Through the presentation of its annual recommendations to the Legislature the Association hopes to focus attention to the basic needs of the State's correctional system. As we have indicated on numerous occasions, the Association holds to the oft-repeated premise that something more than sturdy buildings, clean surroundings and safe custody is necessary in the rehabilitation of prisoners. Good housekeeping alone, is not enough. Our plea is for a uniform policy of correctional treatment. Our plea is for a definition of purpose, a clear-cut road map of the paths ahead.

Crime is costly, crime takes its toll in life and property. The problem is not decreasing, and is one that cries aloud for a solution. If our places of confinement are places of treatment we may rest more comfortably. If, however, they are but mere places of custody and detention, we may well be disturbed. It is our sound and unbiased judgment that we have a long way to go before our confinement units are adequate places of treatment.

Not plants, but programs. Not prisons, but personnel.

The recommendations and comments that follow are presented wholly from a desire to be of service. This we have done for the past 105 years keeping faith with our illustrious founders of more than a century ago. The Association strives to hold the targets constantly in focus with the objective that in time they will be realized as others have in the past. The whole history of penological treatment reveals the slowness of public acceptance due principally to the fact that the lawbreaker is considered an enemy of society and people, generally, are not too willing to be considerate of their enemies.

### I. COORDINATED CORRECTIONAL SYSTEM

For the fourth consecutive year we head our annual recommendations to the Legislature with a plea for a coordinated state-wide correctional system. We believe that the most expeditious method of approaching this need is to provide for a thorough review of the State's correctional process either by a legislative commission working with the aid of technical consultants or by a special professionally qualified committee appointed by the Governor.

#### Comment:

The first half of the century has witnessed a rapidly expanding system of correctional techniques. All too often these processes have developed each to themselves, with their own body of workers. We have in common the over-all purpose of the control and prevention of delinquency, but we lack in common the coordination of our efforts. Our far-flung correctional system consisting as it does of some 16 institutions for the adult offender lacks the coordination of purpose.

This in no manner is a reflection on the present personnel. It is, on the contrary, a reflection on the people generally for failing to tie up all the loose ends. The people of the State have a real part to play in the effective administration of our correctional process. Those engaged in the professional correctional field sorely need the understanding cooperation of the public.

We need their acceptance of the principle of individual treatment. We need their acceptance of our annual pleadings for competent professional personnel. We need, likewise, their acceptance of our call for a trained supervisory personnel. Without this understanding we will administer a number of jails or detention units operating solely in the interests of safe custody. With their understanding we will advance to the point where we can assure the people of true *correctional* institutions together with the safe custody that is so necessary.

We have no interest in a "head-hunting expedition," but we do have an interest in a technical and professional review of current procedures and needs.

The rehabilitation of prisoners is not a coincidence. It is a planned technique, and as such requires trained personnel. We urge the Legislature to proceed in this direction and offer our full resources to the end that New York's correctional system will not be surpassed anywhere in the nation.

### II. COMMITMENT OF PRISONERS

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

#### Comment:

One of the first steps necessary in the eventual coordination of the State's correctional system is to provide for the direct commitment to the Department of Correction instead of to a few specific correctional institutions as is now the case with all felony offenders, excepting those between the ages of 16 and 21 now committed to the Reception Center. Our recommendation urges that all male felony offenders, regardless of their age, be committed to reception prisons for careful screening and possible subsequent transfer in accord with a classification formula similar to that used by the Federal Bureau of Prisons. Precedent for this kind of procedure has long been established within the Federal Department of Justice which receives all commitments direct. Various other states do likewise.

The Elmira Reception Center plan commits the State to the theory and need for a coordinated commitment and receiving procedure. Without question, the next logical step would be to provide a similar over-all process for the remaining group of offenders. While we are grateful that the adolescent age offender is now processed by a reception unit, we feel it an inadequate procedure to eliminate other male felony offenders simply because of the age factor.



### III. DESIGNATION OF RECEPTION INSTITUTIONS

It is recommended that the Commissioner of the Department of Correction be given authority to designate certain institutions as reception and screening units for male felony offenders over the age of 21.

#### Comment:

It is apparent to observers in the correctional field that such a step as herein recommended is necessary in the over-all coordination of the State's penal system. As we indicated in our 1948 annual report, the time is appropriate for the designation of the new Green Haven Prison as a sentence institution in lieu of Sing Sing Prison which should be set apart mainly as a reception unit. The great majority of commitments to Sing Sing originate in the New York City area, and these persons could be filtered through a screening process at this unit.

In 1916 the Association began its series of recommendations that have since continued through the years to the end that Sing Sing be primarily a reception prison. Under the now famous slogan "Sing Sing Must Go" the Association recommended thirty-four years ago virtually the same plan it recommends in 1950. In 1916 the so-called Sage Law (Chapter 594—Laws of 1916) created a commission on new prisons and among other things authorized the establishment of a receiving and classification unit at Sing Sing. To quote the law itself:

"Section 3. Such commission shall also select a location on the site of the state prison at Sing Sing for the construction thereon of such new buildings as may be necessary for the purposes of a receiving and distribution station for an industrial prison for prisoners committed to state prison."

Again, in 1929, the Legislature "authorized and directed" the corrections commissioner "to organize and establish a psychiatric and diagnostic clinic" at Sing Sing Prison. Chapter 242, Laws of 1929, further provides that "at the Clinic the physical and mental condition of all prisoners shall be determined and its work shall include scientific study of each criminal, including his career and life history, investigation of the cause of crime, and recommendations for the care, training and employment of criminals with a view to their reformation and to the protection of society."

Continuing, Chapter 242 provides coordinated study and the development of a "comprehensive scheme." This, in few words, is what we would hope to see result from the coordinated cor-

rectional system that we have so long advocated and recommended.

To be specific, Chapter 242, Laws of 1929, further states: "Each of the different phases of the work of the clinic shall be so co-ordinated with all the other phases of clinic work as to be a part of a unified and comprehensive scheme in the study and treatment of each individual prisoner."

In the Association's annual report for 1929\* we stated, "that unit (the clinic) as stated in previous reports of the Association, is very much of a small spoke in a big wheel, and until its staff is enlarged and its activities broadened to affect the entire prison system, it will fall far short of the purpose for which it was originally intended." This gives emphasis for our plea for a unified correctional system.

Continuing in that report for 1929, we stressed "If the State of New York is ever to make any headway in the scientific treatment of the inmates of its penal and correctional institutions there must be a receiving and classification station to determine the makeup of those who have offended against its laws and also, so far as knowledge will permit, the kind of treatment they need."

Now, twenty years later, we urge simply the implementation of an oft-repeated plan that would advance the cause of correction immeasurably in New York State and the country generally.

We hasten to point out that the activation of this recommendation would not be costly in dollars and cents. It would, on the contrary, result in tremendous savings over the years as has been proven in other states and the federal government. This plan does not call for additional institutions or costly units, it calls for only implementation of a plan. True, additional personnel would be required, but we continue to adhere to the philosophy that *training* a prisoner is better than merely *keeping him locked up*.

### IV. EXPANSION OF PSYCHIATRIC SERVICES WITHIN THE STATE CORRECTIONAL SYSTEM

It is recommended that legislative authorization be given for the establishment of a Division of Psychiatry within the State Department of Correction, or Mental Hygiene, to furnish psychiatric services for the State's correctional institutions.

\*The Prison Association of New York, 1929, Legislative Document, 1930, No. 93. Page 20.

**Comment:**

As a further step towards the coordination of the State's correctional process, a Division of Psychiatry within the Department of Correction or Department of Mental Hygiene is recommended. The division should be headed by a competent psychiatrist, and should provide the leadership, daily services, treatment and research that has long been needed within the Department's classification program.

It would appear appropriate, for purposes of the record, to outline the existing situation as relates to psychiatric services in the Department of Correction. As a result of the establishment of the Clinic at Sing Sing in 1916, referred to in detail in Recommendation III, Dr. Bernard Glueck with the assistance of the National Association for Mental Hygiene, conducted pioneering research in the study of offenders. It may well be recalled by many that psychiatry was far removed from the realm of popular conversation thirty-four years ago. For this reason, if for no other, the pioneering work accomplished in those early days stands out as a marked contribution to our understanding of the offender. With 608 prisoners, Dr. Glueck pointed out that labelling the offender was *insufficient*, and that a psychiatrist should be prepared to offer treatment.

For a number of years after 1916, progress was lacking. In 1926, and again in 1929, spurts of activity were apparent. This renewed interest, however, took a decided drop during the depression years of the 1930's. Professional personnel in more than one state department were dropped as economy measures. As the record will show, the Association has made many annual recommendations that the professional services within the Department of Correction be expanded. While provision has been made within the budget for additional psychiatrists at the various institutions, the personnel is not available at the salary level provided. There are presently twelve permanent positions as psychiatrist in the State's thirteen penal and correctional institutions. Seven of these positions are vacant, and have been so for many months. With the exception of the two hospitals for the criminally insane, there are but five psychiatrists, viz., Elmira, one; Reception Center, two; Clinton Prison, one; and Napanoch, one. Visiting psychiatrists are available upon call at some of the remaining institutions, but it is apparent that visiting services of this nature would never be an adequate substitute. The fact that such institutions as Wallkill Prison, basically a vocational training unit, Cossackie, Albion and Woodbourne have no psychiatric service, in addition to the other prisons, is regrettable to say the least.

Frequently the layman is prone to ask why vacancies exist. The only answer is one of restricted finances resulting in few applicants. Including the so-called cost of living bonus, the starting salary for psychiatrist is \$5,232 per year. Without the temporary emergency compensation, the salary is \$4,620. It is quite needless to point out that hundreds of semi- and non-skilled workers are commanding higher salaries today. Competent psychiatrists engaged in private practice today could well realize the annual correctional stipend in perhaps a month's time. The problem hardly needs further elaboration, except to point out that qualified psychiatrists are decidedly in the minority.

Despite these various complications, the State is committed to the need for psychiatric services. What is needed now is professional leadership through the establishment of a Division of Psychiatry within either the correctional or mental hygiene departments wherein full time could be devoted to enlarging these much-needed services. We need, also, a renewal of the missionary and pioneering spirit on the part of individual psychiatrists in this phase of correctional exploration. Through the Department of Mental Hygiene, the New York State Psychiatric Institute, and other agencies, psychiatry has long ago proven its worth. This point we need not pursue except to add emphasis for its appreciable extension into the correctional department. We urge the Legislature to give this Recommendation careful consideration.

**V. SEX OFFENDERS**

It is recommended that favorable legislative action supplement the findings and recommendations reported by the Governor's Interdepartmental Committee on the Problem of the Sex Offender.

**Comment:**

The Prison Association, by virtue of its long-standing concern with the problem of the sex offender, together with the fact that its General Secretary has been one of the members of the Governor's Committee, can not urge too strongly that the Legislature give favorable consideration to implementing the findings and recommendations of the Committee as recently reported. The Governor has quite appropriately indicated in his comments to the press on January 26th following submission of the full report to him that the problem is not legal alone, but is a combined sociological-medical-psychiatric-legal puzzle. We feel that the report of the Committee, submitted

after two years of close study of 102 sex offenders at Sing Sing Prison in cooperation with the New York State Psychiatric Institute, together with other observations, deserves legislative support.

#### VI. EXTENSION OF THE NEW YORK STATE YOUTH COMMISSION

It is recommended that the New York State Youth Commission be extended for a three year period.

##### Comment:

Competent authority in various fields of endeavor, including recreation, correction, police administration, social welfare, etc., are unanimous in their recommendation that the State Youth Commission be extended. The Commission authorized by legislation in 1945 (Chapter 556, Laws of 1945) and extended for three years in 1947, has been characterized as one of the most forward-looking procedures devised in the nation in the all-out drive to reduce delinquency. Its worth and effectiveness has been proven beyond all shadow of a doubt. Unless legislation is passed at the current session, the Commission will cease to exist as of July 1, 1950. Our recommendation urges an extension for three years. Upon the existence of the Youth Commission depends some 700 locally administered community programs designed to reduce delinquency ranging all the way from limited recreational units to the New York City Youth Board.

Funds extended by the Commission are generally required to be matched evenly by the local community. For the New York State Youth Commission to be compelled to cease operations at this time would be nothing short of disaster. The obligation of the State to its people must be continued through the extension of the Commission.

#### VII. EXTENSION OF THE YOUTHFUL OFFENDER LAW TO INCLUDE OFFENDERS 19 AND 20 YEARS OF AGE

It is recommended that Title VII, Section 913-e, Code of Criminal Procedure, be amended to provide that offenders 19 and 20 years of age may be eligible for consideration as "Youthful Offenders" under the remaining provisions of this Title.

##### Comment:

The law, as presently constituted, provides that offenders otherwise eligible for consideration as "Youthful Offenders"

must be 16, 17 or 18 years of age. Our recommendation would extend the age limits to those 19 and 20 years of age. In this recommendation we concur with the District Attorney of New York County. Experience with the law has shown that it could well be applicable for offenders up to the age of 21 and the Association so recommends.

#### VIII. AMENDMENT OF THE YOUTHFUL OFFENDER LAW CONCERNING DETERMINATION OF ARREST

It is recommended that the Youthful Offender law, Title VII, Section 913-n, of the Code of Criminal Procedure, be amended to provide that offenders so determined may legally deny the element of arrest. The law currently provides legal basis for denial of conviction.

##### Comment:

It is felt by many observers that the theory of the Youthful Offender Law is invalidated by lack of a provision which would permit offenders so adjudged to legally deny the element of arrest. The law now provides (Section 913-n) that determination as a Youthful Offender need not be deemed a conviction. It stipulates that such determination need not require a youth "... be denominated a criminal by reason of such determination. . . ." However, a Youthful Offender, under the present law, must admit to an arrest, as such. If conviction need not be admitted, certainly arrest on the instant offense should not have to be admitted. Conviction, per se, is far more serious than arrest. It is paradoxical that a Youthful Offender may deny conviction but be required to admit to arrest. This feature is particularly important in securing employment. The Association recommends that Section 913-n be amended to read: "... and no youth shall be denominated a criminal by reason of such determination, nor shall such determination be deemed a conviction or arrest." The last two underlined words would be the only new wording added to the present law.

#### IX. AMENDMENT OF THE YOUTHFUL OFFENDER LAW CONCERNING DELETION OF RECORDS

It is recommended that the Youthful Offender Law, Title VII, Code of Criminal Procedure, be amended by adding a new subsection to provide for the eventual elimination of police and court records in certain Youthful Offender cases.

**Comment:**

We feel that such an amendment to the Code of Criminal Procedure should provide that after a Youthful Offender has successfully completed a period of three or more years following his discharge from probation he be permitted to request the complete deletion of his record including the return of fingerprints, court records, etc. It is felt that this provision is justified in view of the youth of the offender and the fact that the majority of such offenders are first offenders and not subjected to imprisonment. We feel that such a step is in complete harmony with the full intent and meaning of the Youthful Offender Law.

This procedure would be somewhat similar to that now applicable to those either pardoned or acquitted in that official records are returned to such persons upon application. Likewise the recommended procedure would parallel to a certain extent the granting by the State Board of Parole of so-called "Certificates of Good Conduct" now available at the discretion of the Parole Board to ex-prisoners who have completed five or more years of satisfactory existence in the community following their final discharge from parole jurisdiction. Records are not returned in such cases, but allowances are made for satisfactory adjustment in the free community after a lengthy trial period.

**X. CARE OF DELINQUENT CHILDREN**

It is recommended that legislative action be taken providing that the State of New York reimburse the City of New York for 80% of the funds expended for the care of children committed by the Children's Court to privately administered institutions for juvenile delinquents. It is also recommended that the Legislature direct the appropriate officials of both the City of New York and the State of New York to study jointly the need for the expansion and development of facilities for children requiring care in State administered institutions.

**Comment:**

The Association concurs with the findings relating to delinquent children contained in the report of the Mayor's Committee on Child Care, recently released in New York City, and urges legislative action to the extent that the State of New York reimburse the City of New York for 80% of the funds expended for the care of children committed by the Children's Court to privately administered institutions for juvenile delin-

quents. The Association also recommends that the Legislature direct fulfillment of another of the Committee's recommendations, to wit, that appropriate officials of both the City and State confer to study the need for expansion and development of facilities for children requiring care in State administered institutions. A sub-committee of the Welfare Council of New York City, studying the problem of institutional placement of juvenile delinquents in 1949, and other responsible observers, have indicated that institutional facilities for the following three groups of juvenile delinquents are lacking, namely, boys adjudged delinquent under the age of twelve, emotionally disturbed children presently ineligible for treatment in State hospitals, and those who are exceptionally retarded from an educational standpoint.

The plain truth of the matter is that there are not sufficient facilities for such groups now. Such institutions as Wiltwyck School, Children's Village, Lincoln Hall, and others, have outstanding programs for the care and treatment of certain categories of delinquents, but their selective intake policies do not permit them to accept delinquents such as those enumerated above. The present State administered institutions are likewise not geared to caring for these special groups. The problem has been acute for some years, and action is imperative.

**XI. AID TO THE INDIGENT OFFENDER**

It is recommended that legislative authorization be provided the Judicial Council to explore the question of adequate representation to indigent offenders.

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 some cases, failure on the part of some attorneys to render satisfactory service.

**Comment:**

We repeat a recommendation made over a period of years to the extent that the Legislature authorize the Judicial Council to explore the possibilities of the Public Defender System, or other means to assure legal aid to indigent offenders. The Public Defender system has long been a part of the judicial process of such cities as Los Angeles, Omaha, Columbus, Memphis, Providence, San Francisco, St. Paul, and other areas, and it would seem that this experience would be of benefit to a local exploratory body. The protection of the constitutional rights

of every citizen is inherent in the democratic process, and it is incumbent upon the people of the State to assure adequate legal representation to all appearing before the court. We are not recommending the adoption of any particular system, feeling that exploration must be the first order of business. So far we do not possess the wealth of information and experience that such a study would provide.

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

#### XII. COMMITMENT AND RELEASE PROCEDURES AT INSTITUTIONS FOR MALE DEFECTIVE DELINQUENTS AT NAPANOCH AND WOODBOURNE

It is recommended that provisions be made for an annual review of all cases confined within the Woodbourne and Napanoch Institutions for the Male Defective Delinquents, to be conducted by qualified personnel with the knowledge and co-operation of the Division of Parole.

##### Comment:

The Association has been of the opinion for some time that a study and evaluation of release procedures applying to the Napanoch and Woodbourne institutions is necessary. Release from either of these institutions is presently a joint responsibility in that the institution recommends release with the Parole Division accepting supervision responsibility. The parole authority has no voice in ordering the release of a prisoner from these two institutions. To be consistent, it is recommended that a study be made which should point toward the eventual review of all cases on an annual basis.

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

It is recommended that legislative approval be given to budgetary provision for the payment of wages to prisoners confined in the Woodbourne and Napanoch Institutions for Male Defective Delinquents.

It is further recommended that wages paid inmates of the Westfield State Prison for Women be equal to those paid male prisoners in State prisons.

##### Comment:

That incentive wages are necessary for high prisoner morale, is evident to all engaged in the correctional field. The injustice resulting from the present practice of not granting wages to certain inmates while others receive compensation is obvious. Prisoners confined for long periods in the two institutions mentioned may work at industrial assignments for years on end and not be eligible to receive compensation. A sound program of prisoner rehabilitation requires the payment of incentive wages to prisoners engaged in industrial occupations as is the case in the free community. We do not advocate payments out of proportion to the circumstances, but we do advocate and urge *incentive* wages. Prisoners at other State prisons in New York do receive payments, but Napanoch and Woodbourne are exempt from the provisions of law that make this possible.

Female prisoners at the Westfield State Prison for Women are now paid up to eight cents per day, with most earning approximately one and one-half cents per day. We recommend that female prisoners, whose efforts are as diligent as male prisoners, be paid on a scale equal to that of the men.

#### XIV. COMPULSORY TREATMENT OF NARCOTIC ADDICTS

It is recommended that legislation be provided for the 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 that the Code of Criminal Procedure be amended providing 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. We do not advocate legislation which would be applicable in any manner to those procuring or using drugs for bona fide medicinal reasons under the care of licensed physicians and dentists. We do feel, however, that those securing and using drugs illegally be liable for imprisonment for a term of not less than six months nor more than one year, with the proviso 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 competent authority. We endorse legislation of this nature and urge favorable action in the interests of public protection and general welfare.

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

It is recommended that legislative authorization be given budgetary provision for the making available of qualified internes within the State Division of Parole and the Department of Correction.

##### Comment:

We join with others in advocating the provision and, in some cases, extension of the system whereby qualified internes

may be provided the parole and correction departments. The development of professional career personnel is necessary to assure the leadership of the future. The co-operation of universities and colleges is necessary to effect the greatest degree of efficiency in the operation of such a plan. While internes have been assigned to these departments in the past, our plea is for an extension of the system on a permanent basis.

#### XVI. RE-ESTABLISHMENT OF THE 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 Walkkill Prison. Another victim of the depression and war years, the Guard School should be reopened 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 themselves. To avoid becoming routinized and to encourage alertness on the part of custodial personnel intensive refresher courses are necessary.

The appropriation of the relatively meagre funds to re-establish a training plan such as was once an important part of the State's correctional system would appear to be exceptionally reasonable insurance toward an interested and qualified personnel. The people of New York should not permit another year to pass without authorizing the reopening of the Guard School.

#### XVII. ADVISORY COMMITTEE ON CORRECTIONAL INDUSTRIES

It is recommended that the Legislature authorize the formation of an advisory committee on correctional industries within the Department of Correction to aid in the development of an adequate work program for prisoners.

##### Comment:

Repeating another recommendation of some years standing, we again urge the authorization of an advisory committee on

correctional industries within the Department of Correction. Experience in other states and the Federal government has 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.

#### XVIII. 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:

This recommendation is phrased in a broad manner because the problem itself is one of broad ramifications. We need not repeat here the long history of attempts to meet this problem on the part of local and State interests all of which were without lasting effect. This is not to disparage these experiments because we learned much of what not to do, if nothing else. Experimentation must never be discouraged if we are to progress, and for this reason we again urge continued experimentation. We urge legislative approval of funds to continue such units as the University of Buffalo experiment which now requires additional funds to continue. At the present time no formally accepted program operating under State auspices is available to alcoholics. Society has come a long way in relatively short time in its understanding of the problem of alcoholism and this interest and understanding should be fostered.

The Association is glad to join again with the Association of the Bar of the City of New York and the Academy of Medicine in their proposition that a commission be formed to give this problem further study. A state commission on alcoholism would follow the pattern set by other states making progress in this field. A study commission should be directed to report to the Legislature within a given time, and required to submit detailed recommendations for long-range operations and legislation to whatever extent required.

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

It is recommended that legislation be provided enabling counties to be reimbursed for the maintenance of persons convicted of felonies and sentenced to county penitentiaries.

It is also recommended that legislative approval be given to an increase in the clothing allowance now paid by the State to county penitentiary superintendents for the issue of clothing to discharged prisoners.

It is further recommended that the Correction Law be amended to provide for the reimbursement of counties for the cost of the temporary custody of State parole violators.

##### Comment:

We urge that steps be taken to provide that local municipalities be fully reimbursed for the maintenance of persons convicted of felonies and sentenced to local or county penal institutions. The arguments favoring this proposal are obviously financial and are necessitated by the greatly increased costs of institutional care. The same basic reasoning applies to the need for reimbursement to counties for the temporary care of State parole violators, as well as the need for increasing funds allotted for discharge clothing given felons released from county penitentiaries. Heretofore, and at present, as far as the City of New York is concerned, the cost of housing State parole violators has been assumed by the City as a favor and an accommodation to the State. It is only logical that the State assume its rightful burden.

#### XX. EXTENDING THE POWER OF THE STATE BOARD OF PAROLE IN CERTAIN CASES

It is recommended that the State Board of Parole be empowered to determine the portion of the remaining maximum term to be served when that remainder of a previous term is over *five years*, in those cases of parolees committing new felonies while on parole.

##### Comment:

Article 8, Section 219, of the Correction Law should be amended to give discretionary power to the State Board of Parole to determine just how much of a remaining sentence should be served by a felon who commits a new felony while on parole *before* he can commence serving his term for the new felony. Our recommendation would apply *only* to those whose remaining time to be served on the original sentence is more

than five years. The law at present requires all felons to serve the full maximum term remaining before they can commence serving the sentence resulting from the second felony committed while they were 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 a second felony sentence. We hold to the opinion that parole, to be of greatest value, should be determined and administered on an individual basis insofar as possible. This recommendation would further that viewpoint. The Board of Parole now has the power we recommend with relation to Elmira Reformatory cases. Chapter 678 of the Laws of 1945 excluded Elmira Reformatory violators from the mandatory language of Article 8, Section 210, of the Correction Law.

#### XXI. FIVE YEAR LIMIT TO COXSACKIE CASES

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

##### Comment:

It should be noted that sentences of prisoners confined in Elmira Reformatory do not exceed the five year maximum term (Chapter 678, Laws of 1945), and the experience of the five year period since 1945 clearly indicates that the institution at Coxsackie, to be of its greatest efficiency as a correctional institution, should not be burdened with the task of housing prisoners for longer periods. The Vocational Institution was not designed as a long term prison, and should not have its program of training hampered by the custodial problem resulting from long sentences.

#### XXII. 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) the establishment of a State subsidy for the development of probation in those fourteen counties not now utilizing this progressive correctional technique.

- 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 power.

##### Comment:

Probation is particularly close to the interests of the Prison Association of New York, and on frequent occasions we have urged legislative support to its improvement throughout the State. It is unthinkable that *fourteen counties* in New York are presently without probation. The subsidy plan would enable the development of probation in those areas not now in a position to financially sponsor such services. Our interest, dating back to more than 40 years ago when the first probation law to be written in the State was drafted in the office of the Association, is primarily one of advancing progressive correctional techniques. Probation has long ago been accepted as such but, in few words, needs considerable expansion within the State. Probation being a judicial function is obviously closely affiliated with court procedure and legislation. Suggestions that various courts be consolidated, abolished or established would, of course, affect probation. While we do not feel it to be our province to advocate judicial changes insofar as they may affect court organization on a large scale, we do deem it a major concern to campaign for the greater utilization of probation. If the State can assist counties to establish probation departments through subsidies, then we feel it is incumbent upon the State to do so.

We are concerned with the great variance of probation standards and procedures within probation departments located in the City of New York. Two courts, namely, the Court of General Sessions and Kings County Court have probation departments highly worthy of emulation. Other courts located within the City are not in such advantageous positions. Many complicated factors are responsible for this, and numerous suggestions for solution have been posed over the years. One of the most frequent, and one in which we have often concurred, has been toward the consolidation of probation departments. This, we readily agree, is a debatable question. If consolidation is the answer, then we must ask—consolidate on what level? It is a practical impossibility in the immediate future to consolidate all the eight probation departments within Greater New York on a level consistent with the departments of General Sessions or Kings County Court. If for no other reason this is financially out of the question for the



present. The availability of City funds will not permit such a step.

Another practical handicap to consolidation of probation departments within a city the size of New York is the matter of reducing the effectiveness of one department while raising the level of another in terms of consolidation. The Association certainly does not care to advocate consolidation of probation units at the expense of some of the finest divisions now in existence. This is the crux of the problem of consolidation apart from financial aspects. We would be for consolidation if the end result would approximate the effective service now performed by Kings County and General Sessions Court probation departments. We will continue to give close attention to the work of the various probation units locally assisting wherever possible in assuring effective service on their part. In the meantime we urge legislative support for the extension of probation in those fourteen counties now bereft of its benefits.

### XXIII. 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.

### XXIV. EXAMINATION INTO SENTENCING PROCESS

It is recommended that the Law Revision Commission be authorized and directed to conduct an examination into the sentencing process of the various courts.

#### Comment:

In again urging legislative approval and direction of an examination into the sentencing process of the various courts, we recognize that the task would require considerable time and research, and for this reason urge specific legislative authorization for the study. The Commission agrees with this view. It has long been acknowledged that a disparity of sentences is evident throughout the State, and prison officials realize this only too well. Discontent breeds as a result of glaring variance in sentencing practices, and feelings of injustice smoulder in the minds of institutional inmates. 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 recommends legislative support to this end.

### XXV. CURTAILMENT OF PRISON INDUSTRIES

#### Comment:

The Association again concludes its statement of Recommendations with a plea, rather than a specific legislative recommendation, that the individual members of the 1950 Legislature take every step necessary to prohibit the curtailment of existing prison industries. Competition with free labor is at the barest minimum, and work programs are mandatory for prisoners unless we care to return to the old memorable days of prison riots and bloodshed. This we can

not afford and the preservation of industries within our correctional department and the full support of endeavors to establish new industries, should receive the full backing of individual members of the Legislature.

Unfortunately each session of the Legislature produces attempts to reduce prison industries. Now operated in keeping with progressive penological thinking, the prison industries produce for State-use purposes only. Idleness among prisoners is one of the greatest, if not *the* greatest producers of discontent and turmoil, and reflection to the days of 1929 and 1930 should be sufficient proof of this statement. The sight now of inmates loafing in prison yards and shops is in striking contrast to the law-abiding citizen who, anxious to earn his living, goes regularly to his full day's work. An idle prisoner is, however, not always idle by choice. Ninety-nine out of one hundred prisoners will work—and work diligently—if given the opportunity. It is that chance to work—that opportunity to work—that we urge the Legislature to preserve and expand.

## 1949 IN REVIEW

This section of our report states but briefly the breadth of interest on the part of the Association during the year 1949. In commenting on our one hundredth and fourth annual report to the Legislature, the New York Times editorially stated, "It is a fascinating document on the myriad penal problems affecting this city and state." The same editorial agrees with the point of view of the Association that it is not enough merely to lock up prisoners securely in a clean and efficiently run prison since society demands now that every effort be expended toward their rehabilitation. The New York Sun commenting at the same time stated that the Prison Association had worked consistently for improvement in New York's penal system for more than a century and "on this record its recommendations deserve most sympathetic consideration."

The recommendations to the Legislature contained in this report, as well as the subjects to be included in this section of the report, clearly indicate that the Association strives unceasingly for the protection of society and at the same time to keep faith with the vision and courage of its founders.

## What We Do

Strive daily to reduce tremendous cost of crime estimated by competent authority to exceed fifteen billion dollars yearly.

Recognizing that one-third of federal offenders were between 13 and 15 years of age, and 12% under 12 years of age when first arrested, we feel every effort at crime prevention should be directed toward children.

Association prevents crime by helping people—particularly the innocent sufferers, children and families of men in prison. Supplementary financial aid granted, mothers and children sent to summer camps and vacation rest homes. Children referred to recreational and community centers.

Initiate and encourage progressive correctional legislation—oppose detrimental and ill-advised legislation, local and state.

Secure employment and give vocational counsel and financial aid to New York City and State parolees—more than 2,000 different men so aided in 1949. The majority of these men apply to the Association for aid on their day of release.

The Association spends approximately one-fourth of its entire budget solely for relief purposes.

Association extends influence nationally and internationally through The American Prison Association, in which our executive staff hold similar positions.

#### Samples of Achievement

First probation law in New York State started by the Association.

Led the campaign for the establishment of the Elmira Reformatory—the first institution of its kind in the world.

Effected the introduction of the indeterminate sentence in this country.

Unceasingly opposed brutal treatment and corporal punishment of prisoners.

Spearheaded the campaign for the abolition of the old cell block at Sing Sing Prison.

Was prominently identified with the proposal to establish a psychiatric clinic at Sing Sing Prison.

Successfully urged establishment of separate courts for children.

Combated the fee system whereby county sheriffs thrived on the unfortunates entrusted to their care.

The above examples are but a few in a long and honorable list of achievements.\*

#### Sex Offender Study

During the year our General Secretary continued to serve as a member of Governor Dewey's informal committee on the subject of the sex offender. At this writing the committee, consisting of Dr. Frederick MacCurdy, Commissioner of the State Department of Mental Hygiene, Commissioner John A. Lyons of the State Department of Correction, Frederick A. Moran, Chairman of the State Board of Parole, Dr. Arthur W. Pence, Deputy Commissioner of Mental Hygiene, Mr. Hickman Powell of the Governor's staff, and Mr. Cass representing both the State Commission of Correction and The Prison Association of New York, has submitted a report to Governor Dewey. This report consists largely of the study of 102 inmates assembled at Sing Sing Prison under the direction of Dr. David Abrahamsen, the psychiatrist in charge of the project under the general guidance of Dr. MacCurdy and Dr. Nolan D. C. Lewis of the New York State Psychiatric Institute.

\* For further details see summary on page 23 of our 100th Annual Report for the year 1944, presented to the Legislature in 1945, Document No. 50.

The project is the first of its kind and has shown itself to be quite revealing in relation to the many aspects of this complicated problem. It has been definitely shown that the problem is not legal alone but is a combined sociological-medical-psychiatric-legal puzzle. The report and its recommendations, which will be submitted to the Legislature with a special message by Governor Dewey, should serve as a basis for long range action in the direction of better understanding of the problem and its treatment. It can be said in advance of the formal submission of the report to the Legislature that the findings of the committee revealed how far reaching and complicated the problem is and how impossible it is to come to any short cut or sure cure conclusion. Also there will be revealed facts relating to the handling of so-called sex cases in our courts heretofore not generally known or appreciated by the public.

This project, it should be stated as a reminder, stems from our efforts in 1947 to pass a bill to effect a better control of sex offenders. This bill was introduced by Senator Thomas C. Desmond, passed both houses, but was vetoed by the Governor, not because he lacked sympathy with the effort being made but because in his opinion the bill went too far and failed to provide adequate safeguards for the civil rights of individuals, and further because it failed to recognize differences in types of sex offenders. The Governor proved his realization of the gravity of the problem and his continued interest by authorizing the informal committee to proceed and the Legislature gave financial support. We at this time commend Governor Dewey for his continued interest and various forms of assistance and express our gratification at the results thus far achieved following our earlier efforts.

#### Veterans Preference

We energetically supported during the 1949 session of the Legislature the Mitchell-Van Duzer bill to provide a more reasonable way of giving point credit to veterans rather than the carte blanche procedure which existed and which we noted was working havoc with the morale of the civil service. Our General Secretary served as a member of the Executive Committee of the Citizens' Committee on Veterans Preference, sponsored by civic, business and professional organizations and headed by a distinguished member of the bar, Mr. William Dean Embree. The work of this committee was guided by the experience of the Civil Service Reform Association. We take

this opportunity to commend the labors of the former secretary of that Association, Mr. H. Eliot Kaplan, and his assistant, Miss Helen C. Drummond. The bill was passed by the 1949 Legislature and submitted to and approved by the voters at the November election.

#### Re-Classification of Civil Service Positions in New York City

This is an off-shoot of the study of the Department of Correction and other city departments made by the Citizens' Budget Commission last year. We were invited to give the plan of re-classifying civil service and other positions support and did so by writing a letter under date of July 14, 1949. This letter appeared subsequently in the Civil Service publication of July 26th and was acknowledged by the Mayor's Office July 18th. This proposal is long overdue. It is now in progress toward fulfillment.

#### Exemption of State Prison Warden

Early in the Summer it was rumored that the State Civil Service Commission would be asked to place the position of warden and superintendent of our State correctional institutions in the exempt class. This was alarming and we instantly became alert, our feeling being that civil service with all its shortcomings is too valuable to be trifled with in any way. The following letter was addressed to The Honorable Charles D. Breitel, Counsel to the Governor, who, among his other duties, is designated by the Governor to maintain an over-all awareness of correctional problems and operations within the framework of the State government.

Dear Mr. Breitel:

I understand that the "Civil Service Leader" carries information to the effect that there has been made a proposal to the State Civil Service Commission that the wardens of our State prisons be placed in the exempt class. We made inquiry and found that no such proposal had at least been formally presented to the Commission.

I am writing you now expressing the profound hope that no such proposal will be made. As I understand it, the plan would be to keep the appointments within the ranks of the State Department of Correction uniformed personnel and thus avoid wide-open exemption procedure. The one great advance which was made in the penological field in this State was the introduction of civil service to apply not only to the wardens and superintendents of our institutions but the rank and file as well. I recall vividly the rejoicing at the time this forward-looking action was taken. I also recall the confusion and inefficiency and even scandal that prevailed before that time in the making of various appointments. The institutions were left open for county patronage. It was the boast of an influential county leader that he ran one of our well known State prisons.

I know that the present Commissioner of Correction is confronted with a difficult situation. I also know that there is considerable feeling in the departmental personnel because of the delay in the examination for the position of warden, and also because of certain restrictions heretofore announced. When the information in the "Civil Service Leader" became public information, there was considerable alarm and even resentment shown by interested persons and groups and departmental personnel. The great fear, of course, is that politics will result in the selection of favorites, whether they be in uniform or otherwise engaged in departmental work, and this would defeat all that has been achieved through the years and would practically destroy the idea of career service. There is a striking contrast between the type of personnel we have now in the institutions and what we had when I first came into the work in 1913. Civil service and the thought of making the work a career, plus certain leaderships that we have had during the years, are responsible for this. It is not safe to say that no politics will prevail when there are exemptions. It will take a strong Governor and a strong Commissioner of Correction to resist a powerful leader, be he County or State, in urging that some one person within the uniformed ranks of the department be selected if the present proposal should become a reality.

I am writing you because I know your concern about the Department of Correction and that you are anxious to give it wise guidance and also assist Governor Dewey in important matters. May I express the hope that if there is any real desire to push the proposal you will oppose it.

Sincerely,

(Signed) E. R. CASS,  
General Secretary

At this writing it appears that the plan for exemption has been abandoned and it is understood that in the near future an announcement will be made for a competitive examination.

#### Organization of the State Civil Service Commission

We let it be known that we were opposed to the proposal that the State Civil Service Commission be reduced from a three man to a one man body. It was gratifying to learn that a committee appointed by the Governor to study the question recommended that the three man commission be maintained and that the chairman be given more administrative power. This proposal was shaped in a bill which failed to pass the 1949 Legislature.

#### Probationary Period—New York City Civil Service

We joined with the Correction Officers Benevolent Association of the New York City Department of Correction in opposition to the proposal to reduce the six month probationary period for correction officers and other civil service employees to three months. We were pleased to note that Commissioner Albert Williams of the New York City Department of Correc-

tion also opposed the shortening of the probationary period. On November 23, 1949 the General Secretary addressed a letter to Mr. McNamara, President of the Municipal Civil Service Commission, urging the retention of the six month probationary period. In amending its rules the Commission continued the six month period for firemen and policemen and added correction officers and thus made the three month period apply to all other employees. The retention of the six month period for correction officers is a gratifying result.

#### Juvenile Delinquency Study and Treatment by Economic and Social Council of United Nations

On March 30, 1949 our General Secretary, acting as the authorized and approved representative of the Howard League of England, participated in an all day discussion at Lake Success on the ways and means of dealing with juvenile delinquency and its prevention. The meeting was limited to bodies with an international identity and Mr. Cass' selection to represent the Howard League was fortunate in that it gave him an opportunity to sit in such an important gathering. Also present was Mr. Sanford Bates representing the International Penal and Penitentiary Commission. Mr. Cass was successful in urging that not only the treatment of juvenile delinquency be made a part of the project but also ways and means of its prevention. Therefore, the Economic and Social Council called upon various international organizations to contribute information and guidance on the subject of how best to deal with juvenile delinquency and its causes. Assignments were made to the different groups to obtain information relating to the operations of juvenile courts, probation, and crime prevention programs and activities. When this information is tabulated and arranged for practical application it will be possible for those countries desiring assistance in dealing with their juvenile problems to gain the benefit of the best knowledge and experience. United Nations in this connection is equipping itself to assist those countries desirous of improving the lives and conduct of young people. Obviously this is a notable approach to general well being throughout the world and gives some evidence of the potential usefulness of United Nations.

#### Institution Visits and Inspections

In their joint capacity as officers of the Prison Association and members of the State Commission of Correction, Commissioners Schoenfeld and Cass visited state prisons, reformatories, county jails, police lockups and court detention pens.

There is ample proof that the activity of Commissioner Schoenfeld alone in connection with police lockups and court detention places within the New York City area has resulted substantially in their physical improvement and better administration. It is safe to say that the construction and administration of the county jails and minor places of detention in New York State are on a higher level than throughout the country generally because of the exercise of the powers of visitation and inspection held under the Constitution of the State and the Correction Law by the Commission of Correction and the special act of the Legislature incorporating The Prison Association of New York.

An outstanding example of the value of the inspection service relates to the lockup in the police headquarters at Syracuse, New York. On the night of October 26, 1948 Commissioners Schoenfeld and Cass inspected this lockup and found conditions indicative of indifference and neglect on the part of the administration. The place was very dirty, very much in need of painting and repair, and the inmates were in the category of "forgotten men". In due time the mayor of the city agreed to remedy the situation and it is gratifying to report that all requirements made by the State Commission of Correction were fulfilled. On November 15, 1949, Mr. G. Howland Shaw, a member of the Executive Committee of The Prison Association of New York, and Commissioner Cass visited the lockup and found conditions greatly improved.

A study of the inspection reports of both the prisons and reformatories and the smaller institutions bringing to light conditions and needs and the subsequent favorable changes give positive proof of the value of the service and raise the logical questions of how terrible some of these places would be if it were not for the authority under the law and the interest and thoroughness of those who function in its administration.

Visits to some of the state prisons and other institutions were made during the year by Messrs. Baker, Lee, Moore and Teagle of our Executive Committee in company with our Assistant Secretary, Mr. Wright.

#### Benzedrine

In co-operation with our General Secretary a resolution was adopted by the Southern States Probation and Parole Conference and the Southern States Prison Conference, meeting in Little Rock, Arkansas on April 24, 25, 26, 1949 and representing fourteen states, in support of a bill by Congressman Grant of Alabama, H.R. 2969, to provide for the handling of ben-

zedrine under the Federal Narcotics Law. The copy of the resolution sent by the General Secretary to interested persons in every state brought a very strong response to Washington urging the passage of the bill because of the need for control of benzedrine. The pressure for the passage of this bill brought renewed activity on the part of drug houses manufacturing benzedrine in a way that won approval from the administrators of institutions. On August 5, 1949 announcement was made by a leading drug firm of the development of a substitute for the benzedrine inhaler. The new device is known as "benzedrex". This product is capable of shrinking the nasal membranes as well as, if not better than, benzedrine, but does not stimulate the user. Because of the co-operation of the drug manufacturers it was agreed not to press for the passage of the bill unless the unsatisfactory situation was renewed. Collier's magazine carried an article entitled "Farewell to Benzedrine Benders".

#### Census Bureau

We were active more than twenty years ago in persuading the Census Bureau to gather and publish statistics on prisoners in state and Federal prisons and reformatories. These reports have been a valuable source of information since 1923 at which time the General Secretary and the late Dr. Hastings H. Hart of the Russell Sage Foundation made an ardent plea for the Bureau to take on the responsibility. It now develops that the Census Bureau cannot continue this work unless financial assistance is given by the United States Bureau of Prisons. As a result the Bureau of Prisons was suddenly confronted with a task which it also could not handle without added financial aid. A communication was sent to the Director of the Budget urging that funds be provided. Mr. Bennett, Director of the United States Bureau of Prisons, has revealed that he has made the request in his new budget and it is hoped that the money will be forthcoming. The weakness in our whole approach to the study of crime in America has been the confused state of (or lack of adequate) statistical information. The annual compilation by the Census Bureau of the population of the reformatories and prisons has been a valuable aid toward the easing of this handicap. Therefore, the permanent discontinuance of the annual compilation either by the Census Bureau or the United States Bureau of Prisons will be a very definite setback and a serious disadvantage in the years to come.

#### Federal Legislation

We gave support to the Federal Youth Corrections Act, S. 2609. This bill embraces considerable of the philosophy of the model youth correction act and is being earnestly pushed by the Director of the United States Bureau of Prisons, Mr. James V. Bennett. The General Secretary under date of October 4, 1949 addressed a letter to Senator Kilgore and it was made a part of the Congressional Record of the hearings of the committee. The letter follows:

October 4, 1949

Honorable Harley Kilgore  
United States Senate  
Washington, D. C.

Re: S. 2609

My dear Senator:

On behalf of this Association, may I record our approval of the above bill which is intended to provide a system for the treatment and rehabilitation of youthful offenders. We are indeed very much encouraged to note your willingness to sponsor this important measure with a full realization of the preponderance of youth in the alarming crime picture in this country. Other countries are also faced with a similar situation as relates to their youth, and we can serve a good purpose on a world-wide basis by instituting a federal system that will give specific attention to the needs and treatment of these young people.

As you will probably recall, there was before the 78th Congress a bill, S. 895, generally known as the Federal Corrections Act. This failed not because it lacked sympathy among the judiciary, but because of the feeling in some quarters that it was too inclusive. However, the bill which you introduced at this Congress is limited to the youthful offender twenty-four years of age. The American Prison Association at its 72nd Annual Congress held at Asheville, North Carolina, in 1942, endorsed again not only the idea of an over-all indeterminate sentence embodied in that bill, but also gave special emphasis and endorsement to the provisions of the bill which directed special attention to the study and treatment of the youthful offender.

Therefore, the resolution applies to the act which you have so kindly sponsored this year, and it is our sincere hope that you will be unceasing in your efforts to bring about its passage. The commendable features of the bill have been brought to the attention of you and your colleagues in the persuasive memoranda prepared by the Federal Bureau of Prisons. We concur fully and most heartily with them. If we can be of any assistance to you in your efforts to pass this measure please command us.

Sincerely yours,

(Signed) E. R. Cass,  
General Secretary

The bill is still pending and at this writing there is hope of favorable progress.

We also gave support to United States Senate Bill S. 246 which appropriates funds to assist the states in financing cer-

tain educational programs within the public educational systems and institutions. Communications were addressed to Senator Ives of New York and Senator Knowland of California, the introducer of the bill, in an attempt to include correctional institutions within the scope of the bill. We also urged numerous correctional administrators throughout the country to do likewise.

#### Meeting of International Penal and Penitentiary Commission

Berne, Switzerland, August 1-8, 1949

To Dr. E. C. Wines, the illustrious former General Secretary of The Prison Association of New York, must go the credit of being the moving spirit in the establishment of a truly international forum for the discussion of penal matters. Prior to the convening of the first Congress in London in the summer of 1872, Dr. Wines labored zealously to stir up interest in his own country as well as in countries abroad to the end that there should be an international relationship to deal with the important problems of crime study and treatment. During the year there has been made available, as a result of the labors of Professor Negley K. Teeters of Temple University, Philadelphia, Pennsylvania, a volume of the deliberations of the International Penal and Penitentiary Congresses. In his preface Dr. Teeters acknowledges a debt of gratitude to our General Secretary, Mr. Cass, not only for encouragement but for guiding the book through the printing and for arranging for its sponsorship by The American Prison Association. There is, of course, some question as to the future of the International Penal and Penitentiary Commission in view of the desire of United Nations to become active in the subjects of juvenile delinquency and crime as a part of its world-wide social welfare activities. Nevertheless, those interested in international discussion and collaboration should avail themselves of a copy of Dr. Teeters' book and thus have conveniently at hand the essentials of the discussions and conclusions and the settings of these international gatherings—twelve in number, with another to be held at The Hague in August 1950. During the summer of 1949 Mr. Cass with the approval of President Truman and the State Department substituted for Commissioner Sanford Bates, the American representative who was unable to attend. This meeting of the Commission dealt with such important questions as the relationship of the Commission with United Nations; the shaping of plans for The Hague Congress; the formulating of activities by various committees of the Commission; and the selection of a new Secretary

General, namely, Dr. Thorsten Sellin of the University of Pennsylvania.

#### Addresses by Staff

Messrs. Cass and Wright during the year made a number of addresses to various groups, including regional meetings in the south and middle west. This activity has the value of acquainting our citizenry generally with the many problems relating to the field of the Association's interest and it also broadens and sharpens the interest of those in the work who need the benefit of wider concept and experience.

#### Guest Speakers

Through the year we continued the practice of inviting a guest speaker at some of the monthly meetings of the Executive Committee of the Association. These public spirited and co-operative leaders spoke briefly of their activities and problems in relation to the discharge of their specialized responsibilities for the public welfare.

At the March meeting Honorable Frederick A. Moran, Chairman of the New York State Board of Parole, was our guest. In commenting on the parole situation in New York State Commissioner Moran indicated that the first parole law was passed in 1889. He added that the state has been in the correctional business since 1796, when the first law relating to prisons was passed. During the period 1889-1930 Mr. Moran stated that six different types of parole procedures were used in this state. In 1930 the Lewisohn Commission then devised and recommended the existing parole procedure, which was authorized by legislation that same year. This Commission, which was headed by Sam A. Lewisohn, a member of our Executive Committee, was given full credit by Commissioner Moran for its painstaking deliberations and recommendations. Originally the parole staff consisted of ninety-eight persons, including some forty parole officers, whereas the staff now includes four hundred and three parole officers, in addition to many other clerical and supervisory personnel.

The State Board of Parole now has the power of releasing persons on parole from seven prisons and three reformatories and, in addition, supervises the defective delinquents released on parole by institutional authorities. He indicated that all members of the Board at one time or another during the year meet at all the institutions. Three members sit as a hearing body and their personnel changes frequently. The release of prisoners is by unanimous vote and Commissioner Moran

pointed out that probably fifty per cent of those prisoners appearing for the first time are paroled. Appearance before the Parole Board is automatic in keeping with the law, and the release may or may not be then voted by the Board. No formal application is made for parole by prisoners in this state and no legal advice is necessary to appear before the Board. With few exceptions, due to sentence irregularities, prospective parolees meet the Board at the expiration of their minimum sentence less time earned for good behavior. As Commissioner Moran indicated, the prison year consists of eight months provided behavior is acceptable.

Commissioner Moran made favorable comment on the long years of activity on the part of The Prison Association of New York in the development of the indeterminate sentence and parole in New York State.

Our guest speaker at the April meeting was The Honorable Anna M. Kross of the Family Division of the Magistrates' Courts of New York City. Judge Kross in her opening remarks referred to judiciary progress over the years and gave credit to the Prison Association for instigating and following through legislation which resulted in court improvements. Judge Kross, in continuing, stated that American women should step forward and tackle the problem of delinquency. She said that crime is women's business and women's responsibility and that men should encourage women to wrestle with the problem. She stated that all states now have some kind of children's court and added that the idea of a juvenile court is no longer a fad or fancy. She stressed the fact that there is a definite place for a domestic relations court, particularly in all large areas. The fundamental unit of American life is the family, according to Judge Kross, and much attention was given to this fact by virtue of the establishment locally of such courts as the Girls Term Court, the Women's Court, the Domestic Relations Court, and others. She remarked that they were all experimental in nature and that while some had fallen short of their goals others had surpassed them.

She referred to the Magistrates' Courts as the lowest court in the series of criminal courts and yet the most important. Pointing out that the turnover of cases is amazing, Judge Kross indicated that both judges and staff are underpaid all the way through and that there is considerable room for improvement. "It is the first contact the criminal, and also the layman, has with the judiciary process," the Judge remarked.

She stressed particularly the establishment and approach of the Home Term Court over which she presides and which she initiated some months ago. This court is a section of the

Magistrates' Courts and Judge Kross said that when a family comes to this court it may be automatically assumed that something serious has happened to it. It is usually the culmination of various scrapes and misunderstandings and the court acts as something of a "stop, look and listen" warning sign. "This should be the time to take stock of the situation," the Judge said. The court uses trained workers but is in need of additional personnel. She said that probation officers work on each case and attempt to bring about a satisfactory adjustment, with the judge being brought in as the last resort. There is no evidence of a typical courtroom and no courtroom paraphernalia as is observed in all other courts with the exception of the Children's Court.

In commenting on various cases which have come before her of late, Judge Kross described one situation involving a difficult parental problem. At the conclusion of the hearing the mother of the family came to the Judge and said, "This is the first time anyone has talked to me about what we as parents ought to do." In conclusion Judge Kross emphasized that, "If we are going to reduce the population of our institutions to a minimum we must attack the problem of delinquency on a family basis. There is great disintegration of the family today with many and varied forces accounting for this." The court must play its part in assisting families in trouble and she felt that the Home Term Court was meeting its responsibility to this end.

At the meeting in May the guest speaker was Miss Henrietta Additon, Superintendent of the Westfield State Farm at Bedford Hills. She stated that at the Farm there are two institutions; one the Reformatory for Women and the other the Prison for Women, and that she is the superintendent of both institutions. Continuing, she related that the Reformatory has a Board of Managers of which Mrs. Adler, a member of our Executive Committee, is a member. The Board of Managers has general oversight of the Reformatory, in accord with the provisions of the Correction Law. The Parole Committee of the Reformatory is headed by Mrs. Adler. Then she gave an historical review, pointing out that the first attempt to establish a women's reformatory was in 1814 under private auspices. Then there came the Magdalene Home in 1830. The first State reformatory for women was at Hudson. Mrs. Josephine Shaw Lowell urged this in the 1870's because she found a great number of women in jails, penitentiaries and almshouses. After the establishment of the institution at Hudson the campaign was continued and it was urged that there be a second reformatory in the western part of the state. This finally came



about in 1893 at Albion and was known as the Western House of Refuge for Women.

Mrs. Gibbons, a lady in her 90th year, urged that a third reformatory be established at Bedford. This was approved in 1892. There was much delay in getting the institution started and it was not opened until 1901. Commitments were numerous at the beginning but began to fall off and a proposal was made that the institution be abandoned and used for the insane. A bill was introduced for its abandonment but this was opposed by the Prison Association, the Council of Jewish Women, the Catholic Protectory, and various other people, under the leadership of Mr. James Wood, President of the Board of Managers.

Miss Addison recognized the interest of The Prison Association of New York in correctional matters and then proceeded to explain her duties and responsibilities and various problems. She made reference to the various types of inmates and the difficulties they present. She freely admitted that some of their problems of behavior were quite baffling and without specific adjustment or cure. She stressed the point that despite certain handicaps in the way of personnel and necessary funds, an earnest attempt is made to understand the personalities and problems of those at the institutions and to deal with them in a sensible, humane, and yet firm and understanding manner. She related some interesting experiences with the women in her charge and made it clear that the viewpoints and confusion in the minds of some of the inmates required continual alertness, patience and special consideration. She expressed the hope that the day would come, with the aid of psychiatric and other professional approaches, when it would be easier to understand the behavior of some of the inmates and to bring about more satisfactory adjustments.

#### Foreign Visitors

There continue to come to our attention foreign visitors referred by the United States Department of State or the Federal Bureau of Prisons or on direct referral by our colleagues in foreign countries whom we have come to know through the years. In the main these foreign visitors are identified with institutions or ministries of justice and are not casual sight-seers. It is time-consuming to arrange the itineraries for these visitors and to make certain of their appropriate introduction to our co-workers in the various states. However, it is an important service and we are glad to be in a position to assist. Our General Secretary and his associate, Mr. Roberts J.

Wright, and others are so well known throughout the country that introductions coming from them in behalf of foreign visitors give the latter a distinct advantage. During the year we had visitors from Germany, Finland, Sweden, Denmark, Norway, Australia, France, Burma, Holland, Belgium, England, Canada, South America and Puerto Rico.

#### Police Academy Course

Our Assistant Secretary, Mr. Wright, completed a series of six lectures to some twelve hundred and fifty detectives of the New York City Police Department, meeting at the Police Academy, in one of the various refresher courses given for the more experienced personnel. This was similar to the course given in 1948, the successful conduct of which was acknowledged by the Police Commissioner of the City of New York in a letter of warm appreciation.

#### Federal Detention Headquarters Visits

As part of his work with the New York University course in Penology, which Mr. Wright gave in co-operation with the Graduate School of Public Service, a field trip was arranged at the Federal Detention Headquarters in New York City on May 13, 1949. About thirty students were in attendance and following observation of the institutional facilities a panel discussion was had with some eight or ten of the institutional staff members. Particularly impressive was the fact that rank and file staff members were willing and anxious to discuss their jobs and responsibilities with the visitors. As an illustration, the chief cook spent over an hour, with others, in discussing the aspects of his job and its relation to the vocational training program at this short term institution. It was a positive demonstration of how a constructive program can be maintained at a typical jail.

#### Federal Correctional Institution, Danbury, Connecticut

On December 1, 1949 Mr. Wright met for two hours with thirty-five prisoners in the institution's pre-release unit. Established as an experimental section of the institution, the pre-release unit is part of the over-all policy of the Federal Bureau of Prisons. Two months prior to their scheduled release prisoners are permitted to be transferred from the ordinary institutional housing to the so-called pre-release unit. There they are permitted to engage in discussions with outsiders concerning community conditions, employment possibilities, etc. Our expe-

rience with parolees released from New York State institutions would seem to indicate that a similar program might well be established in some of the New York State institutions.

#### **Baltimore City Jail**

At the request of Warden Charles P. Price of the Baltimore City Jail and a member of the Board of Directors of The American Prison Association, letters were written to various Baltimore newspapers which were reprinted and referred to editorially. Renewed effort is under way in Baltimore to bring about a revision of the present system which permits commitment of persons other than criminal offenders to the jail. These include alcoholics, physically incapacitated, the mentally ill, and others for whom there are no facilities other than the jail. This matter is referred to as an illustration of some of our activities beyond the confines of New York State.

#### **Voice of America**

Mr. Wright was invited to transcribe a twelve minute commentary on The Prison Association of New York and correction generally on October 18, 1949. These programs are short-waved to foreign countries.

#### **University Classes**

Mr. Wright concluded fourteen years of lecturing in Criminology and Penology at Springfield College, Springfield, Massachusetts, and for a part of the year 1949 was an instructor in a course in Penology at New York University.

Mr. Cass and Mr. Wright, and other leaders in the correctional field were guest participants in a course on Correctional Administration given at New York University under the leadership of Dr. Paul W. Tappan, Professor of Sociology.

#### **Commission on Ministry in Institutions**

The Association through Mr. Wright has continued its representation on the Commission on Ministry in Institutions of the Federal Council of Churches of Christ in America. Among the many functions of this group is the responsibility for recommendation of all Protestant chaplains employed by the U.S. Bureau of Prisons. This arrangement has been part of the Council's function for many years and Mr. Wright has been a member since 1937. The Commission is concerned with raising the chaplaincy standards within all types of institutions and

has done much to further the high level of chaplaincy in many areas of the country. The chairman of the Commission is The Reverend Arnold Purdie of the National Council of Protestant Episcopal Churches. It is the anticipation of those in the correctional field that various states may eventually adopt similar procedures for the appointment of Protestant chaplains within their correctional institutions. Attention is being given to this matter by the Federal Council's Commission.

#### **Consultation with Insurance Companies**

Pursuant to the request of executives of the home office of the Mutual Life Insurance Company of New York, staff members discussed various questions concerning the duties and responsibilities of the several categories of correctional personnel. Numerous questions were raised concerning mortality rates and the Association offered its assistance as a further evidence of its service to public and private enterprise.

#### **Massachusetts Youth Service Board**

Effective with the first of the year legislation authorizing the establishment of a Massachusetts Youth Service Board became operative. Headed by William A. MacCormick, Chairman, the Board includes Dr. Cecelia McGovern and Mr. Thomas Turley. At the request of the Board, the Association through Mr. Wright arranged an itinerary covering several days of visits and interviews with leaders in the field in the New York City area. Lengthy conferences were arranged with Judge John Warren Hill, presiding Justice of the Domestic Relations Court, Chief City Magistrate Edgar Bromberger, Irving Halpern, Chief Probation Officer of the Court of General Sessions, and others. Included were visits to the City Prison, Manhattan, Youth House, and various courts. Also numbered among the visitation group were members of the Massachusetts Interim Legislative Commission, consisting of Representative Steven K. French and Representative Henry D. Winslow, in addition to other staff members of the Youth Service Board. The response of the visitors to this service was gratifying and the Association is planning to develop another itinerary for a further visit next year.

#### **National Jail Association**

As an indication of our broad interest in the jail problem throughout the country, Mr. Wright has been giving part time attention for many years to organizational problems of the

National Jail Association. As Executive Secretary of this group in 1949 he assisted in the development of the Third Regional Forum on Jail Problems, held in Baltimore, Maryland on May 19 and 20. At this forum were gathered more than one hundred jail administrators from Eastern states who for two days discussed such problems as: "Whom Should We Keep Out of Jail and How To Do It?", "How Can A Jailer Tell the Public His Problems?", and "Danger Spots and Pitfalls in Operating a Small Jail". Conducted on a basis of group discussion and without the presentation of formal papers the jail forum met with wide acclaim on the part of those present. It was voted by the delegates that the Fourth Regional Forum on Jail Problems would be held in Virginia in 1950 with the same type of program.

#### Motion Pictures

The Association was asked on numerous occasions during the year to give professional advice concerning various commercial motion pictures relating generally to problems in the field. One of the films reviewed was sponsored and produced by the Canadian Department of Health and Welfare in co-operation with the Royal Canadian Mounted Police and concerned drug addiction. The film was withheld from public showing in this country at the request of Commissioner Harry J. Anslinger of the Federal Narcotic Bureau, of the Treasury Department. During the showing of the film at the New York headquarters of the Canadian Film Board we felt that the stand of the Commissioner of Narcotics was not to be questioned. Likewise we agreed that the film could be released for restricted projection to professional groups inasmuch as it serves as an educational medium on a problem with which many are uninformed. Depicting the various methods of the use of narcotics and the reaction of persons under their influence, the film did not seem appropriate for general commercial use.

During the summer months we were asked to make comment on a film not yet released entitled, "The Cage". Designed to show conditions within institutions for female offenders, the original script for the picture came to the attention of the California correctional authorities. We joined with others in requesting the studio authorities to revise their script to eliminate certain objectionable features which tended to detract from the aims and ideals of progressive penologists. In later conference with California authorities it was learned that the script had been changed to some extent.

We were also asked to advise and assemble local correctional authorities for a preview of a film entitled, "The Case of Molly X". In co-operation with the California Department of Corrections the picture was produced by Universal Pictures, with the story laid at the California Institution for Women at Tehachapi. The film was reviewed in New York on October 11th with Richard A. McGee, Director of the California Department of Corrections, and some fifty invited persons representing correctional interests locally. The film was well balanced and in discussion of several points that could stand modification the producers did not hesitate to reveal that their main interest was to gear the picture in a way that would best suit the public. Unfortunately, this situation exists generally in the production of commercial films relating to correctional activity. Professional techniques and procedures frequently are excluded in an effort to give "box office appeal" to commercial films. The true professional slant often becomes an afterthought.

The Association is glad to give its advice and counsel in all activities of a public relations nature.

#### Secretary of the Navy's Advisory Committee

At the request of the Chairman of the Secretary of the Navy's Advisory Committee on Confinement Policies, who is Mr. James V. Bennett, Director of the U. S. Bureau of Prisons, Mr. Wright served as consultant and reporter for the Committee. Meeting in Washington on several occasions during the early part of the year the Committee, at the express direction of the Secretary of the Navy, has directed its thinking to long range problems of confinement involving Naval personnel. A lengthy report was developed and presented to the Secretary of the Navy who responded under date of May 3, 1949 in detail concerning the numerous recommendations which the civilian group proposed. The Secretary was in agreement with the great majority of the Committee's recommendation and a number of them are being worked out by appropriate Naval authorities. The recommendations had to do with the development of morale among enlisted personnel; the acceptance of confinement responsibility of non-restorable general courts-martial prisoners by the U. S. Bureau of Prisons; the development of a Naval Parole Authority; the use of certain traditional Naval punishments; and other recommendations.

The Navy Department does not agree with the Committee's recommendation concerning parole supervision after discharge in the cases of non-restorable general courts-martial prisoners.

The Committee was heartened by the Secretary of the Navy's complete endorsement of its recommendation favoring the continuance of the war born naval re-training commands. Developed by the Navy in 1944, the re-training command is designed as a rehabilitative unit for men who will eventually be restored to Naval duty. There are at the present time two such commands, one on the East Coast and one on the West Coast. These are essentially training units and have accomplished their mission with a high degree of success since their development in 1944. The units were conceived by the Corrective Services Division of the Bureau of Naval Personnel which was in turn staffed by a number of reserve officers having correctional experience in civilian life. The Association, together with The American Prison Association, has on frequent occasions commended Naval authorities for continuing the re-training command plan.

Serving on the Committee in addition to Mr. Bennett were Richard A. McGee, Director of the California Department of Corrections; Austin H. MacCormick, Executive Director of The Osborne Association, Inc., New York, N. Y.; Honorable William Campbell, Judge, U. S. District Court, Chicago, Illinois; and Reverend Louie D. Newton, Atlanta, Georgia.

#### 79th Annual Congress of Correction

Nearly nine hundred correction officials attended the 79th Annual Congress of Correction, sponsored by The American Prison Association, at Milwaukee late in September. Among them were institution and department heads, chaplains, educators, penal industry superintendents, juvenile agency representatives, jail administrators, probation and parole officials, and other correction workers from forty states and nine foreign countries. Interest centered around the subjects of guided group interaction, interstate co-operation, and the causative factors in crime, with special reference to the alcoholic drug addict, and sexual psychopath.

In a general session for medical representatives and wardens, the discussion focused on areas of agreement and disagreement between wardens and psychiatrists. The institution heads made a plea for psychiatric aid in handling disciplinary problems, and urged psychiatrists to offer a workable definition of a psychopath. Decrying the "labelling" of many inmates as psychopaths, one prison official warned against the stigma of such a classification. The psychiatrists, on the other hand, chided institution administrators for ignoring the psychiatric import of motivation and trying to treat all inmates alike.

Another meeting stressed the importance of training the offender for his release, while the Committee on Classification and Case Work reported the completion of a handbook on pre-release procedures. At another session, a recently authorized Committee on Citizen Participation reported to the Congress on ways of getting community support for improved correctional programs.

A considerable proportion of the delegates' time was devoted to problems of interstate co-operation in the correction field—particularly in relation to the apprehension and return of probation and parole violators. A report showed that forty-five states are now members of the Interstate Compact on Probation and Parole and use standardized procedures.

Recent accomplishments in crime prevention also called for considerable attention, especially the crime prevention units within the Philadelphia police department. Fifty-five public and private social agencies participating in Philadelphia's plan have accepted 70 per cent of all cases referred by the police.

Group therapy came under scrutiny as "guided group interaction." One medical officer told of experience at the National Training School for Boys where "interpersonal relationships in group therapy manifest themselves in a series of 'testing' operations." These he named as a therapist-centered testing operation, a group-centered testing operation, and acceptance operations. Speakers seemed to agree that therapy cannot be "taught", that participation and close observation are the only ways to acquire skill and understanding.

"Can the Prison System Be Professionalized?" was the direction of inquiry in a panel discussion with two wardens, a social agency executive, and a college professor participating. Out of this came evidence of rapidly expanding university programs dealing with professional training in the correction field, and a request that a special committee of the Association formulate a basic curricula in criminology and penology.

The Congress elected J. Stanley Sheppard, Director of the Men's Prison Bureau of the Salvation Army Headquarters, New York City, as new president of The American Prison Association. The retiring president, John C. Burke, warden of the Wisconsin State Prison, presided at Milwaukee. Those who attended seemed to feel that this was one of the most fruitful meetings in the Association's experience. The next Congress will convene at St. Louis, October 8-13, 1950.

#### State Parole Officers' In-Service Training Session

On October 24, 1949 Mr. Wright addressed some 150 parole officers attached to the New York City area office of the State

Parole Division on the background and work of the Association. Much of his remarks dealt with the relationship of the parole officer to the Association's activity with parolees. Approximately one-third of the men coming to this office are state parolees, with the remainder under the supervision of the New York City Parole Commission. The invitation to participate was extended by Alfred Loos, District Supervisor. Commissioner Costuma extended the thanks and appreciation of the Board for the work the Association is doing with their cases and offered his continuing full co-operation.

#### New York City Youth Board

The activities of the New York City Youth Board continue to have our close observation and active co-operation. Mr. Wright was invited and accepted appointment on the Board's Advisory Committee on Child Welfare which is acting in consultative capacity in the administration of the delinquency prevention program prepared by the Board and operated in co-operation with the Board of Education. Expending approximately \$2,000,000 in the current calendar year, the Board's major project is one of spotting potentially delinquent children within the school system prior to the commission of overt acts. Referral units have been developed within schools in some eleven school districts located in high delinquency rate areas. Staffed by competent and trained personnel, each unit will serve as a referral center for children directed to its attention by school authorities. This would seem to be the answer to many who through the years have suggested that attention should be paid to the child in his early formative years rather than in later life following commitment to a correctional institution.

Another of the Board's outstanding accomplishments was the Bronx Pilot Project. A sum of \$500,000 has been set aside to implement many of the Project's recommendations. The Project itself covered the South Bronx area, noted for its high delinquency rates, and was participated in by many business and lay persons living and working in the area. Numerous city departments, including particularly the Police Department and school officials, were active in working with the Pilot Project. The Youth Board operates on a temporary basis in conjunction with the New York State Youth Commission. Approximately \$1,000,000 is appropriated by the State Youth Commission and this sum is matched by the Board of Estimate of the City of New York. The State Youth Commission was authorized by legislation in 1945 and is currently assisting in

the subsidization of seven hundred community delinquency prevention programs throughout the state.

During the Summer the New York City Youth Board provided camp vacations for three hundred and fifty children and through our office we referred a competent camp inspector who was employed to analyze and evaluate camp programs for the Youth Board. Also during the Summer the Board opened two district offices in Bronx and Brooklyn.

As evidence of the Association's faith in the program developed by the Board and the State Youth Commission, we co-operated and were represented on a special committee developed by the Welfare Council of New York City giving attention to legislation permitting the continuance of the Youth Commission in 1950. The Commission ceases to function July 1, 1950 unless continued by the Legislature next year. The committee was unanimous in their recommendation that the Welfare Council approve the continuance of the State Youth Commission. All aspects of the problem were carefully considered and the Association will be active in urging legislation in 1950 to continue the Youth Commission for at least a three year period. We will submit our own recommendation to this effect as a part of our 1950 recommendations to the Legislature.

The chairman of the New York City Youth Board is Nathaniel Kaplan, formerly secretary of the Board of Education and more recently a judge of the Court of Domestic Relations. The executive secretary is Ralph W. Whelan, formerly with Catholic Charities of the Archdiocese of New York.

#### New York State Conference on Social Work

The Association was represented at the 50th Annual New York State Conference on Social Work, held in Buffalo in November, through the Assistant Secretary, Mr. Wright. Three sessions on the adult offender, with particular reference to the state correctional system, were held and on frequent occasions we were asked to express the opinion of the Association with reference to specific problems. The Association has long been identified with the New York State Conference on Social Work, as well as the National Conference on Social Work, and it is encouraging to note their increasing interest in problems of the adult correctional field. The Honorable Frederick A. Moran, Chairman of the New York State Parole Board, was Conference president. At the various sessions dealing with the correctional problem much concern was indicated relating to the treatment process within our state correctional institutions. Opinions seemed to be that while the Reception

Center was making admirable progress, the facilities for follow-up treatment were lacking. Various suggestions were made for legislative improvement, among them proposals by Judge Charles Desmond of the State Court of Appeals. Among other recommendations which he made were those concerned with involuntary confessions and their admissibility as evidence. He felt the Legislature should clarify this situation. The use of the writ of habeas corpus likewise needs clarification, according to Judge Desmond, together with the need for legislation relating to the assignment of counsel to indigent prisoners. Judge Desmond did not express himself on the question of the public defender, feeling that the Legislature should decide this issue. He was strongly of the opinion, however, that something needs to be done soon on behalf of the indigent prisoners. It will be recalled that The Prison Association of New York has regularly urged the Legislature to authorize the public defender system.

#### New York State Sheriffs' Association

At the request of the president of the Association, Honorable John J. McCloskey, Sheriff of New York City, Mr. Cass met with him to discuss program activity for the Sheriffs' Association for the coming year. Also discussed was the proposal that there be a central sheriff's jail for the City of New York. Sheriff McCloskey is one of the few civil service sheriffs active in the country and serves as the sheriff for the five boroughs of the City of New York with conspicuous efficiency.

#### Welfare Council of New York City

In June, 1949 Mr. Wright concluded his term of two years as chairman of the Steering Committee of the Council's Conference Group on Correctional and Allied Services. The Conference Group is composed of some sixty-eight public and private correctional agencies in the New York City area and serves as the coordinating agency on correctional problems for the Welfare Council. Later in the year Mr. Wright was elected to membership on the Central Coordinating Committee of the Council as representing the correctional interests. He also was elected to membership on the Steering Committee for an additional two year term. During the summer at the request of G. Howland Shaw, member of our Executive Committee and president of the Welfare Council, Mr. Wright accepted appointment as a member of the Delegate Body Program Planning Committee and was active in this capacity. The first meeting of the delegate body was held October 31, 1949 and

attended by some six hundred agency representatives. The program dealt with the question, "How to Meet the Impact of Reduced Employment?", and a panel of eight considered the question from various angles, such as youth, minority groups, the aged, the homeless, etc.

Much has been reported in other annual reports of the activity of the Central Harlem Street Clubs Project, administered by the Welfare Council of New York City and initiated in 1945 by The Prison Association of New York. Mr. Wright was appointed to membership on the Committee on Street Clubs of the Council and has represented the Association's interest in the conduct of the project.

Our treasurer, Mr. C. C. Auchincloss, has been responsible for raising the greater part of the funds necessary to permit the continuance of the project. Without his personal enthusiasm and energetic interest the project would have suffered tremendously and it is doubtful if it could have been continued. Raising well over \$100,000, Mr. Auchincloss sponsored various luncheons for foundation representatives and other interests to acquaint them with the progress of the project. At these luncheons full reports were made by project workers, with summaries by Mr. Shaw as chairman of the Council's Committee on Street Clubs. It is anticipated that the experimental period of the project will conclude around June of 1950 and that subsequently detailed reports will be issued relating the experience and findings of the project. Full credit is due Mr. Auchincloss for his undying interest in behalf of the Street Clubs Project.

#### Magistrates' Court Probation Service

A difficult situation arose during the year with respect to probation officers of the New York City Magistrates' Court Probation Department. A similar situation applied in many respects to Domestic Relations Court Probation Department service. Stemming from an announcement that the Municipal Civil Service Commission would reclassify all civil service positions, the situation revolved around the fact that if this were done probation officers in these groups would be required to accept reductions in salary if they desired to retain their positions. This would be brought about by the fact that the majority of probation officers are provisional civil service appointments at present. The entrance salary, including cost of living bonus is \$2,750 per year, with a college degree and one year of experience necessary for qualification. Persons with this training are not available at the salary level now in exist-

tence except those who have had virtually no experience and who are exceedingly young. The age of twenty-one is a legal requirement and many applicants have not yet reached that age but have their applications pending until they reach their twenty-first birthday. It is obvious what difficulties would be involved on the part of a young male or female probation officer of this age supervising experienced offenders. The Prison Association of New York went on record by letter to the Budget Director and the Mayor urging additional appropriations for the probation officers of this court.

#### Department of Correction—City of New York

Throughout the year we maintained our usual close affiliation and interest with the Department of Correction of the City of New York. In the course of that time Commissioner Albert Williams advised us that he is attempting to obtain a complete complement of personnel equal to that in force in 1942. Although there have been numerous added responsibilities since that time additional personnel has not been provided. In lieu of this Commissioner Williams has had to borrow personnel from the Police Department. Early in the year some seventy-two police officers continued to give their full time to the Department of Correction. On numerous occasions in 1949 staff members and members of the Executive Committee had occasion to consult with the Commissioner on various items. On one occasion Mr. Schoenfeld stressed the need for the better care of females in the Brooklyn courts. He was assured by the Commissioner that the situation was being carefully studied and that his proposal for the central housing of these prisoners had considerable merit. The setting up of a revolving fund of \$10.00 for the purchase of food for those in custody in temporary places of detention was discussed with the authorities and arrangements were made to secure an immediate procedure concerning this matter.

In May, Mr. Wright and Mr. J. R. Dumpson, Consultant on Correction of the Welfare Council of New York City, visited the Branch Penitentiary-Reformatory at Harts Island in order to advise themselves of the feasibility of the use of the Island as an institution for homeless men. A movement developed here in 1949 to transfer the institution to the Department of Welfare, which would permit men to come and go as they pleased without the usual restrictions of a correctional institution. Only one hundred and eighty prisoners were on the Island at the time of the visit and during the remainder of the year correctional and welfare authorities continued to develop plans

to meet the ever-growing problem of the homeless man. The Mayor appointed an official Mayor's Committee on Homeless Men and this matter was given close consideration by that committee.

In connection with the comments above concerning Harts Island, plans have been made for the construction of a new prison industries building at the Penitentiary on Rikers Island. The capital fund appropriates some \$800,000 to construct the plant and with this expansion the Rikers Island facilities will be made available for the housing of those additional prisoners located at Harts Island.

In September a report was released from City Hall regarding the function of the New York City Department of Correction and setting forth various improvements made under the leadership of the present administration. In a letter to the New York Times under date of September 23, 1949 we gave endorsement to the efforts of the Commissioner of Correction, Albert Williams.

It has been a refreshing observation to note the eagerness of Commissioner Williams to improve his Department and the manner in which he has alerted its personnel to their duties and has developed order and efficiency throughout the Department. It can be safely said that he has proved himself to be a man who has taken a genuine interest in his work and has been unsparing in his efforts to learn as much as is possible to enable him to function at the highest possible level.

#### 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 Association during the 1949 session see page 71. Of immediate interest is the following tabulation regarding a total of 47 bills:

Total number of bills holding our attention.....	47
Bills approved by the Association.....	29
Became law.....	11
Vetoed.....	5
Failed of passage.....	13
Bills opposed by the Association.....	18
Became law.....	0
Vetoed.....	2
Failed of passage.....	16

### 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, motion 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 co-operation 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 present demand for available manpower continues on the steady decline, making for fast diminishing employment opportunities. The Prison Association of New York has not permitted itself to be hampered by this alarming crisis, neither has it been daunted by relative problems, such as the dubious employer too reticent to accept a prospect presently in confinement, or that employer unable to find within himself a desire to provide placement for the individual being processed for release. These considered, one needs only to pause and reflect upon the problems met by welfare agencies as they seek to secure placements for parolees, discharged prisoners, and men in various penal institutions needing jobs to permit their release.

*Rehabilitation* would signify nothing more important than just another word to be found in the English dictionary, were it not for that employer possessed of deep-rooted concern for his less fortunate fellowman. His quick demonstration of faith and understanding immediately tends to remove the first and foremost barrier from the all too difficult road to rehabilitation. Hence, the ex-inmate can feel free to pursue his course to ultimate readjustment to civilian life. Our heartfelt gratitude is extended to the many employers who so readily have accepted ex-prisoners as employees.

For the past eight years the Employment and Relief Bureau has been under the supervision of Mr. Harry Schwartz, who is credited with more than thirty-six years' experience in the field of crime treatment and prevention in New York City. Mr. Schwartz' activities include personal contact with employers, consisting of innumerable visits covering an extensive area, representing equally extensive fields, such as commercial houses, factories, mills, garages, laundries, stores, etc. Worthy of mention here, is the encouraging fact that where no actual placement materialized, our representative nonetheless was accorded heartening cooperation on the part of all those visited.

The Bureau is more than a mere employment exchange for its clients. A few of the most recurring problems with which our clients are confronted, are financial stress, inadequacy of proper clothing, lack of necessary transportation to job locations, required tools, union dues, fees, etc. In each case, the relative aid is granted when fully substantiated by thorough



investigation. Those clients whose possible means of self-sustenance have been either impaired or destroyed by ill health or advanced age, call upon the Bureau to lend them financial aid that will guide them through the critical period of readjustment. A further portion of our program deals with the contacting of families and friends, augmented by referrals to the proper welfare agencies who can better assure more permanent and long-range financial aid and support.

The Bureau found itself deluged with cases during the past year—all worthy of mention. Limitation of space, however, permits mention of only a few, selected at random and presented herewith for the reader's consideration.

T. L.\* had served a total of seven and one-half years, constituting three separate sentences resulting from as many charges and convictions. During his most recent incarceration, T. L.\* applied his inventive talents to the creation of several interesting patterns. Correspondence with various responsible persons indicated their interest in the possible financial aspects of his inventions. Nothing concrete has developed as yet, but at their last meeting, our secretary learned of the great possibilities in the offing for T. L.\*. Meanwhile, he is doing excellently at the job secured for him by the Bureau at the time of his eligibility for parole. Only recently, the head of the large taxi concern for whom T. L.\* is working, telephoned to our secretary for the specific purpose of expressing his deep satisfaction.

P. L.\*, a second offender, was the father of four children, and while serving his term, was gravely concerned for their welfare. His sentence was carried out in orderly manner, and at the time of his eligibility for parole, our secretary secured gainful employment for him, at which job P. L.\* is doing very well, both in effort and financially. Our secretary is pleased to report that the family has been reunited and thriving.

C. P.\*, a first offender, had been arrested and convicted for attempted assault. During his incarceration, he faithfully attended classes in mathematics, and further took advantage of the industrial courses offered there. He now qualifies as a plumber's helper. At the time of his eligibility for parole, we obtained a fine job for him at excellent salary, where he is doing very nicely.

P. H.\*, a second offender, had spent only a short time in prison, and served it well. Inasmuch as P. H.\* was the father of six children, our secretary was most eager to lend his assistance. At the time of his eligibility for parole, P. H.\* was placed with a large concern, a job obtained by our Bureau. To date, P. H.\* has been reported doing excellently.

\* All names and initials are fictitious.

M. C.\* had been arrested five times over a period of eight years, but had drawn only two sentences. During the latter, he attended school and learned mechanics. Upon his release, M. C.\* was placed with a large concern, as had been recommended by our secretary who is proud to report that M. C.\* has kept faith with him.

#### Visits to New York City Prison

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 Defender's 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.

Our secretary also makes periodic visits to Sing Sing where he meets various inmates in response to requests for information and advice.

At this point, we would like to include a few excerpts from letters written to us by appreciative clients. Some of these letters are superior to the rest insofar as construction perhaps, but certainly uniform in thought.

From A. L.\* . . . your money seems to bring me luck, the dollar you gave me I used for carfare and food. . . . I got a real good job. . . . The Pastor that runs this place gave me a swell room and a radio, also a clock, besides clothes. . . . I have plenty of books to read . . . everything is fine. . . .

N. T.\* writes . . . your letter exceeded and altho it does not necessarily require a reply, I am doing so to tell you that I sincerely appreciate your kindness and assistance . . . as for forgetting the \$1.00, I don't intend to . . . but above all I don't forget a real friend and I consider you as being one of my best. . . .

Referring back to T. L.\*, the first case mentioned, we would like to include excerpts from more recent letters received by our secretary:

\* All names and initials are fictitious.

1. . . . words cannot express my appreciation for all your help at this time, but I want to assure you that I am going to do everything within my power to make good so that you and those who help me will never be ashamed of me. I do not know the people who are giving me the job, but please tell them for me that I am very grateful and I will never let them down. . . . Thanks many times again for your untired cooperation . . . with kind personal regards, I am . . .

2.- Just a line to let you know I am well and up again, and I went back to my job. Now I am working at nights. . . . You know I will never let you down, you are the best friend I have in this world. . . . Thanks again many times, I love my job and the people I work for and with!

From J. G.\* . . . I shall always remember your kindness in helping me, a stranger. And I shall always do my best to prove to you . . . that I can and will make good. . . .

The purpose and accomplishments of this Bureau are most constructive and highly valuable as can be attested by those we have helped. Their continued loyalty, trustworthiness and efficiency is our conclusive proof. Upon very rare occasions we learn that one of our men has reneged on his promise to make good, thus disappointing both his employer and the Bureau, but these disappointments are so few and far between that they must be considered negligible. More important, is the vast number who have remained faithful to the confidence entrusted in them. They continue to prove a welcome reward for our combined efforts.

#### Statistics for Employment and Relief Bureau for 1949

Office interviews	2,428
Other interviews	(Increase of 405 over 1948)
Total interviews	1,909**
Different men interviewed	4,337
Men released from New York City penal institutions	2,064
Men released from New York State penal institutions	1,361
Men released from out-of-state penal institutions	486
Men released on probation	61
Men with no criminal record (special)	64
Meals provided	92
Nights lodgings provided	1,086
Employment contacts made by personal visits (approx.)	4,498
Men placed in employment	1,000
Men given cash relief	411
Total amount spent solely for relief (includes cash, meals and lodgings)	1,111
	\$4,726.12

\* All names and initials are fictitious.

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

#### Family Service Bureau

The Family Service Bureau, an important unit of the Association since its founding over a century ago, continued in 1949 to be active in its great work of helping the families of men serving terms of imprisonment in city, state and federal prisons. This agency has kept faith with these unfortunate wives, mothers and children, who in many instances have suffered severe shock and actual want as a result of the incarceration of their loved one.

The Bureau deals chiefly with the family of the imprisoned. It embraces the need of considering the well-being of the family as a whole and its individual members. Primarily, the plan is to keep the family intact so that normal family life is maintained and thus prevent the children from following in the footsteps of the father.

The work covers child welfare, club activities through referrals to settlements and centers, prevention of juvenile delinquency and close cooperation with other agencies.

Cases are referred to the Bureau from many sources including prison authorities, police, parole officers, other agencies and the prisoners themselves. A thorough investigation follows each referral prior to acceptance of the case.

The aim of the Bureau is to offer sympathetic understanding, moral guidance and supplementary financial support to the families of the man sent away to prison. It is genuinely eager to improve the economic level and health of the family and to prepare its members psychologically for the return of the husband or son. Often we try to improve the living conditions by moving a family into a better neighborhood but today this has become increasingly difficult owing to crowded housing, a continued shortage of living quarters, and rising costs.

Financial aid in the form of rent, clothing and food is given. Railroad fare to visit prisoners, Christmas toys, Christmas and Thanksgiving dinners, and summer vacations for the mothers and children have been provided. Though the Bureau offers financial assistance when such is required at the beginning to mitigate the suffering at its worst, it serves in this capacity only until help is secured from the Department of Welfare, equipped to supply funds for long term periods.

Problems are brought to us by the wife and mother. Their visits to us and our visits to them contribute to a better understanding of the situation and help clarify their own thinking. In many cases the mother is too proud to confide in her own immediate family—in fact, she has kept it from them that her husband is in prison. The strain of covering up or explaining

to relatives and neighbors is often too great and the wife finds in the agency the one person to whom she feels free to talk out her feelings and resentments.

The social adjustment of the children of prisoners is of primary importance to the Family Service Bureau and also of the mothers who come to seek our help. Their anxiety concerning any delinquent trend in their children is increased because of the father's criminal record. Their concern is whether the son has inherited from the father criminal tendencies which may be responsible for his present difficulties. A mother faced with this anxiety may react in one of two ways. She may feel that any effort on her part to control her children is futile as their "father was bad and the child is just like him", or she may react by over-protection keeping her son constantly with her, isolating him from all contact with other children. In either case it makes for a disturbed relationship between the child and his mother. In the first case, the child rebels against his mother's indifference finding no sense of moral values or parental ideals to which he can respond. In the second case, the child resents the humiliation and loss of all companionship and becomes increasingly more bitter against his home and society.

The worker endeavors to change the mother's attitude by helping her to see that by these means she is defeating any opportunity for the child to make a good social adjustment.

The facilities of neighborhood centers, Police Athletic League, Boy Scouts and other community resources are made available. In extreme cases, where psychiatric help is indicated, the parent and child are referred to the various clinics and hospitals for aid in working out some satisfactory solution.

The Bureau is under the trained direction of Miss Margaret Murdock, a worker experienced and qualified in dealing with the difficult problems of families of offenders.

#### Statistics of Family Service Bureau for 1949

Families under supervision January 1, 1949	258
New cases received	146
Cases reopened	2
Total number of cases under supervision	406
Cases closed	138
Families under supervision, December 31, 1949	268
Total amount of cash relief given	\$7,449.01
*Office interviews, home and agency visits	1,133
Individuals provided with Christmas dinners and toys	703
Children and mothers sent to summer camps	64

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

Below are a few of the typical cases covered during this period.

There was Anna C.\* who came to us in a very worried state. Mrs. C.'s husband had been imprisoned three years ago, leaving her the sole support of her three children, Gloria 12, and her twin sons, aged 14. Working long hours at the factory left Mrs. C.\* little time to supervise the care of her children. As a result, Gloria became very much underweight. The sons ran rampant, coming under the influence of a neighborhood gang stealing from shops and threatening other children in the neighborhood.

Under our advice and guidance Mrs. C.\* obtained a part-time position, and secured supplementary funds. In this way, she was able to devote more time to the upbringing of her family. Now Gloria is much improved in health, and the sons are getting the supervision and guidance they so badly needed.

There was Miss F.\*, aged 29. Since her father's imprisonment she was the sole support of her invalid mother, maintaining her home on her earnings of \$32 a week as a switchboard operator. When her mother's condition became worse the daughter felt that it would be impossible to leave her alone in the house during her hours of employment. To apply for public funds was unbearable to Miss F.\* who needed the assurance that economic independence affords.

The Family Service Bureau was able to provide supplementary funds enabling Miss F.\* to engage the services of a neighbor to take over the care of her mother so that she might continue her employment and thus maintain her self-respect and self-confidence.

Mrs. C.\*, 70, could not understand why Bennie, her 8 year old grandson, had become the "terror" of the neighborhood, why the mothers who lived in the vicinity complained of his brutal and violent attacks on their children, and why the teachers and principal of the public school which Bennie attended, had reported his behavior and had threatened to "seek court action to put him away." Mrs. C.'s\* son, Bennie's father, is an inmate of the State Prison, and Mrs. C.\*, who worked during the day as a domestic, felt that Bennie would follow in his father's footsteps.

The Family Service Bureau was able to secure funds from the Old Age Assistance so that Mrs. C.\* could remain at home to give her grandson the care and supervision he needed.

Mrs. Mary F.\*, 59 year old grandmother, was the breadwinner for her family of three. Moving into her daughter's home, five years ago, when her son-in-law was sent to prison for a

\* All names and initials are fictitious.

long term, Mrs. F.\* worked as a domestic to support her daughter, Rose, 28, and her grandchildren, 10 and 7 years of age. Before her health broke down Rose was able to contribute some earnings to augment her mother's wages and to take care of the children. Six months ago it was necessary for her to go to a convalescent home. The courageous grandmother was determined to keep the home together and to prevent the commitment of the children.

The Family Service Bureau has been able to give some financial assistance to supplement the grandmother's earnings until the daughter recovers sufficiently to take over some of the financial burden of the home.

\* All names and initials are fictitious.

## LEGISLATION — 1949

The following is a brief summary of those bills receiving our support or opposition during the 1949 session of the Legislature. We have always regarded as an important phase of our efforts toward fulfillment of the purposes for which the Association was established, the keeping of a watchful eye on the discussions and the bills introduced during legislative days and their relation to progress in the correctional field and public protection generally. The Association makes personal representation in Albany, addresses communications to the various committees, and is requested to give its advice concerning legislation to officials and others. It has a legislative service that enables it to know what bills are being introduced and what action is taken on them from day to day during the session. It is gratifying to note throughout the years that the opinions expressed by the Association for or against bills are respected and appreciated by not only members of the Legislature but the Governor's office as well.

### Approved

**CLOTHING FOR FELONS.** *Senate Int. 90, Pr. 90:* To amend the correction law, in relation to reimbursement by the state for the cost of clothing furnished to felons upon discharge from penitentiaries. *Failed of passage.*

**REIMBURSEMENT TEMPORARY CUSTODY.** *Senate Int. 91, Pr. 91:* To amend the correction law, in relation to reimbursement of counties for the cost of temporary custody of prisoners retaken for violation of parole. *Failed of passage.*

**MAINTENANCE FELONS IN PENITENTIARIES.** *Senate Int. 92, Pr. 92:* To amend the penal law, in relation to the maintenance by the state of felons sentenced to penitentiaries. *Failed of passage.*

**VETERANS' PREFERENCE.** *Senate Int. 380, Pr. 382:* Veterans' preference in civil service appointments and promotions. Passed and submitted to the people in the November election. *Approved by the voters in the November 1949 election.*

**ELIGIBILITY FOR PAROLE FOR CERTAIN CRIMES.** *Senate Int. 254, Pr. 254:* To amend the penal law, in relation to eligibility for parole and discretionary reduction of definite sentences for certain prisoners convicted of burglary or robbery in any

degree, or attempts to commit such crimes, as second or third offenders. *Vetoed.*

MENTAL HEALTH PROGRAMS. *Senate Int. 412, Pr. 1272:* Creating a State commission to initiate, formulate and execute a master plan for the promotion of mental health programs. *Chapter 733.*

PUBLIC DEFENDERS. *Senate Int. 466, Pr. 468:* To amend the county law, in relation to authorizing the creation of the office of public defender and providing for the election, terms of office, compensation, staffs and powers and duties of public defenders. *Approved in principle. Failed of passage.*

REHABILITATION OF ALCOHOLICS. *Senate Int. 497, Pr. 499:* To amend the mental hygiene law, in relation to authorizing the creation of a State rehabilitation bureau for alcoholics, providing for its management, personnel, powers and duties with respect to the rehabilitation of alcoholics through medical and scientific treatment, the promotion of temperance and for other purposes. *Failed of passage.*

ADOLESCENT COURTS. *Senate Int. 644, Pr. 654:* Continues adolescent courts in Kings and Queens Counties. *Chapter 440.*

NARCOTIC ADDICTS OR USERS. *Senate Int. 793, Assembly Pr. 3365:* To amend the code of criminal procedure, in relation to narcotic addicts or users of narcotics. *Vetoed.*

YOUTH CORRECTION AUTHORITY LAW. *Senate Int. 905, Pr. 938:* Relating to the correction and rehabilitation of persons between the ages of sixteen and twenty-one convicted of violations of law, constituting chapter sixty-seven-a of the consolidated laws. *Approved in principle. Failed of passage.*

REORGANIZATION OF CERTAIN COURTS IN THE CITY OF NEW YORK. *Senate Int. 909, Pr. 3078:* Proposing amendments to article six of the constitution, in relation to the reorganization of certain courts in the City of New York, the creation of a new court of limited jurisdiction, and the transfer of certain judicial functions and officers to and from the Supreme Court. *Failed of passage.*

CHILDREN BORN IN TRAINING SCHOOL. *Senate Int. 1335, Pr. 1412:* To amend the social and welfare law, in relation to disposition of children born to girls committed to the New York State Training School for Girls. *Chapter 116.*

YOUTHFUL OFFENDERS. *Senate Int. 1420, Pr. 1497:* To amend the code of criminal procedure, in relation to proceedings

respecting youthful offenders. Approved but with reservation that longer time, at least a year, should be given for further demonstration of the value of the existing law. *Failed of passage.*

COMMITMENT OF INSANE TO MATTEAWAN STATE HOSPITAL. *Senate Int. 1575, Pr. 1680:* To amend the correction law, in relation to the commitment of insane prisoners to the Matteawan State Hospital. *Chapter 146.*

SALE OR DELIVERY OF BENZEDRINE. *Senate Int. 1712, Pr. 1853:* To amend the penal law, in relation to prohibiting the sale or delivery of benzedrine in penal institutions. *Vetoed.*

PUBLICATION COMIC BOOKS. *Senate Int. 1862, Pr. 2939:* To amend the education law, in relation to regulating the publication, sale and distribution of comic books within this State. *Vetoed.*

DESIGNATION PLACES OF DETENTION. *Senate Int. 1896, Pr. 2051:* To amend the New York City criminal courts act, in relation to designation of place of detention. *Chapter 605.*

FUNCTIONS, SALARIES, POWERS OF BOARD OF PAROLE. *Senate Int. 2165, Pr. 2389:* To amend the executive law, in relation to functions, salaries, powers and duties of board of parole. *Failed of passage.*

COST OF PRISONERS. *Senate Int. 2220, Pr. 2444:* To amend the correction law, in relation to the apportionment of the cost of maintaining certain prisoners serving indeterminate sentences in penitentiaries. *Failed of passage.*

TRAINING SCHOOLS PRISON OFFICERS. *Senate Int. 2266, Pr. 2490:* To amend the correction law, in relation to the establishment of prison officer training schools. *Approved in principle. Failed of passage.*

QUALIFICATIONS CORRECTION OFFICERS, KEEPERS, GUARDS. *Senate Int. 2267, Pr. 2491:* To amend the correction law, in relation to the qualifications to be required for appointment as guard, keeper, or correction officer in penitentiaries or departments of correction of municipalities. *Approved in principle. Failed of passage.*

IMPRISONMENT OF MINORS. *Assembly Int. 250, Pr. 250:* To amend the penal law, in relation to the sentence of minors to imprisonment. *Chapter 388.*

**GIRLS' TERM COURT.** *Assembly Int. 1049, Senate Pr. 2964:* To establish in and for the City of New York a court for girls sixteen to twenty-one years of age, to be known as the girls' term, providing for its organization and defining its powers, jurisdiction and procedures, and repealing article nine-b of the New York City criminal courts act. *Vetoed.*

**CERTIFIED EXAMINERS AND CERTIFIED PSYCHOLOGISTS.** *Assembly Int. 664, Pr. 673:* To amend the mental hygiene law, in relation to certified examiners and certified psychologists. *Chapter 205.*

**PROCEDURE RELATIVE TO INSANE, IDIOT OR IMBECILE.** *Assembly Int. 671, Pr. 680:* To amend the code of criminal procedure, in relation to procedure where defendant is found insane, an idiot or an imbecile. *Chapter 587.*

**COST TEMPORARY CUSTODY OF PRISONERS.** *Assembly Int. 1088, Pr. 1112:* To amend the correction law, in relation to reimbursement of counties for the cost of temporary custody of prisoners retaken for violation of parole. *Failed of passage.*

**PUNISHMENT CERTAIN FELONS.** *Assembly Int. 1493, Pr. 1835:* To amend the penal law, in relation to punishment of certain persons convicted of felonies. *Chapter 389.*

**FINGERPRINTING OF CERTAIN APPOINTEES OF SHERIFF.** *Assembly Int. 1947, Pr. 2043:* To amend the county law, the town law and the village law, in relation to fingerprints and examination with respect thereto of persons before appointment as peace officers, in certain cases, of counties, towns and villages, and of persons heretofore appointed or reappointed and in office as such. *Chapter 295.*

#### Opposed

**FELONY MURDER.** *Senate Int. 101, Pr. 101:* To amend the penal law, in relation to recommendation by jury. *Vetoed.*

**WAIVER OF JURY TRIAL.** *Senate Int. 218, Pr. 218:* To amend the code of criminal procedure, in relation to the waiver of jury trial in criminal non-capital cases. *Failed of passage.*

**PLEA OF GUILT CRIME LESSER DEGREE.** *Senate Int. 462, Pr. 464:* To amend the code of criminal procedure, in relation to the power of the court to accept a plea of guilty to a crime of a lesser degree than that included in the crime charged. *Failed of passage.*

**PUNISHMENT FOR MURDER.** *Senate Int. 465, Pr. 467:* To amend the penal law, in relation to punishment for murder in the first degree. *Failed of passage.*

**BAIL PROCEDURE.** *Senate Int. 598, Pr. 606:* To amend the code of criminal procedure, in relation to bail after conviction. *Failed of passage.*

**BAIL PROCEDURE.** *Senate Int. 836, Pr. 868:* To amend the code of criminal procedure, in relation to power of city magistrates to admit certain persons to bail upon the consent of the district attorney. *Vetoed.*

**BRUSH-MAKING IN PRISON.** *Senate Int. 1056, Pr. 1106:* To amend the correction law, in relation to brush-making. *Failed of passage.*

**REDUCTION OF SENTENCE.** *Senate Int. 1116, Pr. 1169:* To amend the correction law, in relation to discretionary reductions of sentence to county jails or jail farms. *Failed of passage.*

**IMPRISONMENT FOR MURDER.** *Senate Int. 2284, Pr. 2519:* To amend the penal law, in relation to recommendation by jury of life imprisonment for murder in first degree. *Failed of passage.*

**COMPENSATION PENITENTIARY GUARDS.** *Senate Int. 2337, Pr. 2572:* To amend the correction law, in relation to providing for the compensation of penitentiary guards and correction officers employed by the civil divisions of the state. *Failed of passage.*

**SEXUAL OFFENDERS.** *Senate Int. 2358, Pr. 2593:* To amend the code of criminal procedure, in relation to the commitment and treatment of sex offenders. *Failed of passage.*

**PUNISHMENT SECOND OR THIRD OFFENSE OF FELONY.** *Assembly Int. 124, Pr. 124:* To amend the penal law, in relation to punishment for second or third offense of felony. *Failed of passage.*

**UNIFORMS STATE EMPLOYEES.** *Assembly Int. 415, Pr. 422:* In relation to uniforms to be furnished state employees. *Failed of passage.*

**REDUCTION OF SENTENCE.** *Assembly Int. 502, Pr. 1833:* To amend the correction law, in relation to discretionary reduction of sentence. *Failed of passage.*

REHABILITATION OF CERTAIN OFFENDERS. *Assembly Int. 1081, Pr. 1105*: To amend the civil rights law, in relation to the rehabilitation of certain persons convicted of felonies or misdemeanors in the State of New York. *Failed of passage.*

EQUALIZATION OF SALARIES. *Assembly Int. 1842, Pr. 1927*: In relation to establishing and maintaining equal minimum salaries for members of the uniformed forces of the police department and department of correction of the City of New York after equal years of service in equivalent ranks of such forces, and providing for the submission to the voters of such city the question whether such equal minimum salaries shall be paid. *Failed of passage.*

DISCIPLINE OF PRISON OFFICERS. *Assembly Int. 2728, Pr. 2926*: To amend the civil service law, in relation to the removal and discipline of prison officers. *Failed of passage.*

CLASSIFICATION OF PRISONERS. *Assembly Int. 3033, Pr. 3243*: To amend the correction law, in relation to classification of prisoners. *Failed of passage.*

#### THE G. HOWLAND SHAW ESSAY CONTEST

Sponsored by G. Howland Shaw, a member of the Association's Executive Committee, The Prison Association of New York co-operated with The American Prison Association in processing the second annual inmate essay contest. With prizes offered by Mr. Shaw, the contest was announced in midsummer with a thirty day deadline.

Designed to afford a medium of expression for prison and reformatory inmates throughout the country, the contest was enthusiastically received by the majority of the nation's penal and correctional institutions. The office of the Association was literally overwhelmed by the unanticipated response.

Originally scheduled as a part of the program of the 79th Annual Congress of Correction, held in September at Milwaukee, this plan had to be cancelled in view of the hundreds of papers submitted and the physical impossibility of completing their processing within the time limits. No restrictions were placed on contestants, and papers in the form of short stories, articles, essays, poetry, radio scripts, fiction and autobiographical sketches were received. The only stipulation was that their content would, in some manner, be related to prison life or the problems faced by prisoners in the institution or the community, correctional programs in theory or practice, personal experiences, or critical evaluations of prisons, jails, etc. The following topics were suggested:

The Most Interesting Character I Met in Prison  
 My Dear Warden:  
 What Price Success for an Ex-Con  
 Whose Failure Am I  
 Equal Justice Under the Law  
 My Experience With Rehabilitation.

Prizes were awarded on the basis of the soundness of ideas presented, sincerity, insight, and general interest rather than on literary merits. Prizes awarded were as follows: First prize, \$35; second prize, \$20; third prize, \$15; fourth prize, \$10; fifth prize, \$10, and sixth and seventh prizes, \$5 each.

A grand total of 531 entries were received at the office of the Association, written by prisoners in twenty-seven States and the District of Columbia, representing sixty-two State and fourteen Federal correctional institutions. All entries were given the zealous attention of the judges, namely, Mr. Shaw, Roberts J. Wright, Assistant Secretary of The Prison Associa-

tion of New York and The American Prison Association, and James V. Bennett, Director of the United States Bureau of Prisons. The first two named reviewed each entry submitted and Mr. Bennett reviewed the one hundred and four papers adjudged as the best of the group submitted. Members of the staff of the Bureau of Prisons assisted in the final review.

We are privileged to present herewith in unabridged form the first three prize winning papers. There will follow later in the year a compilation of the prize winning papers, including those receiving honorable mention. We present them as a part of this annual report because we feel they portray in extremely vivid fashion that part of prison life so often escaping the attention and realization of the layman. Noteworthy among the various themes running through the many essays was the emphasis on loneliness enforced upon the ex-prisoner out in the community. Forced upon him by virtue of his circumstances, he feels engulfed by conditions far beyond his control. Also noted with an unusual degree of frequency was the emphasis upon the so-called detainer evil. The top prize winning paper well acquaints the layman with this dreaded feature of prison life.

Through the kind generosity of Mr. Shaw the contest has been established on a permanent basis and will become an annual feature of the activity of The American Prison Association.

#### *First Prize*

#### JUSTICE?

By L. K. L.

#### Indiana Reformatory, Pendleton

Blond headed Bill Henley, hearing the bugle mournfully sounding taps, hastily shed the clothes off his five foot nine inch frame and, with a light of expectation in his blue eyes, just as hastily crawled between the sheets.

As he settled himself comfortably in bed the lights went out and the shadows of the bars cast themselves upon the walls and ceiling of his cell.

The lights on the wall of the outer tiers enabled him to see the commode, the sink, and the writing cabinet that he had been using for the last three and a half years; but he merely gave these a passing glance—just looked at them—then shifted his eyes back to the reflection of the round bars on the ceiling.

Tomorrow was his release date—tomorrow morning he would get his new suit—the "civy" issued by the prison—

would get a ten dollar bill, and then once more be a free man. After three and a half years of prison drudgery Bill was afraid to believe that within twelve hours he would be going home—he knew what home was—the world:—all of which was outside these prison walls—that was home—Bill's home.

Bill was not asleep—he knew that—"but what the hell," he murmured to himself as he stared wide-eyed at the barred shadows of his cell: "can't hurt a guy to day-dream just one night—even if he is awake."

And as Bill Henley lay there his dream took shape on the shadow-barred ceiling of his cell—

He heard his name and number being called out by the guard as the runner came to the wing with his clearing papers with which he, Bill, was to make his rounds:

"Henley! twelve thousand two hundred forty," bellowed the guard in an agitated voice.

"Yes, sir!" Bill heard himself answer—and saw himself pick up his few belongings, advance to the guard, receive his clearance papers, and begin his rounds—begin his first day of freedom.

The library first—good!—he was clear there—he had turned in all his books. Personnel department—good! Didn't need a job—had one waiting. Cleared by Chaplain Carrol after a few words of advice "yes, my boy—a new life—ways of evil are bad—keep your soul clean—now may the Lord bless—yes. hmmm—good luck, my boy."

Next, to the hospital—gruff old Doc Sparding: "How much you weigh? hmmm, good. How old are you? Twenty-four huh?—well,—O.K. Take off all your clothes—no sores whatever on—Hmmm yes, fine—see your throat—mm yes,—fine!" Cleared there—and now the warden: "Yes, son, you've had an excellent record—yes, shake hands—of course you'll not return—good luck to you, son"; all clear with a wave of the hand.

Then the barber shop—"Naw, don't need a haircut—go take a shower." The hot shower—then hastily putting on the "outside" underwear, shorts and undershirt, then the socks and shoes, and finally, the suit—then the last walk inside the prison yard saying goodbye to all his pals, Dick and Ray—Gibby there; and big Mike and all the rest of them—all of them swell Jews.

Finally arriving at the main gate—going up to the window, Bill heard himself saying:

"Hi, Mr. Snyder."

"Well, Henley! they fin'ly decided ta' turn ya' loose, huh?"

"Yep," answered Bill.



"Well, here's yer ten bucks," said Mr. Snyder, sliding the brand new ten dollar bill across the counter.

Bill did not thank Mr. Snyder for the money—he figured that he had earned it after having put in over three years of laboring for no wages at all.

Then as he turned from Mr. Snyder he heard the click of the lock and saw the big iron gate swing open and in a flash he was a free man—no, not completely free—he still has a guard escort to the small train station to await the train which would take him to the big city—and from there he was on his own.

Stepping off the train, Bill, with his heart beating wildly against his ribs, took a long hungry look at freedom and experienced the most exhilarating feeling of his life.

Walking aimlessly through town he absorbed the sight of people going in one store—out—into another—and so on—all in a rush—all but him.

He first purchased a pack of cigarettes then walked the streets of town until noon when he decided that he was hungry and promptly entered a quiet looking cafe. What was to be his first free meal? These were the things that counted in life—things like picking out your own choice foods—having a good-looking waitress advance and very prettily ask:

"May I help you, sir?" Just like this one did—and then being able to answer, "Yes, I'll have the tenderloin with American fried potatoes, and lettuce and mayonnaise salad, catsup and mustard—no vegetables, please; I'll have a piece of chocolate pie—better make that two pieces—and coffee—bring me a cup now while I'm waiting for my order—yes, cream and sugar, please," as he just did.

Then, after the meal, he went to a second-rate hotel and got himself a room—he had to have a place to sleep that night.

But what to do now? Go to a show? No—this was his first day—get a woman? No, he had all night for that—how to pass the afternoon—he knew! He would just walk—not through the business district—no, not there—he would walk through the residential parts of the city until he was so tired—so tired—

As he left the crowded, hurly-burly bustle of the department stores, the moving vehicles and the people behind him he felt an ecstasy of even greater delight; "this," he murmured under his breath, "this is what really counts in life; the green lawns upon which these kids are playing in the front of these homes—the smell of the grass as the sprinkler dampens it—sight of the trees along the avenue swaying gently to the soft whispering breeze. The right to walk alone through these things—

to breathe the same fresh air with them—to smell their cleanliness—to see their health and noble stature—this is freedom and living!

Bill walked through the small streets and the large streets—he walked through alleys and on dirt paths—he walked along river banks and through parks until it was almost dark and then he returned to what he liked to call the "downtown" district where he saw the same cafe in which he had had dinner—he entered and ordered his supper—"pork chops and French fries—more salad, more chocolate pie, and more coffee—with cream and sugar."

After his supper, Bill Henley inquired of the cashier if she knew whether or not there was a dance anywhere tonight—she told him there was and, upon his request, directed him to its building, reminding him that the dance hall was on the second floor.

Entering the hall, Bill's blue eyes danced at the colorful exhibition of couples tightly locked in each other's arms, slowly gliding back and forth over the floor.

Standing there in the doorway, Bill kept peering at each girl that was sitting "this one out" until his eyes suddenly fell on a beautifully dressed, black haired, brown eyed girl which he judged to be about five foot seven and around twenty-three years old.

As he advanced toward this same girl Bill was startled to hear, "Ain't you asleep there yet, Henley?"

Torn so abruptly out of his dream of tomorrow and back to the shadowy barred ceiling of his cell Bill jumped to a sitting position and, turning to face the guard cried, "what?"

"Boy, it's after midnight—you went ta' bed at nine—can't you sleep?"

"Y-You see, sir," Bill stammered, "I go home tomorrow."

"Oh," exclaimed the guard, "that explains it. But," he added, "you'd better git some sleep."

And as Bill replied, "I will," the guard moved on down the tier out of sight.

A few minutes later, his dream gone, but satisfied that it would be real, Bill Henley was fast asleep.

The next morning Bill was awake at five o'clock anxiously awaiting reveille to sound. At six he was pacing the floor of his cell, already washed, shaven, and packed. He thought back on his dream and as the call for breakfast came he arrived at the ultimate conclusion that he would begin the fulfillment of that dream at seven.

Breakfast over, he still had thirty minutes to wait and once again he paced the floor, now and then going up to the guards

desk to look at the clock—finally seven o'clock came, but no clearance papers!—naturally—that runner would be late! And then seven-thirty and still no papers. Bill was just about ready to give up going that day, when a few minutes after eight, while pacing his cell, he heard the guard bellow,

"Henley—12240!"

"Yes, sir," he shouted and, picking up his few personal belongings, rushed to the desk to receive his clearance papers.

There it was—just as he had day-dreamed it, pictured it, lived it the night before—there was the runner and there was his clearance sheet.

He made his rounds!—to the library—chapel, personnel department—the mail department (he had forgotten that last night), then he went to the barber shop and took a shower and put on his "outside" clothes. Too, he went to the hospital and finally to the Warden's Office. Also he walked through the yard and bid his friends, Dick and Ray, and Big Mike, and all the rest of them, goodbye.

Then the last thing—up to the front gate where Mr. Snyder was to give him his ten dollars and open the gate for him.

As he approached Mr. Snyder, he did just as he had pictured he would do.

He said: "Hi, Mr. Snyder."

"Well, hello there, Henley," Mr. Snyder beamed, "they fin'ly turned ya' loose, huh?"

Bill, flushing, answered, "yes sir."

"Well," said Mr. Snyder, "here's yer ten bucks," and handed him the new, crisp bill.

As Bill Henley turned from the window toward the gate—the only thing between him and freedom—the thing which he had waited for three and a half years to pass through, two big men dressed in civilian suits came up to him, one on each side and, as one clasped a set of handcuffs on his wrist, the other interrogated:

"Yer name's William Henley, ain't it?"

"Yes," cried Bill, "but what's—"

"Guess they forgot ta tell ya' in there," interrupted the other man, "ya' got a hold-over—North Carolina wants ya'—come along."

As he passed through the big gates, tears mercifully blinding him to the sight of freedom, Bill suddenly burst out in a wild peal of hysterical laughter, broken by sharp sobs.

"What's the matter with ya'?" demanded one of the detectives.

Amid laughter and sobs, Bill gasped, "I—I was just—think—thinking—wha—what does John Law—what do they know about—about dreams?"

### Second Prize

#### THE THREE WISE MEN—?

By H. W. P.

#### California State Prison, San Quentin

A young man sat stiffly in a straight-backed chair. Several feet away, behind a long polished table, sat three, well-dressed, apparently pre-occupied men of mature years. The silence of the room was broken by the whisper of paper as one of these men turned the pages of a file before him. His head thrown back, another studied the smoke of his cigar as it lazily climbed toward the ceiling. The third idly rolled a pencil over and over on the table as he studied the young man before them.

The young man sat motionlessly and the stiffness of his posture told of his inner quaking as he waited for some word. His hands were clasped in his lap, the fingers inter-laced—only the whiteness of the knuckles giving indication of his fears. He wanted to rub his palms down the sides of his blue denim pants, for there were beads of perspiration that made them feel wet and slimy. His lips were dry and he wanted desperately to flick the tip of his tongue over them. A heavy lump was in his throat and he couldn't stop the quivering in his stomach.

Nothing had been said since he entered the room, save to ask his name. What were they waiting for? Should he try to clear the lump from his throat and say something? His mind darted in deperation, seeking some thought that might deserve utterance. He had waited so long for this interview; there *must* be something that would impress these men who held his fate in their hands. What could he think of the . . . ? So busily was his mind engaged that he hardly knew when the man with the pencil said,

"Why do you think you should be released from prison on parole?"

Well, here it was. You might have known they'd ask that. Now bring up all those plausible points you thought of during those long months of waiting. "Why should you be released?" Good God, there's a million reasons why. Just last night, for instance, when you were lying sleepless in your bunk; you thought of all sorts of things you were going to say today. Tell them. . . Well, tell them how you never really wanted to steal just to be stealing. But no, that's no good. It seemed good last

night, but it really doesn't matter why you did something, if you did it. Well, come on, they've asked you . . . you've got to tell them something. Tell them how hard you've tried to be a model prisoner; even walking away the time that guy slugged you out in the yard, although you weren't really afraid of him. But no . . . that's no good either. These guys are squares; they'd expect you to do that. Then tell them how hard you've worked to learn spray-painting and body-finiting in the auto-shop; and how sure you are that you'll never, never get into trouble again—now that you have a good trade. But no . . . that's no good, for then they'll think you're trying to make excuses and that . . .

"Well?"

The voice that interrupted his thoughts was kindly.

"Can't you think of even *one* reason?"

*One* reason? Why don't you ask for a hundred, or a million! I know so *many*. Won't you understand that I just can't seem to make them come out? Words are not easy for me. I can't even find the right ones to tell you what it would mean to be able to walk down the street and look in the store-windows! Or how much I want to walk up to a soda fountain and order a big thick malted milk. Or go to a movie when I want to, instead of when I have to; or, for that matter, just to ride on a bus; or walk through crowds and listen to the women's voices . . . and smell their powder and perfume. You don't know how good that can be, do you? I never used to know how good it was either, but I know now. The only thing is, I don't know how to tell you. I'm no orator, dammit! I've never been able to say things the way I wanted to. I've never even wanted to be anything much. I only know that now—when it means so much to me—I don't know how to tell you that I want to work and match myself against another . . . to take pride in drawing my pay—and in spending it. Buying a suit, some shirts, pretty ties, brown shoes and . . . and all the other things I haven't had during these long months in prison. The words won't come to me that might tell you what it would mean to climb up on some hill and look . . . without seeing only grey stone walls . . . and breathe . . . without breathing dank air of confinement. Or how I long to take off my shoes and walk barefoot over green grass . . . after these countless days of treading on burning concrete. How can I tell you that I long to go where there's music and watch laughing girls; and hope that I can find one to hold for that fleeting instant . . . and pray that she will want me as I want her? How can I say these things to you? Can you possibly know the yearning I feel just to walk into a restaurant and order any food I want to eat—or not eat? Dill pickles, strawberries, cream puffs . . . all the crazy

little things that don't mean anything, and yet—mean everything.

How can I say these things to you?

It seemed to him that his thoughts had risen to such a screaming crescendo that these men must be able to hear them, and yet, he could not speak a word. His eyes were riveted on the large clock on the wall; almost hypnotically they followed the ponderous swings of the pendulum. Each swing meant that time was fleeing. . . . Almost subconsciously his mind told him they wouldn't give him much longer in which to answer—they had too many more men waiting. And then—dimly, as though from a great distance—he heard the words, uttered with a sigh,

"All right. That's all for now."

Now he stood in the barred enclosure outside the room and puffed nervously on his cigarette as he waited for the guard to appear—with the little slip of paper that told of the decision of the board. There were several others there so he had to be off-hand about it. Musn't let them know that he had been struck dumb, that he hadn't been able to say a single word. Musn't let them know how he felt about getting out either. Musn't let them know . . .

The door opened; the guard was sorting the slips as he walked up to the bars. Finally his was in his hand. He breathed deeply as he unfolded it. His eyes blurred for a moment . . . and then he read,

"Be advised:

"Your petition for parole consideration has been heard and denied. It is suggested that you maintain a record of good conduct until such time as you are granted another hearing by this board."

"Denied!" God, the letters that spelled it were on fire! But remember . . . be nonchalant about it! Don't let these other guys know that you can hardly breathe; or that your heart feels like a leaden lump, bumping miserably around in a hollow shell! Toughen up. . . that's it . . . act like you don't give a damn! These guys'll never know you want to bawl like a baby; or beat your fists against these bars, like a wild bird beating its wings against a cage! Squint your eyes together, make them hard. That's better, now,

"Hey, you guys! What do you think? They "Denied" me! Guess they think I'm not *ree*-habilitated, or something. Well, they got to let me out someday and when they do I'll get mine. I'll make them wish . . ."

His voice dwindled away into nothingness as he realized that no one was listening; that each of the others was reading his own paper.

*Third Prize***THE INVISIBLE NUMBER**

By J. D. H.

California State Prison, Soledad

We are the anonymous ones who move alonest you with wary eyes. We are among you, but not of you: constantly on guard, lest by an incautious word or gesture we may betray ourselves to you, and thereby lose our anonymity—and your respect. You may find us in your factories, in your garages, on your farms and, sometimes, in your offices and places of business. We live next door, work at the next lathe, sit next to you in the movies. In short—we are your neighbors. Yet, we are a group of men set apart, divided by our experience from those around us. We are the parolees from your prisons; still “doing time,” still paying our debt to Society. Although we walk the streets to all outward appearances free men, we wear invisible numbers.

Ours is a tense little world, for we are in that in-between zone of critical decisions and selections. For a long time the privilege of selection has been denied us, and we are finding it a little strange at first to make the small, every-day decisions which are a part of your normal life. The routine, trivial matters of daily existence probably require little thought from you but for us it is a different story and we are not yet accustomed to the newness of it. In time, old habits will re-establish themselves, and with them the ease of everyday living will return. Just now, our lives have the awkwardness of borrowed clothing, making us accordingly self-conscious and hesitant to move with freedom.

It is also a very lonely world we inhabit, for those with whom we have joined in a common bond of sympathy are no longer around us—we are alone. Our long-sought freedom has become somewhat of a psychological problem. In the seemingly endless time of our prison sentence we frequently said, “The supreme luxury would be to walk into a room and lock the door—FROM THE INSIDE!” Now, finding ourselves in such a position, the loneliness becomes oppressive. Anxious for social contacts, we are in a quandary as to how to make them. Parole authorities do not approve of their parolees spending their evenings in bars and cocktail lounges, and other social contacts require either an introduction, or at least that the given group know something about you—and this we’re *not* anxious for.

Sometimes we read in the papers of other parolees. Usually, it is in the report of some crime wherein it is stated gloatingly that the offender is a parole violator from prison. This, it would seem from the reportorial standpoint, makes for spicier and

more fascinating reading, lending a grimness to the report which is highly desirable. If anything further was needed to crystalize our determination to remain anonymous, this would do it. The fact that there are literally thousands of us who are going to our jobs every morning, and returning home at night as quiet, sober citizens is ignored. Probably because the public isn’t interested.

If this sounds a little bitter, it’s not intended that way. Just realistic, that’s all. We’ve learned to face reality the hard way, and found it doesn’t pay to kid yourself. So, you grab your lunch bucket, and go to work. It’s determined to do the best you can, but at the same time afraid to lead with your chin. There’s that better job you know you can handle, but will they hire a parolee? Of course, you don’t have to tell your employer—you can lie and gloss over that portion of your past—but if you don’t tell him, and it’s discovered that you’re on parole, you’re through. So you decide to wait until you’ve “cooled off” a little. Meanwhile, your mirror tells you that the time in prison has left its mark—you’re not getting any younger. But you’re afraid to make a move, and you keep on working where you are. You’ve made some new acquaintances, but you don’t become too friendly with them, because you may lose them if they find out about you. You remember the girl you lost when you were fool enough to tell her about your past—re-calling the look on her face, you decide it is much better to go it alone than to take a chance on losing what little you’ve got. Of course, some of us make out all right. A few find a girl who’s big enough or has faith enough to take a chance on guys like us, and they help us over the rough spots. But that doesn’t happen to us all. Not by a damn sight! For many, a girl is not the answer and, under the circumstances, may only complicate matters for us. Each man seeks his own solution in his own fashion, and it is in most instances only the problem itself that we have in common.

While in prison, we lived and predated our entire existence toward the day when the front gate would open *FOR US*. Many, taking advantage of the educational and training facilities, worked to perfect themselves in a craft or trade which would permit the legitimate enjoyment of their own work and effort. Some do find that chance to utilize these skills, and are able to take advantage of them, but what of the rest of us for whom that opportunity doesn’t present itself? Most of us were never remarkable for our ability to take a long-range view of our problems. Emotions, rather than intellectual processes, controlled our actions. Now, despite ourselves and good resolutions, we find discouragement which may later turn to actual bitter-

ness beginning to color our attitude toward ourselves and those around us.

Some, more easily discouraged or less emotionally stable, resort to the easy but nevertheless expensive surcease of liquor. A few, and these are the ones you read about, take a short-cut to achieve their wants. Having lost the great deterrent of fear of prison by their initial experience, impatient and discouraged, it is but a step to the act or acts which will inevitably return them inside prison walls.

Perhaps it is too much to expect it to be otherwise, and may always be like this for us; living a groping, almost furtive life while we try to find some place where we may belong and are wanted. Or, is this the unwritten part of the prison sentence—the judgment that is never pronounced—the ever-present stigma of the unexpunged invisible number?

## FINANCIAL STATEMENT

### THE PRISON ASSOCIATION OF NEW YORK GENERAL FUND STATEMENT OF INCOME AND EXPENSES YEAR ENDED DECEMBER 31, 1949

#### INCOME

Donations—special purposes		
The Greater New York Fund..	\$2,023.00	
Other funds .....	6,064.01	\$ 8,087.01
Donations—unrestricted .....	18,929.68	\$27,016.69
Endowment Income		
Interest on mortgage.....	64.82	
Interest on bonds .....	1,270.00	
Dividends on stock .....	18,638.30	19,973.12
Total Income .....		46,989.81

#### EXPENSES

General administration .....	22,567.50	
Relief—prisoners and families (cash, food, clothing, etc.) .....	11,983.13	
Relief—administration .....	4,001.00	
Employment—administration .....	4,368.00	
Appeal—administration .....	3,913.00	
Traveling expenses .....	283.83	
Printing and stationery .....	986.62	
Postage .....	535.92	
Telephone and telegraph .....	316.48	
Auditing, legal and legislative services .....	353.00	
Periodicals, custodian fees and miscellaneous .....	990.17	
House maintenance .....	2,175.72	
Total Expenses .....		52,473.37
NET LOSS FOR THE YEAR		\$ 5,483.56

#### AUDITORS' OPINION

We have audited the books, accounts, minutes and other records of The Prison Association of New York for the year ended December 31, 1949. In our opinion the statement of income and expenses shown above presents fairly the results of the operation for that year.

(signed) WEBSTER, HORNE & ELSDON

New York, N. Y.  
June 7, 1950.

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, or 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