

STATE OF NEW YORK

THE ONE HUNDRED AND ELEVENTH  
ANNUAL REPORT

OF THE

Prison Association of New York

135 East 15th Street, New York

1955



NEW YORK  
HERALD SQUARE PRESS, INC.  
1956

1919.2-2

## PREFACE

---

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

## CONTENTS

	Page
Preface .....	3
Officers for 1955 .....	7
Standing Committees for 1955 .....	8
Letter of Transmittal .....	9
<i>New York Times</i> Editorial .....	10
Memorial — Joseph E. Davis .....	11
Recommendations to the Legislature .....	12
I. New York State Temporary Commission on Youth and Delinquency	14
1. Permanence for the State Youth Commission .....	15
2. Auxiliary Services of Specialists .....	15
3. Youthful Offender Law .....	15
A. Extension of Age Limits to Include those 19 and 20 .....	16
B. Mandatory Pre-Pleading Investigations .....	16
C. Extension of Youthful Offender Law to Youths Charged with "Offenses" .....	16
D. Determination of Arrest Factor in Youthful Offender Law .....	16
II. Temporary Commission on the Courts .....	17
1. Youth Court .....	18
2. Costs of Appeals .....	18
III. New York State Department of Correction .....	18
1. Long-Term Planning Advisory Board .....	18
2. Advisory Committee on Correctional Industries .....	19
3. Authorization of Trade Training Committees .....	19
4. Coordinated Correctional System .....	20
5. Staff Training .....	20
6. Removal of Restrictions Relative to Appointment of Correc- tional Heads .....	20
7. Transfer of the Matteawan State Hospital to the Department of Mental Hygiene .....	21
8. Need for Expansion of Research Program .....	21
IV. Improved Salary Scales .....	23
V. Alcoholism .....	23
VI. Narcotic Addiction .....	23
VII. Revision of Sex Offender Legislation .....	24
VIII. Civil Service Status to County Institution Personnel .....	24
IX. Change of Title from Prison Guard to Correction Officer .....	25
X. Public Defender System .....	25
XI. Department of Correction, City of New York .....	25
i. Per Capita Costs .....	26
XII. Caution Against Curtailment of Correctional Industries .....	26
XIII. An Awareness of Future Needs in the State Department of Correction .....	27
The Association's 11th Year .....	28
Association's Anniversary .....	28
85th Annual Congress of Correction .....	28
New York City Department of Correction .....	28
State Commissioner of Correction Appointed .....	31
Sing Sing Sex Offender Clinic .....	31
Great Meadow Correctional Institution Riot .....	32
Elmira Reception Center Anniversary .....	32
Social Court's Committee of the Magistrates' Courts System .....	34
Report of Committee on Detention .....	35
Cayuga County Jail .....	35
Sullivan County Jail—Orange County Jail .....	35
St. Lawrence County Jail .....	36
Suffolk County Jail .....	36
Grand Street Boys' Fund .....	36

	Page
The Greater New York Fund .....	37
John Price Jones Company Report .....	37
Deputy Mayor's Report .....	37
Youth House .....	38
New York City Youth Board .....	38
Temporary Commission on Youth and Delinquency .....	38
Massachusetts Correctional Survey .....	39
Missouri Prison System .....	39
Kansas Survey .....	41
United Nations Congress .....	42
Proposed Shelter for Adolescents .....	43
Southern States Probation and Parole Conference .....	43
Frederick A. Moran Memorial Institute .....	44
Brooklyn College Workshop .....	45
Temporary Commission on the Courts .....	45
Welfare and Health Council .....	45
National Jail Association .....	46
Association's Property .....	47
Public Relations Activity .....	47
Baltimore City Jail .....	48
State Parole Division Hearings .....	48
Naturalization Proceedings .....	48
Foreign Visitors .....	49
Westchester County Alcoholics Anonymous .....	50
Guest Speakers .....	50
Professor Harry M. Shulman .....	50
Hon. Edward S. Silver .....	51
Hon. Thomas J. McHugh .....	52
Hon. Mark A. McCloskey .....	53
Hon. James J. Kelly .....	54
Rev. Henri P. Junod .....	55
The Association's Bureaus of Service .....	58
Employment and Relief Bureau .....	58
Family Service Bureau .....	62
Legislation — 1955 .....	66
First United Nations Congress on Prevention of Crime and Treatment of Offenders — Report Memorandum by E. R. Cass .....	77
Financial Statement .....	89
Constitution and By-Laws .....	90

## THE PRISON ASSOCIATION OF NEW YORK

### OFFICERS FOR 1955

#### *President*

EDWARD P. MULROONEY

#### *Treasurer*

C. C. AUCHINCLOSS

*Recording Secretary*  
WALTER C. TRAGLE, JR.

#### *Corresponding and General Secretary*

E. R. CASS

#### *Assistant Secretary*

ROBERTS J. WRIGHT

#### *Vice Presidents*

MRS. JULIUS OCHS ADLER

HAROLD K. HOCHSCHILD

EDWIN O. HOLTER

JOHN L. SCHOENFELD

#### *Executive Committee*

EDWARD P. MULROONEY, *Chairman*

#### *Class of 1955*

MRS. JULIUS OCHS ADLER  
CHARLES SUYDAM CUTTING  
FREDRICK M. RATON  
HENRY A. WILMERDING

#### *Class of 1956*

MELBER CHAMBERS  
MRS. ALLEN W. DULLES  
OGDEN WHITE

#### *Class of 1957*

DONALD AGNEW  
GEORGE F. BAKER, JR.  
MRS. JOHN W. BALLANTINE  
PAUL MOORE, JR.  
FREDRICK W. RICHMOND  
G. HOWLAND SHAW

#### *Class of 1958*

ARCHIBALD S. ALEXANDER  
REGINALD L. AUCHINCLOSS  
RICHARD C. BABCOCK  
BURTON J. LEE, JR.  
RICHARD C. PATTERSON, JR.  
FRANCIS E. POWELL, JR.

STANDING COMMITTEES FOR 1955

COMMITTEE ON LAW

MESSRS. CHAMBERS, AGNEW, EATON

COMMITTEE ON FINANCE

MESSRS. C. C. AUCHINCLOSS, HOCHSCHILD, LEE, WHITE

COMMITTEE ON DETENTIONS

MESSRS. SCHOENFELD, PATTERSON, RICHMOND, MRS. BALLANTINE

COMMITTEE ON NOMINATIONS

MESSRS. C. C. AUCHINCLOSS, HOCHSCHILD, HOLTER

COMMITTEE ON PROBATION AND PAROLE

MESSRS. SHAW, R. L. AUCHINCLOSS, CUTTING, POWELL,  
WILMERDING, MRS. DULLES

COMMITTEE ON PRISON ADMINISTRATION

MESSRS. MULROONEY, ALEXANDER, BABCOCK, BAKER, MOORE,  
TEAGLE, MRS. ADLER

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

February 13, 1956

HON. GEORGE B. DELUCA,

*Lieutenant Governor and President of the Senate:*

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

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

Respectfully,

THE PRISON ASSOCIATION OF NEW YORK

By EDWARD P. MULROONEY, *President*

E. R. CASS, *General Secretary*

THE NEW YORK TIMES

Monday, February 14, 1955

FOR LIGHT ON OUR PRISONS

People generally have an avid interest in crimes and those who commit them—before they go to jail. The interest flares up again if some of them break out. But as to what happens to them while they are inside, the public cares relatively little. Yet there are compelling reasons why "those outside" should care.

In the first place, prisons are a large-scale business operation, costing the taxpayers of this state almost \$30 millions a year with a physical plant of many times that value adding to the economic stakes involved. The 17,500 men and women in these institutions raise human problems even more difficult to deal with—especially since 60 per cent of our prison population are "recidivists." All of which should draw special public attention to some pertinent recommendations to the State Legislature made by the Prison Association of New York in its annual report released today.

Chief of these is a plea for concerted official action to increase the public's interest in our prisons: how they are run and how they might be better run. To that end the association recommends a well-planned and continuing program of public information under the direction of a deputy commissioner of correction. Recognizing that public participation will add vigor to the program—as well as help improve prison administration—the association further calls for appointment by the Governor of a voluntary board of knowledgeable citizens "to take major responsibility for long-run planning of correctional policies and procedures." It also recommends a committee, with representation from industry, labor, management, agriculture and the public, to advise the department on the difficult problems of relating prison industries to industry and labor outside, supplemented by a number of smaller expert groups to advise on the various vocational training activities.

These proposals promise results far out of proportion to the relatively little they would cost. We hope they will be favorably acted on.

MEMORIAL

JOSEPH E. DAVIS

Mr. Joseph E. Davis became a member of the Executive Committee of The Prison Association of New York on January 12, 1920. During the many years of his membership he displayed a warmth of interest and support and was a source of strength and encouragement, not only to his associates but those responsible for the daily administration of its affairs.

A successful business man, he also was outstandingly active in the world of sports and was recognized as a leader among the breeders of fine horses and in the efforts to improve the operations of public and private use of such animals as a means of recreation and amusement.

On the side of the law he was conspicuously recognized by the late Governor Alfred E. Smith who, although a Democrat, appointed Mr. Davis, a Republican, a sheriff of Nassau County to complete an unexpired term.

We shall all miss his genial and friendly manner, his sound judgment, and his loyalty to friends, and activities intended for the public welfare.

*Be It Resolved*, That the Executive Committee of The Prison Association of New York at its regular monthly meeting record its sorrow at the loss of a highly valued member,

*Be It Further Resolved*, That a copy of this memorial be addressed to his family.

(SEAL)

May 26, 1955.

February 13, 1956

To the Honorable Members of the Senate and Assembly:

In accordance with Chapter 163 of the Laws of 1846, we have the honor to present the following recommendations to the Legislature as a part of the 111th Annual Report of The Prison Association of New York, and urge that they receive your serious consideration.

Respectfully submitted,

THE PRISON ASSOCIATION OF NEW YORK

EDWARD P. MULROONEY, *President*  
E. R. CASS, *General Secretary*

IMPLEMENTING THE ACCOMPLISHMENTS

It was four years ago that the Prison Association of New York, in its annual report for 1951,<sup>1</sup> discussed the subject "On Behalf of Implementation." At that time we felt that the many reports, surveys, findings and recommendations submitted by a variety of agencies and commissions, required careful consideration by the Legislature prior to the formation of similar bodies. While our suggestion was, for the most part, unheeded in official quarters, the problem of crime and delinquency continued.

During the four year interim period, prison populations continued on the upswing in New York State, juvenile crime increased, neighborhood gangs flourished, and more and more reports suggesting methods of control were issued by public and private interests.

What we would like to do at this moment is to again renew our 1951 plea and state simply, as we did four years ago, that "... we see a clearly defined need to apply ... the wealth of data contained in surveys, studies, and reports available for consideration."<sup>2</sup>

Despite the fact that we now have additional studies, we would urge reconsideration of such surveys as the early Commission to Investigate Prison Administration and Construction, known particularly as the Lewisohn Commission appointed in 1930, and continuing through the findings of the Governor's Committee of One Hundred for Children and Youth. As we indicated in 1951, if such studies could be coordinated and utilized to their fullest advantage, New York's correctional system would be the most outstanding in the nation.

To this reservoir of recommendations, on file in the archives of the State, could be added the findings of such 1955 studies as the Temporary Commission on the Courts, the Temporary Commission

<sup>1</sup> 107th Annual Report, Prison Association of New York, for 1951, Legislative document (1952) No. 44.

<sup>2</sup> *Ibid*—page 13.

\* These Recommendations in mimeographed form were made available to all members of the Senate and Assembly on February 13, 1956.

on Youth and Delinquency, and other bodies that have labored for the welfare of New York's people and their efforts to control crime and delinquency.

The Association is proud to have had an important part in the development of the background leading up to the passage of significant legislation in 1955. The record will show that the Association pioneered in making suggestions which have now been translated into reality. For the first time in history New York now has authorization to establish correctional camps, a device that has proven of inestimable value in many other jurisdictions,—we have State subsidy of probation, making possible the extension of probation services to those counties previously without this modern correctional technique—we have public funds available for the housing of probationers in hostels and foster homes—and a number of other innovations discussed in detail in our legislative summary. The annual reports of the Association, including our Recommendations to the Legislature over the years, include recommendations on these specific points, particularly State subsidy of probation and the use of prisoners in public works projects.

Considerable advance and improvement has been noted in 1955 in the State's correctional process, and much credit is due to Commissioner Thomas J. McHugh whose forthright leadership and technical knowledge gained through years of experience, has sparked a renewed interest and hope that has every prospect of spreading the fame of New York and her accomplishments in this field.

We feel compelled to indicate a word of caution and warning to the effect that a commissioner, whom ever he may be, is unable to perform miracles in correction singlehanded. The task is beyond the reach of any single person, and his success is dependent in large measure on legislative and public support, and the competency of top-level staff. The present commissioner has the ability and professional knowledge—but what he needs is support as previously noted.

This is the time to urge that the commissioner be given competent and qualified personnel to aid him in the discharge of those duties required by law and expected of him by the public. The personnel we have in mind range from those designated as deputy commissioners appointed outside the civil service to authorization for a sufficient number of persons within the civil service. For example, an efficient camp program is impossible to operate without sufficient funds for adequate personnel. A progressive correctional program cannot operate without competent help.

We would stress, also, another basic necessity urged by the Association over the years, and more particularly during the past five years, namely, the need for continuing research within the correctional department. It is with a great deal of gratification that we record the full support for such a program by Commissioner McHugh. In fact, during his term of office, more has been done to stimulate the need for research than has been accomplished heretofore. We express the hope that the Legislature will approve the

department's request for funds sufficient to support this all-important program as provided for by Chapter 240 of the Laws of 1954. A recommendation follows in detail.

Among the following Recommendations are some that the Association has included in other years and, in fact, repeated annually with emphasis and with a specific purpose. It is our contention that continued emphasis is not only desirable but absolutely necessary in keeping public officials and the Legislature aware of basic needs. Further, we are gratified that official bodies and commissions frequently adopt our recommendations and pursue them with vigor, and this has been true particularly with recent official study groups.

With this in mind the Association gives consideration to some of the recommendations suggested by the New York State Temporary Commission on Youth and Delinquency. The Prison Association was closely identified with the workings of the Commission, and attended its hearings and participated in the state-wide conference called by the Governor and the Commission in October, 1955.

In light of the fact that many of the Commission's findings are not, in a sense, directly related to the everyday work of the Association, it is our intention to discuss only those related primarily to our basic field of interest. This in no manner suggests that exceedingly careful consideration not be given by the Legislature to the many recommendations of the Commission. Their report deserves the best kind of treatment at the hands of public officials, and their findings are illustrative of our earlier comment to the effect that New York should proceed to adopt many of those recommendations submitted by various officials and semi-official groups. The title of this general discussion, "Implementing the Accomplishments", implies that we should act with what we have before we proceed to develop additional recommendations for the cure of our ills of delinquency. One of the weaknesses of the past is that we have often commenced a project or new approach, and then for various reasons have left it unfinished preferring to start something new. Implementation would seem to be the answer rather than constant pleas for more exploratory bodies.

In the following comment we discuss some of the Commission's findings, and express the hope that the Association's support will serve to emphasize their importance.

#### RECOMMENDATION I And Related Recommendations. The New York State Temporary Commission on Youth and Delinquency

The Association urges and recommends that the Legislature give its careful consideration to the many recommendations of the Temporary Commission. In light of our own long-standing interest in the problem of delinquency and crime extending for more than 111 years, we express the hope that special attention be given to the following recommendations of the Commission on which we make our own comment.

#### 1. *Permanence for the State Youth Commission*

Ever since the establishment of the State Youth Commission ten years ago, the Association has supported its activities and its place in the community. Likewise we urged extension of its life at those periods when legislative approval was necessary. We agree with the Temporary Commission and many other agencies that the time is at hand when this important agency should be placed on a permanent basis. Its trial period of a decade has proven its worth beyond a doubt, and it is now time that it be given the permanence it deserves. With this permanence should be provisions for reorganization, extended powers and duties and appropriate budgetary support.

Likewise, we urge that the Legislature provide for the creation of an advisory board of not more than 24 persons to assist the Youth Commission with its long-range planning, policies and procedures.

#### 2. *Auxiliary Services of Specialists*

For more years than we can recount the Prison Association has stressed the need for the services of specialists in correctional institutions and departments. It will be recalled that the depression of the thirties was responsible for the cancellation of these services then in vogue, and ever since that time it has been a matter of continuous battling to have these services restored. We are pleased to support the Temporary Commission's recommendation #26 urging the services of social workers, psychologists, psychiatrists and others be available on an adequate basis in all courts. Surely if the people of New York have serious intentions of curtailing the ever-increasing delinquency rate, then they should be willing to supply funds for the employment of these desperately needed specialists. The changing of patterns of anti-social behavior is indeed a task for a specialist and cannot be left to chance. Yet, today, chance plays too important a part. Scientific techniques gained only through years of study and practice are the only reliable tools for character-changing as well as character-building. These techniques embody, of course, medicine, psychiatry, religion, psychology, education, and the other sciences.

#### 3. *Youthful Offender Law*

The provisions of the Youthful Offender law, and, in fact, its placement on the statute books some thirteen years ago, have been of particular interest to the Association. We were active in the campaign prior to 1943 that resulted in the present Youthful Offender law, and since that time have labored in its behalf. Frequently we have recommended its extension to include those nineteen and twenty years of age. The law, at present, applies only to the sixteen to eighteen year group, inclusive. Likewise, we have cautioned against the use of the law outside the area of its intended purpose, since, in other years, we were advised that in some counties the intent of the law had little relation to its application.



In light of the fact that the Youthful Offender law has so well proven its purpose, we do not feel it necessary at this point to justify its existence and use. Nor do we think it necessary to outline the conditions leading to its adoption.

We urge, however, the following amendments with relation to this law:

#### A. Extension of Age Limits to Include Those 19 and 20

We stress again our recommendation of some years standing that the provisions of the Youthful Offender law be extended to include those 19 and 20 years of age. At the same time we concur fully with the added recommendation of the Temporary Commission that in light of serious offenses committed by youths, no youth may receive the benefits of Youthful Offender treatment more than once. As the Commission's report indicates, "To permit successive adjudications is inconsistent with the purpose of the Youthful Offender law."

#### B. Mandatory Pre-Pleading Investigations

We support the Temporary Commission's recommendation that there be mandatory pre-pleading investigations by the court prior to determination of whether or not the offender be permitted to be adjudicated a Youthful Offender. The major difference in procedure is simply that the investigation be made prior to determination rather than afterward as is presently the case. This would preclude summary denial of Youthful Offender procedure and would extend to all eligible youths the opportunity of an investigation into their cases instead of an automatic denial based solely on the seriousness of the charge lodged against them. New York County now follows this procedure and this recommendation would serve the purpose of extending this practice by law to all counties.

#### C. Extension of Youthful Offender Law to Youths Charged with "Offenses"

As presently stipulated in the law, Youthful Offender treatment is reserved only for those charged with misdemeanors and felonies. We concur with the Temporary Commission that this socialized treatment should be available to those whose criminal act may, legally, be less serious than a misdemeanor. The Commission states it in this manner: "... perhaps through inadvertence, much criminal behavior of a trivial sort has been left outside the scope of the statute. A youth who merely jostles another in a subway has no alternative upon a finding of guilt but the stigma of conviction for disorderly conduct." Yet, as practitioners know full well, youths charged with far more serious crimes may be extended Youthful Offender treatment without the criminal stigma. This anomaly in the law requires clarification through amendment.

#### D. Determination of Arrest Factor in Youthful Offender Law

Since 1949 the Prison Association has urged legislative relief of a situation of critical proportions to those adjudicated Youthful

Offenders, to the extent that such offenders may legally deny the element of arrest. We are pleased to note that the Temporary Commission has adopted this longstanding recommendation of the Association. Under present law such a youth may legally deny the element of conviction of a crime when, for example, he applies for employment, enlistment in the Armed Forces, etc. However, he must admit to a legal arrest, and his truthfulness at this point serves to disqualify him. It is necessary that the term arrest, insofar as it is applicable to Youthful Offenders, be redefined so as not to apply to those so adjudicated. This proposal, as recommended by the Commission and with which the Association concurs, would nullify the arrest factor to youths under 21 who are subsequently: (1) not convicted of any crime, (2) adjudged youthful offenders, (3) adjudged wayward minors, and those under 16 adjudicated juvenile delinquents and those adjudged neglected children. This would serve to eliminate unfair discrimination in the extension of this provision. As the Association stated in 1949, and subsequently, "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, while it currently provides legal basis for denial of conviction."

We would urge again that the Legislature give every measure of consideration to the full report of the Temporary Commission on Youth and Delinquency.

### RECOMMENDATION II. Temporary Commission on the Courts

This Commission, created by Chapter 591 of the Laws of 1953 and continued by Chapter 4 of the Laws of 1954, in its report for 1955<sup>1</sup> states "that there is pressing need for positive action to improve the administration of justice in this State." Its 124-page report is indeed worthy of the most careful and continued consideration by the Legislature, recognizing, of course, that constructive legislation has already resulted from this report. Of especial concern to the Prison Association is its finding number 7 that "Young people, children and families are not adequately dealt with in our courts, due in part to complexities of overlapping and conflicting jurisdiction of many courts and in part to lack of auxiliary services. This situation causes grave injury not only to young people who become involved with the law, but, through them, to our society in general."<sup>2</sup>

Through the years the Association has urged the Legislature to authorize the Law Revision Commission and other bodies to study the problem of court complexity. We are gratified that through the Temporary Commission on the Courts an admirable study has been accomplished.

<sup>1</sup> 1955 Report of the Temporary Commission on the Courts to the Governor and Legislature, February 17, 1955. Legislative Document (1955) No. 45.

<sup>2</sup> *Ibid.* Page 8.

Here, again, we would stress the three word heading of this discussion, "Implementing the Accomplishments" and suggest that no time be lost in considering the findings of this Commission.

### 1. Youth Court

The extensive discussions concerning the Youth Court proposal requires the attention of the Legislature and we commend it in principle, and as a step in the right direction of relieving the present confused and complex court picture, particularly as it relates to youth.

### 2. Costs of Appeals

The Association commends to the attention of the Legislature the content of Chapter V of the Commission's report entitled "Costs of Litigation and Appeals." While much of the discussion contained in the report pertains to civil matters we feel it is of pertinence also to defendants in criminal actions. Frequently this Association is in receipt of desperate appeals for funds to finance the purchase of transcripts of trials in order to make application for appeal. The amounts required are just not available, and there are few, if any organizations in a position to extend financial aid. The end result is that a pauper's oath is the last resort. Whatever progress can be made to reduce the costs of appeal in criminal matters will be all to the good. While good progress has been noted by the Commission we urge continued exploration on the part of the Legislature.

## RECOMMENDATION III AND RELATED RECOMMENDATIONS. New York State Department of Correction

### 1. Long-Term Planning Advisory Board

In 1954 and 1955 we urged that the Legislature consider authorization for the formation of a long-term planning advisory committee to take major responsibility for long-range planning of correctional policies and procedures. The basic thought in mind in making such a recommendation was to provide an advisory service to the commissioner and his staff and to spearhead the development of plans extending ten or more years in the future. As is so well recognized by department administrators, there are not sufficient hours in each day to permit undivided attention to trends and needs over a period of years to come. Since there is every indication, of course, that crime and related problems will plague us for some time to come, we feel it to be an absolute necessity for a correctional administrator to devote as much time as possible to thinking through the problems of the future. This can be done with the aid of a competent staff, and particularly with research specialists, but in view of the fact that the public must be relied upon for their complete support, they should be related to the task directly. Correction and its problems can not remain a mystery—in fact, there is nothing mysterious about it in the first place, the opinions of a few wardens

notwithstanding—and the most logical means of gaining public support and at the same time utilizing their talents is through service on an advisory committee. Such a body should carry the prestige of appointment by the Governor, and serve without salary, but with expenses. An advisory committee should be expected to work in close cooperation with the commissioner of correction and his colleagues, and report at least annually to the Governor. Several states use facilities of this kind, the latest being Massachusetts where the Governor appointed an advisory group in 1955. A body such as this would serve as liaison between the Department administration and the public. Membership should, of course, be carefully selected, and composed of persons of high calibre, and recognized and respected leaders from various segments of community life.

A pooling of knowledge is necessary to produce the best kind of correctional plan for the future, and we urge the authorization of such a body.

### 2. Advisory Committee on Correctional Industries

We repeat another recommendation of the Association that has long been on our list, and one that we have every confidence will produce an industrial program that will rank among the best in the country. Precedence for this recommendation may be found in similar bodies established in the Federal prison system, California, and to some extent in Massachusetts. It is our contention that a committee composed of representatives from industry, management, labor, agriculture and the public generally, would provide a well-rounded body of experience of immeasurable value to an industrial program. This committee should be limited in size to not more than seven persons, with appointment by the Governor, and with the commissioner of correction an ex officio member.

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

One of the greatest problems in correctional administration is the full employment of the prisoner body. Monotony and idleness breed discontent and no state can afford to permit the presence of a breeding ground of trouble in prison. It is provoking to observe idle prisoners recognizing, at the same time, that their dependents may be compelled to accept relief at an added expense to the public.

We urge favorable legislative action on this recommendation.

### 3. Authorization of Trade Training Committees

The utilization of citizen groups can be extended through the device of trade training committees. Referring again to California, there are in that State some 50 such committees each composed of competent artisans in each of the major trades. For example, a small committee advises as to the most modern method of welding. The committee is composed of a small group of recognized authorities within the trade, and provides training aids and instruction and counsels on job placement for prisoners with welding com-

petence. The authorization of committees such as these would not seem to require legislation, but the hope is expressed that legislative endorsement be given.

#### 4. *Coordinated Correctional System*

The Prison Association has, for a number of years, advocated and urged that legislative support be given to the further coordination of the State's correctional system. While much of this may be accomplished by administrative direction, legislative approval of the necessary funds is needed. Coordination, in this sense, may better be defined as centralization of services within the headquarters of the Department of Correction. New York has long been in need of a centralized, department-wide classification system, looking toward the more efficient utilization of the wide variety of institutional facilities now available. Further, there should be centralization of other special services, such as expanded educational services, medical, industrial, etc., each placed under the immediate supervision of a deputy commissioner. This presupposes that the deputies are persons of professional competence. There is no alternative to efficient correctional administration. In general, and in theory at least, the responsibilities of classification and treatment, institutional services, personnel and administration should each be placed under a competent deputy commissioner.

We would suggest, however, that the time may be appropriate for an impartial and professional survey of correctional functions and administration in this State, and as an aid to the present administration. Other states such as Massachusetts, Kansas, Missouri, Pennsylvania, New Jersey and others have, within the past five years each been the subject of a study to determine the most effective methods of operation. In most instances the committees have been composed of four to seven persons, appointed by the Governor, and generally under the chairmanship of a distinguished civic leader, with the majority of the membership qualified from a professional standpoint. We feel certain that the commissioner of correction would welcome such a study geared, as it should be, to the improvement of correctional techniques.

#### 5. *Staff Training*

The Legislature should lend its full support in the direction of staff training. In light of the forthcoming 44-hour week for custodial personnel, and the addition of approximately 300 officers, in-service training is especially necessary. A continuous training program is necessary in the interests of top efficiency and professional competency.

#### 6. *Removal of Restrictions Relative to Appointment of Correctional Institution Heads*

This recommendation is being repeated, and is in support of earlier recommendations made by the so-called Knapp study group of several years ago, and other bodies. While the appointment of cor-

rectional institution heads is an administrative matter between the civil service and correction departments, the Association urges favorable legislative support of the removing of certain restrictions that now preclude the appointment of wardens and superintendents from outside the custodial service.

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

#### 7. *Transfer of the Matteawan State Hospital to the Department of Mental Hygiene*

We concur with a recommendation made by the State Mental Health Commission more than a year ago to the effect that the Matteawan State Hospital at Beacon be transferred to the State Department of Mental Hygiene. In view of the fact that all commitments are made direct by the courts for reasons of mental illness, prior to court conviction, and because the institutional program is one directly related to the Department of Mental Hygiene requiring specialized psychiatric services, we feel this recommendation worthy of serious consideration. The problems of mental inadequacies found in this particular institution are not of a "correctional" nature, and require the services of mental hygienists.

#### 8. *Need for Expansion of Research Program*

One of the most important requirements, and one of the most important aspects of a progressive correctional system is a research program. The Legislature of 1954 recognized this point, and established a Division of Research within the Department of Correction by virtue of Chapter 240 of the Laws of 1954. It was not until budgetary and civil service limitations were cleared on April 1, 1955 that the division came into its own. While the Department of Correction has long collected statistics and factual material, it

has not had the benefit of specialized research methods and personnel to translate figures into facts, and to make appropriate analyses.

The Association urges legislative support to the expansion of this all important activity. On the basis of many decades of observation of the correctional field, locally as well as nationally, we hold to the opinion that a correctional department requires its own exclusive research staff and service. We do not favor a consolidated research service, and state quite pointedly that correction should maintain its own special service, free from interference by other departments or commissions. As one major undertaking and an opportunity for broad-scale research, we would suggest, for example, that the division of research conduct a study of the effectiveness of the Walkkill Prison program. It will be recalled that Walkkill was developed as a result of the vision and long-range planning of the Lewishohn Commission twenty-five years ago. Formed as a result of a wave of serious prison disturbances in New York State in 1929, the Commission conceived the Walkkill plan, and the present institution was one of its many accomplishments. We know of the earnestness of the Walkkill administration, and we are aware of its well-planned program. However, the relationship of the plant, facilities and program to the post-institutional adjustment in the community on the part of those released is open to further study.

The time is appropriate for an exercise in "stock-taking", with answers sought to such questions as: Do the results justify the type of facilities and program? Is the institution a "paying enterprise?" What dividends are realized from the investment?

Favored as it is with the unusual advantage of hand-picking its inmate body and maintaining a limited population of less than 500 prisoners, we feel that an exploration of the long-range value of an institution of this type is necessary for the guidance of the Legislature and departmental authorities in future planning.

We offer the additional suggestion that support be given to re-appraise the purposes of the Great Meadow Correctional Institution. Designed as it is by virtue of recent extensive renovation of the physical plant and vocational training facilities and equipment, we would raise the question of the wisdom of centralizing in one institution the difficult problem cases of the Elmira Reformatory and Coxsackie units. Some of these offenders have unusually long sentences. The question could be asked if this type of offender is equal to the potential benefits of this institution from the standpoint of its vocational, educational and other specialized emphases. We feel there is serious question concerning the concentration of this type of offender in one unit, and recommend that the Department's research division, if expanded with supporting funds, conduct an inquiry in this direction. The Great Meadow program, it would seem, would be on a more solid footing if the population was mixed with some who could offer a stabilizing influence. Cognizant of the value of the Reception Center's screening services, we would still raise the question of the wisdom of concentrating the same general

category of prisoner in one institution. The integration of more promising material would be beneficial.

The foundation of an outstanding research center has been laid, but its continuance is dependent wholly upon the budgetary support of the Legislature.

#### RECOMMENDATION IV. Improved Salary Scales

We recommend again to the Legislature that they give every consideration to the approval of adequate Pension plans for those in hazardous occupations, and the raising of salary scales of the rank and file personnel. The value of such a move is obvious if society is to expect that competent personnel will be attracted to correction as a career service.

#### RECOMMENDATION V. Alcoholism

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

#### RECOMMENDATION VI. Narcotic Addiction

The problem of drug addiction is another that has plagued society in general and certainly the people of New York for generations. Of late, however, through the work of official and private bodies, much has been accomplished to curb the problem. However, continued action and alertness is needed. The Association feels, also, that the Legislature should memorialize the Congress of the United States to strengthen the border and customs patrol in its effort to control the introduction of the supply into this country. The members of the Legislature are urged to support constructive efforts to lessen the viciousness of this problem and, as in the case of alcoholism, there is available extensive knowledge gathered by a variety of agencies that may be consulted at will.

**RECOMMENDATION VII. Revision of Sex Offender Legislation**

The Prison Association has been interested in the matter of sex offender legislation for many years, and was responsible for the introduction of bills in 1947. Governor Dewey at that time vetoed the bills on technical grounds, but because he was so concerned about the problem he appointed an inter-departmental committee. This committee, of which the Association's general secretary was a member, made an exhaustive study and submitted a report that resulted in significant legislation in 1950. Chapter 525 of the Laws of 1950 makes possible the granting of an indeterminate sentence of one day to life for certain categories of sex offenders, to be meted out at the discretion of the sentencing judge. The legislation included also provisions for psychiatric treatment, parole provisions and other important requirements. As we urged last year, we feel that the full five years of experimentation with this law should serve as a basis for a legislative review of its function and application. We feel, also that exploration should be made of the advisability of extending the provision of the law to so-called minor sex offenders. Custody as such cannot be the sole answer to a problem as critical as this. A thorough understanding of the whole realm of human behavior, its psychiatric implications and their relation to the field of correctional administration must underline whatever study is undertaken. Likewise, the experience of other states, such as New Jersey should be explored.

**RECOMMENDATION VIII. Civil Service Status to County Institution Personnel**

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

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

The Association is not willing to approve the freeing into the service of incompetents or those who hold their positions solely because of political connections. We state again that this recommendation strikes at the very heart of the power of county government, but we would be unfaithful to the best correctional practice

if we did not make this recommendation. It should be stated for the record that personnel of the Department of Correction of the City of New York is under civil service as are those of some of the county penitentiaries.

**RECOMMENDATION IX. Change of Title from Prison Guard to Correction Officer**

While this recommendation may, on the surface, appear to be minor in nature, it has, on the other hand, connotations of importance. The trend generally is away from the terminology of the past. Today it is "rehabilitation" rather than "reform"—"correctional institution" rather than "reformatory"—"Director of Corrections" rather than "Superintendent of Prisons"—and we feel that the Legislature should accord dignity and prestige on behalf of the uniformed personnel, and change their titles from "prison guard" to "correction officer". In view of the fact that custodial officers are largely responsible for the ultimate rehabilitation of their charges, they should be accorded the opportunity of being known as "correction officers" rather than "keepers" or "guards". This recommendation applies also to present "hospital attendants" assigned to the State hospitals for the criminally insane. The Hospital Attendants are presently in civil service classifications comparable to correction officers, and in view of the fact that they deal with inmates at close range we feel the rewording of titles should apply with equal force to them.

**RECOMMENDATION X. Public Defender System**

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

**RECOMMENDATION XI. Department of Correction, City of New York**

It is with gratification that we record a revival of official interest and relationship between the New York City and New York State Departments of Correction. Recent conferences between the two department heads has done much to solidify and improve rela-

tionships, and it is only through a cooperative spirit that progress can be made.

We record our commendation of the administration of the Hon. Anna M. Kross, Commissioner of the New York City Department of Correction, and support in principle her program aims. There has been a decided improvement in the overall institutional rehabilitation program, and a realignment of the functions of each of the major institutions has proved beneficial.

#### 1. *Per Capita Costs*

We urge again that the Legislature give due consideration to the need for payment to the New York City Department of Correction its rightful share of the cost of maintaining felons, or State prisoners, in local institutions. In 1955 a total of 1,058 felons spent 173,937 days confined in the Penitentiary of the City of New York. At the daily per capita cost rate of \$3.84 this would amount to a total of \$591,385.80. However, in keeping with Section 2182, sub-division 3, of the Penal Law, enacted September 1, 1918, the State reimburses the City at the rate of 60¢ per day per felon confined in its institutions. Thus, in 1955, the State paid the City \$104,356.20 for this service. Actually, the loss to the City amounted to \$487,029.60, representing the balance between the two figures. In 38 years the fees paid by the State for the local housing of felons has not changed. As we indicated last year, should the State assume its rightful burden the difference in funds received would cover the cost of a well-rounded program of prisoner rehabilitation.

This matter deserves the close attention of not only the Legislature, but the State and City fiscal authorities as well.

#### RECOMMENDATION XII. Caution Against Curtailment of Correctional Industries

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

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

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

#### RECOMMENDATION XIII. An Awareness of Future Needs in the State Department of Correction

Our recommendations to the 1956 Legislature are concluded with a message of urgency that its individual members take cognizance of the needs of the future. The State can ill afford the old practice of delaying the construction of new buildings until dangerous overcrowding forces the issue. The "issue", so to speak, should be forced by calm planning and a long look into the future. The continuous increase in the prison population of New York State should serve as fair warning that in the not too distant future, if not at the present, additional facilities will be required. The people of this State should profit by the unfortunate experience of other states where improvements and added facilities has come only as a result of costly riots.

As suggested in our Recommendation III, (A), a long-term planning advisory committee would be expected to prepare a "master plan" for the next decade or longer, but in the absence of such a group we feel it necessary to direct the attention of the Legislature to the problems of the future. We support the Commissioner of Correction's recent plea for additional reception centers, diagnostic clinics to serve the courts and communities together with the Department of Correction, specialized institutions needed in keeping with our growing knowledge of types of offenders, more minimum security installations, and expanded specialized services to further extend the rehabilitation program.

Other states have demonstrated the futility of short-sighted administration based, primarily, on a total lack of planning.

We conclude with the plea that New York State not follow suit!

## THE ASSOCIATION'S 111TH YEAR

## ASSOCIATION'S ANNIVERSARY

It is of significance to note that December 6, 1955 was the 111th Anniversary of the date of the founding of the Association. On that date in 1844 a small group of citizens were invited to discuss the establishment of the Association by John W. Edmonds, an illustrious civic leader of his day. As a result of this meeting the Prison Association of New York was founded, and two years later in 1846 was chartered by a special act of the legislature. The Association's Annual Report for 1954 contains a specially prepared statement of the background of the Association and its accomplishments through the years.

## 85th ANNUAL CONGRESS OF CORRECTION

The 85th Annual Congress of Correction sponsored by The American Correctional Association was held in the City of Des Moines, Iowa, September 27-30, 1955. There were forty-six states represented, together with Canada, England, South Africa, Puerto Rico and Hawaii, with more than 700 delegates present. The four day series of meetings, including both general sessions as well as sectional meetings, covered such important topics as correctional camps, the use of institutional farms, handling of the severely recalcitrant inmate, reports on the United Nations Congress at Geneva and other international gatherings. Many technical problems were discussed in the sectional meetings and delegates were unanimous in their agreement that this was one of the best Congresses in many years. Facilities were excellent and local arrangements were well handled. Myrl E. Alexander, Assistant Director, U. S. Bureau of Prisons, was elected President and Mr. Cass and Mr. Wright were re-elected as General Secretary and Assistant General Secretary respectively. Commissioner John L. Schoenfeld was re-elected Treasurer.

It will be recalled that these Congresses are a continuation of the formation of what was once known as the National Prison Association—later The American Prison Association—and presently The American Correctional Association, founded in 1870 through the initiative of the then General Secretary of The Prison Association of New York, Dr. E. C. Wines.

## NEW YORK CITY DEPARTMENT OF CORRECTION

It is gratifying to the Association to be able to report our full support of the general program and correctional policies and procedures now a part of the New York City Department of Correction under the leadership of the Hon. Anna M. Kross, Commissioner. For the first time in many years, under Commissioner Kross's direction, the Department is committed to a program of treatment and rehabilitation of offenders and through the year we were glad to have been closely identified with the revitalized professional ser-

vices instigated by the Commissioner and her colleagues. Further, we are supporting the Commissioner's budget request for the 1956-57 fiscal year because we are convinced that it represents a marked improvement over practices of other years and because it strikes at the heart of the problem of prisoner rehabilitation. The budget requested for specialized services for the next fiscal year totals approximately \$142,000, with \$104,000 directed to the youth training program at the Penitentiary of the City of New York. The remaining \$38,000 will provide for the establishment of a guidance program for use in the detention institutions. The full operational budget request will be over twelve million dollars.

In response to frequent requests for information and guidance, both Mr. Cass and Mr. Wright have cooperated closely with Commissioner Kross and Deputy Commissioner Harry M. Shulman and other employees of the Department's staff. It will be recalled that late in 1954 Mr. Cass addressed a letter to Mr. Charles Merz, editor-in-chief of the New York TIMES, suggesting the possibility of a series of articles dealing with the Department of Correction and its problems. As noted in our 110th Annual Report relating to the year 1954, a series of articles was published in the TIMES on December 27, 28 and 29, 1954. Through the year there were requests for copies of the series and the 1954 Annual Report contained a reprint of the articles.

On January 17th Mr. Wright appeared before officials of the Bureau of the Budget of the City of New York on behalf of a request for \$500,000 for treatment services and facilities submitted by the Commissioner.

## Discussion of Budget Bill

During the course of an informal discussion of more than two hours comment was made relative to the needs for the program. At the conclusion of the conference it was understood that while the full amount could not be appropriated, the Bureau of the Budget would make every effort to have included in the final appropriation sufficient funds to at least establish a revitalized rehabilitation program. The sum of \$109,000 was appropriated by the Board of Estimate at a later date. It was gratifying to the Association to have played a part in making possible the establishment of the treatment program.

## New York City Wardens

In January Messrs. Schoenfeld, Cass and Wright met with representatives of the Wardens' Association of the New York City Department of Correction; namely, Wardens Ruthazer, Klein and Marsico to discuss salary range and in general the problem of developing an adequate cash salary in lieu of maintenance. We were able to be of considerable assistance and as a result a brief was filed by the Wardens with the Commissioner of Correction. This served as a guide to the Commissioner in deliberation relative to a possible change from a maintenance basis to cash salary without maintenance for wardens. Later in the year a substantial increase in cash salary was awarded to the wardens' group.

### Staff Training

In March Mr. Wright, our Assistant General Secretary, together with Frank F. Kenton, Warden of the Federal Detention Headquarters, and executive secretary of the National Jail Association, met with Deputy Commissioner Shulman of the Department of Correction to plan a two-day training forum for custodial and other personnel. Subsequently there was held on June 3rd and 4th a two-day forum on jail problems under the sponsorship of the National Jail Association. The Prison Association of New York was a co-sponsor and we were pleased to have been of service to the Department and the more than two hundred members of its staff present at the forum.

### Correctional Industries

During the month of May arrangements were made for a private expert qualified in management of correctional industries to inspect the industrial program at the Rikers Island Penitentiary. The inspection was conducted with Deputy Commissioner Shulman and recommendations have been submitted. This is an instance of the type of service to the local Department of Correction made possible by the Association.

### Rikers Island

On November 4th, as members of the Citizens' Advisory Committee on Rikers Island, Messrs. Schoenfeld and Cass accompanied Commissioner Kross and other members of the Committee on an inspection tour of the institution. It was most gratifying to note the improved physical conditions. The general tone of administration and particularly the conversion of the former industrial buildings into both dormitories and academic and vocational school classrooms showed great improvement. There has also been an improvement in the medical and psychiatric services, the latter, of course, continuing to be wholly inadequate.

It is very encouraging to report continual expansion of the poultry farm under the leadership of an unusual personality who is qualified by extensive professional training, coupled with a seldom-observed devotion to his responsibilities. As a result of this individual's interest and the encouragement which he imparts to inmates assigned to his department there has been established an unusual vocational opportunity in the care and breeding of poultry. Further, inmates have been trained in the construction and maintenance of necessary physical facilities. This activity in the institution supplies sufficient poultry and eggs for the 2,500 men on the Island.

### Women's House of Detention

This institution is continued as a combined place of temporary detention for women as well as for those women serving sentence. This is contrary to the original idea that the place be used only to house women awaiting court action and to get them out of the police stations. As a matter of fact, the latter language was a slogan used over seventeen years of campaigning for a women's

house of detention. In this campaign the Prison Association played a conspicuous part and the General Secretary was asked to serve as master of ceremonies at the ground-breaking by Mayor Walker in 1929. At that time Commissioner Patterson of our Executive Committee was Commissioner of Correction of the City of New York.

The institution is overcrowded and the compactness of living makes it unsuitable for classification and education and industrial activities. A new location is highly desirable and we continue to bring this to the attention of the Mayor and other officials.

### State and City Cooperation

At the request of Commissioner Kross, Mr. Cass made arrangements for a combined meeting of Correction Department officials of the City and State and on December 15th in the offices of the State Department of Correction, 270 Broadway, New York City, Commissioner Kross of the City Department and Commissioner McHugh of the State Department met to discuss the closer relationship of their interests. In addition, Commissioners Schoenfeld and Cass of the State Commission of Correction were in attendance, as well as representatives of the staffs of both Departments. This proved to be a profitable meeting and served to set the stage for further cooperation between the two Departments. Additional meetings will be held from time to time.

### STATE COMMISSIONER OF CORRECTION APPOINTED

On February 15, 1955 Governor Averell Harriman appointed Thomas J. McHugh as Commissioner of the New York State Department of Correction. Long a career officer in the Division of Parole and more recently a member of the Board of Parole, Commissioner McHugh took over his new responsibilities with more than twenty-five years' experience in the correctional field. We were gratified to note this excellent appointment and it is our opinion that the entire correctional program will benefit as a result of the Governor's designation.

On April 5th our Assistant General Secretary, Mr. Wright, held a three-hour conference with Commissioner McHugh at the latter's request and we were able to transmit to the new Commissioner many observations and suggestions for improvement of the correctional program generally.

### SING SING SEX OFFENDER CLINIC

Because of the lack of funds it was necessary for the Sex Offender Clinic at Sing Sing to cease operations at the conclusion of the fiscal year. In light of this situation the staff of the Clinic, including its Director, Dr. Bernard C. Glueck, Jr., was disbursed with Dr. Glueck going to the University of Minnesota and some of the Clinic employees joining the staff of the New York City Department of Correction. It was with regret that the Association noted the cessation of the Clinic after more than four years of existence and we have expressed the hope that a renewal of this experimental plan may be possible in the near future. Final reports of the operations of the Clinic will be forthcoming.



## GREAT MEADOW CORRECTIONAL INSTITUTION RIOT

On Wednesday evening, August 17th, a riot occurred in the yard of the Great Meadow Correctional Institution, Comstock, New York. At the time Commissioner McHugh and others of his staff were attending the Moran Institute at St. Lawrence University. It was necessary for him to drive from Canton to Comstock that evening and on arrival at Comstock he ordered the 175 prisoners free in the yard and armed with clubs and bats to return to their cells. He gave them five minutes to do so and when they refused to comply he ordered the guards and State Police to use force in moving the prisoners to their cells. The Commissioner remained in constant touch with the Governor and his staff and was commended later by the Governor for his swift and positive action.

As a result of this stand the morale among the correction officer group and the wardens has improved immeasurably because they are now aware that the administration will stand behind them. The riot was, apparently, quite spontaneous and was largely the result of a small but disgruntled core of older and more experienced inmates.

Upon Commissioner McHugh's return to Canton the next day Mr. Wright spent several hours discussing the situation with the Commissioner. It was felt that the riot was handled in an excellent manner and that the use of force completely discouraged further riot attempts in other New York State institutions. Later, in the absence of Mr. Cass and on behalf of the Association, Mr. Wright addressed to the New York TIMES the following letter of commendation of Commissioner McHugh and sent a copy to the Governor.

"August 22, 1955

The Editor  
New York TIMES  
229 West 43rd Street  
New York 18, N. Y.

Dear Sir:

It is obvious that one of the most difficult assignments a public official can have thrust before him is to bring about a proper solution to a prison disturbance. The people of this country have witnessed a number of riots in the past two or three years and many of them have been settled without full regard to the citizens of the states involved.

It is to the great credit of the Commissioner of Correction of the State of New York, Thomas J. McHugh, that he acted without delay and with dispatch in the quelling of the disturbance at the Great Meadow Correctional Institution on August 17th. The Prison Association of New York commends him for his forthright and decisive action and believes that the people of this State should be cognizant of the solid support which is his on the part of those of us in the correctional field.

Prison disturbances are symptomatic of deep-seated problems, despite the fact that they may be exploded by what might be considered a weak spark of prisoner complaint. There is every reason to assume that Commissioner McHugh will proceed quickly in seeking remedy to the condition that may underly this disturbance. The fact that the riot was quelled without resort to arbitration and bargaining is to the credit of the officials of the New York State Department of Correction and the institution staff, and proof that any future disturbance will be settled to the benefit of the people of New York.

Sincerely,

ROBERTS J. WRIGHT

Assistant General Secretary."

The Governor's acknowledgment is as follows:

"September 7, 1955

Dear Mr. Wright:

Thanks for your letter of August 22nd with its enclosures. I thought that the Commissioner handled a delicate and difficult situation extremely well. I am particularly grateful to you for taking the trouble to write a letter to the Editor of the New York TIMES.

I am sending a copy of your letter to Commissioner McHugh and also to Mr. Joseph P. Conboy, Superintendent of the Great Meadow Institution.

With all good wishes,

Sincerely,

AVERELL HARRIMAN."

Subsequent to the riot at Comstock it became evident that a small group in that institution floated a "trial balloon" in an attempt to discover how the new departmental administration would cope with a disturbance. In light of the direct approach used to subdue the rioters it was apparent that others among the inmate body of the various institutions were not interested in following suit. The Commissioner of Correction and his staff deserve much commendation for the forthright manner in which they handled this explosive incident.

## ELMIRA RECEPTION CENTER ANNIVERSARY

On November 5th the Elmira Reception Center celebrated the Tenth Anniversary of its establishment and in recognition of this event the Association forwarded an appropriate telegram of greetings. It will be recalled that the establishment of the Reception Center was the culmination of an extensive campaign that commenced as far back as 1916 when the Association had advocated

and urged the establishment of a classification center at Sing Sing Prison. Through the years the Association has directed to the attention of the legislature the necessity for a unit such as the Reception Center. It was gratifying, therefore, in 1945 to observe the establishment of this unit. Since that time some 13,000 adolescent offenders have been processed by the Center.

The Director of the Reception Center, Dr. Glenn M. Kendall, acknowledged the telegram and stated that it met with wide approval on the part of those present at the Anniversary celebration. The telegram follows:

"November 3, 1955

Dr. Glenn M. Kendall, Director  
Reception Center  
Elmira, New York

To those individuals and organizations, including The Prison Association of New York and The American Correctional Association, who for years stressed the need of the individualization of study and treatment of the offender with classification and distribution to suitable institutions of those studied, the establishment of the Reception Center at Elmira in 1945 was regarded as a triumph for correctional progress. During the years this claim has been justified and on this tenth anniversary we extend our congratulations and appreciation to all those whose knowledge, patience and conscientious labors have contributed to the success attained. Further we are confident that the understanding and active interest of Commissioner Thomas J. McHugh will increase the usefulness of the Center. Keep up the good work.

E. R. CASS,  
General Secretary,  
The Prison Association of New York and  
The American Correctional Association.

#### SOCIAL COURTS COMMITTEE OF THE MAGISTRATES' COURTS SYSTEM

In response to a request of Judge Peter M. Horn, Chairman of the Social Courts Committee of the Magistrates' Courts, the Association was represented at a meeting on November 2nd at which was discussed with a small group of agency representatives procedures for applying for funds available through the Department of Correction. It will be recalled that these funds are available to the extent of a total of \$50,000 as a result of legislation earlier this year for the setting up of State aid for temporary housing for the adolescent age probationer and others of this age group not sentenced to institutions.

Subsequent meetings will be held during the winter on this problem and the Association will continue its cooperation with respect to this matter.

#### REPORT OF COMMITTEE ON DETENTIONS

Commissioner John L. Schoenfeld, as chairman of the Association's Committee on Detentions, reported as follows:

"According to the records, I have inspected approximately 64 places of detention, made 9 visits to various state institutions, and attended a number of conferences regarding our field of detention interest. There were 86 'Unusual Occurrences'.

Police prisoners brought to Magistrates' Courts are now being served food through a special fund established by the Department of Correction.

During the past year, many female correction officers have replaced male correction officers in the Magistrates Courts pens to supervise female prisoners.

Recommendation was made to the Police Department regarding the marring and defacing of walls in the detention cells. It was recommended that a stencil warning against the defacing of property be placed in all cells. This has been done and we are advised that it has helped to clear up this condition at least 50 per cent.

As of May 25, 1955, a satisfactory conclusion had been reached regarding detention of county court prisoners in Richmond County.

In general, it was noted that the detention pens are well manned and were clean and in order with very few exceptions. A continuous study is being made regarding the removal of sentenced prisoners from the House of Detention for Women in New York City which still is over-crowded."

#### CAYUGA COUNTY JAIL

Through the Commission of Correction Commissioners Schoenfeld and Cass are pressing to improve the situation at this Jail since it has long been criticized by the Commission and the Association as being inadequate and carelessly managed and pretty much in a class by itself as compared with the preponderance of modernized jails throughout the State.

This Jail was first inspected by Mr. Cass on August 22, 1913 and was criticized because of its location, administration and bad housekeeping and also a fire hazard. Again in 1914 three inspections were made and the Jail was similarly criticized and its replacement urged. Numerous inspections have been made since that date by members of the State Commission of Correction and the conditions forty-two years later are practically the same. The various Boards of Supervisors have always pleaded tax burden or have shown complete indifference. It is likely now that the matter will have to be settled by the courts since the Commission at its monthly meeting on May 25th, 1955 voted to close the Jail. It has this power, subject to review by the Supreme Court.

#### SULLIVAN COUNTY JAIL—ORANGE COUNTY JAIL

The Sullivan County Jail at Monticello and the Orange County Jail at Goshen are inadequate and not always well administered.

One is in a dangerous physical condition due to a settling at one portion of the building. On the insistence of Commissioners Schoenfeld and Cass, action is pending against both jails, threatening their closing unless the problems are satisfactorily met. Criticism toward both is of long duration.

#### ST. LAWRENCE COUNTY JAIL - CANTON

On April 27th four dangerous prisoners escaped from the St. Lawrence County Jail. It was apparent that the escape was due to laxity and maladministration on the part of the sheriff and jailors. Subsequently, at the request of the Governor, Commissioners Cass and Schoenfeld, together with members of the staff of the Commission of Correction and the office of the Attorney General, conducted a hearing at Canton during the month of June. Mr. Cass was asked to act as chairman of the hearing. Following three days of testimony a report was compiled and submitted to Governor Harriman. In September the Governor officially censured the sheriff and some of his staff. As a result of the escape one State Trooper was wounded and one of the four escaping prisoners was killed. Two years ago the General Secretary wrote a highly critical report of the administration of this Jail.

#### SUFFOLK COUNTY JAIL - RIVERHEAD

On September 20th, an escape took place from the Suffolk County Jail at Riverhead, Long Island, which was later investigated by Commissioner Schoenfeld. He reported to the Executive Committee the details of the escape and noted that action by the Grand Jury is pending. He further reported that he testified for several hours before the Grand Jury relative to this situation.

#### GRAND STREET BOYS' FUND

In October and at the request of the Hon. Jonah J. Goldstein, Judge of the Court of General Sessions, a four page memorandum was submitted to him under the title "What Does an Adolescent Offender Face Upon Return to the Community?". This memorandum was submitted to the Judge for transmittal by him to a personal friend interested in contributing a sum for use as a revolving fund to aid the 16-21 parolee and probationer. As a result of the memorandum and the valued interest and cooperation of Judge Goldstein a check for a substantial amount was received to set up "The Grand Street Boys' Fund". Later Messrs. Hoehschild, C. C. Auchincloss, Cass and Wright met with the donor of this Fund who prefers to remain anonymous, to report on the administration of the Fund, and some of the cases that had been aided as a result of the availability of this money. Subsequently the Fund was enlarged by an equally substantial amount, thus making possible the extension of funds to the 16-21 year old parolee and probationer in amounts that would otherwise not be possible. The Fund has been set up on the Association's books as a separate account and no administrative charges will be placed against it. Recipients of the benefits of the Fund are being instructed that the amount

extended to them is to be considered as a loan without interest and to be repaid at their convenience in light of their individual circumstances and ability to repay. Close contact is maintained with parole and probation officers and cases are aided only as a result of careful investigation by the official bodies concerned or by the Association as circumstances require.

#### THE GREATER NEW YORK FUND

Our Assistant General Secretary, Mr. Wright, was again asked to serve as a member of a special fund committee to solicit the employee groups of welfare agencies on behalf of the 1955 campaign.

On December 12th Commissioner Edward P. Mulrooney, as President, represented the Association at the annual Greater New York Fund distribution ceremony held at the Hotel Sheraton Plaza. The Association's share amounted to \$2,474 less \$150 dues to the Welfare and Health Council of New York City which was approved by the Executive Committee a year ago.

#### JOHN PRICE JONES COMPANY REPORT

On January 3, 1955 copies of the John Price Jones Company Report on their survey of the Prison Association's financial appeal structure was submitted to members of the Executive Committee. A number of discussions were held subsequently and as a result of the survey revisions have been made in the mechanics of the Association's fund-raising activity. The cost of the survey was underwritten privately by two members of the Executive Committee and through the Spring period the Association was able to utilize the services of staff members of the John Price Jones Company.

#### DEPUTY MAYOR'S REPORT

On May 12th the official report of the Deputy Mayor of the City of New York as chairman of a special committee to study delinquency prevention was made public. Consisting of sixty-five printed pages, the report recommends an expenditure of nearly three and one-half million dollars over the next three years. Funds were appropriated in the 1955-56 budget to help finance the program immediately and it was anticipated that State funds and possible Federal money might also be received. The recommendations proposed the expansion of the size and jurisdiction of the New York City Youth Board and called for added funds for its street club project. It will be recalled that the street club approach to delinquency prevention originated with the Prison Association in 1945 and was later administered by the Welfare Council with the help of more than \$150,000 raised by friends of the Association. Upon completion of the three year experimental project the New York City Youth Board proceeded to adopt the program. Other recommendations of the Deputy Mayor would expand the remedial reading programs in the school system through the addition of 150 specially trained teachers of reading; would provide recreational staff for 27 public housing projects; would evaluate over a five year

period the work of the Juvenile Aid Bureau of the Police Department; would establish parent education programs in certain recreation centers in high delinquency neighborhoods; would expand a program enabling high school students to complete their education while working part-time in private industry, and would establish a planning board of experts at City College to evaluate an anti-delinquency program.

The report is most commendable and if and when the recommendations are activated should contribute toward the reduction of juvenile delinquency.

#### YOUTH HOUSE

The Association continued its interest and concern relative to the overcrowding of Youth House, the City's only detention center for delinquent youth, located at 331 East 12th Street. With a capacity of 165 the population has been even higher and the Director reported that during the first half of the year nearly 600 youths were denied admittance because of lack of space.

During the summer, however, a new institution was opened by the State Department of Social Welfare at Otisville, New York. This relieved the overcrowding of Youth House and in the meantime plans are proceeding for the construction of a new institution to be located in the Bronx.

#### NEW YORK CITY YOUTH BOARD

In June we were advised that an approach would be made through the Board of Estimate to remove from civil service provisions certain positions in the New York City Youth Board. This action, had it been successful, would have made many positions non-competitive and would have removed professional qualifications. The Association joined with other agencies and through the Welfare Council made known its determined objection to this plan. As a result of this upsurge of community interest the Board of Estimate dropped the matter.

#### TEMPORARY COMMISSION ON YOUTH AND DELINQUENCY

This Commission, established by legislative direction, was headed by Mr. Thomas J. Watson, Jr., a distinguished civic leader. During the summer public hearings were held, some of which were attended by representatives of the Association and on October 3, 4 and 5 a conference was held by the Commission in Albany. Convening at the request of the Governor and the Commission, nearly 700 delegates participated in the three-day workshop and submitted a number of detailed recommendations to the Commission for further consideration. The Association was represented by Mr. Wright, the Assistant General Secretary, who participated in one of the special groups concerned with detention. It is anticipated that an official report of the Commission, with its recommendations for legislative action, would be forthcoming shortly after the first of the year.

#### MASSACHUSETTS CORRECTIONAL SURVEY

In January, 1955, as a result of a week-long seige of the Massachusetts State Prison by four long-term prisoners, the Association, in cooperation with The American Correctional Association, was asked by the Governor of Massachusetts to suggest the membership of a four-man committee to be appointed by him to survey the entire Massachusetts correctional system. Following an extensive conference with Massachusetts officials Mr. Wright was asked to serve on the committee and represent both Associations. The committee was chaired by Dr. Nils Y. Wessell, President of Tufts University, with Warden Joseph E. Ragen of the Illinois State Penitentiary, Joliet, and Will C. Turnbull, Executive Director, National Probation and Parole Association, New York, as members in addition to Mr. Wright. From the early part of February through the month of May the committee spent considerable time in Massachusetts visiting all its correctional facilities and holding public and private hearings with more than 300 persons representing public and private interests, employee groups, interested agencies and citizens generally. Subsequently, on June 1st a lengthy detailed report was submitted to Governor Herter and this was made public about ten days later. A tremendous amount of publicity was given to the report and during the summer the legislature, or General Court as it is known in Massachusetts, was held in session to produce specific legislation which would reorganize the State Department of Correction. Members of the committee were called to testify in open hearings before legislative committees and on October 20th Governor Herter signed a lengthy bill reorganizing the Department.

The Association played an important part in persuading Mr. Russell G. Oswald, formerly Director of the Wisconsin Division of Corrections, to accept Governor Herter's invitation to become the Commissioner of Correction in Massachusetts. Mr. Oswald started on his new duties on October 20th and notable progress has been made since that time.

Governor Herter has requested that the members of his committee reconvene in Boston in May of 1956 to consider progress made in the year following the submission of its final report.

The Association is pleased to have been of service to the people of Massachusetts.

#### MISSOURI PRISON SYSTEM

Following the September 1954 serious riot at the Missouri State Penitentiary, Jefferson City, Governor Donnelly of Missouri requested that Mr. Cass, the Association's General Secretary, serve as a member of the committee to study the situation. The Governor followed Mr. Cass's suggestion that his committee consist of outstanding citizens of Missouri, together with those from out of State who are familiar with prison problems. The same suggestion was made to Governor Fine of Pennsylvania in 1953 and he followed it when Mr. Cass served as a member of his committee. Governor

Donnelly's committee was headed by Major General Ralph E. Truman, cousin of the ex-President, together with Mr. David P. Wohl, industrialist, Judge Henry J. Westhues of the Missouri Supreme Court, Warden Joseph E. Ragen, of the Illinois State Penitentiary at Joliet and Mr. Walter A. Hunter, former Warden of the Federal Penitentiary at Leavenworth, Kansas.

The committee's report was written largely by Mr. Cass except for the portion concerning the prison industries and in that connection he conferred with committee consultants. The report was released to the press and public on January 2, 1955 and consisted of ninety-two printed pages. It was printed in full in the St. Louis Globe-Democrat and received wide publicity throughout Missouri and the nation generally.

An editorial in a later issue of the St. Louis Globe-Democrat follows:

#### "SPLENDID PRISON REPORT

The study of Missouri prisons and penal administration, just submitted to the Governor, is a document of uncompromising indictment. It strikes directly at ineptness, financial penury, sloppy controls, the filth, politics and lack of modern procedures that have resulted in riots and made our state penitentiary system one of the most wretched in the United States.

Then it offers 35 recommendations for drastic revision of the whole prison program. Every major fault and reform, brought out in news stories and editorials of the Globe-Democrat during the last two months, was incorporated in this comprehensive report.

The Missouri State Penal Institutions Survey Committee, headed by Major General Ralph E. Truman, (retired) has turned in an excellent job. It has furnished a sharp, full blueprint for the Governor and the Assembly.

The report is long and needs extensive conning. But its purport is clear and impressive. One by one, it delves into the incompetencies of prison administration, tabs the frailties, errors and ignorance, then shows how each problem can be remedied.

Its most important recommendations include demand for construction of a new 'medium security institution' to reduce the sprawling unwieldiness of the Jefferson City Prison. It calls for a separate unit to house mental defectives and offers other advices for a program of convict segregation—to reduce the crime school system that now crowds hardened criminals together with youthful first offenders.

The Committee urges divorce for overlapping duties of the prison warden and penal director, de-emphasis of State Highway personnel in the Corrections Department, a re-vamped guard program, employing younger men, qualified by ability instead of politics. It recommended better discipline.

The committee also advised a major renovation of the parole program, which is handled by a hopelessly small staff. It stressed the need for statute changes so indeterminate sentences could be imposed—by Judges and not juries, as at present. The disgraceful slaughter-house should be razed and a new one built, the committee declared, and the whole procedure of kitchens and food altered to eliminate dirt and insanitary handling of edibles.

Such are among the highlights. The report is a credit to its committee authors. They include, besides General Truman, Commissioner Henry J. Westhues of the Missouri Supreme Court; Warden Joseph E. Ragen of the Joliet-Stateville Prison in Illinois; Edward R. Cass, Secretary of The American Prison Association; Walter A. Hunter, former Warden of the Leavenworth Federal Penitentiary, and David P. Wohl, St. Louis industrialist. Their names deserve special mention. They have done a signal service for people of Missouri.

The rest is up to the Governor and the new General Assembly. The pattern is set. The fabrication of a modern, effective, creditable penal system must be a paramount goal in Jefferson City during 1955."

It is interesting to note the following comment addressed to the General Secretary from Mr. David P. Wohl, an outstanding business man in St. Louis who served as a member of the Prison Survey Committee:

"Dear Ed:

The Penitentiary Survey Committee Report has been getting a lot of publicity, and in my book you are the man who deserves most of the credit for a job that has met with favorable comment throughout the State.

Sincerely yours,  
Dave

January 11, 1955"

Early in 1956 the people of Missouri will vote on a seventy-five million dollar bond issue from which the correctional authorities hope to secure approximately twenty million dollars for extensive renovations of their correctional institutions and program.

#### KANSAS SURVEY

At the request of Governor Fred Hall, Mr. Cass was asked to serve on a committee to study the correctional institutions and program of Kansas. While the other surveys noted were the result of prison disturbances this was not true in the State of Kansas. A new Director of Corrections persuaded the Governor of the need for a thorough survey with the hope that an improvement in program would forestall internal problems. Membership of the Kansas committee included: Chairman, Dr. W. Clarke Wescoe, Dean of the Medical School and Director of the Medical Center,

University of Kansas; Hon. Walter A. Hunter, Chairman, Board of Penal Institutions, Topeka, Kansas; Dr. Karl A. Menninger, Topeka psychiatrist; Joseph E. Ragen, Warden, Illinois State Penitentiary at Joliet, and Gilbert Rodji, President of John R. Wald Company, Inc., Industrial Services, Huntingdon, Pennsylvania. Visits were made to the Kansas institutions during July and again in October. The committee gave counsel and guidance to members of the Legislative Council identified with the Legislature as a whole of the State of Kansas.

#### UNITED NATIONS CONGRESS

The First United Nations Congress on the Prevention of Crime and the Treatment of Offenders was held in Geneva, Switzerland from August 22nd through September 3rd. It was attended by Mr. E. R. Cass, General Secretary. Mr. Cass was a member of the official United States delegation and also represented officially The Prison Association of New York and The American Correctional Association.

This international gathering was held under the auspices of United Nations and is a continuation of the quinquennial meetings conducted previously by the International Penal and Penitentiary Commission which was merged with the Economic and Social Council of United Nations following the Congress at The Hague in 1950. It should be gratifying to the Executive Committee and the members of The Prison Association of New York as well as The American Correctional Association to know that these international meetings, beginning with the London Congress in 1872, were initiated and inspired by the then General Secretary of both organizations, the late Dr. E. C. Wines.

The fact that these meetings have been continued through the years makes for an indelible attestation to the brilliance of his vision, power of organization and leadership. As Mr. Cass participated quite actively in the affairs of the Geneva Congress he could not help but feel a deep responsibility to carry on in the spirit of one of his illustrious predecessors and thus keep faith with his efforts. The fact that the congresses have been taken over by United Nations, thereby adding considerable prestige, is undeniable further proof of their value.

At the Congress there were official and unofficial delegates and observers from 66 countries with 560 participants. The United States official delegation consisted of 17 members appointed by the State Department and was headed by the Hon. William P. Rogers, Deputy Attorney General of the United States. In addition to the 17 official delegates there were 31 non-official delegates and observers, making a total American representation of 48. The official delegates of the various countries were the only ones permitted to function during the plenary sessions of the Congress which, incidentally, was a working Congress, but other representatives were permitted to participate in section meetings although in both the section meetings and the plenary sessions only one vote was allowed for each accredited government.

On September 20, 1955 Mr. Cass sent to all members of the Executive Committee as well as to others interested in the affairs of the Association, a report memorandum consisting of seventeen mimeographed pages. This memorandum is included in full in another section of this Report. (See page 77)

#### PROPOSED SHELTER FOR ADOLESCENTS

At the November meeting of the Executive Committee it was reported by the Association staff that there was desperate need for shelter facilities for the homeless adolescent-age boy. This City lacks facilities for this age group but does maintain a shelter for the younger age groups as well as a lodging house for those over twenty-one. Between the ages of 16 and 21 the City provides absolutely no shelter facilities. This has long been a desperate need and has had the close attention of many agencies including the New York County Lawyers' Association and the Welfare and Health Council, as well as the Prison Association.

At the suggestion of one of the Executive Committee members a case presentation was developed with the help of staff personnel of the Welfare and Health Council of New York City and at the end of the year a substantial sum of money had been promised through foundation help and persons interested in this need. The proposed shelter would have a capacity of approximately twenty-five boys and would provide four or five persons on the staff as counsellors and other assistants. Under present circumstances these youths must now be committed to the City Prison if shelter is absolutely necessary. This involves the lodging of charges and court arraignment including fingerprinting, photographing, etc. This process results in a "record" being placed against the youth which will follow him throughout his days. Many youths picked up by the Juvenile Aid Bureau of the Police Department are runaways from home and should be returned to their home communities. At present and without sufficient facilities the police have little alternative than to lodge this group in the City Prison. This problem is of deep concern to the police officials as well as a number of agencies and is one that has been discussed over the years. It is hoped that with the interest of our Executive Committee preparations made thus far will result in reaching a solution.

#### SOUTHERN STATES PROBATION AND PAROLE CONFERENCE

During the month of April Mr. Cass, the General Secretary, attended the Southern States Probation and Parole Conference in New Orleans, Louisiana, which included the Mid-Western and North Central States Wardens' Conference. He attended in his capacity as General Secretary of The Prison Association of New York and The American Correctional Association, and participated in the program of both groups. During the course of the meeting an inspection trip was made of the Louisiana State Penitentiary at Angola and the new construction program was observed. In Louisiana there is in process one of the most notable and significant

improvements in a state correctional program. The construction of a modern group of buildings and the establishment of a plan of intelligent treatment of prisoners labels Louisiana as one of the up-coming states in the correctional field. This designation will continue just as long as the people of Louisiana refuse to permit a return to the earlier days of political control of the correctional system. Governor Robert F. Kennon of Louisiana is responsible for much of the planning and progress to date, having made this issue one of his primary campaign platform planks. The people of the State and the press supported him wholeheartedly. On November 28th the new prison was dedicated officially.

Enroute to the Southern States meeting Mr. Cass was able to observe prisoners working on maintenance of highways in Virginia, North Carolina, South Carolina and Florida. Visits were made to the state penitentiaries in these and other areas and he reported to the Executive Committee that it was to the credit of the South that tremendous improvements are being noted, together with the fact that the Southern states have found a way to constructively deal with the problem of idleness.

#### FREDERICK A. MORAN MEMORIAL INSTITUTE

For a number of years the staff of the Prison Association has participated in the program of the Frederick A. Moran Memorial Institute on Crime and Delinquency at the time of its annual week-long training period held at St. Lawrence University, Canton, New York. In 1955 Mr. Wright again represented the Association and acted as coordinator and chairman of a workshop for sheriffs and jailors. The training session covered a two-hour morning period, in addition to a two and one-half hour discussion period in the afternoon. Thus a total of nearly five hours a day was devoted to problems of short-term institution administration over a period of five days. The Association acted as a co-sponsor of the workshop, in addition to The American Correctional Association, the New York State Commission of Correction, the New York State Sheriffs' Association, the New York State Association of Chiefs of Police, the United States Bureau of Prisons, and the National Jail Association. Approximately forty sheriffs and jailors attended the workshop and participated in discussions led by Mr. Myrl E. Alexander, Assistant Director, U. S. Bureau of Prisons, Washington, D. C.; Paul D. McCann, Secretary, State Commission of Correction; George F. Venter, Jr. Senior Inspector, N. Y. State Commission of Correction; Charles C. McCloskey, Jr., Sheriff, Chautauque County, Mayville, New York; Roy Casey, Chief Jail Inspector, U. S. Bureau of Prisons, in addition to Mr. Wright. Visiting discussion leaders included Dr. William L. Dorr, Senior Physician, Auburn Prison; Dr. Francis C. Shaw, Director, Dannemora State Hospital, and Dr. F. N. Potts, Chief Psychologist, Ontario Department of Reform Institutions. A wide variety of audio-visual aids were used and there was full participation by those enrolled. This is the first time that a workshop of this nature had such wide sponsorship and it is planned to continue the

program in future years. The New York State Commissioner of Correction, the Hon. Thomas J. McHugh, indicated that this particular program was the high spot of the Institute week and has given his support to its continuation.

#### BROOKLYN COLLEGE WORKSHOP

Under the leadership of Dr. Herbert A. Bloch, formerly chairman of the Department of Sociology at St. Lawrence University, and presently on the faculty of Brooklyn College, a workshop of eighty teachers of the New York City school system was held over a six weeks period during the summer of 1955. The Association was asked to cooperate and early in August Mr. Wright addressed a morning session on the problem of jails and their administration.

#### TEMPORARY COMMISSION ON THE COURTS

Through legislative approval during the last year of Governor Dewey's administration the Temporary Commission on the Courts of the State of New York was established. During 1955 a number of hearings were conducted in addition to meetings of small groups representative of public and private agency interests in the area of courts dealing with youth and families. The Association participated in several meetings of an informal nature and in cooperation with the Welfare and Health Council of New York City. Leading up to the proposal that there be a Youth Court established within the County Courts of New York State, the Commission noted that an amazing number of different courts had jurisdiction over the young offender. These courts are the Supreme Court, the County Courts, and the Court of General Sessions; the Court of Special Sessions of New York City, and the Magistrates' Court of New York City, in addition to some 3,000 justices of the peace and police officers, plus sixty City courts and the Court of Domestic Relations and the Children's Court. It is obvious that there is a wide diversity in the qualification, experience, terms of office, salaries and methods of selection of the numerous judges. Under present procedure no one court can be held responsible for the treatment of the young offender. For the purpose of bringing order out of chaos the Association has submitted to the legislature its recommendation supporting the proposal of the Temporary Commission to the effect that a youth court be established.

#### WELFARE AND HEALTH COUNCIL

As we have for the more than twenty-five years since the Council was established, the Association continued its active participation in the affairs of the Welfare Council. We do this for two basic reasons; first, to cooperate with other agencies in comparable areas in supporting the necessary community projects and interests and, secondly, to lend our own technical knowledge and experience in the field of correctional administration. It is obvious that it is only through the coordinated interest of a number of public and private agencies that progress results. Our representation and participation in Council activities is centered primarily within the Council's Section on Correction and Allied

Services. Mr. Wright, the Association's Assistant General Secretary, is chairman of the Section for the 1955-56 season. This is the second time that he has served as chairman, the first dating back to 1947-49. As a result of the Council's reorganization several years ago, participation in its various sections is more evenly distributed between boards and lay persons. Heretofore the various working sections of the Council were composed primarily of professional persons. During the past two or three years, however, more and more board members and interested citizens have been brought into its operations. This makes for increased public interest and broadens the base of operations of the Council's activities.

In addition to the Correctional Section the Association has representation with the Council's interests in family service and employment and guidance. Likewise we have membership on the Council's Committee on Narcotic Addiction and its Committee on Alcoholism. Further, in light of Mr. Wright's chairmanship he is a member of the Council's Central Planning Board.

Late in 1955 a proposal was submitted by the Council's Board of Directors which would lead to further reorganization of its structure, including a change of name to the Greater New York Community Council, Incorporated. By vote of the Association's Executive Committee our delegates to the Council were empowered to vote favorably for the reorganization. However, at the end of 1955 no definite action had been called for but meetings were scheduled for January and February, at which time the interest of the Association would be recorded.

A variety of other services were offered by the Association through the Welfare Council and these included a review of certain films dealing with the subject of narcotic addiction; joint representation of the Council and the Association before officials of the New York City Bureau of the Budget on behalf of the rehabilitative program of the New York City Department of Correction; a review of the program of Riverside Hospital for young narcotic users; as well as a number of other activities related to our correctional interests.

The program of the Section on Correction included presentations by the New York City Commissioner of Correction, the New York State Commissioner of Correction, and the chairman of the municipal Parole Commission.

#### NATIONAL JAIL ASSOCIATION

As noted elsewhere in this Report of our 1955 activities, we cooperated with the National Jail Association and the New York City Department of Correction in sponsoring and participating in a two-day forum on jail problems designed for the personnel of the New York City Department of Correction. Specialists were brought in from outside the State and more than two hundred correction officers and others participated during the two-day period. The program consisted of demonstrations, films and discussions, and the U. S. Bureau of Prisons assisted in furnishing participants and training aids.

Since the establishment of the National Jail Association in 1938 Mr. Wright of the Association's staff served as its executive secretary. In 1954 he resigned his position and was elected president of the Association for the 1954-55 year. At the expiration of his presidency he was elected a member of the Association's Executive Committee. The Association was pleased through the years to be of service to the National Jail Association by offering not only its staff services but mechanical facilities and we did so in light of our more than a century of interest in the problem of jails and other short-term institutions. Warden Frank F. Kenton of the Federal Detention Headquarters of New York City was elected to serve as the Association's permanent executive secretary.

#### ASSOCIATION'S PROPERTY

At the January meeting of the Executive Committee the General Secretary directed attention to real estate operations in the area of our building and property at 135 East 15th Street. Mr. C. C. Auchincloss stated that he would contact Mr. Douglas Gibbons of the real estate firm of Douglas Gibbons & Company and together they would survey the situation. In February Mr. Gibbons and Mr. Auchincloss reviewed the property and discussed the situation at length. It was their recommendation that we should not make a change from the standpoint of location in light of the fact that with the removal of the Third Avenue Elevated the neighborhood would improve. Further, our central location, and the fact that rental in a mid-town area would be prohibitive were important considerations in reaching the decision to remain at the present address. Other factors such as our tax status, cost of moving, costs of remodeling and renovation of another property, and the low maintenance cost of our existing property were considered in reaching this decision.

At the end of the year the Third Avenue Elevated had been removed and there were many reports noted in the newspapers of the rapidly increasing value of Third Avenue property. Much of this was based on the announcement at the end of the year by the Borough President of Manhattan that Third Avenue would be widened and beautified by the planting of trees and modern lighting.

#### PUBLIC RELATIONS ACTIVITY

It is seldom that a day passes that representatives of newspapers, magazines, television, radio and other information media do not contact the Association for information. We feel, of course, that this is a vital part of our program and an activity that serves to increase and improve public interest. These requests on occasion are quite time-consuming and their immediate and ultimate value can not be projected in a report such as this. Among many requests received in 1955 we participated in radio interview with the well-known Tex and Jinx personalities and this resulted in publicity concerning the release of our Annual Report. The interview was held on March 11th and Mr. Wright and an un-named former



long-term prisoner participated. The parolee received immediate offers of clothing and employment and this rapid response on the part of the listening audience served to impress us further with the wide appeal of the Association's activity through its Employment and Relief Bureau.

Such magazines as LIFE, COLLIER'S, READER'S DIGEST and many others have called upon us on numerous occasions for either suggestions or information as well as to check factual data already in their possession.

Our public relations activity included also a wide variety of public-speaking engagements including various Masonic and local civic and service groups, and in April Mr. Wright addressed a Communion breakfast at St. George's Church, a neighborhood activity of the Prison Association. Articles on correction were contributed to the "Book of the States", published every two years by the Council of State Governments, and the American People's Encyclopedia, published by Sears Roebuck & Company, and the World Book Encyclopedia.

We received a number of requests for service that could not be fulfilled because of pressing problems within the Association itself at the time the requests were called for. These included participation in the biennial assembly of the National Council of Churches Social Welfare Conference; Pennsylvania State In-Service Training Institute; the New England States Conference on Correction, and other related activities.

#### BALTIMORE CITY JAIL

At the request of the Baltimore City Service Commission Mr. Wright participated in the conducting of a civil service oral examination for the position of Lieutenant in the Baltimore City Jail. The co-examiner was Dr. E. Preston Sharp, Director of the Philadelphia Youth Study Center. The examination was conducted in June and Mr. George F. Dollinger, President of the Commission extended through a letter his thanks and appreciation for our help.

#### STATE PAROLE DIVISION HEARINGS

The Association was requested to support an appeal for salary re-allocation on the part of parole employment officers of the New York State Division of Parole. On February 17th at a hearing in New York City the staff of the Association presented arguments supporting the re-classification of the positions of six officers. An informal presentation was made relating to the Association's interest over the years in improvement of parole in this State and appreciation was expressed to the Association by the officers concerned.

#### NATURALIZATION PROCEEDINGS

Our Annual Report for 1954 discussed in detail our activities on behalf of a parolee scheduled for deportation because of provisions of the McCarran Act. This man, as the Report will indicate, came to the United States in 1905 and was shortly thereafter committed

for a serious offense. Released on parole and subsequently re-imprisoned for violation of parole, he was again placed on parole in 1942. At that time Mr. Harry Schwartz, Director of the Association's Employment and Relief Bureau, secured employment for him with a large New York corporation. He has been steadily employed since that time at the same position and has made an admirable adjustment in the community. He is now married and owns his own home and has received a number of promotions in his work. In 1954 we presented detailed information on this case to Governor Dewey in the interest of a pardon to avoid deportation. In light of this man's highly satisfactory record in the community Governor Dewey issued a pardon in that year. This served to cancel the proceedings against this man. Late in 1955 we appeared on his behalf before officials of the Naturalization Service leading to the eventual granting of citizenship to this former parolee. At the end of the year the proceedings were still in process and the Association will continue in support of the application with the anticipation that naturalization will be granted in 1956.

#### FOREIGN VISITORS

We continue to cooperate with the U. S. Department of State, the Carnegie Corporation and other official and responsible private interests in compiling itineraries for visitors from foreign countries. In 1955 we had a number of distinguished representatives of other lands, including the Hon. John Vincent Barry, Justice of the Supreme Court of the Australian State of Victoria and the Rev. Henri P. Junod, Secretary of the Penal Reform League of South Africa, who has served the people of South Africa for many decades in the interest of correctional progress. Representatives from Formosa, Korea, Egypt, Israel, England and other areas visited the office and were assisted in the development of itineraries and visits to correctional institutions throughout the country.

We were particularly pleased to have been of service to the Rev. Henri P. Junod and with the help of one or two members of our Executive Committee were responsible for securing a grant from the Carnegie Corporation which made possible an extensive four-month trip to correctional departments and institutions of the United States. A summary of his remarks before the Association's Executive Committee in December is noted elsewhere in this Report. (See page 55)

#### WESTCHESTER COUNTY ALCOHOLICS ANONYMOUS

In keeping with a tradition of many years the Association was represented at the annual dinner meeting of the Alcoholics Anonymous groups of Westchester County held in May at the County Penitentiary. Mr. Wright again represented the Association at this meeting of more than two hundred men and women members of A.A., including a number of former Penitentiary inmates, who give service throughout the year to the Penitentiary's A.A. program. Meetings are held every Monday night through the year and the program is considered one of the most outstanding in the country in the area of the prevention of chronic alcoholism.

## NATIONAL COUNCIL OF CHURCHES

We continued our relationship to this important body, particularly through Mr. Wright's chairmanship of the Council's Commission on Ministry in Institutions. A number of conferences were held with public and private officials concerned with the improvement of chaplaincy standards in correctional institutions and nominations were made to the U. S. Bureau of Prisons of candidates for its Protestant chaplaincy service. Dating back to 1934 the Council and its forerunner the Federal Council of Churches has acted as the recruiting and nominating agency for Protestant chaplains in the Federal Prison Service. Recently annual and semi-annual meetings of the Commission attracted a number of persons from various sections of the country and this body represents one of the most potent forces in the interests of an improved Protestant chaplaincy service.

## GUEST SPEAKERS

At the regular monthly meetings of the Association's Executive Committee every effort is made to secure the presence of distinguished citizens and officials of the City and State in order to further acquaint the Committee members with developments and problems relating to the Association's interests.

In 1955 the following persons led in these discussions: February, the Hon. Harry M. Shulman, Deputy Commissioner, New York City Department of Correction; March, the Hon. Edward S. Silver, District Attorney, Kings County; April, the Hon. Thomas J. McHugh, New York State Commissioner of Correction; May, the Hon. Mark A. McCloskey, Chairman, New York State Youth Commission; November, the Hon. James J. Kelly, Special Agent-in-charge, New York Division, Federal Bureau of Investigation; December, the Rev. Henri P. Junod, Secretary, Penal Reform League, Pretoria, South Africa.

Brief digests of the remarks of this distinguished group are noted below. In each instance the full support and cooperation of the Prison Association was voiced by Mr. Edward P. Mulrooney, President of the Association and former Police Commissioner of the City of New York.

**Professor Harry M. Shulman, Deputy Commissioner,  
New York City Department of Correction**

Professor Shulman spoke on problems confronting the Department and steps taken to effect improvements. He described the increasing volume of commitments and the physical inadequacies of institutions of his department. Special mention was made of the alterations in the design of the new Kings and Queens City Prisons to provide facilities for planned and directed occupational activities to offset the demoralizing idleness, especially among young prisoners identified with the City prisons and county jails. Of interest was the request made for a new type of institution to be used for the detention of young offenders and also a diagnostic service unit,

with \$50,000 allotted for each. Emphasis will be directed toward the development of Rikers Island as a genuine industrial prison to overcome the present situation where all jobs are heavily over-manned, reducing the work day to approximately four hours. Effort will also be made to extend industrial training and it will be accompanied by the request for a school of vocational training.

Regarding personnel, he indicated the desire to encourage career service and to raise the standards for new recruitments. It has been agreed to make high school graduation a minimum educational requirement. Reclassification of the personnel looking toward improvement in quality is under way. In this respect the interest and cooperation of the Board of Higher Education is being cultivated. The salary scale has been improved, making for more satisfaction among custodial personnel. While it is realized that a long-range rehabilitative program is not suitable for all of the type of population at Rikers and Hart Island, due to their short terms and various deficiencies, plans are under way to develop the idea for at least 20% of the population. At present about \$5,000 is being spent annually on personnel identified with a rehabilitative program out of a budget of approximately ten million dollars. It is anticipated that this amount will be considerably increased in later budget provisions.

**Hon. Edward S. Silver, District Attorney, Kings County**

It was Mr. Silver's opinion that reports of the use of wire tapping have been greatly exaggerated. While there have been reports of 58,000 wire taps in 1952, Mr. Silver said a check has shown only 480 legal taps in New York City in that year and the number in the whole State probably did not exceed 1,000.

There is wide misunderstanding of wire-tapping, Mr. Silver said. He stated he believed in legal wire taps and that the District Attorney's office could not exist without them. He said court orders for wire taps were essential to bring objective judgment to bear on their use. In his office, he stated, the use of legal wire taps had brought convictions in eighty per cent of the cases involved.

District Attorney Silver said that the Rackets Division of his office has made considerable progress and enumerated these achievements—

- Broken up the tow car racket
- Cleaned up fraudulent radio and TV advertising
- Put an end to fake advertising of sewing machines
- Brought about action in the radio and TV industry to establish a fair code for advertising.

Referring to the "Report of Special Investigation by the District Attorney of Kings County and the December 1949 Grand Jury" Mr. Silver said that the Report of that investigation gives the lie to those who say that corruption and unholy alliances between law enforcement agencies and the criminal are inherent in our form of government. He further indicated that the Report says that honesty and courage and persistence are still the answer to the

law-breaker whether he carries a gun, wears a uniform or sits behind a mahogany desk. In conclusion he pointed out that the Report states that no combination can beat a combination of honest and courageous law enforcement agencies—the District Attorney, the Court, and the Police. In short, the Report says “you can” where many, too many, say “you can’t”.

**Hon. Thomas J. McHugh, Commissioner,  
New York State Department of Correction**

In introducing Commissioner McHugh, Commissioner Mulrooney noted that he was appointed by Governor Harriman on February 9th, 1955 following many years' experience as a career officer of the New York State Division of Parole and since March, 1952 as a member of the Board of Parole by virtue of his appointment by Governor Dewey. A native of Buffalo and a graduate of Niagara University in 1931, Commissioner McHugh holds a master's degree in social science from the University of Buffalo. He is consultant on correctional studies with the University of Notre Dame and holds a number of additional appointments within the State Government by virtue of his position as Commissioner of Correction.

Commissioner McHugh responded with words of appreciation for our interest and support over the years and reminded the Executive Committee that he has known well of the brilliant history and record of accomplishment over the many years of its existence.

He indicated that his remarks would be completely informal and stressed, first, the need for emphasis in tightening the security of the State's correctional institutions and gave several illustrations that indicated weaknesses involved. While he pointed out that there were problems of perhaps equal importance to that of security, he could not overlook the necessity of assuring the people of the State that prisoners would be held in safekeeping. In this connection he stressed also the glaring lack of training facilities and hoped that the Association might assist in the development of a more inclusive correctional training program.

He expressed the hope also that probation services in the State could be extended and felt that the Governor's approval of legislation noted previously would be of tremendous value. Dividing the State into correctional districts was another plan which he wants to explore further in order to, in a sense, de-centralize some of the activities of the Department of Correction. It was reassuring to learn that the State is not in a difficult situation from the standpoint of institutional over-crowding except at the Matteawan State Hospital where there are some 600 to 700 persons beyond the capacity mark.

Commissioner McHugh, in referring again to the training problem, reminded the Executive Committee that Commissioner Mulrooney, during his time as head of the Correctional Department, was responsible for the development of what is known as the Central Guard School and he hoped that further attention could be given to its re-establishment. A good part of the Commissioner's

comment related to the proposed establishment, by virtue of legislation just approved by the Governor, of a camp program for younger offenders. Preliminary negotiations are in progress with the State Department of Conservation and the sum of \$130,000 has been appropriated for the establishment of one camp for fifty prisoners. Likewise, a Division of Youth will be established within the Department of Correction, and while this could have been done by administrative direction, the Commissioner noted that it was given added prestige and stability, together with an appropriation of \$12,000 by virtue of legislation. This Division will be responsible for the operations of the camp program, as well as the placement of approved parolees and probationers in hostels and foster homes when appropriate.

**Hon. Mark A. McCloskey, Chairman,  
New York State Youth Commission**

In introducing Mr. McCloskey, Commissioner Mulrooney indicated that he had known him for a great many years and recalled that our guest's childhood was spent in a section of the City known as Hell's Kitchen. Mr. Mulrooney disputed the accuracy of this title as referring to a certain area of our City, pointing out that it originated with respect to one house in the area in which there were frequent disturbances requiring police attention. As years went on the whole area and portions of the City north and south of it took on the name—Hell's Kitchen.

Mr. McCloskey served the Hudson Guild Settlement House for sixteen years and from 1938 to 1954 he was Director of Community Education for the Board of Education, City of New York. He is active with a great many community groups and Mr. Mulrooney indicated that he was eminently qualified to fulfill his present responsibilities.

Mr. McCloskey replied by indicating that he had long known of the work and activity of the Association and appreciated Commissioner Mulrooney's expression of support. He stated that the Prison Association represented the conscience of the people of the community and voiced the appreciation of the people of the State for the Association's many achievements over the years.

In commenting on his responsibilities as Chairman of the New York State Youth Commission, Mr. McCloskey outlined four major responsibilities as follows:

- 1) The role of the Youth Commission in public education.
- 2) The role of the Commission in sponsorship and subsidizing recreation and other delinquency prevention projects throughout the State including the granting of one million dollars to the City of New York (to be matched by City funds) for the annual operations of the New York City Youth Board.
- 3) The problem of identification of children “good, bad and indifferent” as these potentials may be manifested in their early school years.

4) The coordination of efforts of various State departments interested in delinquency prevention and child welfare.

He discussed primarily point 4 above, stating that if he did nothing else he was determined to achieve coordination among such interests as social welfare, education, religious services, youth serving agencies and others. He noted as particular problems, so-called "drop-outs" of children in high school years.

He noted also the importance of improving the role of the truant officer as an individual and in his relations with the family of the school child. Likewise, he discussed the importance of additional teachers and classes in remedial reading, stating that there was a marked percentage of students who had major reading problems.

With respect to youth service agencies, he raised the question as to whether or not they are teaching the children they are presumed to serve. He expressed alarm over the apparent isolation of various agencies and the fact that they work without adequate coordination.

Mr. McCloskey noted also that insofar as New York City was concerned it must arrive soon at a philosophy of dealing with children that would embody the interest of the Police Department, Board of Education and other private and public agencies. He expressed the hope that such a philosophy would not be punitive but at the same time would be firm.

**Hon. James J. Kelly, Special Agent-in-charge, New York Division, Federal Bureau of Investigation**

In introducing Mr. Kelly, Mr. Auchincloss extended the full cooperation of the Association and urged Mr. Kelly to utilize our services whenever appropriate. He indicated further that Mr. Kelly is a native New Yorker and was graduated from Holy Cross College in 1930. He secured his Bachelor of Laws Degree in 1945 from St. John's University Law School and his Master's Degree in Law from the same School in 1940. From 1935 to 1940 he practiced law in New York and joined the Federal Bureau of Investigation in March, 1941. Since that time he has served the Bureau in many district offices and was Special Agent-in-charge at several locations, serving also in Washington with the Bureau's head office. He was assigned as Special Agent-in-charge of the New York Division of the Federal Bureau of Investigation in February, 1954.

The speaker outlined the development of the Bureau, indicating that it was established as the Bureau of Investigation in 1909 and remained as such until 1924. Mr. J. Edgar Hoover, the present Director of the Bureau, became affiliated with it in 1924 and at the age of twenty-nine was its first Director. He has remained in that position ever since. He stated that the Bureau was founded on two basic concepts, one that there was never to be political influence exerted in its operation and second, that all advancements within the Bureau would be on the basis of merit. He outlined several of the broad functions of the Bureau and said that it

handles domestic intelligence and strives to raise the standards of law enforcement to a professional status. He stated that this was needed particularly in light of the fact that the ranks of law enforcement are vastly outnumbered by the great army of law violators.

In 1924, Mr. Kelly remarked, there were 800,000 fingerprint cards available in several offices in Washington and today there are more than 130 million with no two identical. He remarked that each day from 6,000 to 20,000 additional cards are handled, and that each month some 1,200 persons are identified by the Bureau as wanted persons. He stressed the fact that this was a service made available to the localities without cost. One and one half million new fingerprint cards are added yearly. In response to a question by Mr. Richmond as to whether or not the 130 million fingerprint cards represented 80% of the total population of the country, Mr. Kelly indicated that this was not so because many persons have more than one card in their file. He commented at length on the value of fingerprinting in the identification of civilians; missing persons, injured, and those deceased in accidents, etc. were mentioned.

The speaker elaborated at length on the outstanding work of the Bureau's crime detection laboratory and made reference to various cases. In conclusion Mr. Kelly referred to three other aspects of the Bureau's activity which he had heretofore discussed: 1) The assistance given by the Bureau to local law enforcement agencies as a result of Federal legislation known as the "unlawful flight from justice" Statute. 2) He emphasized the value of the Bureau's publications, particularly the semi-annual Uniform Crime Reports and the monthly Law-Enforcement Bulletin. 3) Stating that time did not permit a full outline of the Bureau's interests and activities, Mr. Kelly concluded by pointing out other contributions to the field of professional police training through the FBI's national police academy. The academy was established in 1935 and since that time more than 3,000 local law enforcement officers have profited by the four month intensive course.

Mr. Kelly extended his thanks and appreciation for the opportunity of discussing the functions of the Federal Bureau of Investigation with the Association's Executive Committee and indicated that he would continue to call upon us whenever the opportunity was appropriate.

**Rev. Henri P. Junod, Secretary, Penal Reform League, Pretoria, South Africa**

In introducing the guest speaker, the Rev. Henri P. Junod, of Pretoria, South Africa, President Mulrooney indicated that Mr. Junod is of Swiss origin and for more than twenty-five years has labored in South Africa as a missionary and as Secretary of the Penal Reform League of South Africa. As a guest of the Carnegie Corporation he has been in this country since the end of September and has visited more than sixty institutions in various states,

ranging from California in the West to Texas and Mississippi in the south. Mr. Mulrooney stated further that he had long been known to our General Secretary through correspondence covering many years and also by virtue of their attendance together at the recent United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Geneva in August. Mr. Hochschild likewise has known Mr. Junod for some years and has visited with him in Pretoria and is much interested in Mr. Junod's observations in this country.

Mr. Junod made mention of his long service in South Africa and his intimate relationship with correctional affairs both in his own country and internationally and noted that he and Mrs. Junod had covered 12,800 miles visiting institutions and observing many of America's natural wonders during their three months in this country. He stated also that he had spoken to many public and private groups and had been exceptionally well received and the recipient of sincere cordiality in all states and institutions.

Noting that it was largely through the help of Mr. Hochschild and Mr. Cass and the facilities of the Association, that his journey was made possible, he mentioned by states more than sixty institutions which he had visited thus far. He remarked that the best and quickest way to enter a new country "is to observe its life in one of the fields of human activity with which one is relatively well acquainted". Noting his difficulty of generalizing in a short period of time Mr. Junod stated that he would like to make note of "the very sad, and sometimes not short of scandalous assumptions overseas that this land is the home of Murder, Incorporated on a national scale". A good deal of this feeling, he stated, is due to the fact that the methods of reporting crime and related activities in this country by the press is so general that correctional efforts appear much less effective than they are. Continuing, he made the following remark: "Your correctional effort has been an eye-opener in various ways: It has revealed at its best an America which I knew existed, the America which is the champion of a freedom which Communism will always ignore, because it is based on what is most precious in our Western heritage; a faith in God, in the divine origin of human life, even when it has miscarried into delinquency and crime. You are starting to understand what the Western world seems to forget, and that is that one fundamental principle must direct all social actions against major as well as minor offenders, and that is that the arm of the Law, at all levels, must never descend to the level of the wretched person it wishes to correct".

One of the most significant observations commented upon was the fact that the custodial officer in this country is now a definite and integral part of our rehabilitative and reformative process. Another observation of significance was that the caliber of professional men attracted to the field is exceptionally high. Mr. Junod referred particularly to California, Texas and the Federal Prison System as outstanding examples of successful and efficient ad-

ministration. Another major observation related to the American development of a parole system which is, as Mr. Junod noted, far in advance over those of other countries.

Mr. Junod commented on what he termed "the delicate problem of integration or segregation of races in correctional institutions". With particular reference to his own experience in South Africa he stated that "it is one upon which, as you will readily understand, I have had the opportunity to reflect for many years". He remarked that his country legislates segregation and ours legislates integration and stated that "if legislation is really necessary, which I doubt, your efforts are nearer the ideal than ours". The guest speaker noted also his revulsion with the necessity of maintaining the death penalty and said that he had accompanied more than 300 condemned men to the gallows and had spent considerable time in conversation with condemned prisoners in the various institutions in this country. He pleaded that we cease lowering ourselves as a people to the level of the condemned person which is what is done by our support of capital punishment.

In conclusion he paid his compliments and respects to The Prison Association of New York, and The American Correctional Association and to their General Secretary, Mr. E. E. Cass. "I have said before that an institution is a shadow around a person, and I salute this Association, and thank him and all those who have made our journey possible", he stated. At the conclusion of his comment Mr. Junod expressed the hope that the ties of friendship between our country and his will be strengthened and that a greater understanding of mutual problems will result.

It was of interest to members of the Executive Committee to note that many of Mr. Junod's observations reflected years of labor on the part of this Association and others to bring about improved conditions in correction. The speaker's comments on improved personnel procedures, parole, jail administration, etc. all pointed either to the achievement of long-desired goals or an acknowledgment of existing conditions that are in need of remedy.

## THE ASSOCIATION'S BUREAUS OF SERVICE

## Employment and Relief Bureau

What is the cost of a mistake? How long does one continue to pay the price? A lifetime—perhaps? Those individuals released from penal institutions quickly learn the answer. True they have paid their debt to Society, but upon their release they are stamped and branded—not with 'paid in full'—either! They carry with them another stamp, stigmatic and indelible, leading them to further condemnation. Society is not quick to forgive and forget, unfortunately. This is the bitter lesson the ex-inmate is forced to review over and over, never to master. He seeks redemption—but all avenues are closed to him. Shelter and refuge is frequently denied him, just as is gainful employment. Society may pretend to be sympathetic, yet turns its back on sincere appeal. Rehabilitation is the ultimate goal, still certain employers permit doubt and fear to block the long roadway which is hazardous to begin with. This is an unfortunate situation, for many an ex-inmate proves himself more conscientious and trustworthy than those who never have known the other side of prison bars, for these are the virtues born out of penitence and gratitude, and thus is the employer deprived of more than he could know. One such ex-inmate is L.M.\* who is well on the way to complete rehabilitation. He was an illegitimate child, never learning the identity of his father. His mother passed away when he was only five years of age, leaving him in the care of an aunt. He married at an early age and in due course had two children. It was difficult for him to earn a suitable livelihood in his home state, so he decided to leave his family temporarily, seeking a fresh start in New York and hoping eventually to send for his wife and children. L.M.\* however, was slated for bitter disappointment. He soon found himself adrift in a strange and relentless city where he was tossed haplessly about until his hopes were shaken and then finally fell away altogether. It was this destitution that drove him to committing petty larceny, the mistake he was to pay for under long, hard terms, and with greater rate of interest than he had bargained for. After his release from the institution where he had served his term in exemplary fashion, L.M.\* found himself cast upon the same angry, relentless sea of Society. This time, however, he sought and found a harbor in the protective custody of the Bureau, where our Secretary gave him the desired aid and assistance, including gainful employment offered by a kind and understanding employer. At the time of this writing, L.M.\* is doing very well, and now is certain of a brighter tomorrow when he will find himself eventually reunited with his family, and ably prepared to take up a new and successful life.

The Prison Association of New York, dedicated to aiding parolees,

\* All names and initials are fictitious.

discharged prisoners and those men in various institutions awaiting release, is grateful for the sincere cooperation on behalf of such employers as has been described above. They lighten the burden of placement. And to those other employers who remain wary of 'that first step'—the Association exerts great hope and anticipation until such time when they no longer are wary.

After prison, the road back is a difficult one, but rehabilitation is the shrine at the end of that road, the pilgrimage that makes it worth every effort, every heartache confronted by the Pilgrim. But he cannot go his way alone. We must be on hand to lend assistance and offer the faith, hope and charity that he sorely needs. One day he will again know the precious rights that belong to him, along with the privileges he will have learned to enjoy and respect with more fervor, and then too, he will be reinstated to his former role of respected citizen. Here we see the need for gainful employment, for without it, nothing can be accomplished. The individual must learn to work with others in harmonious fashion, of course. He must learn to discharge his duties in the manner befitting a loyal employee, conscientiously and without complaint. Thus will he be better qualified to assume his restored rights and privileges, for he will have learned that courtesy and respect go where they are sent—in any direction.

For the past fourteen years the Employment and Relief Bureau has been under the able supervision of Mr. Harry Schwartz, who is credited with more than forty-four years' experience in the field of crime treatment and prevention in New York City. Mr. Schwartz's activities entail personal contacts with employers comprising innumerable visits throughout extensive and wideflung areas and fields of practice. Included are commercial houses, factories, mills, garages, laundries, stores, etc. We are pleased to note that where no actual placement developed, our representative nonetheless was greeted with utmost respect and graciousness on the part of all those visited.

The Bureau is not entirely an employment agency. The most recurring problems include those of financial stress, inadequacy of proper clothing, lack of necessary transportation to job locations, proper tools, union dues, fees, etc. Aid is granted when careful investigation has proven it worthy. Clients whose means of self-sustenance have been curtailed by prolonged ill health, prevail upon the Bureau for financial aid and guidance throughout the critical period of readjustment. Our program deals also with families and friends of clients, and referrals are made to the proper welfare agencies who are better equipped to extend long-range and permanent financial assistance and support.

As further illustration, let us review the history of one T. W.\* whose case may well be labeled 'An Ounce of the Proverbial Prevention. . . .'

T. W.\*, all of 17 years, was apprehended for vagrancy, and placed in City Prison, held in \$100.00 bail. He never should have

\* All names and initials are fictitious.

been committed in the first place, in view of his youth. However, lack of shelter facilities for the adolescent age offender made this necessary. It was a sad ending for a lad who had left his home in Texas but three weeks previous, in quest of 'the pot of gold at the end of the rainbow'. Lack of maternal love had prompted this. He had nothing to keep him at home, no affection from his family to offer him the security he so badly needed. So he came to New York where he was unable to find a niche for himself, and was picked up by a patrolman of the Police Department's Juvenile Aid Bureau. Since he was penniless it was necessary for him to remain in the City Prison until plans could be arranged for either a future program here in New York or arrangements made for his return home. During the interim, the probation department of the Magistrates' Court made contact with his mother who expressed a written desire to have her son return home. Seeing the written words of endearment, describing her love for him and her desire to be reunited with him, T. W.\* was deeply moved and eager to 'go back home where he knew he belonged'. Here, the Bureau played a vital role as benefactor, and not the usual employment exchange. We advanced the necessary funds, with the understanding that when T. W.\* was established once again in Texas with his mother and anchored to a good job, he would make an effort to refund the money. At the present time he is enroute to Texas, and arrangements have been made for a private social agency in that state to interest itself in the problems of the boy and his family. The probation department has expressed the opinion that this kind of assistance is practical crime prevention, for it cannot be denied that had this lad been left to roam the city streets, he undoubtedly would have found himself in serious difficulty, sooner or later. We share this opinion, and are grateful that we could provide the necessary 'ounce of prevention'.

The Bureau receives numerous requests for employment from men in various institutions who are eligible for parole or who are soon to be considered for parole and are in need of a bona fide employment offer to be approved by the State Board of Parole after careful investigation. We exert every possible effort to secure jobs for as many as possible.

The Bureau receives many gratifying expressions of heartfelt gratitude for the help and guidance it extends to those who seek the same. We would like now to present one such typical letter, verbatim and unedited. . . .

"DEAR SIR,

I am writing you this letter thanking you for all the kind things you have done for me and also the wonderful start in life you have given me by the wonderful advice you have given me also the time and effort you spent on my case and problem. Words cannot say how grateful & thankful I am to you. All I could say is how sorry I am I did not have the

\* All names and initials are fictitious.

honor of knowing you before I got such a bad start in life. Like you say we all make mistakes but only a wonderful person like you could understand how it is to make a wrong start in life but there are very few persons like you in this big world we live in. That understand that. The loan you were so kind to make me when I needed it. God spares, my first weeks pay, I'll send it back so it could be used for a good course. You see all my life I needed some one to help me and also look out for my welfare but honestly did not have such a person until our Good Lord is Good and sent me to you. Like I had all ready asked you is would you do this one main thing my own father forgot to do and that is if I have a problem would I be free to talk them over with you, I know your a very busy man and I am asking a lot of you but my own family or my wife understand what I am going through, you do. Well all I could say is Thanks from the bottom of my heart for the happiness & lift you all ready given me. By being my buddy. And May the Blessings of Our Lord always be your Guid & Protect you and grant your every wish, Sincerely—R. M.\*

The author of the above added a rather embarrassed postscript, apologizing for his poor spelling. It was unnecessary, of course. What matter the style or spelling of a letter of this nature, when the gratitude contained therein is sincerely eloquent. We do appreciate it indeed.

Another pleasant note here is the customary greeting card we receive each Christmas from one of our former clients who has 'graduated with honors'. The card in itself is handsome, however this gentleman adds a touch of embellishment by enclosing a five dollar check, accompanied by the same cheerful message each time. "Merry Xmas and I hope this will help someone just a little. Thanks again. . . ."

Need we say more? This is our mission. We help men to help themselves. If we have helped even a little towards the full restoration of a man's rightful heritage, then we may say, "Well Done".

#### Statistics for Employment and Relief Bureau for 1955

Office Interviews . . . . .	2,597 <sup>1</sup>
Telephone Consultations* . . . . .	1,278
Different persons interviewed . . . . .	2,360 <sup>2</sup>
Men released from New York City penal institutions . . . . .	1,502
Men released from New York State penal institutions . . . . .	614
Men released from out-of-state penal institutions . . . . .	58
Men released on probation . . . . .	66
Relatives of prisoners concerning employment . . . . .	120

\* All names and initials are fictitious.

<sup>1</sup> Includes clients, parole and probation officers, agency and institutional officials

<sup>2</sup> Increase of 428 over 1954

<sup>3</sup> " " " 358 " " "

Meals provided .....	547
Night lodgings provided .....	4,580
Employment contacts made by personal visits (approx) .	525
Men placed in employment .....	358
Men given cash relief .....	1,537 <sup>3</sup>
Total amount spent solely for relief (includes cash, meals and lodgings) .....	\$8,181.20 <sup>4</sup>

### FAMILY SERVICE BUREAU

In 1955 the Family Service Bureau under the able direction of Mrs. Marie Lovejoy, continued to remain faithful to one of the basic purposes of the Prison Association of New York, namely, the care of families of men imprisoned in local and state institutions. It has done this by providing friendly and wise counsel and guidance to the mothers and wives of prisoners, supported when necessary by financial assistance.

Despite the multitude of family service agencies available in a city the size of New York, there are extremely few that work exclusively with families where the breadwinner is incarcerated. While public assistance agencies carry the major burden of caring for families financially, an agency such as the Prison Association and its Family Service Bureau is equipped by long years of practice and experience to relate itself to the unusual problems resulting from one's imprisonment.

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

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

Families come to the attention of the Family Service Bureau from many sources. These include referrals from parole and probation officials, wardens of institutions, private and public agencies and, in some instances, friends of the family and by the individual prisoners. Each case is, of course, thoroughly checked in keeping with accepted case work procedures, and consultations with appropriate officials and the family members follow. Frequently chaplains of prisons and reformatories refer cases direct to the Bureau. The family visits to the Bureau and our visits to them serve to create a full understanding of the problems involved, and clarify the confused state of mind of the family.

The community adjustment of the children of prisoners is of primary importance to the Association. This, we feel, is practical

crime prevention, and constitutes a direct approach to the problem of prevention. The anxiety of the prisoner's wife of the child's potential delinquency pattern stems, of course, from the criminal tendencies of the father. Their concern is whether the child may have inherited similar traits from the father, and frequently this opinion may require many family contacts to erase. Difficult and disturbed relationships between the child and the mother and others in the home may cause rebellion within the child and resort to anti-social behavior as the way out.

The Bureau workers make every effort to help in the solution of problems of this kind through change of attitudes and clarification of knotty questions concerning the adjustment of the child in the school and neighborhood. The social worker and director of the Bureau is the one person in the minds of many of the families coming to our attention who understands the basic problems facing both the family and the prisoner. Through correspondence and, when necessary, visits with the prisoner, and discussion of the various factors involved in each case, the rehabilitation of the offender is hastened. The harsh fact of a prison record is an experience which, difficult as it is, can be faced and accepted by both the family and the prisoner. Assistance with this process of acceptance requires the skill and knowledge that comes only through many years of experience in handling cases presenting these problems.

A major portion of the Bureau's efforts during the summer months is the administration of its summer camp placement program. Each year mothers and children are placed in camps and vacation homes and given the opportunity of escaping from the hot streets of the city. In 1955 arrangements were made for providing 112 children and mothers with camp placement.

With the hope that a case illustration will explain further the work of the Family Service Bureau, the following narrative is included.

Mrs. M\*, whose true name and initials will be omitted, is the wife of an ex-police officer and the mother of three children. Her husband, now an inmate in one of the New York State prisons, was convicted of an offense which led to his dismissal from the police department and his later incarceration. Mrs. M., attempting to maintain payments of a high rental, was reluctant to discuss her critical financial situation with her landlord for fear of losing the apartment. One of the first accomplishments of the Family Service Bureau in this case was to accompany Mrs. M. to a consultation with the apartment management. After a frank discussion of the nature of the problem, Mrs. M's rental was lowered and the home continued intact.

Later it seemed appropriate for Mrs. M. to secure employment, particularly in view of her earlier years experience with a public agency. During this process her eight year old daughter was the victim of an attack by a gang of delinquent teen-agers, and it

\* All names and initials are fictitious.

<sup>3</sup> Increase of 329 over 1954

<sup>4</sup> " " \$2,338.30 " "



was necessary to solve the details of this incident, including hospitalization, correspondence with the prisoner, etc. In her efforts to secure work, Mrs. M. noted an advertisement of a correspondence course enabling her, she thought, to hasten the offer of a job. Under the stress of the circumstances, she made a down payment for the course with the thought that an offer of employment would be more or less automatic, and part of the agreement. What might be termed high-pressure sales tactics resulted in a contract for a course for \$125.00 that she could ill afford, and in fact did not have. A constant series of "pay up" letters resulted, and in order to clarify the matter legal advice was obtained in an effort to nullify the contract entered into under emotional stress.

Mrs. M. has obtained temporary work and the Bureau is assisting with supplemental funds for necessities in view of her ineligibility to receive public assistance. Because of her job, temporary as it may be, she is ineligible for public aid.

Of primary importance to Mrs. M., as well as to most families coming to our attention, is the opportunity to discuss fully and frankly the humiliating details of her own situation. Her loss of status in the neighborhood, the problems of the child in school accompanied by the childish taunts of her playmates about her ex-policeman father, and her desperate need for adequate income at times seems overwhelming. The opportunity to talk through situations of this nature has much therapeutic value. Service at this point is, we feel, one of our greatest contributions and cannot be measured in dollars and cents, nor can it be reported adequately. Word descriptions of human misery and emotional stress cannot begin to portray the true circumstances involved.

Further illustrating the effects of the Bureau's service, we include a letter received in 1955 from the mother of one of our families. The letter is published as received, without editing.

"DEAR MRS. LOVEJOY:

As always in my hour of need I know where I can turn to. That's why I never took advantage of you or your organization, you've always been so good to me. That's why I had a nervous breakdown I've always felt insecure, especially that I was left alone with 3 sons. But ever since I met you thru your organization I feel stronger, surer and more happy. Most of all I'm less afraid. Fear is a horrible thing. Knowing I have someone to turn to makes me feel secure.

O God, what would I have done when they wanted to close off my electricity. I barricaded the door so they couldn't turn it off. Jimmy cried from fright everytime someone knocked when I paid it—thanks to you he cried because he was so glad. We all did Mrs. Lovejoy we were so glad.

Then the last time I saw you in June you gave me money for camp clothes to go to a camp your organization arranged for us. I wish I were the type that could emote to the person personally but I cannot—all I can do is thank God that I

have you. Oh I tell everyone how much you've done. Mrs. Lovejoy you've always helped when I had no one to turn to, please help me now. It's school time, the boys need school clothing. As it stands, they come in the front door, I have to take the shirts off to wash them for the next days session and that's the way it's been. The cuffs on their pants can't be let out anymore and their shoes were given to them by their uncle that clod as they walk they are so big.

I'm still not working. Most jobs are for full time and I can't work full time because of Jimmy—he has half day session in school. I just don't know what to do. Please help me. Won't you write me when you can arrange an appointment in your busy schedule. I want so much to speak with you. Your son healthy for me.

Thanking you again for all considerations extended my sons and me.

Gratefully yours,"

Statistics of Family Service Bureau for 1955

Families in active category January 1, 1955 .....	66
New cases accepted .....	72
Cases reopened .....	17
Total number of cases during year .....	155
Cases closed .....	68
Families in active category December 31, 1955 .....	87
Total amount of financial assistance .....	\$10,328.26
Families provided with Christmas dinners and toys ..	79
(total of 277 persons)	
Children and mothers sent to summer camps .....	112
Office interviews, home and agency visits .....	1,170*

\* All names and initials are fictitious.

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

## LEGISLATION—1955

The 1955 Legislature was confronted with 3,128 bills introduced in the Senate and 3,549 in the Assembly, most of these being identical bills, since it is the practice to have both a senator and assemblyman identified with the same bill so as to expedite its handling in one or both houses. Then there are instances where a legislator prefers to have a bill introduced only in the branch of the Legislature of which he is a member. Nevertheless, all bills must pass both houses before they can be sent to the Governor for his consideration. Of the large number of bills introduced 1,199 received favorable consideration by the Senate and the Assembly and were passed on to the Governor. He signed 872 of these and vetoed 327.

Bills relating to the judiciary, juvenile delinquency, adolescent offenders and crime generally were numerous again, as has been noted in recent years. The following are among those of particular interest: The establishment of a new judicial conference to control administration of the State's court system. The creation of an eleven member commission to study juvenile delinquency. The appropriation of \$110,000 for State assistance to increase local probationary services. A provision for the creation of camps as rehabilitation facilities for juvenile delinquents. The establishment of a division of youth in the State Department of Correction. A provision for the State to participate in an inter-state compact on juvenile delinquency. Continuation for a year of the life of the Temporary State Commission on the Courts, which body did an excellent work bringing to a point of realization some of the best thinking and recommendations during recent years relating not only to the courts but to the problem of juvenile delinquency and youth crime.

The overall evaluation of the work of the 1955 Legislature relating to our interests is on the side of progress, and to this end we have been glad to assist and give our support to the various bills.

The Prison Association of New York gave attention to 92 bills, of which we approved 62 and opposed 30.

## APPROVED BILLS

Failed to reach the Governor.....	24
Vetoed by the Governor.....	1
Signed by the Governor.....	36
To Secretary of State.....	1
	<hr/> 62

## OPPOSED BILLS

Failed to reach the Governor.....	26
Vetoed by the Governor.....	4
Signed by the Governor.....	..
	<hr/> 30

## Approved

APPROPRIATIONS, *Senate Int. 4, Pr. 4: Assembly Int. 1, Pr. 1:* Provides deficiency appropriations for the Division of Parole, Department of Correction, the State Crime Commission, Correctional Industries Fund, and other branches of government. *Chapter 1.*

TEMPORARY JUDGES, *Senate Int. 32, Pr. 32: Assembly Int. 171, Pr. 171:* A concurrent resolution proposing an amendment to section eleven of article six of the Constitution in relation to appointment of temporary judges of county courts in counties outside the City of New York. Passed by both houses and sent to the Secretary of State for future action.

COLONIES FOR INEBRIATES, *Senate Int. 198, Pr. 198: Assembly Int. 1993, Pr. 2042:* Repeals sections one hundred thirty-six to one hundred thirty-nine b inclusive of the general municipal law, relating to the establishment and operation by certain cities of colonies for inebriates. *Chapter 133.*

TITLE OF PRISON GUARDS, *Senate Int. 488, Pr. 488: Assembly Int. 737, Pr. 740:* Amends civil service law in relation to change of title of prison guards in the Department of Correction to "correction officer". *Failed of passage.*

TOY PISTOLS, *Senate Int. 614, Pr. 615: Assembly Int. 867, Pr. 870:* Amends the penal law in relation to the manufacture, distribution, transportation, sale, coloring or painting of toy pistols. *Failed of passage.*

HYPODERMIC SYRINGES OR NEEDLES, *Senate Int. 646, Pr. 647: Assembly Int. 790, Pr. 793:* Amends the code of criminal procedure in relation to admission to bail of persons charged with unlawful sale or possession of hypodermic syringes or needles. *Chapter 280.*

EXECUTION OF BAIL BOND, *Senate Int. 664, Pr. 665: Assembly Int. 1235, Pr. 1251:* Amends the code of criminal procedure in relation to the execution of bail bond. *Chapter 43.*

BAIL IN CERTAIN CASES, *Senate Int. 691, Pr. 692: Assembly Int. 906, Pr. 909:* Amends the code of criminal procedure in relation to admission to bail of persons living off proceeds of prostitution. *Chapter 276.*

FINGERPRINTING—CERTAIN CRIMES, *Senate Int. 713, Pr. 1183: Assembly Int. 914, Pr. 1628:* Amends the code of criminal procedure, in relation to fingerprinting of persons charged with certain crimes. *Failed of passage.*

TEMPORARY COMMISSION, *Senate Int. 719, Pr. 735: Assembly Int. 764, Pr. 767:* Creates a temporary state commission to make a study and revise the penal and other substantive criminal laws. *Failed of passage.*

**MAINTENANCE OF TRAMPS, Senate Int. 872, Pr. 899: Assembly Int. 1051, Pr. 1063:** Amends the penal law in relation to the amount of allowance by the state for maintenance in a penitentiary of persons convicted of being a tramp. Approved in principle but nevertheless opposed because of uncertainty as to appropriateness of the specific amount of increase set forth in the bill. *Failed of passage.*

**GRAYS' TERM COURT, Senate Int. 888, Pr. 915:** Amends Chapter seven hundred sixteen of the laws of 1951, establishing in the City of New York a Court for Girls 16 to 21 years of age. *Chapter 376.*

**MAINTENANCE—TRAMPS, Senate Int. 944, Pr. 974: Assembly Int. 1264, Pr. 1280:** Amends the penal law in relation to the amount of allowance by the State for maintenance of tramps in penitentiaries. Approved in principle. *Failed of passage.*

**DEPUTIZING CERTAIN OFFICERS, Senate Int. 1037, Pr. 1069: Assembly Int. 1080, Pr. 1092:** Amends the correction law in relation to deputizing officers of another state to act in effecting the return of parole or probation violators. *Chapter 161.*

**YOUTHFUL OFFENDER, Senate Int. 1097, Pr. 1136: Same as Senate Int. 526, 622, and 825: Assembly Int. 678, Pr. 1023.** Amends the code of criminal procedure in relation to the effect of an adjudication as a youthful offender. All the bills mentioned *failed of passage.*

**TEMPORARY COMMISSION TO STUDY JUDICIAL SYSTEM, Senate Int. 1126, Pr. 1165:** Extends Commission to March 1, 1955. *Chapter 5.*

**TITLE OF PRISON GUARDS, Senate Int. 1127, Pr. 1166:** Amends civil service law relating to change of title of prison guard to that of correction officer. *Failed of passage.*

**INTERSTATE COMPACT ON JUVENILES, Senate Int. 1211, Pr. 1261: Assembly Int. 1502, Pr. 1530.** Authorizes and directs the Governor on behalf of the State of New York to execute an interstate compact on juveniles and for related purposes. Basic purpose is to arrange for interstate control, cooperation and suitable detention. *Chapter 155.*

**BUDGET BILL—CONSTRUCTION, Senate Int. 1256; Pr. 1310: Assembly Int. 1604, Pr. 3649.** Makes appropriations for construction, reconstruction and improvement in the Department of Correction and others. *Chapter 52.*

**COMPENSATION OF WARDENS, Senate Int. 1272, Pr. 1326: Assembly Int. 1620, Pr. 1649:** Amends the correction law in relation to compensation of wardens of prisons and chief administrative officers in institutions where felons are confined. *Chapter 115.*

**COMPENSATION—MEMBERS OF COMMISSION OF CORRECTION, Senate Int. 1273, Pr. 1327: Assembly Int. 1621, Pr. 1650:** Amends cor-

rection law in relation to the compensation of members of the Commission of Correction. *Chapter 114.*

**CALCULATING TERMS OF IMPRISONMENT, Senate Int. 1399, Pr. 1455—Assembly Int. 1671, Pr. 1701:** Amends the penal law in relation to calculating terms of imprisonment. *Chapter 136.*

**TRANSPORTATION OF WOMEN, Senate Int. 1401, Pr. 1457: Assembly Int. 1577, Pr. 1605:** Amends the correction law in relation to the transportation of women convicted of felony to the State Prison for Women. *Chapter 107.*

**TRANSPORTATION OF WOMEN, Senate Int. 1402, Pr. 1458: Assembly Int. 1673, Pr. 1703:** Amends the correction law in relation to the transportation of convicted female persons to Westfield State Farm. *Chapter 152.*

**STATE JUDICIAL CONFERENCE, Senate Int. 1423, Pr. 1479: Assembly Int. 1791, Pr. 1822:** Amends judiciary law in relation to the improvement of the judicial system by establishing the judicial conference of the State of New York and in each judicial department a committee for court administration and providing for departmental conferences; and to repeal article two-a of the judiciary law relating to and providing for the establishment, membership, powers and duties of the judicial council of the State of New York. *Chapter 869.*

**AUTHORIZATION—PHYSICIAN EXAMINATIONS, Senate Int. 1594, Pr. 1665: Assembly Int. 1926, Pr. 1974:** Amends the mental hygiene law and correction law in relation to physicians authorized to make examinations. *Chapter 794.*

**CALCULATING TERMS OF IMPRISONMENT; Senate Int. 1605, Pr. 1686: Assembly Int. 1095, Pr. 1107:** Amends the penal law in relation to calculating terms of imprisonment in certain cases. *Failed of passage.*

**FELONS IN A PENITENTIARY, Senate Int. 1629, Pr. 1711: Assembly Int. 2073, Pr. 2127:** Amends the penal law in relation to amount paid by the State for imprisonment in a penitentiary of persons convicted of a felony. *Failed of passage.*

**TRAINING OF PROBATION WORKERS, Senate Int. 1742, Pr. 1832: Assembly Int. 2124, Pr. 2178:** Amends the education law, in relation to the establishment in institutions under the jurisdiction of the Board of Higher Education of the City of New York of courses of study in social work and elementary psychiatry for the training of probation workers and officers, and making an appropriation therefor. *Failed of passage.*

**SUPPORT OF WAYWARD MINORS, Senate Int. 1755, Pr. 1845: Assembly Int. 1355, Pr. 1372:** To amend the code of criminal procedure, the penal law and the children's court act, in relation to support of wayward minors, youthful offenders and juvenile delinquents. *Failed of passage.*

MAINTENANCE OF JUVENILE DELINQUENTS, *Senate Int. 1874, Pr. 3413; Assembly Int. 2234, Pr. 2398*: Amends the social welfare law, in relation to reimbursement by and to the State and public welfare districts for the care and maintenance of juvenile delinquents. *Chapter 604.*

COMPENSATION OF COUNSEL, *Senate Int. 1904, Pr. 2012; Assembly Int. 2305, Pr. 2376*: Amends the code of criminal procedure, in relation to compensation of counsel assigned by the court for defendants who are without counsel. *Chapter 488.*

TERMINATION OF PAROLE, *Senate Int. 1908, Pr. 3279; Assembly Int. 2287, Pr. 3671*: Amends the correction law in relation to period and termination of parole. *Vetoed.*

FELONS IN A PENITENTIARY, *Senate Int. 2162, Pr. 3302; Assembly Int. 2455, Pr. 2534*: Amends the penal law in relation to payment by the State of expense of maintaining persons convicted of a felony in a penitentiary. Approved in principle. *Failed of passage.*

YOUTH BUREAUS, *Senate Int. 2163, Pr. 3303; Assembly Int. 2525, Pr. 2630*: Amends Chapter 556 of the laws of 1945, entitled "An act authorizing the establishment, operation and maintenance of youth bureaus, recreation projects, and education projects for the development, protection and security of children and providing for the payment of state aid therefor; creating a temporary state commission to assist local agencies in the development and prosecution of the work, defining its functions, powers and duties generally, and making an appropriation therefor," in relation to youth service projects. *Chapter 581.*

CONTRACTS BY BOARDS OF SUPERVISORS, *Senate Int. 2225, Pr. 2365; Assembly Int. 2594, Pr. 2699*: Amends the correction law, in relation to contracts by boards of supervisors for keeping prisoners and repealing chapter 338 of the laws of 1850, entitled "An act in relation to the penitentiary in the County of Onondaga". *Failed of passage.*

COMIC BOOKS, *Senate Int. 2283, Pr. 2432; Assembly Int. 2674, Pr. 3862*. Amends the penal law in relation to comic books. *Chapter 836.*

POLICE MATRONS, *Senate Int. 2313, Pr. 3528*: Amends the general city law, in relation to the appointment of police matrons. *Failed of passage.*

YOUTH COURT ACT, *Senate Int. 2512, Pr. 2681; Assembly Int. 3412, Pr. 3559*: Establishes a youth court in each county as a division of the county court and in New York County as a division of the Court of General Sessions of the County of New York; defining its powers, jurisdiction, procedure and services and repealing title 7-b of Part 6 of the code of criminal procedure relating to proceedings respecting youthful offenders, and Chapter 440 of the

laws of 1949, as amended, relating to adolescent courts in the counties of Kings, Queens and Richmond. Approved in principle. *Failed of passage.*

CHILDREN'S COURT ACT, *Senate Int. 2513, Pr. 2682; Assembly Int. 3411, Pr. 3558*: Amends the code of criminal procedure, the Children's Court Act of the State of New York, the New York City Criminal Courts Act, the education law, the penal law, the public health law and the village law, in relation to conforming provisions of these laws to the provisions of the Youth Court Act. Approved in principle. *Failed of passage.*

FOSTER HOMES OR HOSTELS, *Senate Int. 2514, Pr. 3674; Assembly Int. 2883, Pr. 4063*: Amends the correction law and the code of criminal procedure, in relation to providing for foster homes or hostels to care for certain minors on probation or parole and making an appropriation to the Department of Correction therefor. *Chapter 599.*

YOUTH REHABILITATION FACILITY, *Senate Int. 2515, Pr. 3625; Assembly Int. 2886, Pr. 4029*: Amends the correction law and the conservation law, in relation to creating a minimum security reformatory to be known as the Youth Rehabilitation Facility and to consist of conservation camps for the care, treatment, education and rehabilitation of males who were between the ages of 16 and 21 at the time of the commission of the act for which they were adjudged youthful offenders or were convicted of a crime or offense; and making an appropriation to the Department of Correction for carrying out the provisions thereof. *Chapter 600.*

YOUTH DIVISION, *Senate Int. 2516, Pr. 2685; Assembly Int. 2885, Pr. 3029*: Amends the correction law, in relation to establishing in the Department of Correction a new division to be the Youth Division and making an appropriation therefor. *Chapter 601.*

PROBATION SUBSIDY, *Senate Int. 2517, Pr. 3756; Assembly Int. 2884, Pr. 4148*: Amends the correction law, in relation to improving probation service by providing for state reimbursement for certain probation expenditures, direct probation service in certain cases, in-service probation training and probation staff recruitment, scholarships in probation training, contracts with schools for probation training and making appropriations therefor. *Chapter 602.*

RECORDS—CHARITABLE ORGANIZATIONS, *Senate Int. 2772, Pr. 3590; Assembly Int. 3025, Pr. 3981*: Amends the social welfare law, in relation to the inspection of records kept by charitable organizations, by Commissioner of Social Welfare and by Attorney General. *Chapter 549.*

COMMISSION TO STUDY JUDICIAL SYSTEM, *Senate Int. 3060, Pr. 3551; Assembly Int. 3476, Pr. 3934*: Amends Chapter 591 of the laws of 1953, entitled "An act creating a temporary state commission to make a comprehensive study of the judicial system of the

State and the administration of justice; and making an appropriation therefor," in relation to extending the time for the Commission to make its report until March 31, 1955. *Chapter 201.*

**REGIONAL CONFERENCES—PROBLEMS OF YOUTH AND DELINQUENCY, Senate Int. 3119, Pr. 3781: Assembly Int. 3541, Pr. 4161:** Creates a Temporary State Commission to organize and hold state-wide and regional conferences on the problems of youth and delinquency, to make all arrangements for and work in cooperation with such conferences, to make a report of the findings, conclusions and recommendations of such conferences, and making an appropriation for the expenses of the Commission and the conferences. *Chapter 603.*

**SUPPLEMENTAL BUDGET BILL, Senate Int. 3124, Pr. 3794: Assembly Int. 3544, Pr. 4173:** Appropriates for Youth Commission, Parole, Correction, Judicial Conference and other departments and state agencies. *Chapter 307.*

**PAROLE—SEX OFFENDER, Assembly Int. 84, Pr. 84:** Amends correction law, in relation to extending and providing for the continuation of parole supervision over persons hereafter convicted of sex offenses involving children. *Failed of passage.*

**ERRONEOUS OR FRAUDULENT CONVICTION OF CRIME, Assembly Int. 1456, Pr. 1479: Senate Int. 1135, Pr. 1174:** Amends the Court of Claims Act, in relation to claims for imprisonment following erroneous or fraudulent conviction of crime. Approved in principle. *Failed of passage.*

**CONSPIRACY TO COMMIT A MURDER, Assembly Int. 1487, Pr. 1510: Senate Int. 2922, Pr. 3103:** Amends the penal law in relation to punishment of conspiracy to commit a murder. *Failed of passage.*

**PUBLIC HEALTH LAW, Assembly Int. 2218, Pr. 2282: Senate Int. 1778, Pr. 1870:** Amends the public health law, in relation to communicable diseases and sanitation in children's institutions, and repealing sections 2107 and 2572 of such law, relating thereto. *Chapter 495.*

**SOCIAL WELFARE LAW, Assembly Int. 2234, Pr. 2298: Senate Int. 1874, Pr. 3413:** Amends the social welfare law, in relation to reimbursement by and to the State and public welfare districts for the care and maintenance of juvenile delinquents. *Chapter 604.*

**TITLE—CRIMINAL HOSPITAL ATTENDANTS, Assembly Int. 2236, Pr. 2300:** Amends the civil service law, in relation to change of title of criminal hospital attendants in the Department of Correction. *Failed of passage.*

**ELIGIBILITY FOR PAROLE FOR CERTAIN PRISONERS, Assembly Int. 2299, Pr. 2370: Senate Int. 1864, Pr. 1972:** Amends the penal law, in relation to eligibility for parole and discretionary reduction of definite sentences for certain prisoners convicted of burglary or

robbery in the first degree, or attempts to commit such crimes, as second or third offenders. We are pleased with the Governor's approval of this bill since we consistently supported it before previous legislators and when it reached the Governor. In our opinion this is a long-delayed recognition of justice. *Chapter 480.*

**SELLING SERVICES OF PERSONS, Assembly Int. 2622, Pr. 2730: Senate Int. 1503, Pr. 1896:** Repeals Section 1253 of the penal law, relating to selling services of persons held in enforced slavery. *Failed of passage.*

**PRISON OFFICER TRAINING SCHOOLS, Assembly Int. 2731, Pr. 2851:** Amends the correction law, in relation to the establishment of prison officer training schools. *Failed of passage.*

**SECRECY OF PROBATION RECORDS, Assembly Int. 2736, Pr. 2856:** Amends the code of criminal procedure and the New York City Criminal Courts Act, in relation to the secrecy of probation records. *Failed of passage.*

**IMMUNITY—WAYWARD MINORS, Assembly Int. 3101, Pr. 3248: Senate Int. 2557, Pr. 2726:** Amends the code of criminal procedure, in relation to providing immunity to persons adjudged as a wayward minor. *Chapter 563.*

**PUBLIC INTOXICATION, Assembly Int. 3308, Pr. 3455:** Amends the penal law, in relation to public intoxication. *Chapter 833.*

**ARRAIGNMENT BEFORE MAGISTRATES, Assembly Int. 3364, Pr. 3793: Senate Int. 2978, Pr. 3431:** Amends the New York City Criminal Courts Act, in relation to arraignment before magistrates on short affidavits in the absence of complainant. *Chapter 589.*

**JAILS AND LOCKUPS, Assembly Int. 3428, Pr. 3613:** Amends the correction law, in relation to powers of the Commissioner to close certain jails and lockups. *Chapter 504.*

### Opposed

**ADJUDICATION—YOUTHFUL OFFENDER, Senate Int. 526, Pr. 1104: also Senate Int. 622, 825, 1097: Assembly Int. 678, Pr. 680: also Assembly Int. 1023:** Amends the code of criminal procedure in relation to the effect of an adjudication as a youthful offender. *Failed of passage.* These bills were opposed on the contention that the whole question of the youthful offender was being considered by the Temporary Commission on the Courts and that there should, therefore, be no individual or piecemeal approach.

**FINGER-PRINTS, Senate Int. 527, Pr. 528: Assembly Int. 676, Pr. 678:** Amends the code of criminal procedure, in relation to deletion of records and destruction of finger-prints of youthful offenders. *Failed of passage.*

**AGE OF YOUTHFUL OFFENDERS, Senate Int. 528, Pr. 529: Assembly Int. 677, Pr. 679: also Assembly Int. 711:** Amends the code

of criminal procedure in relation to the age of youths who may be adjudged youthful offenders. This bill was also opposed on the same contention that the question was one being considered by the Temporary Commission on the Courts. *Failed of passage.*

COUNTY JAIL EMPLOYEES, *Senate Int. 618, Pr. 619: Assembly Int. 647, Pr. 649; also Assembly Int. 826:* Amends the county law, in relation to providing civil service status for county jail employees in counties outside the City of New York. Approved in principle but nevertheless opposed because of its *carte blanche* provision permitting the freezing of present incumbents. *Failed of passage.*

ADJUDICATION — YOUTHFUL OFFENDER, *Senate Int. 622, Pr. 623; Assembly Int. 678, Pr. 680:* Amends the code of criminal procedure, in relation to the effect of an adjudication as a youthful offender. Opposed because it was felt that the subject was being adequately considered by the Temporary Commission on the Courts. *Failed of passage.*

FINGER-PRINTS, *Senate Int. 623, Pr. 624; Assembly Int. 676, Pr. 678:* Amends the code of criminal procedure, in relation to deletion of records and destruction of finger-prints of youthful offenders. *Failed of passage.*

SEALING OF RECORDS, *Senate Int. 625, Pr. 626; Assembly Int. 680, Pr. 682:* Amends the penal law, in relation to sealing the record of conviction, finger-prints and photographs of certain rehabilitated youthful offenders. Opposed for the reason that the question of the youthful offender, in all its aspects, is being considered by the Temporary Commission on the Courts. *Failed of passage.*

RECOMMENDATION BY JURY, *Senate Int. 631, Pr. 632; Assembly Int. 667, Pr. 669:* Amends the penal law in relation to recommendation by jury with respect to the provisions of Section 1045-a of the penal law. *Failed of passage.*

DEPUTY SHERIFFS, *Senate Int. 693, Pr. 694; Assembly Int. 1486, Pr. 1509:* Amends county law in relation to appointment of regular deputy sheriffs from civil service lists. *Failed of passage.*

DETENTION OF CERTAIN PERSONS, *Senate Int. 717, Pr. 733; Assembly Int. 1204, Pr. 1220:* Amends the correction law, in relation to providing for the detention of persons awaiting arraignment. This bill was strongly opposed on the grounds that the county jail in any city should not be used for the detention of those charged with offense or traffic infraction. *Failed of passage.*

ADJUDICATION — YOUTHFUL OFFENDER, *Senate Int. 825, Pr. 847; Assembly Int. 678, Pr. 680:* Amends the code of criminal procedure, in relation to the effect of an adjudication as a youthful offender. Opposed because the subject of youth, in all its aspects, was being considered by the Temporary Commission on the Courts. *Failed of passage.*

ADMISSION TO BAIL, *Senate Int. 887, Pr. 914:* Amends the code of criminal procedure, in relation to the admission to bail by magistrates of the magistrates' court of the City of New York, of defendants not now bailable by such magistrates. *Vetoed.*

CRIMINAL COURT ATTACHES, *Senate Int. 895, Pr. 1497; Assembly Int. 718, Pr. 2777:* Amends the New York City criminal courts act, in relation to transferring to a board of city magistrates the power to remove court attaches. *Failed of passage.*

SURVEY OF PAROLE AND PROBATION SYSTEMS, *Senate Int. 925, Pr. 955:* Creates a temporary state commission to make a study and survey of the parole and probation systems and procedures employed in the State of New York, and making an appropriation therefore. *Failed of passage.*

CARRYING A PISTOL, *Senate Int. 1156, Pr. 3728:* Amends the penal law, in relation to carrying openly or upon the person a pistol or revolver under certain circumstances. *Failed of passage.*

APPLICATION FOR A LICENSE, *Senate Int. 1231, Pr. 1285; Assembly Int. 1510, Pr. 1538:* Amends the alcoholic beverage control law, in relation to information to be required upon application for a license to sell alcoholic beverages. *Vetoed.*

PROBATION REPORTS, *Senate Int. 1394, Pr. 1450; Assembly Int. 1685, Pr. 1716:* Amends the code of criminal procedure, in relation to furnishing probation reports to attorney for defendant. Strongly opposed. *Failed of passage.*

VIOLATION OF PAROLE, *Senate Int. 1450, Pr. 1515; Assembly Int. 1823, Pr. 1854:* Amends the code of criminal procedure, in relation to violation of parole. *Failed of passage.*

BRUSH-MAKING, *Senate Int. 1984, Pr. 2107; Assembly Int. 363, Pr. 363:* Amends the correction law, in relation to brush-making. Strongly opposed. *Failed of passage.*

ALLOWANCES TO ASSIGNED COUNSEL, *Senate Int. 2038, Pr. 2176; Assembly Int. 2515, Pr. 2614:* Amends the code of criminal procedure, in relation to allowances to assigned counsel in certain cases. *Failed of passage.*

RETURN OF FINGER-PRINTS, *Senate Int. 2365, Pr. 2515; Assembly Int. 2966, Pr. 3112:* Amends the penal law, in relation to the return of finger-prints and photographs. *Vetoed.*

COMPENSATION — BAIL BOND, *Senate Int. 2535, Pr. 2704:* Amends the code of criminal procedure, in relation to the compensation for giving bail bond. *Failed of passage.*

INSPECTION — GRAND JURY MINUTES, *Senate Int. 2637, Pr. 2818; Assembly Int. 3193, Pr. 3340:* Amends the code of criminal procedure, in relation to permitting an indicted defendant to inspect the minutes of the grand jury. *Failed of passage.*

**QUALIFICATIONS**—CERTAIN PSYCHIATRISTS, *Senate Int. 2853, Pr. 3034: Assembly Int. 3083, Pr. 3230*: Amends the code of criminal procedure, in relation to qualifications for certain psychiatrists, and repealing Section 27 of the mental hygiene law, relating to qualified psychiatrists. *Failed of passage.*

**PUBLIC CONFERENCE ON YOUTH PROBLEMS**, *Senate Int. 2988, Pr. 3169: Assembly Int. 3386, Pr. 3533*: Creates a temporary State Commission to organize and hold a public conference on the problems of youth and delinquency, to make all arrangements for and work in cooperation with such conference, to make a report of the findings, conclusions and recommendations of such conference, and making an appropriation for the expenses of the Commission and the conference. *Failed of passage.*

**RECORDS**—CERTAIN YOUTH OFFENDERS, *Senate Int. 2996, Pr. 3177: Assembly Int. 3317, Pr. 3464*: Amends the code of criminal procedure, in relation to closing to public inspection the criminal records of certain persons convicted before provisions of youthful offender law were enforced. *Failed of passage.*

**FOURTH CONVICTION—FELONY**, *Assembly Int. 284, Pr. 284*: Amends the penal law, in relation to punishment for fourth conviction of felony. *Vetoed.*

**PROBATION REPORTS**, *Senate Int. 1770, Pr. 1862: Assembly Int. 1506, Pr. 1534*: Amends the New York City criminal courts act, in relation to furnishing probation reports to attorney for defendant. *Failed of passage.*

**STATE CRIME COMMISSION**, *Assembly Int. 2142, Pr. 2196*: Amends the executive law, in relation to creating a state crime commission in the executive department. *Failed of passage.*

**CLASSIFICATION OF PRISONERS**, *Assembly Int. 3320, Pr. 3467*: Amends the correction law, in relation to classification of prisoners. This bill directs attention only to first offenders. We believe that any system of classification should be based on a broader approach to the individual personality and not be guided solely by the number of offenses. *Failed of passage.*

## REPORT MEMORANDUM

### FIRST UNITED NATIONS CONGRESS ON PREVENTION OF CRIME AND TREATMENT OF OFFENDERS

Geneva, Switzerland, August 22 to September 3, 1955

by E. R. CASS, *General Secretary*,  
The Prison Association of New York and  
The American Correctional Association

This international gathering was held under the auspices of United Nations and is a continuation of the quinquennial meetings conducted previously by the International Penal and Penitentiary Commission which was merged with the Economic and Social Council of United Nations following the Congress at The Hague in 1950. It should be gratifying to the executive committee and the members of The Prison Association of New York as well as The American Correctional Association to know that these international meetings, beginning with the London Congress in 1872, were initiated and inspired by the then general secretary of both organizations, the late Dr. E. C. Wines.

The fact that these meetings have been continued through the years makes for an indelible attestation to the brilliance of his vision, power of organization and leadership. As I participated quite actively in the affairs of the Geneva Congress I could not help but feel a deep responsibility to carry on in the spirit of one of my illustrious predecessors and thus keep faith with his efforts. The fact that the congresses have been taken over by United Nations, thereby adding considerable prestige, is undeniable further proof of their value.

At the Congress there were official and unofficial delegates and observers from 66 countries with 560 participants. The United States official delegation consisted of 17 members appointed by the State Department and I was very happy to be one of them. The delegation was headed by William P. Rogers, the Deputy Attorney General of the United States. In addition to the 17 official delegates there were 31 non-official delegates and observers, making a total American representation of 48. The official delegates of the various countries were the only ones permitted to function during the plenary sessions of the Congress which, incidentally, was a working Congress, but other representatives were permitted to participate in section meetings although in both the section meetings and the plenary sessions only one vote was allowed for each accredited government. Some of the plenary sessions were devoted to lectures, one of which was given by Mr. Sanford Bates, retired Commissioner, Department of Institutions and Agencies, of the State of New Jersey, under the title MODERN TRENDS IN THE AMERICAN PRISON SYSTEM.

There were the following sections and their chairmen as indicated:

Section I —Standard Minimum Rules for the treatment of prisoners.

Chairman, Mr. James V. Bennett  
Director  
U. S. Bureau of Prisons  
Washington, D. C.

Section I —Recruitment and training of prison personnel.

Chairman, M. Roberto Pettinato  
Director General de Institutes  
Penales de la Nacion  
Ministerio de Justicia  
Buenos Aires, Argentina

Section II —Open institutions.

Chairman, M. Jorge Bocobo  
Chairman of Code Commission  
Pasay City  
Philippines

Section II —Prison labor.

Chairman, M. Charles Germain  
Avocat General a la Cour de Cassation  
Paris, France

Section III—Prevention of juvenile delinquency.

Chairman, Mr. John Ross  
Assistant-Under-Secretary  
Home Office  
London, England.

Russia, and most of the countries behind the Iron Curtain, were not represented and, apparently, the Russian position that juvenile delinquency and crime are domestic problems and should be dealt with by respective governments, remained constant.

#### Congress Organization

At the open plenary session Mr. Edward Steiger, former Swiss Federal Councillor and former President of the Swiss Confederation was elected President. There were six vice presidents, one of whom was William P. Rogers, Deputy Attorney General of the United States, and four honorary vice presidents, of which latter group Mr. Sanford Bates of the United States was one. Dr. Manuel Lopez-Rey, Chief, Section of Social Defence, United Nations, represented the Secretary General of United Nations. It was a deep source of pleasure for me to be asked to make a speech nominating as an honorary vice president my old friend and colleague, Mr. A. Dellerneux of Belgium and recently retired as Deputy Director, Division of Social Activities, United Nations. It was a real thrill to take the spotlight for a moment, so to speak, in the magnificent assembly hall of the Palais de la Societe des Nations, the main building of the United Nations headquarters at Geneva, and in the presence of representatives from all parts of the world. The quality of these

representatives was most impressive, as well as the earnestness which identified their participation in section meetings and plenary sessions. The eagerness of the representatives from so-called backward countries to gain knowledge and meet those from other areas was quite noticeable. The delegates from some of these countries spoke the English language in a way that would make many Americans blush. A woman representative from Pakistan, in excellent English, told of the problems of her country and the tremendous difficulties under which they are laboring and it was gratifying to note the enthusiastic applause which she received.

The Congress was divided into three sections covering the following subjects:

Section I —Standard Minimum Rules for the treatment of prisoners;

Recruitment and training of prison personnel;

Section II —Open institutions;

Prison labor;

Section III—Prevention of juvenile delinquency.

The participants in the Congress were divided into four categories:

- (1) Delegates of the Governments invited to the Congress;
- (2) Observers of the specialized agencies and intergovernmental organizations invited to the Congress;
- (3) Representatives of the non-governmental organizations invited to the Congress;
- (4) Persons in any of the following categories participating in an individual capacity:
  - (a) officials of competent ministries or departments, police officials, officials of institutions for adult and juvenile delinquents;
  - (b) members of judicial bodies;
  - (c) members of the Bar;
  - (d) members of the teaching staff of universities;
  - (e) persons who have done distinguished scientific work in the field of prevention of crime and treatment of offenders;
  - (f) representatives of governmental or private social agencies which are concerned with offenders or with the prevention of crime;
  - (g) representatives of social welfare conferences and schools of social service, and
  - (h) persons, or representatives of organizations, invited by the Secretary-General.

It was amazing to note the preliminary work accomplished by the United Nations Secretariat regarding subjects included in the agenda and considered earlier during the course of several regional meetings. There were available printed reports on juvenile delinquency, prison labor, open institutions and the standard minimum



rules and finally, recruitment of personnel. These reports had value of gauging the thinking of workers in different parts of the world and information concerning the problems, traditions, customs and forms of government which needed to be considered. It gave a clue to not generally publicized United Nations activity of unquestionable value.

#### SECTION I—Minimum Rules—Treatment of Prisoners

These rules were initiated by the former International Penal and Penitentiary Commission and were in the process of revision and expansion when the merger with United Nations took place in 1950. There was an agreement that United Nations would further the formulation of these rules and this was done and a final stamp of approval resulted at the Geneva meeting. This was indeed very gratifying since the rules have been in the process of revision for many years. The rules are not compulsory in that the United Nations does not have the definite and direct power of making for their application. However, through instruction, inspection and with the prestige of United Nations there is no doubt that the rules will receive the attention of the various governments. They will have the value of showing the way to those countries desiring to make for progress. This situation is not without parallel in our own country and others as well wherein the government or unofficial bodies can not by compulsion make for the fulfillment of desirable objectives relating to problems of juvenile delinquency, crime, health, etc. The rules, to be of value, must of necessity be supplemented by local action, education, salesmanship with encouragement, of course, from United Nations as a source of international prestige and expression.

The rules total 95 and were considered separately and changes were made. A complete draft of the revision is not at this moment available but it can be said that on the whole the rules are very definitely acceptable to Americans and considerably in accord with their thinking and practices.

On the subject of recruitment and training of prison personnel, an excellent report was submitted by the section and adopted. Some changes were made and the final draft is not in print but here again when the conclusions of the section are available for examination it will be revealed that they are acceptable and in accord with American viewpoints and efforts toward the improvement of correctional personnel.

#### SECTION II—Open Institutions

Here again the section report was approved, with some modification, and is not available in final print form. There will be found in the rules adherence to American thinking and operation with respect to camps and farm institutions in line with areas where open institutions are best operated in our country.

#### Prison Labor

The section presented a report which was not entirely acceptable to the American delegation because our interpretation of the language of one section of the report was that it gave priority to private interests in cooperation with prison authorities and not to State Use which is the acceptable principle in our own country. We held to the position that it was the duty of the state to provide work for prisoners and that private interests should in no way benefit from prison labor. There was considerable debate on the subject and I was authorized by the American delegation, with the support of the delegates from India, Israel, Egypt, England and the Philippines to propose an amendment which reversed the language of the section of the report, thereby giving emphasis and priority to State Use. The official vote was sixteen in favor of the American proposal and fifteen opposed, with one abstention. Certainly from the American point of view and in the interest of manufacturers and labor, as well as the welfare of prisoners we felt that a decided victory had been accomplished. Certainly the American delegation could not have voted for the section of the report as submitted and would have found itself in an embarrassing situation at home, considering the whole background through the years relating to the field of prison labor and the present controls exercised through federal and state legislation. Here again it was personally gratifying to have played the part of alerting the American delegation to the undesirable language that appeared in the first draft of the section report and then to appear on the rostrum in opposition to the draft and submitting finally a substitute which was then approved. Some of the opposition can be explained by local conditions such as exist in France and Belgium whereby products of prison labor are sold in the open market through arrangements that exist between the government and private operators. Further, there was hesitancy on the part of some nations to vote for the American proposal in view of the fact that the representative of the Secretary General of United Nations, while expressing himself not opposed to the American proposed amendment, indicated that the Secretariat had not yet undertaken certain studies to enable it to come to a definite conclusion. Therefore, it is thought that some of those who voted against us thought perhaps it would be well to delay final decision until there was a further report from the Secretariat. This point of view was unacceptable to the American delegation and it is most pleasing to know that we finally secured a victory. Off the record, so to speak, it might be said that contact with delegates subsequent to the plenary session brought forth commendation of the position taken by the American delegation which was not reflected in the actual vote.

#### SECTION III—Prevention of Juvenile Delinquency

This proved to be the most difficult subject on the agenda. For the first three or four days of the Congress there was endless discussion on the point of defining juvenile delinquency. For example,

it was held by some that juvenile delinquency does not exist until after some kind of an infraction or offense is committed and there is an adjudication of guilt. By others it was felt that juvenile delinquency needs to be dealt with before an adjudication, particularly since the agenda called for a consideration of the prevention of juvenile delinquency. The report of the section meetings which were attended by large numbers will show that there was liberal opportunity for people from all parts of the world to express their views on the subject of juvenile delinquency and to give some idea of the problems existing in their own areas and attempts toward their solution.

As the days passed there was growing concern on the part of the Steering Committee of the Congress and it was finally decided that the interminable discussion would have to be halted and that the meetings would be limited to the discussion of certain aspects of the problem; to wit, the community, the family, the school, social services including health agencies, other agencies and research.

The section agreed upon a report with little difficulty but when the subject came up at plenary session there was considerable opposition led by the chairman of the French delegation who offered a resolution to the effect that the contents of the report should be noted and that the whole subject should be referred to the Secretariat of United Nations for further study, evaluation and research. It was the contention of the leader of the French delegation that portions of the report were not scientifically proved and were dogmatic. Finally the resolution was withdrawn and it was agreed to proceed with the study of the various sections of the section report. A number of changes were made and then the report was adopted. The French delegation again moved and presented a revised form of its original resolution which was adopted and had practically the same effect of referring the section report to the Secretariat for study and evaluation.

#### GENERAL OBSERVATIONS

The Congress was a high level assemblage because of the general quality of the people participating. The subjects on the agenda, especially those unqualifiedly approved must, of course be submitted to the General Assembly of United Nations two years hence for final action. Subsequently, they can be projected and promulgated in the name of United Nations. All of this is decidedly on the side of progress and has the very definite value of pointing up desirable objectives for those countries anxious to progress. Finally, I can not help but feel that the success of the Congress is, in a sense, an American triumph in that the whole idea of this type of international gathering is traceable to American vision and enterprise.

It was pleasing to have opportunity to renew meetings with friends and colleagues from various countries and to make new contacts which we will further by sending all kinds of literature and by correspondence.

Unfortunately, at this time copies of the various reports coming from the different sections of the Congress and approved in plenary sessions are not available. They are being prepared, however, by United Nations and it is hoped that in the not too distant future a full report of the operation of the Congress can be had.

The following are copies of press releases from the Department of Public Information of United Nations in New York. They contain sketchy information, yet supplementing considerably what has been said in this outline memorandum.

#### UNITED NATIONS

Department of Public Information Press and Publications Division  
United Nations, N. Y.

(For use of information media — not an official record)

Press Release SOC/2100  
31 August 1955

**New Penal Code Approved by UN Congress;**

**'Open Institutions' Recommended for as Many Prisoners  
as Possible**

(The following is based on information received from the UN Information Center, Geneva.)

A new set of minimum rules governing the treatment of prisoners in penal institutions and specifically prohibiting "all cruel, inhuman or degrading punishment," has been approved by the first United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

The Congress, now meeting in Geneva, has given its unanimous endorsement to a set of 95 "Standard Minimum Rules for the Treatment of Prisoners" that would also ban corporal punishment, punishment by placing in a dark cell, and "instruments of restraint, such as handcuffs, chains, irons and straight-jackets."

At the same time, the Congress has recommended the extension of the system of open institutions—prisons without bars, locks, armed or other special security guards—"to the largest possible number of prisoners."

As part of a nine-point recommendation on the subject of open institutions, the Congress considered that such systems "mark an important step in the development of modern prison systems and represents one of the most successful applications of the principle of the individualization of penalties with a view to social readjustment."

An open institution is defined as "the absence of material or physical precautions against escape," and as a system "based on self-discipline and the inmate's sense of responsibility towards the group in which he lives." Such institutions, the recommendations state, are superior to other types of institutions and are more favorable "to the social readjustment of the prisoners and at the same

time more conducive to their physical and mental health." The criterion governing the selection of prisoners for open institutions should be "his suitability for admission . . . and the fact that his social readjustment is more likely to be achieved . . ."

The texts of both sets of rules were submitted by the Secretariat and modified only slightly by the more than 500 specialists from 86 countries and territories attending the Congress. The two texts will now go forward as a recommendation to the Social Commission of the Economic and Social Council.

The standard rules on the treatment of prisoners state that imprisonment should have as its purpose "to establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so. The treatment shall be such as will encourage and to fit them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility." To these ends, the rules state, "all appropriate means shall be used" including education, vocational guidance, and training, employment counselling, physical developing and strengthening of moral character.

The rules on treatment represent "the minimum conditions which are accepted as suitable by the United Nations." As to their application, the Congress recommended that they be applied impartially without discrimination, while at the same time respecting "the religious beliefs and moral precepts of the group to which a prisoner belongs."

The minimum rules touch on most aspects of prison life including accommodations, hygiene, clothing, food, exercise, medical services, discipline, etc. and are applicable to all categories of prisoners, criminal or civil, untried or convicted. A special section of rules, however, apply to "special categories" of prisoners, such as those under sentence, insane and mentally abnormal prisoners, prisoners under arrest or awaiting trial and civil prisoners.

In a preliminary observation to the rules, the Congress states that the rules do not seek to regulate the management of institutions set aside for young persons, although the general rules would apply. "In principle," the Congress states, "young persons should not be sentenced to imprisonment. Where this is unavoidable, every precaution should be taken to separate them from other prisoners . . . where they should receive a treatment similar so far as is possible to that applied in training schools."

Press Release SOC/2101  
1 September 1955

#### UN CONGRESS APPROVES RECOMMENDATIONS ON SELECTION AND TRAINING OF PENAL PERSONNEL

(The following has been received from the UN Information Center, Geneva.)

The United Nations Congress on the Prevention of Crime and the Treatment of Prisoners unanimously adopted this afternoon recommendations on the selection and training of personnel for

penal and correctional institutions. Thus, the Congress, which has already adopted recommendations on open establishments and standard minimum rules for treatment of prisoners, completed the first part of its task.

Carlo Erra of Italy, rapporteur of Section I, stated that the UN Secretariat was to be congratulated on its draft which, he said, constituted an harmonious and admirable synthesis. In pressing for adoption of the recommendations concerning prison personnel, Mr. Erra stated that the best laws would fail if no such qualified personnel were available. In his view, mediocre establishments with good personnel were better than model establishments with incompetent personnel.

The Congress adopted by acclamation a resolution presented by Thorsten Sellin of the United States, General Rapporteur of the Congress. The resolution requested the Secretary-General to submit the recommendations to the Social Commission of the Economic and Social Council; expressed the hope that the Council would endorse the recommendations and draw them to the attention of governments, recommending that governments take them as fully as possible into account in their practice and when considering legislative and administrative reforms; expressed also the wish that the Economic and Social Council request the Secretary-General to give the widest publicity to these recommendations and authorize him to collect periodically information on the matter from various countries and to publish such information.

Press Release SOC/2102  
2 September 1955

#### UN CONGRESS MAKES RECOMMENDATIONS IN FIELD OF PRISON LABOR

(The following was received from the UN Information Center, Geneva.)

The Congress on the Prevention of Crime and the Treatment of Offenders today unanimously adopted recommendations on prison labor and started examination of recommendations on the prevention of juvenile delinquency.

Ernest Lamers of the Netherlands, Rapporteur of Section II, this morning stated that the recommendations on prison labor would provide means to prevent idleness, maintain order and build up savings through equitable remuneration. He stressed that the subject of prison labor had not been studied by four regional groups, as was the case for other points on the agenda, but only by the European group. However, the Section had agreed on general principles and had recommended that further study be given by regional groups to various questions involved.

The Congress then adopted nine general principles covering such matters as the need for prison labor and conditions for it; vocational training and vocational examination; precautions to ensure safety

and protect health; equitable remuneration; and the possibility for prisoners to go out daily for work during the last few months prior to their release.

NOTE  
(15-14)

On a motion by Edward Cass of the United States, the Congress adopted an amendment by a vote of 15 to 4, with one abstention, which provides that preference should be given to the State use system to provide suitable employment for prisoners.

Paul Cornil of Belgium introduced an amendment providing that part of the remuneration should be used to indemnify victims of prisoners. This amendment was adopted by 20 to 15, with one abstention.

The Congress noted that the International Labor Organization had taken the preliminary step toward review of the Convention on Forced or Compulsory Labor.

Finally, the Congress recommended that further study be given by regional groups to the integration of prison labor with the national economy; methods of remuneration; appropriate prison labor programs for special categories of offenders; special problems for untried prisoners; measures to avoid a situation whereby a sentence constitutes a barrier to employment after liberation.

The whole document as amended was adopted unanimously. Thorsten Sellin of the United States, General Rapporteur, presented a draft resolution which was adopted by acclamation. Under this action, the Congress requests the Secretary-General to submit recommendations to the Social Commission of the Economic and Social Council; expresses the hope that the ECCSOC will endorse the general principles contained in these recommendations and recommend to governments that they take them as fully as possible into account in their practice and when considering legislative and administrative reform; calls attention in particular to proposals for further study and expresses the hope that the Social Commission will find it advisable to include these topics in the future work program of regional consultative groups organized in accordance with the resolution.

This afternoon the Congress began discussion on the prevention of juvenile delinquency. Paul Tappan of the US, Rapporteur of Section III, presented recommendations of the Section. He stated that the United Nations had recognized the significance of the problem and that juvenile delinquency is an increasingly difficult and widespread problem in different parts of the world.

Marc Ancel of France considered that the recommendations submitted were too categorical and too numerous. He felt the Section's document should not be considered as final but only as constituting a basis for further studies under the United Nations auspices.

Manuel Lopez-Rey, chief of the UN Section on Social Defense, stressed that the plenary should first study the document in accordance with the established procedure and that a resolution could be presented subsequently.

Discussion of the document followed. It states that because of wide variations in custom, law and philosophy of different countries, a limited and universal definition of juvenile delinquency was

not feasible. The attention of the Section therefore had been directed primarily to pre-delinquency. The recommendations formulated referred to preventive action in the community, the family, the school, through social services including health services, through labor and other agencies.

The Congress will conclude its work tomorrow (Saturday) by studying the recommendations on research relating to delinquency causes, prediction and prevention. It will then proceed to act on the recommendations as a whole as well as on the proposed resolution.

Press Release SOC/2103  
6 September 1955

#### FIRST UN CONGRESS ON PREVENTION OF CRIME AND TREATMENT OF OFFENDERS CONCLUDED SESSION IN GENEVA

(The following is based on information received from the UN Information Center, Geneva.)

With the more than 500 delegates acclaiming the results achieved as holding "great promise for contributing to the cause of human welfare," the first United Nations Congress on the Prevention of Crime and Treatment of Offenders was concluded on Saturday, 3 September, in Geneva. The delegates adopted a resolution which expressed the opinion that the Congress had been a significant success.

In formally closing the two-week session, Congress President Edouard de Steiger of Switzerland stressed that the delegates could be proud of their achievements, having adopted minimum rules on the treatment of prisoners, rules on the recruitment of prison personnel, a nine-point recommendation on "open institutions"—prisons without bars, locks or other security measures—rules on prison labor, and recommendations on the prevention of juvenile delinquency.

The resolutions adopted, he said, were evidence of the admirable harmony with which delegates had contributed to the common endeavor.

Earlier, the Congress completed examination of recommendations in the field of prevention of juvenile delinquency by adopting recommendations on research relating to delinquency causes, prediction and prevention.

On future UN action in this field, the Congress gave its unanimous approval to a resolution calling the attention of the Secretary-General to the need for maintaining the priority given this problem in the program of the work of the Social Commission, and requesting him to inform that Commission of the following suggestions, with a view to their inclusion in the social defense program:

(a) That a study be made of methods used for the prevention of juvenile delinquency for the purpose of assessing the practical results of these methods both direct and indirect;

(b) That the help of non-governmental organizations with special knowledge in this field be sought in this connection, in accordance with resolution 155 C (VII) of the Economic and Social Council.

(c) That UN regional consultative groups and seminars continue to devote attention to various aspects of juvenile delinquency, and

(d) That when organizing forthcoming congresses, conferences or seminars the organizations concerned, taking into account the problems facing different regions of the world, should select clearly defined topics allowing for a thorough study and a useful comparison of the experience acquired in various countries.

The resolution was presented by Thorsten Sellin (United States), General Rapporteur of the Congress, and amended jointly by Belgium, Denmark, France, the Holy See, Netherlands and Switzerland.

The Congress also adopted a resolution on technical assistance which expresses the hope that the United Nations will furnish assistance to those governments requesting it in order to facilitate implementation of the rules adopted by the conference.

**FINANCIAL STATEMENT**  
**THE PRISON ASSOCIATION OF NEW YORK**  
**GENERAL FUND**  
**STATEMENT OF INCOME AND EXPENSES**  
**YEAR ENDED DECEMBER 31, 1955**

**INCOME**

Donations—special purposes		
The Greater New York Fund .....	\$2,324 00	
Other .....	18,410 59	\$20,734 59
Donations—unrestricted .....		29,337 76
		\$50,072 35
Endowment income		
Dividends on stock .....	30,485 86	
Miscellaneous .....	91	30,486 77
Total Income .....		80,559 12

**EXPENSES**

General Administration .....	22,724 78	
Relief—prisoners and families (cash, food, clothing, etc.) .....	18,489 46	
Relief — administration .....	5,384 95	
Employment — administration .....	5,440 10	
Appeal — administration .....	7,326 60	
Traveling expenses .....	2,349 22	
Printing and stationery .....	2,406 86	
Postage .....	575 19	
Telephone and telegraph .....	293 68	
Auditing, legal and legislative services .....	501 00	
Periodicals, custodian fees and miscellaneous .....	4,453 43	
House maintenance .....	6,487 67	
U. S. old age benefits tax .....	621 10	
Total Expenses .....		77,054 04
NET GAIN FOR THE YEAR .....		<u>\$3,505 08</u>

**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, 1955. In our opinion the statement of income and expenses shown above presents fairly the results of the operation for that year.

WEBSTER, HORNE & ELSDON

*Certified Public Accountants*

New York, N. Y.

May 10, 1956

## CONSTITUTION AND BY-LAWS

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

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

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

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

## ARTICLE FIRST

The objects of the association shall be:

1. The amelioration of the condition of prisoners whether detained for trial, or finally convicted, or as witnesses.

2. The improvement of prison discipline and the government of prisons whether for cities, counties or states.

3. The support and encouragement of reformed convicts after their discharge by affording them the means of obtaining an honest livelihood and sustaining them in their efforts at reform.

## ARTICLE SECOND

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

## ARTICLE THIRD

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

## ARTICLE FOURTH

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

## ARTICLE FIFTH

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

## ARTICLE SIXTH

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

## ARTICLE SEVENTH

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

## ARTICLE EIGHTH

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

## ARTICLE NINTH

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

## ARTICLE TENTH

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

## ARTICLE ELEVENTH

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

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

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

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

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

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

§ 6. The said executive committee by such committees as they shall from time to time appoint, shall have power, and it shall be their duties to visit, inspect, and examine, all the prisons in the State and annually report to the Legislature their state and condition and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that by the twenty-fourth section, of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons and the duties of the keepers of each prison that they may

examine shall be the same in relation to them, as in the section aforesaid, are imposed on the keepers of such prisons in relation to the inspectors thereof; provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of this State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate shall first have been had and obtained, which order shall specify the name of the prison to be examined, the name of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

#### BY-LAWS \*

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

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

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, December 1931, February 1935 and May 1934.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The corresponding secretary shall be the general disbursing agent of the association, the object of the provision being to keep in the central offices of the association, all receipts for payments by him