

Herb Sturz
Testimony before the Ribicoff Committee
United States Senate
Committee on Government Operations
Subcommittee on Executive Reorganization
Hearing: Federal Role in Urban Affairs
89th Congress, 2nd Session
13.Dec 1966
Washington 1967
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EXAMPLE OF INCOME TAX INCORPORATING 50-PERCENT RATE ON NEGATIVE TAXABLE INCOME

[Family of 4; existing exemptions and standard deduction; existing rates on positive income]

Total income before tax	Exemptions and deductions	Taxable income	Tax rate (percent)	Tax	Income after tax
.....	\$3,000	-\$3,000	50	-\$1,500	\$1,500
.....	3,000	-2,000	50	-1,000	2,000
.....	3,000	-1,000	50	-500	2,500
.....	3,000	0	3,000
.....	3,000	+1,000	14	+140	3,880

Senator RIBICOFF. Mr. Stutz, please. Are you Doctor or Mister?

STATEMENT OF HERBERT STURZ, DIRECTOR, VERA INSTITUTE OF JUSTICE

Mr. STURZ. Mister is fine.

Senator RIBICOFF. Will you proceed, please, Mr. Stutz?

Mr. STURZ. Chairman Ribicoff, I am grateful for the opportunity to appear here today to relate the experience of the Vera Institute of Justice in dealing with one aspect of the crisis in American cities, the crisis in the administration of criminal law.

We have in the past 5 years played some part in effecting what we hope are meaningful reforms in the way of criminal process operations, reforms which have made this process both fairer to the defendant and more efficient to the court, the prosecution, and the police. We have tried to reconcile the needs of law enforcement and the rights of individuals. And we have found that these two objectives are not as far apart as most people believe.

RELATION OF POVERTY TO ADMINISTRATION OF CRIMINAL JUSTICE

Vera's primary focus has been on the relationship of poverty to the administration of criminal justice—not just because our criminal processes work hardships on the poor, but because the poor are, to an overwhelming degree, the clients of the system—both as victims in criminal cases and as defendants. Well over 50 percent of those persons appearing in the criminal courts of America are indigent. More are dangerously close to that level.

VOLUME DILUTES QUALITY OF JUSTICE

Added to the impact of poverty on criminal justice is the impact of volume. Last year in New York City the police made over 200,000 arrests. Millions of dollars and millions of man-hours are spent merely to provide the logistic support for the system.

Police spend as much, or even more time guarding, transporting, and processing defendants and waiting in court to testify as they do performing their primary functions: keeping the peace, preventing crime, and apprehending violators.

As a result of these factors—poverty and unmanageable volume—the quality of justice is diluted: instead of getting their fair day in court the less serious cases get a couple of crowded minutes; those

charged with serious crimes wait months for a trial, often behind bars. Lack of time to examine the merits of a case dehumanizes the process, with the result that defendants and the public develop hostile attitudes toward the police, the courts, and the city. The criminal process loses its dignity, and with it a part of its effectiveness.

The problems which the criminal justice system faces appear to be related to our failure to recognize that our procedures have not kept pace with the revolutionary changes in urban life which have occurred since the turn of the century.

ESTABLISHMENT OF THE VERA INSTITUTE OF JUSTICE

It was against this background that the Vera Foundation was incorporated in 1961 to try to develop a methodology of change through which the criminal justice system might be improved. For several years Vera was financed by its founder, Louis Schweitzer, and by grants from the Ford Foundation and the Office of Juvenile Delinquency and Youth Crime, of the Department of Health, Education, and Welfare. In June 1966 the foundation became the Vera Institute of Justice with a generous 5-year grant from Ford Foundation. Mr. Schweitzer became president and Burke Marshall chairman of the board of trustees. Insofar as Vera has any overriding philosophy or modus operandi, it is to spot individual problems in the way our system of criminal justice operates, and to work with the relevant agencies to bring about change. It was recognized at the outset that the criminal process was too complex to permit a broadscale approach. So inter-related are the problems of the process that it would be impossible to design a master plan, a blueprint for reform.

The area in which Vera first became involved illustrates that change can be brought about through an in-depth approach to a specific problem. In 1961 we undertook the study of the administration of bail.

BAIL PROJECT UNDERTAKEN

For many years scholars had been deploring a bail system in which a poor man not yet found guilty could be kept in jail for weeks or months, his family put on relief, and his job lost while more affluent defendants remained free until trial. New York City administrators had long been exasperated by detention costs—upwards of \$10 million a year—just to house these defendants.

Vera set out to determine whether these hardships to the defendant and cost to society were necessary. We sent law students into detention pens to interview defendants finding out facts about their background, family, jobs, residence, and prior records. When it appeared that the accused had sufficient roots in the community to insure his return, the student recommended to judges that he be released without bail. The project received cooperation from the courts, the district attorney's office, the legal aid society, and the department of corrections.

SUCCESS OF BAIL PROJECT LED TO OTHER EXPERIMENTS

Within the 3-year period that Vera ran the experiment 3,505 persons were released and only 56 willfully failed to return to court. The City of New York Probation Department took over the program in Sep-

tember 1964 and extended the pretrial release operation to the criminal courts in all five boroughs of the city. Since then over 25,000 defendants have been released on probation's recommendation and the rate is climbing each year. As you are probably aware the Manhattan bail project has spurred the creation of similar programs in more than 100 jurisdictions throughout the country and many of its features have been incorporated into the Federal Bail Reform Act of 1966.

The success of the bail experiment led us to the conclusion that more could be done to ease the burdens on the defendant and the system at an earlier stage in the process, that is, at the time of arrest itself. This would save the defendant and the city the overnight stay in jail and perhaps the man's job as well. If he could be released by the police after booking or even on the street through use of a summons returnable at a specified time, courts could schedule their dockets more rationally. Beginning in the spring of 1964 we worked out with the New York City Police Department and the courts an experimental program in three Manhattan precincts for extending the use of police summonses into cases of simple assault, petit larceny, and disorderly conduct. For the past 2½ years Vera has provided the factfinding investigators to interview defendants at the stationhouse. The same kind of criteria used to free defendants on their own recognizance in court was used to allow release from the precinct within an hour or so after arrest. The police worked with us every step of the way; it was their project in spirit and in fact.

SUMMONS PROJECT TRIED IN SELECTED CASES

The Manhattan summons project has proven particularly valuable to the police. Elimination of the initial court appearance on the date of arrest has resulted in substantial savings in police man-hours and an increase in the amount of time spent on preventive patrol while the voluntary appearance of the defendant in court has reduced police costs of prisoner transportation. An estimated 8 hours of police time is saved in each petit larceny case in which summonses are served. And 2 weeks ago the police extended the program to all 23 precincts in the Borough of Manhattan and are now doing their own interviewing and verifying. In May of this year Commissioner Leary, addressing the judicial conference of the District of Columbia circuit, raised the possibility of issuing police summonses in selected felony cases.

BAIL REVIEW PROJECT INVOLVES OUTSIDE ORGANIZATIONS

More recently, we have turned our attention to a bail review project which attempts to mobilize the help of antipoverty organizations, unions and churches in providing pretrial supervision for defendants whom judges did not release at arraignment because of lack of roots in the community but who might be released under the supervision of a third party. In a positive way it involves many persons and organizations in the criminal process for the first time. Perhaps the most exciting aspect of this project, supported by a grant from OEO, is that representatives of antipoverty agencies such as the East Harlem Tenants Council, Haryou Act, and Mobilization for Youth appear in court

on behalf of the defendant, thus permitting the judge to order release without money bail. We believe that as we go along this network of community organizations will prove useful at a number of stages in the criminal process.

For example, the agencies might find jobs for convicted offenders who otherwise would be given jail terms or released back into society with no provision for supervision or surveillance.

ARRAIGNMENT COURT OPERATES 24 HOURS DAILY

We are also participating in plans to ease the volume pressures on New York's Criminal Court. At the request of Mayor Lindsay, we have been helping to develop a 24-hour arraignment court in the Borough of Manhattan. Under the new system arrested persons will then be taken to a central arraignment facility where bail interviewers and legal aid lawyers will be available 24 hours a day. The bail determination will take place without delay and, in appropriate instances, the case disposed of on the spot. Not only the defendant but all participants in the system stand to profit from 24-hour full time justice. The district attorney can pass on the sufficiency of legal complaints before they are filed in court. The legal aid lawyers have more time for adequate pre-court interviews with their clients instead of the hurried few minutes they now have in the detention pens each morning, while the court can give more time to each arraignment when they are spread out over a 24-hour period.

The police will substantially benefit from this program. Immediate arraignment will eliminate their need to maintain lockups and will return officers presently engaged in these activities to more appropriate police work.

Frequent changes of tour and overtime duty to accommodate court hours will be a thing of the past, and the elimination of morning rush hour jams will enable the arresting officers to return to patrol more promptly.

SPECIAL PREARRAIGNMENT PROCEDURE INSTITUTED

Together with the corrections and police departments we have already instituted a special prearraignment detention procedure for non-English-speaking prisoners, most of whom are Puerto Ricans. Because of the language difficulties in communicating or understanding what is happening to them following arrest, and probably for cultural reasons as well, a disturbing number of these persons were committing suicide, or later charging police mistreatment. Now they are immediately turned over after booking to the corrections department, which provides medical supervision and employs Spanish-speaking personnel to ease tensions surrounding temporary incarceration. The suicides have ceased, and the allegations of mistreatment have subsided.

These kinds of changes, no matter how simple or logical they may appear, take a good deal of planning and work on details. The departments themselves do the lion's share, but they welcome and in fact need outside help.

MANHATTAN BOWERY PROJECT AIDS ALCOHOLICS IN NONPENAL APPROACH

The last project I want to talk about today introduces a new dimension into our intervention efforts in the criminal process. This is the Manhattan Bowery project. It is an attempt to demonstrate that the skid row alcoholic, who presents such visible testimony to the inadequacies of our social institutions, can be handled outside the criminal process with better results for him and a giant reprieve for the police courts, jails, and hospitals. Each year in New York City there are about 60,000 drunk arrests—about 1,500,000 such arrests nationally—with no tangible benefits; the same men are picked up time and time again. Ironically, the worst cases are allowed to lie on the streets; they are too troublesome to arrest.

For several months now we have been studying the Bowery derelict problem and working with several city and private agencies to substitute a noncriminal but activist way of dealing with the police and safety problems they present. We think that we now have a plan worth testing on a sizable scale; in fact we have already tried it out on the Bowery over a 2-day period. Briefly it would consist of street teams combining two recovered alcoholics and a plainclothes police officer who would approach men lying on the streets or whose appearance suggested they were in need of physical help. On a voluntary basis the men would be asked if they wanted a bed and medical help; should this be the case they would be transported to an emergency sobering up and detoxication infirmary where examinations would be conducted and clean beds, clothing, and drugs, if necessary, administered. We estimate that the men would stay an average of 3 days; during the first year there would be a 50-bed capacity. When sober, a followup program would be arranged either in a private mission or public welfare facility—still on a voluntary basis. The police, correction, health, and welfare departments have all agreed to contribute men and material to the program. Only a process of trial and error over several months will reveal whether we have a viable solution to a desperate social problem, but our brief 2-day experiment gave evidence that these men respond to a nonpenal approach in an affirmative way. Even though the underlying alcoholic problem is not cured, the diversion of skid row arrests from the criminal process would justify the program, aside from considerations of human decency.

I hope I have not elaborated at too great length on these Vera programs. I realize that the interests of this subcommittee are far broader than the criminal law. I do feel, however, that our programs illustrate a number of factors to be considered in mapping out an approach to change—whether in the criminal law field or in other problem areas facing cities.

PUBLIC INSTITUTIONS ARE RESPONSIVE TO NEW IDEAS

First I would like to discount the widespread belief that public institutions are somehow inherently resistant to change, particularly to change proposed by a private, outside organization. We have not found this to be the case in New York City. We received strong support from Mayor Wagner when we began the bail experiment. We

have had equally strong support from Mayor John Lindsay in the various projects we have undertaken more recently. And municipal agencies with which we have dealt have readily acknowledged the need for change and have been hospitable to new ideas. I might note in this regard that Vera has for several years also worked closely with a Federal agency, the Department of Justice, and in particular with the Office of Criminal Justice, in the area of bail and summons reform. Vera and the Department acted as cosponsors of the successful national Conference on Bail and Criminal Justice, and have continued since the conference to work together in a number of areas of criminal law reform.

PRIVATE-PUBLIC EFFORT HAS BEEN SUCCESSFUL

There are reasons why this cooperative private-governmental effort has worked.

First of all, the research, factfinding, planning, and experimentation which are building blocks of change require the full-time efforts of a number of people. Municipal agencies tend to operate on a day-to-day crisis basis; they are chronically understaffed and understandably reluctant to divert personnel from routine but essential tasks for experimental purposes.

Secondly, many irritants in the system arise not from the activities of any one agency but from the lack of coordination among a number of agencies—both public and private—or from the refusal of one agency to take the responsibility for resolving policy conflicts between agencies. The principal mechanism for dealing with a problem which cuts across agency lines has been a notoriously unsuccessful one—the interdepartmental committee. Experience has shown that such committees are often composed of agency representatives too low in the line of command to make responsible commitments or concessions; they are frequently dominated by one or another agency; and defensive tactics, traditional competitiveness, and antagonisms play too prominent a role in their operations. At Vera we have found that a neutral private agency, backed by the mayor, can successfully act as liaison in bringing together several agencies in a joint innovative program or experiment. Perhaps because we are not an intrinsic part of the bureaucratic machinery we represent reduced threat to existing agencies or bring with us no aura of past misunderstandings or wrongs. We can devote full time to bringing about the required cooperation; this is our business and not an extra duty added to an already overcrowded schedule. And to be frank, we can often contribute the extra funds or manpower to make an experiment succeed that a budget-bound department cannot justify. It is ironic that in many instances experiments that might spell substantial long-range savings to a city are derailed because of a lack of short-range financing.

PRIVATE GROUP HAS SPECIAL ADVANTAGES

There is another factor involved, of perhaps primary importance. An outside group like Vera is not bound by chains of command. It can take its case to the top. It can intercede with the city's power

structure for the necessary authority and resources. We are a private group with resources independent of the city government, but in a continuing relationship with public agencies, watchful for areas in need of reform from the citizens' as well as the agencies' point of view, and willing to work with the agencies in effecting those reforms.

In this respect I think we differ from the traditional lobbying or crusading citizens pressure group or even from the periodic task force or investigating commission in several aspects. We do not seek reform by exposing inefficiency or injustice, by leveling indictments, or by public confrontation with line agencies. Too often, this approach achieves no lasting results; instead, it hardens opposition to change or at best leaves the kind and quality of change to the agency under attack.

Rather, we start with the hypothesis that when factfinding documents the need for change, agencies can be persuaded to experiment, especially if outside help is provided. We try to stay away from formula recommendations, aware that we don't have the answers at the start ourselves. Instead, in cooperation with one or more agencies, we develop experimental pilot projects to test our alternative procedures.

PILOT PROJECTS PROVIDE FLEXIBLE APPROACH

A pilot project approach has many advantages: small test programs can usually be mounted inexpensively; few staff people are required, since specialists can be brought in ad hoc; time is saved because red-tape is bypassed; relatively quick results can be expected. Since no new agency, bureau, or division is created, a project can be easily dismantled if it proves ineffective, without disastrous results politically or financially—even in failure it may provide useful information. The novelty of an experiment is usually newsworthy, and tends to generate public interest and support. The pilot project technique itself provides great flexibility, allowing the planner to change his approach on short notice. If the project proves worthwhile the city can take it on as a permanent fixture and the private planning group can move on to a new area.

PRIVATE AGENCY INTERVENTION IN CITY PROBLEMS RECOMMENDED

In closing I would like to raise for the subcommittee's consideration whether the private action-oriented intervention approach we have tried with the police and courts might not work in areas such as traffic control, air pollution, slum housing, and so forth. Perhaps a number of independent institutions operating along lines similar to Vera might be established which would focus upon city problems, particularly those which cut across jurisdictional lines. Or perhaps a pilot project corporation, devoted solely to innovation, might operate pilot programs across the whole range of urban problems.

Clearly one thing is certain: we need increasing involvement of private citizens in our city's government; particularly we need their help in solving city problems alongside city officials rather than in continual battle with them in the press and public arena. We think Vera's experience has shown that this can be done and that it is worth doing. Thank you.

Senator RIBICOFF. Thank you very much, Mr. Sturz. This is a field which Senator Kennedy is vitally interested in. He suggested I call you as a witness, because he thought you had something very important to contribute to the subcommittee, and you have. Senator Kennedy?

KENNEDY COMMENDS VERA INSTITUTE

Senator KENNEDY. Let me also thank you, Mr. Sturz. I think your Vera Foundation and the work that you have done has made a significant contribution to not only the administration of justice but to fairness and equality in the courts across this land. Without your initiative—your efforts and your commitment—I think the Department of Justice and the Federal Government would not have changed their policies as early as they did.

I think the conference which you had in 1964 was a stimulant not only to us but to people all over the United States, focusing attention on the philosophy that the Federal Government must have in the administration of justice, not just the conviction of an individual.

I think the efforts you have made, not just in New York City, but the results of your work all across the United States should please you and the Vera Foundation a great deal. So I congratulate you for all of that.

Mr. STURZ. Thank you.

Senator KENNEDY. Over 50 percent of the arrests in the United States are alcoholics. Nearly a third of the arrests in New York City alone are for that reason. I wonder if you could discuss a little bit more fully your Manhattan Bowery project. What could be done do you think in other cities in the country in connection with that?

BOWERY PROJECT REMOVES ALCOHOLICS FROM CRIMINAL PROCESS

Mr. STURZ. Well, I think what is significant about the Bowery project, which is not in effect yet, unfortunately, is that as far as I know, it is the first attempt to completely remove skid row alcoholics from the criminal process.

The police have been saddled with this historically. They haven't wanted it. There has been great pressure put on them by the various merchants associations, by the people who live in the community. The skid row problem does hurt the community.

Since nobody else has been willing to take this on, the police have had to undertake a street-cleaning operation expending an enormous amount of manpower. The process we have found, weakens not only the police process but the court system and also the jails. It prevents adequate court hearings and inhibits rehabilitation efforts and so on.

We tried about a month or so ago a very simple solution. We took lodging house clerks who were experienced at dealing with these men, and went out on the streets of the Bowery and approached the worst cases that we could find on the street, men lying in the gutters, most of them, and just kind of woke them gently and asked if they would like a cigarette, and then said, "Would you like to come over to an emergency sobering up facility," which we had set up right in the Bowery, which the welfare department had lent us for the experiment.

We had staffed the facility with practical nurses and doctors. We had just 12 beds, and we approached 15 men, and 12 agreed to come with us, and they stayed overnight. They were absolutely like new men the next day.

COOPERATION FROM PRIVATE AND PUBLIC AGENCIES IN BOWERY PROJECT

We then worked in a backup facility, using private and public resources. There are a number of private missions located in the Bowery.

We found that the various private agencies located in the Bowery didn't work together in any way. Some of them had never spoken to each other, although they were on the same block. We found that the various public agencies were concerned with the problem but just didn't do anything about their concern.

But now we have been able to organize a coalition of support in the city. The correction department recognizes that if they can be a part of a program, it keeps a large bulk of their people out of the jails; they want to be involved, so they have promised to allocate five men to this program, where they no longer will be just turnkeys and make hourly head counts, but dressed in civilian clothes, will be trying to keep the peace and work with these people.

The police department has agreed to make available vehicles, station wagons which will be repainted a neutral color, and we will be using these to transport these people.

The problem right now is lack of funds. So far the city has contributed the building and some facilities, and there are negotiations to get other funds. Actually just a couple of days ago we were turned down by the Law Enforcement Assistance Agency on a proposal to support this.

Senator KENNEDY. I gather that you have made some requests of the Federal Government.

Mr. STURZ. Yes; to the Department of Justice's Law Enforcement Assistance Agency.

FEDERAL GOVERNMENT HAS A ROLE TO PLAY

Senator KENNEDY. As I said, this is one of the major problems facing the country, and as I also point out, 50 percent of the arrests are in the field of alcoholism across the United States. It seems to me once again we are working on the problems of the cities, that this is a major problem.

It seems to me, Mr. Chairman, that the Federal Government has a role to play, particularly with this Foundation, which has contributed so much already in the bail bond field, but generally in the administration of justice, to restructure the outlook and the operations of the Department of Justice in a very, very important field.

They proved themselves. They have now begun to take an interest in a very vital and important matter here in the United States. They have some of the more far-reaching suggestions and recommendations, it seems to me. It would be worthwhile for the Federal Government in HEW or HUD or the Department of Justice to look seriously at this program and see if they could not be of some help.

BOWERY PROGRAM COULD HELP POLICE AND HOSPITALS

We are worried about law enforcement, worried about the overwork of the police and the relationship of the police department to the local citizenry, and we are worried about the health of our citizens.

It seems to me this plays a very important role, what you are trying to do, in an area in which we haven't really done a great deal. (The following is a news release from HUD concerning programs for skid row alcoholics:)

EXHIBIT 193

NOVEMBER 19-20, 1966.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Contrary to the conventional stereotype, the typical skid row resident is not an alcoholic. Rather, researchers disclose that far fewer than half of the skid row tenants in two major United States cities are chronic alcoholics. They also show that most of them suffer from loneliness, despair, and poverty.

These are some of the findings about skid row inhabitants detailed by Irving W. Shandler, social researcher, at a recent seminar on skid-row relocation experiences in Chicago. At the meeting, sponsored jointly by the City of Chicago and Loyola University, Mr. Shandler described his experience with alcoholics as head of the Diagnostic and Relocation Center, established in Philadelphia, Pa., as part of an urban renewal demonstration supported by grants from the U. S. Department of Housing and Urban Development.

The diagnostic and relocation center was created to help skid row residents overcome their problems in relocation.

A survey revealed that 40 percent of the skid row residents were alcoholics. Commented Mr. Shandler, "The skid row alcoholic represents a very unique part of the iceberg that is above water. It is seen by the community and this can become a very convenient handle to approaching the total problem of alcoholism in any given community. I think that while we ought to continue to acknowledge the fact that the typical alcoholic is not the skid row alcoholic, this should not be the stereotype; we should not ignore this small percentage in terms of its meaning to the total community."

The first 16 months of operation of the Diagnostic and Relocation Center are described in an interim report called "Philadelphia's Skid Row: A Demonstration in Human Renewal" published in late 1965. It describes the techniques developed at the Center for medical, psychological, social, and economic rehabilitation of the men. In determining each man's relocation plans, his own preferences as to neighborhood, his medical, psychological, and economic condition are all considered. The Center staff also works to provide some semblance of economic security for each man. Once a man is judged physically, emotionally, and economically able to move from the row, his case is taken over by the relocation staff of the Redevelopment Authority. One of their housing inspectors approves each living unit before a skid row man is allowed to move. Care is taken to make sure the neighborhood selected is not in an area considered to be an incipient skid row.

The Center is now operated jointly by the Philadelphia Diagnostic and Relocation Service Corporation and the Philadelphia Redevelopment Authority.

A more detailed report is currently being prepared about the project, backed by HUD funds and undertaken by two University of Chicago groups, the National Opinion Research Center and the Chicago Community Inventory. It showed that 67 percent of the men are either nondrinkers or moderate drinkers. It was found that 85 percent of the men were without family ties, as compared with 26 percent of the men over age 20 in the city as a whole. Skid row population were concentrated in the upper age brackets, with 66 percent over 45; 71 percent earned less than \$2,000 a year.

This study, published in 1961 as "The Homeless Man on Skid Row," examines the functions and geography of skid row, characteristics of its residents, and special problems of alcoholism, disability, and unemployment. A significant finding of the study was that the elimination of skid row is possible as well as desirable. Problems of the individuals can be treated so that a majority of them will not need the area economically or socially.

Are skid rows inevitable? No, claims Mr. Shandler. He says that they are decreasing in size, and that programs to help skid row residents leave their unwholesome environment can be successful, as demonstrated in Philadelphia.

Mr. Struz. If I may, I would want to add one point. I think this program can also be of great help to the hospitals in Lower Manhattan, because today many of these people come in with fractured legs and skulls and serious illnesses, and they stay something like four to five times the length of the average patient. There is no prescreening, and they cause a great deal of difficulty in a hospital situation.

I would imagine this is probably similar throughout the United States. We came at the skid-row problem from the problem of law enforcement, since VERA now works in this area. We know very little about the alcohol problems. We only stumbled into how it affects hospitals as well as the administration of criminal justice.

FEDERAL STUDY ON ALCOHOL PROBLEMS RECOMMENDED

Senator KENNEDY. Let me ask you this. Do you think, Mr. Chairman, do you think we could find out from the Federal Government whether they would be willing to undertake this kind of effort and perhaps a report on what is happening in the field of alcoholism in our urban centers? This is a very important and vital matter.

Senator RIBICOFF. I think HEW is in this field now, and I would request the staff to make an inquiry of HEW as to what their programs are at the present time concerning alcoholism.

(HEW submitted the following report, as requested:)

EXHIBIT 194

ALCOHOLISM ACTIVITIES

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Activities in the field of alcoholism are not carried as a separate budget item in the several agencies of the Department. Nevertheless, such activities are of significant concern to at least six of these operating agencies, with the identifiable budgeted amounts totaling approximately \$9.3 million for fiscal year 1967 and \$11.1 for fiscal year 1968 (see attachment I).

Among the operations in this areas are the following:

VOCATIONAL REHABILITATION ADMINISTRATION

Traditionally, VRA has taken a leading role in programs leading to the rehabilitation of individuals incapacitated by any physical or emotional illness. Alcoholism clearly must be considered as such as incapacitating disease.

During fiscal year 1967, VRA has provided financial support for rehabilitation services to alcoholics, including aid to halfway houses, clinics and similar facilities. In addition, it has helped finance research and demonstration programs, and educational activities aimed at recruiting and training rehabilitation therapists to work with physicians and other professionals in the treatment of alcoholics.

OFFICE OF EDUCATION

Through the Elementary and Secondary Education Act, OE is providing support of activities at the community level in teacher training, program development projects, development of educational materials, and other activities related to alcohol education and information.

Although no OE activities are formally related to alcohol education, information and education on drinking, alcohol, and alcoholism quite properly belong in the area of health education. Plans for FY 1968 include utilization of the Alcohol and Alcoholism monograph (see below) and similar materials in OE educational programs.

SOCIAL SECURITY ADMINISTRATION

Through its administration of title XVIII of the Social Security Act (Medicare), SSA has started to provide financial support for the treatment of alcoholics among those who are over the age of 65. It has been determined that a diagnosis of alcoholism will make a Medicare beneficiary eligible for treatment. A program for employees of SSA with alcohol problems has been established, and is serving as a test program for Federal departments.

WELFARE ADMINISTRATION

In the WA program, alcoholism activities form an integral part of the complex of services provided by public assistance programs.

Through its administration of title XIX of the Social Security Amendments, WA is providing financial support for the treatment of alcoholics among those who are deemed to be medically indigent. Exact costs cannot be identified.

Although it is difficult to obtain accurate estimates of the prevalence of alcoholism among public assistance recipients, one study indicates that alcoholism is involved in about 14 per cent of all AFDC cases.

Through the Children's Bureau, WA is cooperating with the National Institute of Mental Health in preparing educational materials on alcohol and alcoholism for teenagers and their parents.

Two research projects on alcoholism are currently being conducted in Poland under the International Research Program. One is a study on the problem of alcoholism in industrialized centers, while the other concerns the social welfare of children from alcoholic families. A third project deals with alcoholism in low-income families, and while still another is planned for fiscal year 1968 on consumption of alcohol and drinking patterns in Yugoslavia. Earlier studies on cultural drinking patterns in Europe have been found to have important applications to the understanding of drinking patterns among cultural groups in the United States.

FOOD AND DRUG ADMINISTRATION

The FDA has responsibility for studies of the efficacy and safety of drugs used as specific or adjunctive therapy for alcoholics, and for protecting against false claims and quackery. During fiscal year 1967, surveys have been conducted on such alleged anti-alcoholism agents as nicotinic acid, diphosphorydine nucleotide, and LSD. (None has been found to possess significant value.)

In addition, FDA and NIMH investigators have been collaborating on basic research projects concerning alcohol metabolism.

ST. ELIZABETH'S HOSPITAL

In cooperation with the National Center for Prevention and Control of Alcoholism, laboratories are being established at the hospital for basic research on experimental animals and human subjects, and clinical trials are being undertaken on alcoholic patients.

PUBLIC HEALTH SERVICE

A small number of projects related to alcoholism are included in the programs of the Bureau of Health Services, the Bureau of Health Manpower, and the Bureau of Disease Prevention and Environmental Control. These concern research, demonstration grants, training, and education.

Alcoholism treatment in the States and local communities is expected to receive substantial support from implementation of the Comprehensive Health Planning and Public Health Services program (P.L. 80-740), although precise expenditures cannot be identified.

NATIONAL INSTITUTE OF MENTAL HEALTH

Within the Public Health Service, NIMH is administering the Community Mental Health Center program. Among the services provided by community mental health centers are five basic elements which are of importance to the control of alcoholism—inpatient treatment, outpatient treatment, partial hospitalization, emergency service, and consultation and education. Detoxification serv-

ices may properly be an essential service of many such centers, as part of a comprehensive health program.

NATIONAL CENTER FOR PREVENTION AND CONTROL OF ALCOHOLISM

Probably the most important alcoholism activities in NIMH are those conducted by the National Center for Prevention and Control of Alcoholism. Still in its developmental stage, the Center is directing attention to several high priority areas—deficiencies in knowledge, shortages in trained manpower, and shortages in the availability of high-quality comprehensive health services for the alcoholic and for those he affects.

To obtain guidance in its activities, the Center is establishing a Scientific Advisory Committee, composed of experts in various areas related to alcoholism and other alcohol problems. In addition, a Review Committee is being established to review and make recommendations to the National Advisory Mental Health Council regarding all training, research and demonstration proposals submitted to the National Center.

Basic and applied research.—To begin filling the gaps in knowledge on the causes of alcoholism, more effective treatment methods, and practical prevention techniques, the Center has been strengthening and supporting various research activities.

Among these activities is the development of new alcoholism research centers staffed with highly competent behavioral, biological and sociological scientists, located at outstanding research institutions throughout the country. Four grant applications for such research centers have already been approved by the National Advisory Mental Health Council. It is expected that applications for support of other such centers will be received for consideration during FY 1968.

In general, all of the centers will be multi-disciplinary, university-based, with their major attention directed toward both research and training. Those located in medical schools will emphasize clinical, behavioral, neurological, and biochemical studies. Others will emphasize sociological investigations.

Other support is being given to two noteworthy studies of drinking practices, which provide opportunities to obtain long-needed knowledge of the development of alcoholism and related problems. Here emphasis is being placed on the determination of factors which may lead some heavy drinkers to become alcoholics, as well as on those which may protect against alcoholism.

Among other research projects receiving support from the National Center are these:

1. The adaptation of adolescents to paternal alcoholism.
2. An interagency training experiment.
3. The tuberculosis hospital in community alcoholism control.
4. The development of alcoholism services in public health.
5. A community treatment plan for Navajo problem drinkers.
6. A guide to public health control of alcoholism.
7. Preventive intervention in alcohol-related conditions.
8. The social reintegration of homeless alcoholics.

Besides working cooperatively and collaboratively with other NIMH units, the National Institutes of Health, the Veterans Administration, and other Federal agencies, the Center is carrying out basic and clinical research in its own laboratories at St. Elizabeths Hospital.

Manpower.—To cope with shortages of trained manpower, the Center is beginning to stimulate a variety of training programs. These are aimed at developing personnel to (a) teach and provide information, (b) provide treatment and rehabilitative services, and (c) stimulate and train young researchers for careers in alcoholism investigations.

Professional training institutions.—colleges of teacher training, schools of social work, schools of nursing, medical schools, seminaries, vocational counseling institutions—will be encouraged to give appropriate attention to this field. Continuing education and in-service training programs are being encouraged and supported for professionals currently in practice. In recognition of the continuing shortage of health professionals, the development of training opportunities for new kinds of health workers—including physician assistants and psychiatric aides—will be encouraged and supported.

Training grants provided by the National Center encompass a variety of disciplines. Among them are the following:

1. Clinical training in alcoholism for chaplains.
2. Training social and behavioral scientists in alcoholism.
3. Teaching about alcoholism in schools of public health.
4. Education program for alcoholism counselors.
5. Alcoholism training projects for social workers.

Under consideration are proposed projects to assess the effectiveness of present short courses and special summer school programs of alcohol studies, and to assess attitudes, activities and programs among school administrators and teachers.

Services.—To increase the availability of high quality health services for alcoholics, the Center is seeking to develop wider use of existing resources. As noted above, the Community Mental Health Center program and the Comprehensive Health Planning and Public Health Services program are of particular importance.

Staff consultation is being made available to official and voluntary National, State, and local groups interested in alcoholism programming as well as to the designated health planning agency in each State and community. Staff at the Regional Offices will assist in these activities.

For those engaged in designing State comprehensive health plans and community mental health centers, a guide on the development of community services for those with drinking problems has been made available for distribution.

Information and education.—In the area of information and education, it is important to note that the laws of every State require the inclusion of alcohol education in the school curriculum. Most of these alcohol education activities, however, have been described as inaccurate, authoritarian, heavily biased, out-of-date, and otherwise inadequate. As a first step in improving the quality and effectiveness of teaching in the schools, the Center anticipates funding of a project to determine the extent and adequacy of training being provided by teacher training institutions, the attitude of administrators at teacher training institutions, and the attitude of State and community school administrators and teachers. In conjunction, encouragement and support will be given to the development and evaluation of new training techniques and educational programs.

An NIMH monograph on alcohol and alcoholism, presenting the current state of knowledge on the extent, causes, diagnosis, treatments, and preventive factors, is currently in press and expected to be available for distribution later this summer.

In cooperation with the Children's Bureau, another publication on teen-age drinking is being prepared. It is designed for young people, their parents and their teachers.

As a result of recent Federal court decisions declaring alcoholism an illness, it appears essential that States and communities take a new look at civil commitment procedures involving chronic offenders. A contract will shortly be developed with a major law school to undertake a study of the legal aspects that are relevant and to develop a model code. Information derived from this project will presumably be useful to communities in developing new procedures. In addition, the National Center is working closely with communities to develop new and more effective ways to deal with the chronic drunkenness offender.

Staffing.—The Center staff includes four professionals, and three clericals in the central office. Staff in the laboratory includes three professionals and four technicians.

During fiscal 1968, staff projections call for additional positions to work in areas of training, education, community service, intramural research, social science research and in the laboratory.

The Center has been established to function as a new administrative model. In order to develop efficient coordination, staff from the Office of Education, the Vocational Rehabilitation Administration and the Welfare Administration have been assigned to meet regularly with Center staff. To coordinate alcoholism activities within the Public Health Service, the Center is working closely with the Bureau of Health Manpower, the Bureau of Health Services, and the Injury Prevention Program, as well as with other units.

Budgetary data.—The overall budgets for alcoholism activities within the Department of HEW for fiscal years 1967 and 1968 are indicated in the following table. As noted above, however, many of the activities—notably those concerned with the support of routine services at the State and community level—cannot be readily identified at this time.

(Attachment I)

ALCOHOLISM—BUDGETARY DATA

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

(Fiscal 1967 and 1968)

	1967 estimate	1968 estimate
Vocational Rehabilitation Administration:		
Grants to States.....	\$2,310,400	\$3,108,000
Research and demonstrations.....	400,000	502,000
Training and traineeships.....	30,000	35,000
Innovation grants.....	150,000	300,000
Expansion grants.....	600,000	750,000
Subtotal, Vocational Rehabilitation Administration.....	3,550,400	4,695,000
Public Health Service:		
Health manpower education and utilization.....	67,105	56,875
Chronic diseases.....	164,000	600,000
Urban and industrial health.....		
National Institute of Mental Health:		
Research grants.....	4,285,000	4,500,000
Fellowships and training.....	287,000	465,000
Operations.....	787,000	706,000
Subtotal, Public Health Service.....	5,613,105	6,317,875
Welfare administration.....	129,000	129,000
Total.....	9,292,505	11,141,875

Senator KENNEDY. Thank you, Mr. Chairman. You have been working very closely with the police, particularly with the police department in New York City. They have confidence in you, and the efforts that you have made.

As I say, I think generally law enforcement across the country has a great deal of confidence in you and in your organization. What is it that you feel can be done now to improve not only our police departments but the police department's relationship to the local community?

NEW PROCEDURES COULD IMPROVE POLICE-COMMUNITY RELATIONS

Mr. STURZ. I would think that the best way to improve police-community relationships would not be to try to build images primarily, but, rather, try to develop new procedures. Change the fact of police enforcement and procedures.

I think the problem of police-community relationships is much broader than just police-community relationships. I think this alienation of the community really involves for the whole criminal process, not only the police. The real focus should be on developing programs that might make sense.

For example, I think it might make sense to develop a kind of police ombudsman in each precinct station. This is something that we have been talking about in New York City with the police.

LIMITED-DUTY OFFICERS SUGGESTED

What happens today is many of the poor from the ghetto areas come to the police and say, "We have all kinds of problems in health and housing, and so on," and normally the response is "That this isn't my area. Go somewhere else." They go to the police, the visible symbol of authority. I think it might make sense to use limited-duty men in

the precinct, whose job would be to respond to these inquiries. Liaison would have to be set up with the city administrator's office, so that there would be a man whose job would be to work with police officers as well as with each agency, welfare housing, and so on, and try to get results for the person. This would not be mere referral, sending an individual vaguely about town. Rather, appointments could be made on the spot. The necessary facts could be discovered at the moment, or the complaint lodged with the relevant agency. Having something like this would be helpful.

I think trying to look at another way of measuring the reward structure in a police department would be helpful. Today police are supposed to do three things: keep the peace, prevent crime, and apprehend violators. But really they are only rewarded for arrests, and then for the quality and quantity of arrests.

Now I think a case could be made for developing some sort of measurement of a police officer, especially those in the Harlems and Bedford-Stuyvesants of the United States, who know the community so well, who keep things down, who become friends with the community, who don't hide, who are on their beat all the time, who are really providing protection, and as a result do keep down crime and tensions. I think one could measure this.

I think certainly the idea of recruitment, bringing more Negroes and Puerto Ricans into the force would be helpful. Commissioner Leary is trying to do this. I think one specific suggestion that Puerto Ricans have been very interested in achieving is lowering the minimum height requirements. I think it is 5 feet 8 inches now; if it could be lowered an inch or two, I think this would open up recruitment possibilities, which would be sensible.

LATERAL ENTRY PROGRAM BETWEEN POLICE DEPARTMENTS

I think the police in this country don't know from one city to another, have really no idea, what is going on from city to city, and I wonder if a lateral entry program can be achieved on an experimental basis between police departments, so that a man can go from position of lieutenant in the District of Columbia to that of lieutenant in New York City and bring with him all the knowledge of the District. I think this holds promise for improving police relationships and efficiencies.

Senator KENNEDY. Would you perhaps furnish a memorandum of anything that might occur to you in addition to those matters that you have mentioned which might be of help to the committee?

POLICE TRAINING NEEDS IMPROVEMENT

Mr. STURZ. There is a further area. Certainly one of the great efforts should be made in improving police training, and I think a great effort is now being made in this field. But there is a gap between the police academies of the United States and the street, the beat.

Senator KENNEDY. Yes.

Mr. STURZ. How do you bridge the gap? What happens when the rookie comes out of the police academy and he is completely dependent on the veteran patrolman. He is dependent on where to eat, what posts are dangerous and so on. Too often he is greeted by the veteran with:

"All right, you learned all of this high falutin' stuff in school. This is really the stuff. Now you'll see what police work is all about."

Conceivably some type of trainee escort program on a one-to-one basis could be developed. Again these things have to be carefully structured, each project, but I think something like this could be done.

ROLE OF FOUNDATIONS IN URBAN DEVELOPMENT

Senator KENNEDY. I asked the previous witness, Mr. Moynihan, about the role of universities in the development of the urban centers. What I would like to ask you is basically the same question.

With the changes that are taking place, that have to take place in our local governments, in our agencies and departments, what role do you think the foundation, both large and small, has in that change?

Mr. STURZ. Well, I think a foundation has flexibility to move quickly into critical areas with what we have found is really small sums of money, money which can achieve a great deal.

What we have found in New York City is that with people with the greatest good will just can't get beyond the day-to-day administration of the cities, and so what Vera in the criminal process has done is identify certain critical areas. I think that conceivably a number of foundations or institutions somewhat along the line of Vera could be created, to deal with these weak spots or key areas.

Senator KENNEDY. How could we organize that, do you think?

PILOT CORPORATIONS COULD BE SET UP

Mr. STURZ. I would think that you might want to organize it as a series of pilot corporations over a 4-year period with small core staffs of generalists, perhaps a budget of something like \$250,000 a year.

Persons experienced in dealing with city, State, and Federal government would be hired, persons who would be able to evaluate a problem, know how to deal with a bureaucracy, know how to get outside funds, know how to work with a coalition of private and public agencies.

In New York City there must be over a thousand small foundations that dribble their funds away. I think to help coordinate that, to bring the corporations, the unions, and Government together in a common enterprise would be a useful thing.

I think perhaps one example, which certainly isn't original with me, of a project completely outside the criminal process, might be an attempt to do something about our traffic situation in New York City. For example, almost all truck deliveries are made during the day. I think if you could organize a small pilot project in one part of Manhattan, say the whole garment area, Macy area—obviously right now there are difficulties.

You have got to reconcile the problem of the merchants association, the major stores, the traffic department, the police department, the Teamsters Union, the shipping clerks, the shippers, etc. But I think if you made a traffic control study of things like this, you would find that in effect you would probably save a great deal of money if truck deliveries were made at night and Sundays. You would help enormously in unlogging the streets. And you could try something like this at small expense over a short period, and know in 3 months whether or not it works.

FEDERAL GOVERNMENT CAN ASSIST LOCAL POLICE DEPARTMENT

Senator KENNEDY. Let me just ask you—you have been very helpful—one last question, which is what do you think the role of the Federal Government should be in helping the local police department? Do they have any role to play in the recruiting of policemen and the process of training them or helping them acquire sophisticated new equipment, computers, and all the other kinds of equipment that might be helpful to them? Should the role of the police academy here in Washington be expanded and should the Federal Government play any role in supplementing the budget of the police department? Could you talk about that for a moment?

Mr. STURZ. I would say that infusions of Federal funds would help. But I think it would depend really on each department on whether it is of much use. There would be some value, for example, in buying more patrol cars and so on.

Senator KENNEDY. There are 40,000 police departments in the United States.

MODEL CRIMINAL PROCESS PROGRAM SUGGESTED

Mr. STURZ. It might make sense to focus your attack then on possibly the model cities, the proposed demonstration cities, and develop your model there with your police and cities law enforcement, and not only concentrate on problems of housing and employment, but also from the start build in a model criminal process component—including not only police but courts and corrections, build halfway houses and jails right in the area and so on, rather than perhaps scattering your shots as you suggest, in 40,000 directions.

Senator KENNEDY. Thank you very much. You have been very helpful, Mr. Sturz, to the subcommittee and I appreciate your testimony and appreciate the statement you have made before the subcommittee. I very much appreciate having you come down.

The subcommittee will recess until 2 o'clock this afternoon. (Whereupon, at 12:35 p.m., the committee recessed to reconvene at 2 p.m. of the same day.)

AFTERNOON SESSION

Senator RIBICOFF. The subcommittee will be in order. The first witness this afternoon is Dr. Kenneth Clark. I personally, and I am sure the subcommittee, is deeply indebted to you, Dr. Clark, for coming here today. If there is anyone who knows more about the problems we have been talking about these past few weeks, than you I don't know the person.

STATEMENT OF KENNETH B. CLARK, DIRECTOR, SOCIAL DYNAMICS RESEARCH INSTITUTE, CITY COLLEGE OF NEW YORK

Dr. CLARK. Senator, I have a statement which I prepared not just for this subcommittee but as the basis for action which a group of us are going to attempt in the New York metropolitan area.

I don't think I need to read the statement except maybe to summarize it by saying that you and your subcommittee and others have done a