

OCTOBER 1969

City of New York
John V. Lindsay
Mayor

The Administration
of Justice Under
Emergency Conditions

The Criminal Justice Coordinating Council
and
The Vera Institute of Justice

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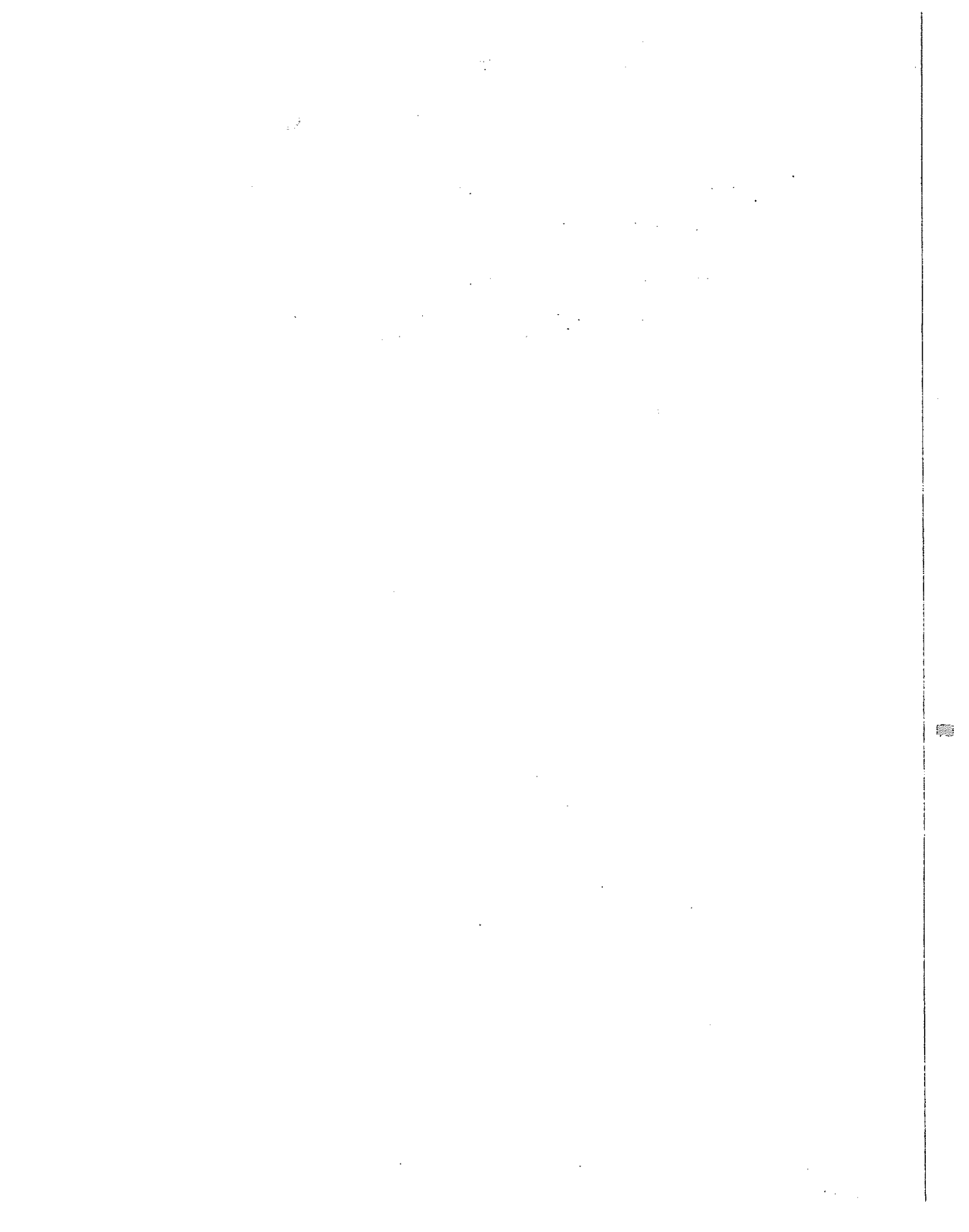
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ACKNOWLEDGMENTS

The plan for the Administration of Justice Under Emergency Conditions could not have been developed without the cooperation of the New York City Police Department and the following agencies :

American Red Cross, New York Chapter
Appellate Division of the Supreme Court
First and Second Departments
Civil Court of the City of New York
New York City Criminal Court
Family Court of the City of New York
New York State Supreme Court
Office of the Corporation Counsel
New York City Department of Correction
District Attorney, Bronx County
District Attorney, Kings County
District Attorney, New York County
District Attorney, Kings County
District Attorney, Queens County
New York City Emergency Control Board
New York City Department of Health
New York City Department of Hospitals
Legal Aid Society
New York City Department of Parks
New York City Department of Personnel
New York Office of Probation
New York City Department of Public Works
New York City City Department of Sanitation
New York City Department of Social Services
New York Telephone Company
New York City Transit Authority

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I. INTRODUCTION

In the wake of the riots that plagued scores of American cities during the summer of 1967, former President Johnson appointed a National Advisory Commission on Civil Disorders to investigate the causes of those disturbances and to recommend steps that might be taken to avert similar occurrences in the future. In its report to the President, the Commission concluded that in many cities that experienced disorders, the administration of criminal justice nearly collapsed due to longstanding deficiencies in the court systems and failure to prepare the judicial machinery for the demands imposed by large-scale disturbances. The Commission found that during such disorders judicial procedures became oriented toward mass rather than individual justice, with a resulting deprivation of individual rights. At the same time, despite the large number of arrests, there were few successful prosecutions for serious crimes.

While recognizing this breakdown in the administration of criminal justice, the Commission specifically rejected the idea that the judicial system should react by implementing such concepts as "preventive arrest" or "preventive detention" which would shortcut those procedures our legal system has developed to protect individual rights. Instead, the Commission recommended that "each community. . . undertake the

difficult but essential task of reform and emergency planning necessary to give its judicial system the strength to meet emergency needs."

Responding to this suggestion, Mayor John V. Lindsay appointed in March 1968 an Ad Hoc Committee on the Administration of Justice Under Emergency Conditions consisting of representatives from City agencies and private organizations. In August of that year, the Committee presented the Mayor with the broad outlines of a plan designed to prepare the City's criminal justice system for the demands that a civil disorder might impose.

For the most part, the details of the plan were left to be filled in by the various agencies. To accomplish this as expeditiously as possible, the City proposed a program whereby it would work with each participating agency to ensure that it had the capacity to perform its role. The project was approved by the New York State Crime Control Council and financed with funds provided by the federal government to the New York City Police Department under the Omnibus Crime Control and Safe Streets Act of 1968. Under a contractual arrangement with the Police Department, the Vera Institute of Justice undertook to develop the program. In the ensuing ten months, Vera worked with the various criminal justice agencies to develop and coordinate comprehensive emergency plans. This report will describe the progress that has been made in this area and the work that remains to be done.

II. THE EMERGENCY PLAN

A. The Police Department

1. Providing Alerts and Information

The Police Department will be the first agency to respond to a civil disturbance and will activate the City's emergency plan. During the initial stage of a disorder, arrests will be processed in the usual manner--booking at the precinct, photographing at one of the two photo sections, and arraignment at the borough court or in the Brooklyn or Manhattan night court.

Should a disorder begin to escalate, the Patrol Borough Commander will notify the Operations Division of this fact. Operations in turn will contact the Communications Division, which will alert designated officials from the Mayor's Office, Appellate Division of the Supreme Court, appropriate District Attorneys, Corporation Counsel, Department of Correction, Office of Probation (which will notify the Family Court), and Legal Aid Society, informing them that a situation has developed such that if it continues, mass arrests may be expected.¹ Operations will also notify the Police Commissioner, who will decide if the situation warrants the implementation of central booking procedures. If he so decides, a central booking facility will be established at the Manhattan Criminal Court (120 Centre Street) and/or the Brooklyn Criminal

¹The Communications Division maintains a list with the names and office and home telephone numbers of those officials (and their alternate if they are unavailable) who must be alerted. This list is updated on the last Friday of each month, and a revised copy is forwarded to every person whose name appears on it.

Court (120 Schermerhorn Street) depending on the location of the disorder.² Operations will notify Communications that central booking has been initiated, and Communications will pass this information on to the agency officials who were previously alerted³, so that they can begin to implement their emergency plans. Communications will also advise the District Attorneys, Corporation Counsel, Correction and Probation as to the exact location of the "staging areas" that the Patrol Borough Commander has selected for the processing of prisoners. Appropriate personnel from these agencies, together with community observers who will be alerted by the Community Relations Division of the Police Department, will then report to the staging areas.

During the course of the disorder, the commanding officers at the staging areas will provide the Communications Division⁴ with hourly arrest figures⁵, and Communications will

²If the disorder occurs in Manhattan or the Bronx, central booking will be established in Manhattan. If the disturbance takes place in Brooklyn, Queens or Staten Island, central booking will be held in Brooklyn. There are two telephone lines and a number of extensions set up for central booking. The Communications Division will notify the telephone company to activate the lines if central booking is implemented. The numbers in Manhattan are RE 2-4464(5), and in Brooklyn it is 625-6546.

³If the Police Commissioner, upon being notified by Operations, immediately decides to implement central booking, this two-step alert will not be necessary. Instead, when Communications initially alerts the various agency officials, it will inform them that central booking has gone into effect.

⁴If the number of arrests suddenly begins to increase dramatically, the commanding officer at the staging area will immediately notify the Communications Division of this fact.

pass this information on to the Criminal Court's "Command Post." These arrest figures are important to the Court because they provide the basis for deciding how many arraignment parts to open, and also help the other agencies gauge how many of their personnel to contact.

2. The Staging Areas

a. Processing of Prisoners

In order to facilitate the flow of prisoners to central booking, the Police Department will establish staging areas on the periphery of the disorder. The staging areas, which will be large public or private buildings⁵, will be used in the following manner:

All prisoners will be conducted by the arresting officer to a staging area.⁶ There they will be given a mimeographed sheet describing what will occur at the staging areas and at central booking and arraignment.⁷ By providing this

⁵The Police Department has compiled a list of suitable sites throughout the City. (See Appendix A.) These sites include Department of Sanitation garages, Department of Parks buildings, and public schools. It should be noted that the Assistant Superintendent of Schools, Thomas Nevins, notified the Police Department last year that neither the Superintendent of Schools nor the Board of Education was willing to make school buildings available as staging areas. However, on July 1, 1969, the Corporation Counsel rendered an opinion in which he concluded that "the Mayor may, to protect the safety and welfare of the people of the City, recommend and direct the use of school buildings as staging areas to facilitate the processing of persons arrested during a disorder." (See Appendix B.)

⁶The same staging areas will be used for juveniles (youngsters up to the age of sixteen) and adults to eliminate the possibility that an arresting officer might have to go to two different locations with a group of prisoners.

⁷These sheets, which will be printed in both English and Spanish (see Appendix C), will be stored at the various borough commands and delivered to the staging areas by the police.

information to arrested persons as quickly as possible, it is hoped that much of the confusion and anxiety that might otherwise exist will be avoided.⁸

All prisoners will then be searched and contraband, evidence, and dangerous articles will be taken from them and either placed in special property envelopes or tagged. After this search, two polaroid photographs of the prisoner, the civilian complainant (if there is one), and the arresting officer will be taken for purposes of later identification.⁹ The prisoner's thumb print will then be placed on the back of the photograph, together with his name, the name of the arresting officer, and certain information about the arrest; and the arresting officer will fill out a pre-carboned multipurpose arrest form.¹⁰ A representative from the Legal Division will be present to render assistance to the arresting officers in determining the charges.

After this initial processing, the Police Department will place all juveniles in the custody of the Office of Probation, which will be responsible for transporting them either

⁸ This type of information should be given to arrested persons at all times. The State Attorney General's Office has prepared a booklet (printed in English and Spanish) entitled "Your Rights If Arrested." It should become standard procedure for the Police Department to provide a copy of this booklet to each arrested person at the time he is booked.

⁹ The arresting officer will retain one copy of the photograph. Cameras and film are stored with the chief of detectives and various precinct squads.

¹⁰ Form PD 244-151, which is stored at the Borough Commands.

to the Family Court or to a juvenile detention center.¹¹
Adult prisoners will be brought before an Assistant District
Attorney¹² who will draw up the complaint on a simplified,
pre-carboned form.¹³ If, in his opinion, the degree of
the crime charged on the arrest form is not substantiated
by the facts, he will enter the new charge on the arrest
form.¹⁴

Once the complaint is drawn, the arresting officer
or the civilian complainant will swear¹⁵ to it before a

¹¹ The processing of juveniles will be discussed in greater detail in Section E of this report dealing with the Office of Probation.

¹² The Report of the Mayor's Committee (pp.8-10) contained three alternate plans for the operation of the staging areas. The first of these plans did not call for the presence of an Assistant District Attorney. Upon subsequent consideration, however, it has been decided that only one plan is necessary, and that an ADA should always be present at the staging area to draw the complaints.

¹³ These forms (F-1, All-Purpose Felony; M-13, Misdemeanors; M-14, Emergency Offenses) are stored at the Borough Commands and will be delivered by the police to the staging areas.

¹⁴ If the Assistant District Attorney believes that the facts do not support any criminal charge, a complaint will not be drawn. The prisoner will be taken to the courthouse where the District Attorney's Office will file Form 343 requesting the judge to release the prisoner without a complaint being drawn.

¹⁵ If the Mayor declares a state of emergency, the arresting officer may affirm the complaint instead of swearing to it. (Code of Criminal Procedure §150-B.)

designated superior police officer.¹⁶ Then the arresting officer will either accompany his prisoner in a Police or Correction Department van to central booking¹⁷, or turn him over to an "escorting officer"¹⁸ who will accompany five or six prisoners to central booking, thus permitting the arresting officer to return to the area of the disorder.

b. Community Representatives

(1) Function

Also present at the staging areas will be representatives from the community where the disorder is occurring. The presence of such community people was recommended in the Report of the Mayor's Committee (p.3) which called for "responsible community leaders to act as impartial observers to report back to the community on all stages of processing of persons arrested."

¹⁶The plan contained in the Report of the Mayor's Committee called for the complaint to be sworn to before a Court Clerk who would be assigned to the staging area. However, Section 23 (1) of the New York City Criminal Court Act was subsequently amended by Chapter 286 of the Laws of 1969 to permit non-judicial personnel, by order of the court, to administer oaths. On May 23, 1969, the Appellate Division for the First and Second Judicial Departments issued an order authorizing any member of the Police Department above the rank of Sergeant, assigned to supervisory duty in any facility where an arrest is processed, to administer all necessary oaths in connection with the execution of a complaint to be filed in the Criminal Court. Therefore, there is no longer any need for a Court Clerk to be present at the staging areas.

¹⁷ If the number of Police and Correction Department vans prove inadequate to transport arrested persons from the staging areas to central booking, Transit Authority buses may also be used, although they are not ideally suited for this purpose (e.g., they lack screening on the windows and have two doors).

¹⁸The escorting officer will be given a polaroid photograph of each prisoner he conducts to central booking.

The community representatives who will be present at the staging areas are members of the Police Department's Precinct Community Councils.¹⁹ Should a disorder occur, the Community Relations Division of the Police Department will be responsible for contacting these people and making sure that at least two representatives report to each staging area.²⁰ When the representatives arrive at the staging areas, they will identify themselves to the commanding officer and begin observing the processing of arrested persons and the quality of treatment they receive. The representatives will also watch for any problems that may arise, and should a situation develop that the community observer believes warrants corrective action (e.g., an injured person who is not receiving medical treatment), he will bring it to the attention of an Assistant Corporation Counsel who will also be present at the staging area. The Assistant will first attempt to resolve any minor problem by discussing it with the appropriate police official.²¹ Serious problems will be reported immediately to the Corporation Counsel's office.

At the end of his tour of duty at the staging area, each Assistant will report by telephone to the

¹⁹ The Community Relations Division selected 388 persons--approximately five from each of the seventy-five Councils.

²⁰ The Community Relations Division will first contact Community Council members from the precinct where the disorder is occurring. If those individuals are unable to go to the staging area, people from neighboring Councils will be called.

²¹ The Assistant Corporation Counsels have been instructed that the highest ranking police official is the ultimate authority at the staging area.

Corporation Counsel's Office, and will later file a written report with the First Assistant Corporation Counsel. In this report, the Assistant will describe his experience at the staging area; indicate any serious or recurring problems that occurred; comment on procedures that were used; and make suggestions. It is recommended that the community representatives be asked to file a similar report, perhaps in the form of a questionnaire. These reports will serve to identify weaknesses in present plans and procedures, and may be helpful in rebutting claims of brutality or inhumane conditions.

(2) Training

All Assistant Corporation Counsels who may serve at the staging areas have been instructed as to their function and briefed by the Police Department concerning the operation of the staging areas. Each Assistant has received an instruction booklet (see Appendix B) and will soon be issued a special identification card containing his photograph. This card will permit the Assistant to travel during a curfew and to cross police lines. At the staging area, the Assistant will affix the card to his clothing so that he can be easily recognized by the community representatives and the police.

Training sessions were also conducted for the community observers. One meeting was held in each borough, at which time representatives from the Police Department's Legal Bureau and from the Police Academy spoke about staging area procedures and the function of the community observers.

Representatives from the District Attorney's Office, Corporation Counsel, and Vera Institute of Justice also attended these meetings to answer questions.

At the meetings in Manhattan and Queens, instructional materials (see Appendix C) and special identification card²² containing polaroid photographs were distributed to those who attended.²³ It is recommended that additional meetings be held during the year for those persons who did not attend the first sessions, and that instructional materials and identification cards be furnished to all community representatives.

3. Central Booking

a. Regular Processing

Upon arrival at central booking, the arresting or escorting officer will have his prisoner(s) placed in temporary detention pens. The officer will then obtain from each arrested person the names and telephone numbers of three

²² These cards will serve the same function as those being issued to the Assistant Corporation Counsels.

²³ One hundred and seventy-one persons attended the meetings. The figures by borough are: Manhattan, 35 of 108; Brooklyn, 51 of 136; Bronx, 33 of 56; Queens, 39 of 73; Staten Island, 13 of 15.

persons who should be notified of his arrest. This information will be placed on the individual's arrest form and the central booking desk officer will see to it that these phone calls are made and the results of each call are noted on the arrest form.

When the arresting or escorting officer turns his arrest forms over to the central booking desk officer, a central booking number will be assigned to each prisoner and recorded on the arrest form. The arresting or escorting officer will then receive an Emergency Arraignment/Disposition Report (Form 301.1A) which he will fill out for each prisoner. When the entries are completed, the middle copy of the form will be detached and sent by the desk officer to the Emergency Information Center that will be collecting information about arrested persons.²⁴

If the prisoner is charged with a non-fingerprintable crime²⁵, the arresting or escorting officer will deliver him to the Department of Correction for pre-arraignment detention, while the officer proceeds to the docket room where the complaint will be docketed and the docket number and arraignment part recorded on the two remaining cards of the Emergency Arraignment/Disposition Report. The prisoner will then be arraigned.

²⁴ The Emergency Information Center will also receive from the desk officer a copy of the arrest form that will be completed for all juveniles who are taken into custody. The Center will be discussed in greater detail in Section I of this report dealing with Information to the Public.

²⁵ A crime other than those enumerated in Section 940 of the Code of Criminal Procedure.

If the prisoner is charged with a fingerprintable offense, the arresting or escorting officer will see to it that he is fingerprinted and photographed. The prisoner will then be turned over to the Department of Correction for pre-arraignment detention. When the officer receives a copy of the prisoner's prior criminal record (Form DD24) he will proceed to the docket room to have the complaint docketed and the necessary information entered on the Emergency Arraignment/Disposition Report. The prisoner will then be arraigned.²⁶

b. Summonsing

The issuance of summonses at central booking will be limited by the fact that the Police Department will be reluctant to release people and let them return to the area of the disorder before the disturbance has begun to subside.²⁷ Summonses may, however, be issued to persons charged with minor offenses²⁸ when it appears that the disorder is on the decline (usually in the early morning hours), and to those individuals the Police Department would like to see back in the streets trying to end the disturbance.

²⁶Section 552-a of the Code of Criminal Procedure provides that during a state of emergency the Court may, in its discretion, arraign and admit to bail defendants charged with fingerprintable crimes even though the Court does not have their criminal records before it. This section is designed to permit prompt arraignment and bail setting during periods when the heavy volume of arrests might otherwise cause a bottleneck if the Police Department's fingerprint analysis facilities become overburdened.

²⁷For the same reason, it is unlikely that many summonses will be issued at the staging areas. Moreover, at the staging areas, conditions probably will not be suitable for conducting summons interviews. However, if summonses are issued at the staging areas, the same procedures for their issuance will be followed as those used at central booking.

²⁸E. g., curfew violators.

The authorization to issue summonses will come from the Patrol Borough Commander in the borough where the central booking facility is located, or from a higher official in the Police Department. The superior officer at central booking in charge of summonsing will consult with the Administrative Judge of the Criminal Court to establish return dates for the summonses.²⁹ The interview for the summons will be conducted by the arresting or escorting officer³⁰, who will then present the interview forms, together with his recommendations, to the superior officer charged with making the final determination of whether or not to release the prisoner. If a positive decision is reached, the prisoner will be issued a summons and permitted to return home.³¹ If it is decided not to issue a summons, the interview forms prepared by the Police Department will be delivered by the arresting or escorting officer to the Office of Probation, thereby eliminating the need for a separate ROR interview.

²⁹ When the return dates have been established, this information will be relayed by the superior officer at central booking to the Communications Division, which in turn will notify the staging areas in case summonses are issued there.

³⁰ If the Office of Probation has previously conducted an ROR investigation, it may be used as the basis for recommending a summons, thereby eliminating the need for a separate summons interview.

³¹ Should a curfew be in effect at that time, the summons will serve as a pass to permit the individual to travel expeditiously between the central booking facility and his home.

4. Curfew Enforcement

Pursuant to a 1968 amendment to the Administrative Code of the City of New York, the Mayor may, under certain circumstances, declare a state of emergency in the City or any part or parts thereof.³² The declaration of a state of emergency automatically implements certain emergency measures,³³ and also permits the Mayor to order other emergency provisions if he believes they are warranted by the situation.³⁴ Among the latter measures is the "establishment of a curfew, including, but not limited to, the prohibition of or restrictions on pedestrian and vehicular movement, standing and parking" ³⁵

One major problem presented by a curfew is how the police will identify those persons who have a legitimate reason for moving about. Experience in other cities indicates that the police tend to make an unnecessarily high number of arrests for curfew violations, occasionally acting in an arbitrary manner and arresting persons who have legitimate reasons for being out. One result is that an extra burden is placed on court and detention facilities that are already badly overcrowded.

³² Administrative Code of the City of New York, Section 8a-5.0 (See Appendix D.)

³³ Administrative Code of the City of New York, Section 8a-6.0 (1) (2). (See Appendix D.)

³⁴ Administrative Code of the City of New York, Section 8a-6.0 (1) (3). (See Appendix D.)

³⁵ Administrative Code of the City of New York, Section 8a-6.0 (3) (a). (See Appendix D.)

To avoid a similar situation in New York City, consideration was given to the idea of issuing a standard identification card to all "essential personnel" who would have reason to move about during a curfew. This idea was finally rejected, however, because the difficulties involved in identifying those essential individuals and distributing a standard identification card to them³⁶, seemed to outweigh the possible benefits.

Instead, realizing that the success of a curfew depends in large measure on the exercise of sound judgment and discretion by police officers in the street, the Police Department developed guidelines to aid its personnel in the enforcement of a curfew. These guidelines, which will be distributed at the time of a disorder, first describe briefly the emergency provisions that the Mayor may invoke and the purposes of a curfew. The guidelines then advise police officers to stop and question all persons who are outside during the curfew hours. It will then be explained to the individual that a curfew is in effect and that he is expected to comply with its provisions. If the person claims that he has a valid reason for being out, the officer will request some type of documentary proof (e.g., identification card from an employer; driver's license indicating where the person lives; etc.) to substantiate the claim. When documentary proof is not available, the officer will carefully question the

³⁶ It was estimated there were hundreds of thousands of persons who would have to be classified as essential--e.g., doctors, nurses, public utility workers, persons delivering food, fuel, etc.

the person regarding his residence, employment familiarity with the neighborhood, and purpose for being there. In all cases--whether the person has documentary proof or not--the officer will use his good judgment in deciding whether the person has a legitimate reason for being out. The officer will always attempt to obtain voluntary compliance, and will make arrests only when such compliance is not forthcoming.

If these guidelines are adhered to, the purposes for which the curfew was ordered should be achieved with a minimum number of arrests and a minimum amount of friction between the police and the community.

5. Miscellaneous

(a) The Patrol Borough Commanders of Manhattan South and Brooklyn South will assign police officers to patrol the streets between the Criminal Court buildings at 100 Centre Street, Manhattan and 120 Schermerhorn Street, Brooklyn and nearby subway entrances and bus stops. The function of these police will be to protect persons (e.g., court personnel, volunteer attorneys, etc.) who may be asked to report to the courthouse at night or over a weekend should an emergency develop at those times.

(b) Persons wishing to make a civilian complaint against a member of the police force will be directed to the local precinct, the Civilian Complaint Review Board, or the

Civilian Complaint Review Board representative who will be present at the police sign-in room at the courthouse where central booking is being held. Civilian complaints will not be accepted at the staging areas; nor will they be accepted from prisoners prior to their release from custody.

(c) Police relations with the news media will be handled by the Deputy Commissioner for Press Relations. The Department will have a representative near each staging area to speak with newsmen and perhaps one at central booking as well.

(d) Should it prove necessary to call in National Guardsmen, they will do only security work unless it becomes absolutely necessary for them to make arrests also. The reason for this policy is that any arrest by a Guardsman will require his appearance in court at a later date and many of these men are from upstate.³⁷

B. The Criminal Court

1. The Court Command Post

Whenever the Police Department implements central booking, the Communications Division will notify the designated officials of the Criminal Court. The Court will then institute its central arraignment plan using court facilities at 100 Centre

³⁷ Surveys taken in other cities that have experienced civil disturbances indicate that one reason many arrested persons were never prosecuted was that National Guardsmen who made the arrests could not later be located to testify.

Street to arraign defendants arrested in New York and Bronx counties, and court facilities at 120 Schermerhorn Street for those arrested in Kings, Queens and Richmond counties.

The operations of the Criminal Court during a disorder will be directed by the "Court Command Post," which will be established in Room 315 of the Manhattan courthouse. Based on the arrest figures furnished by the Police Department, the Command Post will decide how many arraignment parts to open³⁸ and will contact court personnel necessary to operate them. In Room 318 there is a large magnetic board with hundreds of small cards attached, each bearing the name and telephone number of a court employee. The board is divided into four sections-- day and night shifts for the Manhattan and Brooklyn Criminal Courts. The names are arranged into twenty-eight teams each of which will operate one arraignment part for a twelve-hour shift.³⁹ At the top of each team are cards with the names

³⁸ If need be, the arraignment parts will operate around the clock. In Manhattan, there are 20 courtrooms with detention facilities (9 Criminal Court parts and 11 Supreme Court parts) that can be used for arraignments. In Brooklyn, there are 14 such courtrooms (6 Criminal Court parts and 8 Supreme Court parts, located in 2 different buildings). If additional parts are needed, the Queens Criminal Court in Kew Gardens can serve as a backup for Brooklyn, and the Bronx Supreme Court can be a backup for Manhattan. Kings County cases will not be shifted into New York County unless such a decision is reached by the Police Commissioner and the Administrative Judge of the Criminal Court based upon the number of arrests and other conditions.

³⁹ For the most part, these emergency teams are regular court teams that work together on a day-to-day basis.

and telephone numbers of the clerks and alternate who head it. When the Command Post decides to open a certain part it will contact that clerk or his alternate, who in turn will call the members of the team and tell them to report to the courthouse.⁴⁰ If the clerk or alternate cannot be reached, the Command Post, which has all the telephone numbers, will contact the team members. Each team has a number of reserves, drawn from Supreme and Civil Court personnel, who will be contacted if regular team members are unavailable.⁴¹ Judges, court reporters and interpreters are not assigned to specific teams, and will be contacted separately as arraignment parts are opened.

When the Court Command Post decides how many arraignment parts to open, it will inform Correction, Probation, the District Attorneys and Legal Aid, which will use the information to determine how many of their people to contact. The Command Post will also advise Correction of which court parts are being opened, so that Correction will know where to lodge prisoners as they are received. Correction, in turn, will keep the Command Post

⁴⁰ Each clerk and alternate has a telephone list at home.

⁴¹ These are general reserves who can fill in for a variety of different positions--e.g., court officers, clerks. For some jobs, such as bridgeman, there is a special backup man to fill that position.

advised of the number of prisoners actually present in the pre-arraignment detention facilities so that the Court can determine if additional arraignment parts should be opened.

2. Judges

During most of the year, there are a sufficient number of Criminal Court judges available to handle any extraordinary increase in the number of arraignments. In the summer, however, due to vacations, special steps are taken to insure that this continues to be true. First, a number of Criminal Court judges are placed on alert and required to furnish the Command Post with a telephone number where they can be reached. And second, the Presiding Justices of both the First and Second Judicial Departments issue a special order empowering the Administrative Judge of the Criminal Court to assign Civil Court judges to preside in the Criminal Court during a public emergency.⁴² These Civil Court judges have previously been trained by the New York Academy of the Judiciary in such matters as procedural law, bail, arraignment and court papers. They have also visited arraignment parts in operation, and have received from the two Presiding Justices guidelines dealing with such

⁴² This order also permits the Administrative Judge to order arraignments in a borough other than the one where the offense was committed, and allows non-judicial employees of the Criminal Court to administer oaths. The order, which is issued at the end of June and lapses at the beginning of September, is a precaution in case a disturbance occurs at a time when one or both of the Presiding Justices are away from the City and therefore unavailable to sign such an order.

matters as bail policy, sentencing, and abuses in arraignment that occurred in other cities during periods of civil disorder.

3. Central Arraignment

For the most part, the Criminal Court will follow its normal procedures when central arraignment is in effect. There will, however, be the following modifications:

(a) The docket clerks will record the docket number and arraignment part on both parts of the Emergency Arraignment/Disposition Report and will set side the bottom card for the Emergency Information Center.

(b) The complaint backs, arraignment calendars, and commitment papers will all contain the defendant's central booking number.

(c) Copies of the arraignment calendar for each arraignment part will be printed as soon as each page is ready, and will be set aside for the Emergency Information Center.

(d) The "Bail Taken in Criminal Court" form that is now used only in Manhattan will be used in all boroughs during an emergency. The defendant's central booking number will also be entered on this form.

(e) Any defendant who is released after arraignment⁴³ will be furnished with proof of his appearance in court.

⁴³ A defendant may be released for any of a number of reasons-- e.g., if the charges have been dismissed, or if he has been paroled or has posted bail.

He will be given a form⁴⁴ indicating the county and court part in which he was arraigned, and the date and time of his release. This form will serve as a pass for defendants who are traveling from the courthouse to their homes during the hours that a curfew is in effect.

4. Posting Bail

If bail is set for a defendant and he is unable to post it at arraignment, the bail can subsequently be posted either at the detention facility where he is being held, or at the courthouse where his court papers are on file. For approximately twenty-four hours after arraignment, those papers will be filed at the courthouse where the arrested person was arraigned (either 100 Centre Street or 120 Schermerhorn Street). After that time, however, the papers will be transferred to the Criminal Court in the borough where the person was arrested.⁴⁵

Whenever bail is posted at a courthouse, the clerk's office will immediately deliver a copy of the discharge papers to a Department of Correction official present in the building. He will telephone or teletype the Correction facility where the person for whom the bail was posted is being held, and will instruct the Correction officer there to

⁴⁴ The form will either be the M-74 Adjournment Notice or a sheet of paper with the Criminal Court letterhead and the notation "Bearer has appeared in the Criminal Court."

⁴⁵ Of course, if the defendant was arraigned in the same borough in which he was arrested, his papers will not have to be transferred

release the defendant. Thus, a person who wishes to post bail will not have to travel to the detention facility where the arrested person is being held.⁴⁶

C. The Supreme Court

1. Bail Re-Evaluation

It can be anticipated that while a disorder is still in progress, Criminal Court judges will be reluctant to set low bail or order parole because persons released from custody might return to the scene of the disturbance and engage in further unlawful acts.⁴⁷ While it is true that the defendant's attorney is entitled immediately after arraignment to make a motion in the Supreme Court for a review of bail, few such motions should be expected since the Legal Aid and volunteer attorneys representing those arrested will be too busy in the arraignment court.⁴⁸ As a result, it is probable that a high percentage of those arrested during a disorder will be remanded, thus placing a severe burden on

⁴⁶ This will be a great convenience if Rikers Island is used to hold persons remanded during a civil disorder.

⁴⁷ It is interesting to note that during the civil disturbance that occurred in the Hunter's Point section of San Francisco in 1966, 134 persons were released on their own recognizance over a three-day period, and none of them was re-arrested for a riot connected offense. (See letter on file at the Vera Institute of Justice from Kenneth C.L. Babb, co-director of the San Francisco Bail Project).

⁴⁸ Unless, of course, certain attorneys are specifically assigned to make such motions.

available post-arraignment detention facilities.⁴⁹

Realizing this to be the situation, plans have been made to hold automatic bail re-evaluation hearings for all remanded persons (except those charged with serious crimes) within twenty-four to forty-eight hours after their arraignment. It is hoped that during the one or two day period between arraignment and bail re-evaluation, the disorder will subside and the Office of Probation will have an opportunity to review and update its ROR reports. The goal of the bail re-evaluation proceedings will be to set lower bail or order parole in as many cases as possible.

Bail re-evaluation will be conducted in the following manner: A six part pre-carboned bail re-evaluation form has been prepared. (See Appendix F) Prior to arraignment, ROR interviewers will complete the section of the form designated "Office of Probation Report to the Court." Probation will retain copy #6 for its records and will send the remaining copies to the arraignment court where part #5 will be given to the defense counsel.

After arraignment, the action of the Court will be noted in the section of the form marked "Criminal Court Action." If the defendant is remanded, copy #1 will be retained by the Criminal Court and kept with the case papers, while copies #2, 3 and 4 will be attached to a xerox copy of the complaint and sent with the commitment order to the post-arraignment

⁴⁹ The serious shortage of adequate post-arraignment facilities will be discussed in Section D of this report dealing with the Department of Correction.

detention facility. There the three copies of the form will be given to the ROR bail re-evaluation staff which will interview the defendant in order to review, complete or update the investigation. When this is done, the papers will be sent to the special Supreme Court bail re-evaluation part that will be sitting at the detention facility.⁵⁰

The bail re-evaluation part will be staffed by a Supreme Court Justice, Legal Aid lawyer, District Attorney, and other court personnel. The Supreme Court Justice will review the updated ROR report and perhaps hear argument on the application to re-evaluate bail. His decision will then be noted in the section of the form entitled "Bail Re-evaluation Proceedings." Copy #3 will be sent to the Department of Correction to notify it of any changes in the defendant's bail status (i.e., parole ordered or bail lowered). Copies #2 and 4 will be returned to the Criminal Court where copy #2 will be filed with the court papers and copy #4 sent to the Information Center.

D. The Department of Correction

1. Alerting Personnel

The Communications Division of the Police Department will notify either the Commissioner of Correction or the

⁵⁰ Since Rikers Island is the preferred location for detaining prisoners remanded during a disorder, facilities have been set up there for the ROR interviewers and the special Supreme Court bail re-evaluation part.

Director of Operations when mass arrests are expected and when central booking is implemented. These officials, in turn, will alert the relevant wardens, the commanding officer in charge of transportation, and the medical director, and based on the anticipated number of arrests will tell them how many of their staff to contact. Correction has always had an emergency plan for notifying its personnel during any type of emergency (prison riot, jail break, etc.) and that plan will be used during a civil disorder.

2. Pre-Arrest Detention

a. Physical Capacity

Upon completion of processing at the staging areas, all adult prisoners will be taken to one of the central booking and arraignment centers and turned over to the Department of Correction prior to arraignment. Correction will depend on the Court Command Post to keep it informed of current arrest figures and the number of arraignment parts that are being opened so that it can determine how best to lodge the prisoners as they are brought in. In turn, Correction will advise the Command Post of the number of prisoners in pre-arrest detention so that the Court can determine if additional parts should be opened.

In Manhattan, the Criminal and Supreme Court pens are located in the same building and can comfortably hold 700 prisoners at any one time.⁵¹ The present plan is to lodge all

⁵¹ It is estimated that the pens have a maximum capacity of 1000 to 1200.

prisoners in the large Supreme Court pens on the 12th floor while the arresting or escorting officers goes to the complaint room. When the officer has docketed his complaints, he will take his prisoners from the 12th floor to the feeder pen outside the courtroom assigned by the docket clerk for arraignment.

In Brooklyn, male prisoners will be held either in the five small pens on the first floor (three near Part 1A and two others near Part 1B), or in four larger pens located on the 7th floor. Females will be lodged either in a special pen outside Part 1A or in the two pens on the 5th floor. Before going to the complaint room, police officers will receive from Correction a card or slip of paper that will serve to remind them where their prisoners are lodged.

The total capacity of all the pre-arraignment detention pens in the Brooklyn Criminal Court Building is only 100, and therefore it is likely that these pens will be filled soon after central booking has commenced.⁵² When this occurs, prisoners will be lodged temporarily in the Brooklyn Supreme Court pens. These pens, however, which have a capacity of only 130, are located at 360 Adams Street, several blocks from the Criminal Court building.⁵³ Corrections will therefore have to shuttle prisoners between the two buildings, placing

⁵² The physical condition of these pens is extremely poor.

⁵³ Two errors in the Report of the Mayor's Committee should be noted. The maximum capacity of the Brooklyn detention facilities--Criminal and Supreme Courts--is 230, and not 330 as indicated on page A4. And the Supreme Court detention pens are not located at 120 Schermerhorn Street as stated on page 13.

an additional burden on the limited number of vehicles available for transportation.

Should these facilities in Brooklyn become filled⁵⁴, pens in the other boroughs will be utilized temporarily.⁵⁵ The Bronx Supreme Court pens can hold 250, while those located at the Queens Criminal and Supreme Courts have a capacity of 328. The Report of the Mayor's Committee also referred to the possibility of having temporary pre-arraignment detention at Rikers Island for up to 1,500 persons. However, the present overcrowding there makes this impossible.

Thus, the total capacity of all pre-arraignment detention pens is about 1,500 to 1,700 persons at any one time. If pre-arraignment processing and arraignment work as planned, Correction estimates that the turnover in the pens will make it possible for 5,000 to 6,000 persons to be held in them during any twelve hour period. This should be sufficient to cope with any disorder.

b. Community Representatives

In line with the recommendation in the Report of the Mayor's Committee that "community leaders . . . act as impartial observers . . . [at] all stages of processing of

⁵⁴ It is unlikely that this will happen in Manhattan because the pens there have such a large capacity.

⁵⁵ This, of course, will necessitate the additional shuttling of prisoners between the temporary pre-arraignment detention facility and the courthouse where central booking and arraignment will occur. It may also mean additional time spent in transporting prisoners from staging areas in one borough to temporary pre-arraignment detention in another.

of persons arrested," plans have been made for community people to be present at the pre-arraignment detention facilities, as well as at the staging areas.⁵⁶ At the time of a disorder, these community representatives⁵⁷, will be contacted by the Department of Correction and told where to report. When the representatives arrive at the detention facility, they will present their identification⁵⁸ to a Department of Correction official and will be taken to the pen area where they will be on duty.

There will be three or four community representatives at each pre-arraignment detention facility.⁵⁹ Their function will be similar to that of the community people at the staging areas--to observe the processing of prisoners and the quality of treatment they receive, and to watch for any problems that may arise. Should a situation develop that the community representative believes warrants corrective action (e.g., severe overcrowding in one pen while another is relatively

⁵⁶No decision has been reached as to whether community representatives will be present at post-arraignment detention facilities.

⁵⁷The Community representatives are members of the Correctional Association of New York. Approximately twenty-five persons will be trained for this role.

⁵⁸The Department of Correction is in the process of furnishing each community representative with an identification card containing his photograph and instructional materials (see Appendix I). The card will permit the individual to travel during a curfew and to enter detention facilities. The community representative will affix the card to his clothing when on duty at the detention facility so that prisoners who have questions or complaints will be able to identify him.

⁵⁹One of the representatives should be a woman who will be assigned to the pen area where females are held.

empty), he will first bring it to the attention of a Correction officer. If the situation is not corrected in a reasonable time, he will raise the matter with one of the Assistant Corporation Counsels who will be present in the pen area. The Assistant will attempt to solve any minor problem by discussing the matter with the appropriate Correction official.⁶⁰ Major problems will be reported immediately to the Corporation Counsel's office.

As at the staging areas, each Assistant will report by phone to his office at the end of his tour of duty at the detention facility, and will later file a written report with the First Assistant Corporation Counsel. Again, it is suggested that the community representatives be asked to file a similar report.

All Assistant Corporation Counsels who will serve at the detention facilities have attended a special meeting held by the First Assistant Corporation Counsel at which they were instructed as to their function. Subsequently, they were given an instruction booklet (see Appendix B) and will soon be issued a special identification card that will permit them to travel during a curfew and enter the detention facilities. Also, together with some of the community representatives, they were given a tour by the Department of Correction of the facilities at 100 Centre Street that will be used during a disorder for pre-arraignment detention. Additional tours will be scheduled

⁶⁰ The Assistant Corporation Counsels have been instructed that the highest ranking Correction official at the detention facility is the ultimate authority.

for those community representatives who have not yet been trained.

3. Post-Arrest Detention

All prisoners who are remanded after arraignment will be placed in the custody of the Department of Correction and held at the courthouse until there is transportation available to take them to a post-arrest detention facility. Women will be sent to the Women's House of Detention, while males who are charged with a serious offense will be lodged in the Tombs.

Original plans called for other male prisoners to be taken to Rikers Island. Correction initially estimated that it could house 1,645 persons there on an overnight basis. At the present time, however, post-arrest detention facilities on Rikers Island--as well as those in other parts of the City --are severely overcrowded.⁶¹ Had a major civil disturbance occurred during the summer of 1969, there would not have been adequate facilities available to detain the hundreds or thousands of persons who might have been remanded after arraignment.

⁶¹ As of August 12, the system as a whole was operating at approximately 170% of capacity--up from 153% in April. The Manhattan House of Detention was at 200% of capacity; Women's House of Detention, 111%; Queens House of Detention, 195%; Queens Branch, 171%; Brooklyn House of Detention, 169%; Bronx House of Detention, 218%; Adolescent Remand Shelter on Rikers Island, 146%; Reformatory on Rikers Island (sentenced adolescents) 167%; New York Correctional Institution for Men on Rikers Island, 196%. There were a total of 13,609 persons in these facilities, while the capacity is supposed to be only 7,900 and the absolute maximum 11,984.

This shortage of adequate detention facilities is clearly the weakest link in the City's plans for administering justice under emergency conditions; yet relatively little has been done to alleviate it. It is true that some sentenced prisoners will soon be transferred to state institutions⁶²; but this will not eliminate the overcrowding and it is doubtful that many more prisoners could be transferred to state facilities were a disorder to erupt.⁶³ Attempts have also been made to enter into an arrangement with the Department of Defense whereby some of its facilities in New York City could be used during a disorder to house remanded persons. These efforts, however, have thus far been unsuccessful.

Unless some satisfactory arrangement can be worked out immediately with the Defense Department, it is imperative that Correction make alternate plans for detaining prisoners after arraignment. It may be necessary to construct (perhaps on Rikers Island) quonset huts or other temporary buildings that could be used to house minimum security prisoners; or perhaps already existing buildings, such as unused warehouses or piers, could be converted to this use. But until additional detention facilities are available, the City cannot consider

⁶² Pursuant to section 6-g of the Correction Law, plans have been made to transfer 1,000 male prisoners to Clinton State Prison. The transfer will take approximately ten to twelve weeks. Twenty-six women prisoners have already been transferred to Westfield.

⁶³ The State institutions are also badly crowded.

itself prepared for a major civil disorder.

4. Miscellaneous

During a serious civil disturbance, the Department of Correction will also implement the following procedures:

(a) A Prisoner Location Information card will be filled out for every prisoner who is remanded after arraignment. These cards will be delivered to the Emergency Information Center.

(b) When a Correction official at the Criminal Court receives a copy of the discharge papers for a defendant, he will telephone or teletype the institution where the prisoner is being held and instruct the Correction officer there to release him.

(c) Whenever a prisoner is released from a detention facility, a Correction official will telephone this information to the Emergency Information Center.

(d) Released prisoners will be furnished with a form that will indicate the date and place of their next court appearance.

E. The Office of Probation

1. Notification of Personnel

When mass arrests are expected, the Communications Division of the Police Department will alert either the Director of Probation or one of his deputies. These officials, in turn, will notify the head of the ROR program and the seventeen

branch chiefs and will tell them how many members of their staffs to call.⁶⁴ The number will depend on how many arrests are anticipated and effected, and how many arraignment parts opened. The Court Command Post will provide Probation with this information.

The Probation people contacted will report to several locations. ROR personnel will go to the courthouse where central booking and arraignment are taking place, while Probation officers and juvenile center counselors will report to the staging areas as soon as these have been determined by the Police Department. At the Family Court, Probation people will be shifted from other jobs to screening; and additional personnel will be sent to Spofford. The only possible shortage of personnel may be in the dorms at Spofford Juvenile Center. This will pose a serious problem because there will be inadequate overnight supervision of those juveniles who are detained. The probation and parole officers have indicated through their organization that they will not serve as dorm counselors even if a shortage develops. Should the situation become critical, however, the Appellate Division will be asked to issue an order permitting Probation to instruct its employees to work out of title during an emergency.

⁶⁴ All Probation officials responsible for contacting staff have phone lists at their homes. In the event one of the branch chiefs cannot be reached, his staff will be contacted from the main office where there are up-to-date personnel records.

2. ROR

All probation officers and investigators have been trained to conduct ROR interviews. As a result, there are approximately 550 persons available to perform such work. The interviews will be conducted at the central arraignment detention facilities. It has been estimated that ten interviewers will be required for each arraignment part that is opened. The interview rooms in Manhattan and Brooklyn, however, can accommodate a maximum of only thirty interviewers. Therefore, if six arraignment parts are opened, requiring a total of sixty interviewers, many of the interviews will have to be held through the bars of the detention cells.

The ROR interviewer will attempt to obtain information from the prisoner that can be verified by identification the accused has with him (e.g., an identification card from his employer), and the interviewer will indicate whether the defendant lives or works in the riot area. To be reported favorably, the defendant must be a resident of New York City or an adjacent county, and must be able to substantiate his address by some type of identification card.⁶⁵ If Probation finds itself unable to interview all prisoners, the priority will be: (1) non-fingerprintable cases;

⁶⁵ Such proof of address is important because, as studies have indicated, many rioters give false names and addresses and never return to court after being paroled or posting low cash bail.

(2) fingerprintable misdemeanors; (3) felonies.⁶⁶

3. Juveniles

As previously indicated, all juveniles taken into custody will be conducted to the staging areas where they will be photographed and searched. The arresting officer will fill out a pre-carboned arrest form and will then turn the juvenile and a copy of the form over to Probation officials.

No screening or interviewing will take place at the staging areas since Probation's main concern will be to remove the juveniles as quickly as possible either to the Family Court or to Spofford. Transportation from the staging areas will be provided by Probation, but its facilities are limited. Currently, the Office has only four buses at its disposal which it hires, along with the drivers, from the Parochial Bus Company. The buses can transport approximately thirty to forty youngsters and three Probation officers. The company has agreed to operate these buses during a disturbance, and if additional transportation is required, Probation will use its station wagons.

⁶⁶ This order will be followed so that Probation can provide the judge with an ROR report in those cases where there is the greatest likelihood that the defendant will be paroled-- i.e., cases in which the defendant is not charged with a serious crime. The same order will be followed for interviews conducted in connection with bail re-evaluation.

a. The Family Court

If the Family Court is in session, juveniles will be taken from the staging areas to the branch of that Court in the borough where they were arrested. Probation officers at the Court will keep the Administrative Judge informed of how many juveniles have been brought in so that it can be determined how many parts to open.

There are no plans to have the Family Court operate around the clock, or on weekends, or at Spofford. The reason is that unlike adults who must be arraigned before they can be paroled or bailed, juveniles can be released by Probation without first appearing before a judge.

At the Family Court the regular process of intake screening will be suspended during a disturbance. Screening will instead be directed toward securing the release of as many juveniles as possible to the custody of a responsible adult, usually a parent or guardian. Probation personnel will determine whether a juvenile should be released, and will then attempt to contact his parent or guardian. Juveniles who are released will be assigned a date for their next Family Court appearance. In those cases where Probation feels a youngster should not be released⁶⁷,

⁶⁷ Cases in which the youngster is charged with a serious offense--e.g., homicide, possession of a dangerous weapon, arson, etc.

a petition will be filed in the Family Court.⁶⁸ Police attorneys and Assistant Corporation Counsels will present such cases to the Court.⁶⁹

In order to prevent the Family Court from becoming congested during a disturbance, the Court will postpone all previously scheduled matters until the disorder has abated; and by releasing as many juveniles as possible to the custody of their parents or guardian, and scheduling their next court appearance for a week or two later, it is hoped that the only juveniles to come before the judge while the disorder is in progress will be those Probation feels should not be released and those youngsters whose parents or guardian cannot be contacted. If, however, the Family Court in one borough does become overcrowded, Civil Court facilities will be used, or the juveniles will be taken to the Family Court in another borough. Probation will of course have to be advised of this so that it will know where to send the juveniles from the staging areas.

b. The Juvenile Centers

When the Family Court is not in session (in the evenings or over the weekend), juveniles will be taken directly to Spofford, where Probation staff will attempt to release as

⁶⁸ If, due to the disorder, the police officer who took the juvenile into custody is unable to appear in Court, the petition may have to be filed on information and belief, based on the police arrest report.

⁶⁹ The Assistant Corporation Counsels will probably present only those cases in which the youngster is charged with homicide or a serious assault.

many youngsters as possible in the custody of their parents or guardians.⁷⁰ Again, dates for the next court appearance will be staggered and will not be set for the immediate future. If the parents cannot be reached, or if Probation decides that a youngster should not be released, he will be held at a juvenile center to await his appearance in Family Court.

As is true with regard to post-arraignment detention facilities for arrested adults, there are not adequate remand facilities available for juveniles who might be taken into custody during a civil disorder. The four juvenile centers have a rated maximum capacity of 519.⁷¹ On August 12, however, those facilities were housing 546 youngsters. Probation, of

⁷⁰ Ordinarily, if a juvenile is taken to a center and his parents are subsequently contacted, they will be asked to appear at the Family Court the next morning, at which time their child will be released in their custody. However, during a disorder, Probation staff, in addition to Juvenile Center staff, will be present at Spofford thus making it possible for juveniles to be released directly to the custody of their parents. Youngsters and parents who leave Spofford during the hours of a curfew will be issued a special curfew pass.

⁷¹ The maximum rated capacity of the juvenile centers is as follows:

<u>Boys</u>		<u>Girls</u>	
Riverview	44	Zaraga	60
Spofford	<u>295</u>	Menida	95
Total	339	Spofford	<u>25</u>
		Total	180

On August 12, these centers held 350 boys and 196 girls. This is exceptionally high for this time of the year. The summer rate is usually between 350 and 400.

course, will attempt to release as many youngsters as possible, but it will probably prove difficult to contact parents while a disorder is still in progress, and those parents who are contacted may have difficulty going to the juvenile center if they live in the area of the disturbance, or if a curfew is in effect at that time.⁷² In view of this situation, additional facilities must be found to house juveniles during a civil disorder.⁷³

F. The District Attorneys' Offices

1. Prosecutors

When the Police Department anticipates mass arrests, the Communications Division will alert the District Attorney's Office in the borough where the disorder is taking place. Communications will also provide information about the location of the staging areas, and the Court Command Post will keep the District Attorney's Office informed as to the number of arraignment parts that are being opened so that it can determine how many Assistant District Attorneys and clerical personnel should

⁷² Curfew passes will also be available at the Office of Probation's branch offices. Thus, a parent can go to the nearest branch office and obtain a pass that will permit him to travel to Spofford.

⁷³ Probation did try to procure additional space by arranging for the Department of Correction to house 120 juveniles in special facilities on Rikers Island, but that plan had to be canceled because of overcrowding there. Thought was also given to using the gymnasium in a public school located near Spofford, but the Board of Education notified Probation last year that the building could not be used for this purpose.

be contacted,⁷⁴

Once this is decided, the District Attorney's Office will call teams of Assistants⁷⁵ and, if need be, former staff members who have indicated a willingness to serve as Special Assistants during an emergency.⁷⁶ If both these sources prove inadequate to supply the number of Assistants needed, personnel from other District Attorney's Offices in the city will be called in to assist.⁷⁷

2. Typists

a. The Clerical Pool

As additional arraignment parts are opened, the District Attorneys will operate extra complaint rooms in the offices ordinarily used by Probation. Because the District Attorneys do not have enough typists to staff these

⁷⁴ The Report of the Mayor's Committee indicated that during the initial phase of a disorder, when Assistants were not present at the staging areas to draw complaints, each arraignment part would require seven typists in the complaint room typing complaints, four or five Assistants supervising this operation, and one Assistant in the courtroom handling the arraignments. As previously indicated, however, under the revised plan for operating the staging areas there will always be an Assistant present to draw complaints. Therefore, only one or two Assistants will probably be needed in the complaint room together with three to five typists who will type the complaint backs and retype those complaints that need correction.

⁷⁵ The teams consist of four or five Assistants. During the summer, special teams are made up because of vacation schedules.

⁷⁶ Only the Kings County District Attorney's Office has prepared special identification cards for these former Assistants.

⁷⁷ Although no formal agreement exists, the District Attorneys' Offices have indicated that they will assist one another during emergency.

complaint rooms, the Department of Personnel was requested in the spring of 1968 to establish a clerical pool from which additional typists could be drawn. The District Attorneys informed Personnel that a maximum of 224 typists might be needed during an emergency.⁷⁸ Personnel then advised the various City agencies of the maximum number of typists that each would be expected to supply. Every agency designated a liaison officer who was supposed to submit a list to Personnel containing the names of these typists, their home and office addresses and phone numbers, their civil service titles, and the shift (day or night) and court (Manhattan or Brooklyn) to which they were assigned.

In the event of a disorder, the pool is expected to operate as follows: The District Attorney's Office will inform the Department of Personnel of how many typists are needed and where they are to report. Personnel will then notify each liaison officer of the number of typists his agency must supply. He in turn will contact (either from his office or home) the requisite number of employees and will instruct them where to report.⁷⁹ He will then give Personnel their names, and this information will be passed on to the District Attorney's Office.

⁷⁸ It was estimated that seven typists would be required for each arraignment part that was opened. The figure 224 represented the total number of typists needed to staff two twelve-hour shifts, were sixteen arraignment parts to operate around-the-clock. As previously indicated, however, plans now call for all complaints to be drawn at the staging areas, and therefore fewer typists are probably needed.

⁷⁹ Transportation will not be furnished for the typists, nor will they be given special identification cards. In case of a curfew, they will use their regular City agency identification.

b. Preparation

Despite the obvious need for a clerical pool, adequate preparations have not been completed. At the last meeting of the Mayor's Committee in April, Personnel was instructed to establish a pool of 224 typists and an equal number of alternates.⁸⁰ Although the Department indicated that this would be done within two to three weeks, by August 15 the pool was still not up to full strength.⁸¹ All of the typists had not been trained⁸², and there remained a serious shortage of typists to work at night.⁸³

In addition, Personnel has not yet programmed a system that will enable it to maintain an up-to-date pool the year round. What is needed is a system that will permit the Department to collect and update information about the typists, and periodically to prepare telephone lists that reflect such factors as: (1) the shift and court to which the typist is assigned; (2) the area of the City where she lives; and (3) her vacation period.

Vera proposed in April that specialists from IBM

⁸⁰ It is important to have this many alternates, because most of the people in the pool are not truly "volunteers," and it is anticipated that many of them will either be unavailable or unwilling to report during a civil disorder.

⁸¹ There were 313 typists in the pool--136 assigned to Manhattan, 105 to Brooklyn, and 72 for whom there was no indication of assignment.

⁸² Only ninety-six had been trained, and there were no plans to conduct additional training sessions.

⁸³ Twenty-eight typists assigned to Manhattan and thirty-three assigned to Brooklyn indicated that they were available for night duty.

be brought in to develop such a system, but Personnel indicated that it had people capable of doing this work. It is now recommended that unless Personnel undertakes this project immediately, the City should provide funds to have computer specialists design the necessary program. It is further recommended that the District Attorneys re-assess the number of typists that may be needed; that a clerical pool large enough to meet these needs be established; that there be an adequate number of typists available for night duty; and that the District Attorneys hold training sessions for all the typists in the pool.

3. Transportation

At present, there is a different plan in each District Attorney's Office for transporting Assistants to the staging areas and courthouses.⁸⁴

(a) Manhattan: The District Attorney's Office will notify the Operations Division of the Police Department as to the area of the City from which its Assistants are coming.⁸⁵ Operations will then designate a precinct house as the mobilization point and will notify Communications and the Precinct Commander. Communications, in turn, will contact

⁸⁴ The District Attorneys have estimated that it will take from one-half to two hours for Assistants to get from their homes to the locations where they will be working.

⁸⁵ Assistants in the New York County District Attorney's Office are not required by law to live in that county. During a disorder, the Office will first alert those teams whose members live closest to the area of the disturbance.

the Transit Authority, which will provide a bus to transport the Assistants from the precinct house to the staging areas.⁸⁶

(b) Brooklyn: Assistants will report to the Criminal Court. Communications will alert the Transit Authority and a bus will be sent to take the Assistants from the courthouse to the staging areas.

(c) Bronx: The District Attorney's Office has given the Police Department's Assistant Chief Inspector in the Bronx the name, address and home telephone number of every Assistant, and this information has been passed on to Precinct Commanders who have Assistants living in their area. Upon notification by the Assistant Chief Inspector or the Bronx District Attorney's Office, the Precinct Commanders will provide transportation for the Assistants from their homes to the locations where they will be functioning.

(d) Queens: Non-police vehicles, for the most part owned and operated by the Assistants themselves, and operating on a car-pool basis, will transport the Assistants to their assigned locations.

⁸⁶ Original plans called for the Police Department to provide a single officer as an escort on the bus. The Department subsequently stated that it could not provide the personnel and recommended that the Transit Authority Police escort the bus from the garage. The Transit Authority has not yet replied to this recommendation.

G. Legal Aid

1. Defense Attorneys

Unless a defendant specifically requests his own private attorney, he will be represented free of charge at arraignment by volunteer counsel.⁸⁷ These volunteer lawyers will be drawn from several sources. In addition to approximately 125 attorneys in Legal Aid's Criminal Court Branch who will be available, there are also 35-40 former Legal Aid people and 120 other criminal lawyers who recently reaffirmed their willingness to serve during an emergency.⁸⁸

2. Notification

If mass arrests are anticipated, the Communications Division will notify the Attorney-in-Charge of Legal Aid's Criminal Courts Branch, and he in turn will contact his assistants who are responsible for emergency planning. Should the disorder occur during business hours, the volunteer lawyers who are needed will be called from the Legal Aid office where there is a master list of names and business phone numbers. The people making these calls have been provided with special

⁸⁷ Except at bail re-evaluation, where Legal Aid will represent all remanded persons, defendants will not be entitled to free representation at subsequent stages of the judicial process unless they meet the usual financial eligibility requirements. Legal Aid will determine which defendants qualify, and those who do not will be instructed to retain private counsel for subsequent court appearances.

⁸⁸ Legal Aid sent letters to approximately 300 lawyers who had volunteered last year, asking if they were still available. About 200 of these people have not yet replied.

instruction sheets telling them what to say when the lawyer is reached. They will remind him that he volunteered to serve as defense counsel during a civil disorder. They will then inform him that his services are required and tell him where to report.⁸⁹

Should the disorder occur at night, the phone calls will be made by Legal Aid staff who have telephone lists and instruction sheets at their homes. The lawyers who will be contacted for night duty have been specially selected because of their ages and proximity to the courthouses.

3. Instructional Material

Although all of the Legal Aid and volunteer attorneys are familiar with arraignment procedures and therefore do not require special training, Legal Aid has nevertheless prepared a mimeographed pamphlet for them dealing with arraignment and bail re-evaluation, and setting out those sections of the law most relevant to civil disorders. (See Appendix J). Three thousand copies of these materials are stored at Legal Aid's offices in the Manhattan and Brooklyn courthouses and will be distributed to the lawyers when they report there during an emergency.⁹⁰

⁸⁹When the attorney reports to the courthouse, he will be assigned to one of the courtrooms where arraignments are being conducted. The Report of the Mayor's Committee stated that four defense attorneys would be assigned to each arraignment part. Legal Aid now believes, however, that only three lawyers are needed.

⁹⁰All Legal Aid attorneys have special identification cards that the police will honor during a curfew. Legal Aid has decided not to issue any type of identification to the private attorneys who have volunteered their services.

H. The Department of Social Services

As part of its regular duties, the Department of Social Services is supposed to be on call around-the-clock to provide emergency social services to victims of natural and social disasters. In the spring of 1968, Mayor Lindsay specifically advised the Department to be prepared to establish shelters in which to house, feed and clothe up to 10,000 persons displaced by a civil disorder.

1. Notification and Personnel

The Communications Division will alert the Director of the Department of Social Services' Emergency Welfare Division (EWD) whenever it appears that people will have to be relocated due to a civil disorder. Based on the information received from the police and from its own people in the field, the EWD will determine how many emergency shelters to open. The Department's Emergency Assistance Unit, which is staffed around-the-clock, will then contact the personnel assigned to run the shelter or shelters that are opened.

The Department had hoped to have a pool of 1,600 volunteers available to operate the shelters. Each person was to be on stand-by duty three months of the year and was to receive two days compensatory time for each month of satisfactory stand-by service. This compensation plan was not approved, however, and only 300 people volunteered. As a result, the Department found it necessary to go to its Civil

Defense files and assign 900 of its employees to emergency shelter teams.⁹¹ For the most part, these people, and the 300 persons who volunteered, have been given duties similar to their civil service categories (e.g., clerk, social worker, etc.). All of them have received on-site training at the shelters to which they are assigned, and approximately half have attended lectures given by New York University's School of Continuing Education as part of its Emergency Management Program. The lectures dealt with disaster procedures and racial tensions. Additional lectures have been scheduled for the fall.

2. Collection Points

During a civil disturbance, displaced persons will be directed to collection points selected by the police on the periphery of the disorder area. The location of the collection points will of course depend on the boundaries of the disturbance. At the collection points, members of the Emergency Welfare Division will explain the services that will be available to the displaced persons and the manner in which these services will be provided. Transit Authority buses will then transport the victims to the disaster shelters.

3. Disaster Shelters

a. Readiness

Twenty buildings located in Manhattan, Brooklyn, Queens, and the Bronx have been designated as primary shelters⁹²,

⁹¹ These people have been assigned to a specific shift at a shelter near where they live.

⁹² Except for one public high school (Julia Richman in Manhattan), all of the primary shelters are churches or parochial schools. (See Appendix K.)

and approximately sixty others as auxiliary shelters. Each of these buildings has a capacity of at least 500 persons. Before these sites were selected, the Department of Social Services met with the Police Department and mapped out those areas of the City where civil disorders were considered most likely to occur. Locations were then chosen outside those areas in order to minimize the likelihood that any of the selected buildings would be unavailable during a disturbance.

At present, only five of the twenty primary shelters are stocked with non-perishable food, eating utensils, cots and blankets, cleaning equipment and clerical supplies. The other fifteen primary shelters, and all of the auxiliary shelters, have no supplies at all.⁹³ Of the five primary shelters that are stocked, only two have telephone lines installed. Social Services had hoped by the summer to have jacks installed in all the primary shelters, but the organizations that own the buildings refused to allow this. Although the telephone company could, during an emergency, set up phones in any shelter that has to be used, it is highly desirable to have jacks installed in

⁹³If a shelter is needed, the Department will first open one of the stocked primary shelters in the borough of the disturbance. If the stocked shelter is in the immediate area of the disorder, however, the Department will open one of the other primary shelters in that borough and will move the necessary supplies and equipment into it.

advance so that the shelter can begin to operate immediately if the need arises. It is therefore recommended that further efforts be made to obtain permission for the installation of phone jacks in the eighteen primary shelters that presently have none.

b. Operation

Each disaster shelter that is opened will initially have one policeman assigned to it, with additional officers supplied if the need arises. The shelter manager will be responsible for calling the Social Services disaster control officer at the Emergency Operation Center⁹⁴ and informing him of any staff or equipment needs and any unusual problems.⁹⁵

When displaced persons arrive at the shelters from the collection points, Social Services will interview them to determine if lodging can be found with relatives or friends. Where such arrangements cannot be made, the displaced person will be admitted to the shelter and a registration control form

⁹⁴The Emergency Operating Center and the role of the disaster control officer will be discussed in Section I of the report dealing with Information to the Public.

⁹⁵This is just one reason why it is important to have telephones already installed at the primary shelters.

will be completed for each family and unattached individual. One copy of the card will be kept on file at the shelter, while the duplicate copy will be forwarded to the Emergency Information Center.

Resident committees will then be formed to maintain discipline, set up internal rules, and provide sanitation, maintenance and recreational activities. With the exception of hot meals, food will be prepared at the shelters. Hot meals will be prepared at the Department's Men's Shelter (8 East 3rd Street, Manhattan) and transported to the emergency shelters in trucks provided by the Red Cross and Social Services. Clothing will be provided by the Seventh Day Adventists, who will also transport and distribute it. Nurses, supplied by the Department of Health, will be present at the shelters, and Red Cross and Health Department doctors will be provided if needed.

The policy at the shelters will be to retain people for as brief a period of time as possible. In accordance with this policy, small amounts of cash will be provided for those persons who arrange to live with friends or relatives. The cash will be for carfare and for one day's food. Where the problem presented requires long-term planning and large sums of money, the victim will be referred to the nearest Social Services Center as soon as conditions are safe.

The Department of Relocation, in cooperation with the Buildings Department and Health Department, will inspect evacuated buildings as quickly as possible. If a dwelling is found to be safe, the displaced resident will return there as soon as conditions become normal. In those cases, however, where buildings are found to be uninhabitable, the Department of Relocation will find temporary housing in hotels or motels until permanent housing can be arranged.

4. Miscellaneous

An employee of the Department of Social Services will be assigned to the Emergency Information Center to answer questions that may be asked about shelters and other social services, and to record new information that will be received about persons who have been admitted to a shelter.

G. Information to the Public

During a civil disorder, the news media (radio, television and newspapers) will report general information to the public.⁹⁶ They will not, however, be able to answer the flood of personal inquiries that can be expected. That task will be left to the City's Emergency Operating Center and to the Emergency Information Center operated by the Vera Institute of Justice in cooperation with the relevant agencies.

⁹⁶ The City-owned Municipal Broadcasting System can operate radio and television stations twenty-four hours a day.

1. The Emergency Operating Center

a. Agency Coordination

The Emergency Operating Center (EOC) is located in the sub-basement of the New York County Supreme Court Building at 60 Centre Street. The Center was established to provide a facility where key personnel in the City government could assemble to coordinate and conduct operations during any emergency (transit strike, blizzard, civil disorder, etc.).

When the Communications Division of the Police Department anticipates an emergency situation, it will notify the director of the Emergency Control Board, who will then see to it that appropriate City agencies are instructed to have their "disaster control officers" report to the Emergency Operating Center. The EOC has radio and telephone contact with all City agencies, and each disaster control officer will receive and evaluate reports from his agency concerning its response to the emergency. This information will then be circulated to all other control officers who will pass it on to their own agencies.

b. The Emergency Telephone Information Center

During an emergency, the public will be instructed by the news media to call 999-1234 for any information except that relating to missing persons.⁹⁷ That number can handle 35,000 calls per minute without a busy signal. What the caller

⁹⁷ The telephone number of the Emergency Information Center will be given for such inquiries.

hears is a 58 second tape-recorded message⁹⁸, prepared by radio station WNYC under the direction of the Emergency Control Board. The tapes are usually in English, but will be prepared in Spanish as well.⁹⁹

At the end of the tape the caller will be instructed to phone AL 5-9400 if he wishes further information.¹⁰⁰ This number will connect him with the Emergency Telephone Information Center (ETIC) which is located in the same sub-basement as the Emergency Operating Center. The ETIC has seventy-three telephone lines, ten of which are in service at all times. The others can be activated in blocks of ten, though it generally take the telephone company one to three hours to do this.

The phones at the ETIC will be manned by the Emergency Control Board's staff and by volunteers provided by the Department of Personnel. These operators will record the questions they receive on special inquiry slips, which will then be given to the disaster control officer from the agency that can best provide an answer. It will be up to the control officers to contact the caller and answer his question since the operators do not have equipment for placing calls.

Instructions and message forms for the operators are already stored at the ETIC. There is a question, however, whether

⁹⁸ The message will contain general information, such as transit conditions or curfew instructions.

⁹⁹ It would seem that these tapes should be prepared in Spanish during non-emergency times as well.

¹⁰⁰ Again, he will be told to call the Emergency Information Center number if his inquiry concerns a missing person or legal services.

there will be enough operators. The Emergency Control Board determined last year that a total of 170 persons will be required to man the telephone center. To meet this need, the Personnel Department was requested to establish a pool of at least that size which would operate in the same manner as the one established for District Attorneys. So far, however, only about 100 persons have been trained¹⁰¹, of whom eight or nine speak Spanish. It is recommended that a larger pool be established with more Spanish-speaking people.¹⁰²

2. The Emergency Information Center

The task of establishing a special information service to operate during periods of civil disorder was undertaken by the Vera Institute of Justice. Although the Report of the Mayor's Committee indicated that the Emergency Information Center would provide information only about arrested persons, it was decided to expand the Center's function to include information about persons who are relocated or hospitalized as a result of a disorder.¹⁰³

¹⁰¹Some of these "volunteer" operators have indicated privately that they will not show up during a period of civil disorder. Therefore, the pool should contain considerably more than the 170 persons needed to run the Center.

¹⁰²The Emergency Control Board is considering the idea of establishing a special telephone number that Spanish-speaking people could call for information.

¹⁰³Two factors dictated this decision: (1) The Department of Social Services and the Department of Hospitals had made no plans to provide the public with information about relocated and hospitalized persons; and (2) by having all information about arrested, relocated and hospitalized persons in one location, a person wishing information about a missing relative or friend need make only one telephone call.

a. Activation of the Center

Although the Communications Division of the Police Department will alert the supervisor¹⁰⁴ of the Information Center whenever central booking operations are implemented, the Center will be activated only upon instructions from the Mayor's Office.¹⁰⁵ When such instructions are received, the supervisor will begin contacting the volunteers who will operate the Center. As soon as the Center is ready to provide information¹⁰⁶, the news media (previously alerted by the Mayor's Press Secretary) will publicize the Center's telephone number.¹⁰⁷ In addition, the tape-recorded message heard when 999-1234 is dialed, will end by giving the Center's telephone number; and operators at the EOC will give the number to any caller requesting information about a missing person.

b. Operation of the Center

1. Telephone Inquiries

The Emergency Information Center will be located in Room 219 of the Manhattan Criminal Court Building. It is

¹⁰⁴ The supervisor will be someone from the Vera Institute of Justice. Vera will continue to be responsible for the operation of the Center.

¹⁰⁵ The Center will probably be activated when 500 or more arrests are anticipated. At the Columbia disturbance that occurred in the spring of 1968, there were approximately 700 arrests and an evident need for an information center.

¹⁰⁶ It is estimated that it will be approximately two hours from the time it is decided to activate the Center until it is ready to go into operation.

there that information about arrested, relocated and hospitalized persons will be filed, and disseminated to the public. If central booking and arraignment are held in Brooklyn, information about arrested persons will first be collected in Room 500A of the Brooklyn Criminal Court building and periodically sent to Room 219 by special messenger.¹⁰⁷

The Center will receive its information from a variety of sources.¹⁰⁸ This information will come to the Center on specially designed forms and will be filed in Room 219. At present, fifteen telephone lines are installed there to receive calls about missing persons, and another twenty-five lines are being prepared. When a call comes in, one of the operators will record, on a special inquiry form, the name of the missing person. This form will then be handed to a clerk who will search the files for information

¹⁰⁷ Relaying information in this manner will of course be a time-consuming operation; but the alternative of having two information centers--one in Manhattan and one in Brooklyn--has more serious drawbacks. If two centers were operating, there would not be at any one location a complete city-wide file of all arrested, relocated and hospitalized persons. Moreover, two centers would require a larger operating staff and more equipment. Therefore, it is preferable to have one information center that will be used regardless of where central booking is held. The Manhattan courthouse is the better location for the Center because it is near the EOC, the Department of Hospital's emergency headquarters, and the main offices of many other City agencies that will be involved with any disturbance.

¹⁰⁸ Information about arrested adults will be provided by the Police Department, Criminal Court, Department of Correction and Supreme Court; while information about juveniles will come from the Police Department. The Department of Social Services will be the primary source of information about persons who have been relocated, and the Department of Hospitals will provide the facts about hospitalized individuals.

about that person. Whatever information there is will be given to the operator who will then pass it on to the caller.¹⁰⁹

2. In-Person Inquiries

In order to answer in-person inquiries at the courthouse about arrested persons, information booths will be set up in the Manhattan and/or Brooklyn Criminal Court buildings. Anyone inquiring about an arrested persons will be asked by one of the volunteers at the booth to fill out an inquiry slip giving the name and address of the person. The volunteer will then call Room 219 and obtain whatever information is available.¹¹⁰ In addition, volunteers at the booths will give the public directions within the court building, and will attempt to answer questions about such matters as arraignment, bail, transportation to detention facilities, etc.¹¹¹

c. Staff

Operation of the entire information system on

¹⁰⁹ Detailed procedures for operation of the Emergency Information Center are spelled out in the special training manual that was prepared for the volunteers who will run the Center. (See Appendix L.)

¹¹⁰ Special telephone lines have been installed for these calls. Under no circumstances will persons asking questions be directed to Room 219.

¹¹¹ The volunteers will be provided with special information booklets which will assist them in answering such questions. (See Appendix M.)

a two-shift basis will require the services of approximately 125 individuals. Because these people are volunteers, many of whom may prove unavailable or unwilling to report during an emergency, it is important that there be a pool of at least 200 trained persons (many of whom speak Spanish) from which the necessary personnel can be drawn. At the present time, the pool is substantially smaller.¹¹² It is essential therefore, that the Mayor's Office assist Vera in obtaining additional volunteers who will then be trained and provided with special identification.¹¹³

¹¹² Vera has thus far held training sessions for twelve of its own employees and seventeen of the City's summer interns. At the direction of the Mayor's Office, however, none of these people were given a copy of the training manual that was prepared. Of the persons trained, approximately twelve will be available after September 1. In addition, Vera has the names of eighteen of its own employees, eight members of the Junior League, and twenty-three volunteers from the Volunteer Coordinating Council who have indicated that they will be willing to work for the information system.

¹¹³ One possible source of volunteers is the City's law schools and colleges.

III. Conclusion

Over the course of the past year, the City of New York has undertaken, in the words of the President's Commission on Civil Disorders, "the very difficult but essential task of reform and emergency planning necessary to give its judicial system the strength to meet emergency needs." These efforts have borne fruit, and the City's criminal justice system is better prepared today to deal with civil disorders and mass arrests than it was when the Mayor's Committee issued its report. Important steps have been taken to insure that individual rights are protected, that offenders will be successfully prosecuted, and that the public will be provided with adequate information.

It is equally clear, however, that there is more to be done, and that each agency involved in the administration of criminal justice must remain prepared to operate under emergency conditions. Such year-round preparedness, however, can only be achieved by year-round preparations. Unfortunately, experience demonstrates that the City agencies will, for the most part, remain prepared only if they are constantly supervised. It is recommended that this task of supervision be assumed by the Deputy Mayor and the First Assistant Corporation Counsel, who should continue to serve as the co-chairmen of the Mayor's Committee on the Administration of Justice Under

Emergency Conditions. The Committee should continue to meet periodically during the year with definite meetings scheduled for the beginning of April, at which time the agencies should report on their state of preparedness, and the beginning of June, when they should report on their progress in carrying out recommendations made at the earlier meeting.

IV. Recommendations

A. In order for the City's criminal justice system to be prepared to meet the demands that would be imposed by a wide-spread civil disorder and mass arrests, the co-chairmen of the Mayor's Committee should see to it that the following steps are taken:

1. If a satisfactory agreement cannot be worked out immediately with the Defense Department to use its facilities in New York City for housing persons remanded after arraignment, the Department of Correction must make alternate plans for detaining prisoners. This may involve the construction (perhaps on Rikers Island) of quonset huts or other temporary buildings that could be used to house minimum security prisoners; or perhaps the conversion of already existing buildings (such as unused warehouses or piers) to this use.

2. If overcrowding continues at the Juvenile Centers, the Office of Probation must make alternate plans for housing detained juveniles.

3. The District Attorneys should reassess the number of typists that may be needed during an emergency; and the Department of Personnel should establish a large enough pool to meet these needs. The pool should have an adequate number of typists who are available for night duty. The District Attorneys should then hold training sessions for all the

typists; and the Department of Personnel (or outside consultants) should develop a system that will enable it to collect and update information about typists, and periodically to prepare telephone lists that reflect such factors as: (1) the shift and court to which the typist is assigned; (2) the area of the City where she lives; and (3) her vacation period.

4. The Department of Personnel should also establish a large enough pool of operators to staff the Emergency Telephone Information Center. This pool should include an adequate number of Spanish-speaking people. The Emergency Control Board should then train these volunteers, and the Department of Personnel (or outside consultants) should develop a system that will enable it to collect and update information about the operators, and periodically to prepare telephone lists.

5. The Mayor's Office should assist the Vera Institute of Justice in obtaining additional volunteers to run the Emergency Information Center. Vera should then train these individuals, and provide them with instructional materials and identification.

6. The Department of Social Services should schedule additional training lectures at New York University for those people who are assigned to run the emergency shelters and have not yet attended the lectures.

7. The Department of Social Services should make further efforts to obtain permission to have telephone jacks installed in all primary shelters. If permission is not granted, other locations should be selected to serve as primary shelters.

8. The Community Relations Division of the Police Department should schedule training sessions for those community representatives who did not attend the meetings held this summer. All community representatives should be given instructional materials and identification cards. Community Relations should prepare a questionnaire that the community representatives will fill out after completing their tour of duty at the staging areas. This questionnaire will ask the representatives to describe their experiences at the staging areas; indicate any serious or recurring problems that occurred; comment on procedures that were used; and offer recommendations.

9. The Department of Correction should schedule additional tours of the detention facilities at 100 Centre Street for those community representatives who have not yet toured the facilities. Correction should also distribute identification cards to these people, and prepare a questionnaire similar to the one recommended for the representatives who will be at the staging areas.

B. In order for the City's criminal justice system to remain prepared to operate under emergency conditions, the co-chairmen of the Mayor's Committee should see to it that the following steps are taken each year:

1. The Police Department

a. In April, the sites chosen as staging areas should be resurveyed to determine if they are still available and suitable for that purpose.

b. The list of persons to be contacted in the event of mass arrests and central booking should be updated monthly and distributed to every person whose name appears on it.

c. Twice a year the Department should check that the following items are stored in sufficient quantities:

(1) polaroid cameras and film for taking pictures at the staging areas;

(2) pre-carboned arrest forms (PD 244-151);

(3) complaint forms (all purpose felony, misdemeanor, emergency offenses);

(4) Emergency Arraignment/Disposition Reports (301.1A);

(5) mimeographed sheets describing what happens to arrested persons.

d. In March and April all members of the Precinct Community Councils who have been chosen to act as community

representatives should be contacted to determine if they are still available for this job. New people must be selected to replace those who are no longer available, making certain there are at least five representatives from each precinct. Training meetings should then be held for the new people, with representatives from the District Attorney's Office and Corporation Counsel present; and instructional materials and identification cards should be distributed.

2. The Criminal Court

a. At least once a year (preferably in the spring), the cards that contain the names and telephone numbers of those employees who will be contacted during an emergency should be updated; and the telephone lists that the clerks in charge of the emergency teams have at their homes should also be made current.

b. Special training sessions should be held in April or May for Civil Court judges who may serve in the Criminal Court during an emergency.

c. Some judges should be placed on alert in June, July, and August, because vacation schedules reduce the number of judges available.

d. As new personnel (including judges) come on, they should be familiarized with special emergency procedures.

3. Appellate Divisions of the Supreme Court

a. In June, the Appellate Division should issue a special order empowering the Administrative Judge of the Criminal Court to assign Civil Court judges to preside in the Criminal Court during a public emergency.

b. Twice a year, the Court should check that there are enough bail re-evaluation forms available.

4. Department of Correction

a. A monthly report should be submitted to the co-chairmen of the Mayor's Committee giving occupancy figures for the City's various detention facilities.

b. If detention facilities remain overcrowded, the Department should make alternate arrangements for housing prisoners who might be remanded during an emergency.

c. In March and April, those persons who volunteered to serve as community representatives at the detention facilities should be contacted to learn if they are still available. New people should be recruited to replace those no longer available; and training sessions should be held at 100 Centre Street for the new volunteers, and instructional materials and identification cards distributed.

d. Twice a year the Department should check that there are enough Prisoner Location Information cards available.

5. Office of Probation

a. A monthly report should be submitted to the co-chairmen of the Mayor's Committee giving occupancy figures for the City's Juvenile Centers.

b. If the Juvenile Centers are overcrowded, Probation should make alternate arrangements for housing juveniles taken into custody during an emergency.

c. At least once a year (preferably in the spring), the telephone lists that key employees have at home should be updated.

d. Twice a year, Probation should check that there are enough curfew passes available at Spofford and at the branch offices.

6. District Attorneys' Offices

a. New Assistants must be placed on emergency teams.

b. In March and April, former Assistants should be contacted to learn if they are available to serve as Special Assistants in the event of an emergency.

c. In April and May, training sessions should be held to familiarize new Assistants and Special Assistants with emergency procedures.

d. Special summer schedules should be prepared in May to take account of vacations.

e. The emergency plans of the five District Attorneys' Offices should be coordinated in the spring.

f. Twice a year, new typists in the clerical pool should be trained.

7. Department of Personnel

a. Weekly or monthly, the various agencies participating in the typist and operator pools should be asked to submit the names of those employees who are no longer in the pools and the names of their replacements.

b. Twice a year, Personnel should submit to the District Attorneys' Offices and the Emergency Control Board the names of these new employees so that they can be trained.

8. Legal Aid

a. As new attorneys join the office, their names should be added to the telephone lists.

b. In March and April, former Legal Aid lawyers and other private attorneys who volunteered to serve during an emergency should be contacted to determine if they are still available.

c. Twice a year, Legal Aid should check that there are enough copies available of the special materials that will be distributed at the courthouse to volunteer lawyers who report during an emergency.

9. Social Services

- a. Shelter teams should be kept fully staffed.
- b. At least once a year (preferably in the spring), training sessions should be held for new members of the teams.
- c. Twice a year, the primary and secondary shelters should be resurveyed to determine if they are still available and suitable for this purpose.
- d. Periodically, the Department should check that at least one primary shelter in each borough is fully stocked.
- e. At all times, a person or persons should be designated to serve as the Social Services' representative at the Emergency Information Center.

10. Emergency Control Board

- a. At least once a year (preferably in the spring), training sessions should be held for the volunteer operators who will man the telephones at the Emergency Telephone Information Center. At that time, it should be determined whether there are enough Spanish-speaking operators.

11. Vera Institute of Justice

- a. Volunteers to operate the Emergency Information Center must be recruited and trained. There should be a sufficient number of Spanish-speaking operators.
- b. A system must be maintained for contacting these volunteers in the event of an emergency.

c. At least twice a year, Vera must check that the Center has adequate equipment and supplies.

d. Twice a year, Vera must also check that the various City agencies responsible for providing the Center with information are prepared to do so.

12. Mayor's Office

a. One Assistant must be designated as the Mayor's liaison for emergency planning. If it is decided to activate the Emergency Information Center, he will contact the Vera supervisor, and will also see to it that the Mayor's Press Secretary alerts the news media when the Center is operational.

13. Corporation Counsel's Office

a. As necessary, new Assistants must be trained to serve at the staging areas and detention facilities. There should also be instructional materials and identification cards issued to them and they should be given a tour of the facilities at 100 Centre Street.

C. Based on the preparations that have been made to deal with emergency situations, it is further recommended that during non-emergency times:

1. The Police Department provide all arrested persons at booking with a copy of the pamphlet, prepared by the State

Attorney General's Office, entitled, "Your Rights If Arrested."

2. Prisoners bailed from a detention facility be furnished by the Department of Correction with a form indicating the date and place of their next court appearance.

3. The tapes that are daily heard when 999-1234 is dialed, be prepared in Spanish as well as English.

V. APPENDICES

WHAT HAPPENS TO YOU IF YOU ARE ARRESTED

If you are arrested, the police will first take you to a processing facility where you will be searched and photographed. You will then be taken either to the Criminal Court in Manhattan (100 Centre St.) or to the Criminal Court in Brooklyn (120 Schermerhorn St.). You will remain in a cell there until you go before the judge. If you need medical attention or have any questions or complaints, speak first to a Department of Correction Officer. If he is unable to help you, speak with a community representative who will be wearing special identification.

You will be brought before the judge as quickly as possible; but if many persons have been arrested, it may be several hours until you are taken from your cell. While you are waiting, the Police Department will, if you wish, make three telephone calls to members of your family, friends, or a lawyer, to inform them that you have been arrested and are at the courthouse. Also, someone from the Office of Probation will ask you questions about where you live, your job, your family, etc. This information will be used to assist the judge in deciding how to set bail.

A Legal Aid lawyer or volunteer attorney will be available to defend you at arraignment free of charge. He

will speak with you before you are brought to the judge.

In the courtroom, the judge will be told the charges against you. If there is no evidence, the charges will be dismissed and you will be free to go home. If the charges are not dismissed, the judge will consider the report of the Office of Probation and will make one of four decisions.

1. Release you on "parole", which means that you simply promise to return to court when required.
2. Require you to post a certain amount of cash bail in order to be released.
3. Require you to post a "bail bond" of a certain amount in order to be released.
4. Order you held in custody without bail being set.

If cash bail is set and you have enough cash with you, you can give it to a court clerk and you will be released. Checks are not accepted. This cash (minus a charge of 2%) will be returned to you if you appear in court when you are supposed to be there.

If you do not have the cash with you, you will be returned to custody. While in custody, you will be able to make a telephone call to a relative or friend, consult with your lawyer, and be visited by your family at certain times. You will be released from custody if a friend or relative is able to provide the amount of cash or the bail bond set by the judge. Bail bonds can be purchased from licenced bondsmen

whose offices are located near the courthouses and are open 24 hours a day. To purchase a bond, your friend or relative will have to pay the bondsman a fee and may have to give him "security" such as cash, a bank-book, or an insurance policy. The bondsman's fee is regulated by law. For example, if bail is set at \$200 or less the fee is \$10; for \$500 bond the fee is \$25. The bondsman keeps the fee, but returns the security if you appear in court when you are supposed to be there. If you fail to appear you will lose all the security you have put up and you may be prosecuted for bail jumping.

¿QUE LE SUCEDE A USTED SI ES ARRESTADO?

Si usted es arrestado, la policía lo llevará primeramente al cuartel de su recinto donde se le tomarán fotografías y será registrado. Luego será llevado a la Corte Criminal en Manhattan (100 Calle Centre) o a la Corte Criminal de Brooklyn (120 Calle Schermerhorn). Usted permanecerá en la cárcel hasta tanto el juez vea su caso. Si usted necesita atención médica o si tiene alguna pregunta o quejas, hable primero con un oficial de la División Correccional. Si no le puede ayudar, hable con un representante de la comunidad quien estará debidamente identificado.

El juez lo verá lo más pronto posible, pero si muchas personas han sido arrestadas, tendrá que esperar unas cuantas horas hasta que lo saquen de la cárcel. Mientras usted espera, si usted desea, el Departamento de la Policía le hará tres llamadas telefónicas, a su familia, a un amigo y a su abogado para informarles que usted ha sido arrestado y está en la cárcel. También alguien de la Oficina de Libertad Bajo Palabra le hará preguntas acerca de su dirección, su trabajo, su familia, etc. Esta información se usará para ayudar al juez a imponer la fianza.

Un abogado de Servicios Legales o un abogado voluntario le representará gratis cuando su caso sea visto.

El hablará con usted antes de que usted sea llevado ante el juez.

En la corte se la informará al juez sobre su acusación. Si no hay evidencia, su caso se cierra y usted queda en libertad. Si su caso permanece abierto, el juez tomará en cuenta el reporte de la Oficina de Libertad Bajo Palabra y tomará una de las siguientes cuatro decisiones.

1. Saldra bajo palabra, lo cual quiere decir que usted promete volver a la corte cuando esta lo requiera.
2. Le requerirá pagar cierta cantidad de dinero como fianza en efectivo antes de salir de la cárcel.
3. Le permitirá que otra persona preste la fianza, ya bien sea en efectivo o por medio de una garantía por escrito (nota), para ser puesto en libertad.
4. Le ordenará que usted quede bajo custodia sin fijar fianza.

Si le fijan fianza en efectivo y tiene el dinero con usted, se lo puede dar a un oficial de la corte y será puesto en libertad. Cheques personales no son aceptados. El dinero en efectivo menor 2% la será devuelto si usted se presenta en la corte en la fecha fijada.

Si no tiene dinero con usted, será puesto bajo custodia. Mientras se encuentra bajo custodia podrá hacer una llamada telefonica a un familiar o amigo, consultar con su

abogado y ser visitado por su familia a ciertas horas. Saldrá de la cárcel si un amigo o familiar puede proveer la cantidad en efectivo o la fianza impuesta por el juez. La fianza puede ser adquirida de un fiador quien tiene sus oficinas cerca de la corte y opera 24 horas el día. Para adquirir la fianza un amigo o familiar tendrá que pagar al fiador un honorario y tendrá que darle alguna garantía, como dinero en efectivo, una libreta de banco o una póliza de seguros. El honorario del fiador es regulado por ley. Por ejemplo, si la fianza es de \$200 o menos, el honorario es \$10; por \$500 el honorario es \$25. El fiador se queda con su honorario pero devuelve la garantía su usted se presenta en corte cuando se requiera. Si no se presenta, perderá la garantía prestada y sera procesado por no aparecer en corte.

Para obtener más información sobre fianzas llame al 566-0650.

INSTRUCTIONS FOR ASSISTANT CORPORATION COUNSELS
RE: The Administration of Justice Under
Emergency Conditions

July 1969

You have been selected to play a key role in this important City program. The program is described in the Report of the Mayor's Committee, dated August 2, 1968. (Be sure that you have the amendment to pp. 7-10).

Your role is to monitor the processing of prisoners to make sure that the objectives of the program are being accomplished as efficiently as possible. A secondary role is to act as liaison between the Police Department, Department of Correction, District Attorney's Office and the community observers at the facility where you are stationed.

Try to solve minor problems at the scene by making suggestions diplomatically (Do not give orders). Major problems should be reported by telephone immediately.

Try to locate in advance a telephone which will be available to you without interrupting operations.

Keep in mind that your task is to help assure that justice is administered fairly and effectively. As a lawyer you should set an example of keeping calm and reducing tension.

In the event of a Civil Disorder, you will be notified of your assignment by our Director of Administrative Services.

If you are not at home or at the office, but learn of a civil disorder independently, please call 566-3300 or 566-4517 for instructions.

I. RESPONSIBILITIES

A. Staging Areas - The location of the staging area to which you are to report will be given to you by Administrative Services. Upon arrival, report to the superior police officer at the entrance, for precise place of assignment. Be available to answer questions from the community representatives and to seek out the appropriate Police or District Attorney personnel if necessary. THE HIGHEST RANKING OFFICER IS THE ULTIMATE AUTHORITY AT THE STAGING AREA.

B. Central Booking and Detention - Upon arrival, report to the superior officer of the Department of Correction at the facility to which you have been assigned (either 100 Centre St., Manhattan, or 120 Schermerhorn St., Brooklyn), for precise place of assignment. Be available to answer questions from community representatives and to seek out the appropriate Department of Correction official if necessary. THE HIGHEST RANKING CORRECTION OFFICE IS THE ULTIMATE AUTHORITY AT THE DETENTION FACILITY.

C. Other - Monitor the operation of non-detention facilities at 100 Centre St., and 120 Schermerhorn St., and Bail Review at Rikers Island.

II. REPORTS

A. Emergencies - Emergency reports of serious difficulties or breakdowns in procedures should be phoned immediately to 566-4517.

B. End of Tour - A telephone report (to 566-4517) of your experience, including any incidents and recommendations, should be made at the end of your tour of duty. If more than one Assistant Corporation Counsel is stationed at a single facility, they should confer and one combined telephone report should be made.

C. Written Report - A written report should be submitted to the First Assistant Corporation Counsel as soon as possible after the disorder has terminated. In this report you should identify the facility to which you were assigned and the periods of time covered; describe your experience there; indicate any serious problems which occurred; indicate any recurring problems of a less serious nature; comment on procedures used; make recommendations. You should keep an informal written log during your periods of service to serve as a basis for your reports.

III. IDENTIFICATION

Keep your identification card and this sheet in your wallet at all times. Your ID card permits you to cross police lines and enter the facilities to which you have been assigned.

Notify the Director of Administrative Services
immediately if you lose it. Keep the clip-on device
in an accessible place at home *

Additional clips should be available at the office if
you are called from there.

*Insert location here.

(To replace the analogous material on pp. 7-9 of the Mayor's Committee Report.)

ARREST, BOOKING, COMPLAINT AND ARRAIGNMENT PROCEDURES

During a period of civil disorder, arrest, booking, complaint and arraignment procedures must permit the following:

1. Return of a maximum number of police officers to duty in the shortest period of time.
2. Proper identification and charge of persons arrested.
3. Protection of the constitutional rights of persons arrested.

To achieve these goals, the following plan will be implemented when a disorder has begun to escalate and the police anticipate an unusually large number of arrests in connection with the disturbance:

The Police Department will establish a "Staging Area"* on the periphery of the impacted area to which persons arrested in connection with the disorder will be brought. At the Staging area two Polaroid photographs will be taken of each prisoner with the arresting officer for identification purposes. The prisoner will be searched; his thumbprint and date and time will be placed on the back of the photographs; and a multipurpose simplified pre-carboned arrest form (Appendix D) will be filled out.

Probation Department personnel will then take custody of all juveniles and will be responsible for transporting them either to the Family Court or to a juvenile detention center.

After this initial processing, adult prisoners will be brought before an Assistant District Attorney who will be present

* The Staging area will be a large public building. The Police Department will previously have compiled a list of suitable sites, and at the time of the disturbance, will select a site on the periphery of the disorder area.

at the Staging Area to draw complaints on simplified, multi-carboned forms using a ball point pen. (See Appendix E for a sample of one such form. The forms will be delivered to the Staging Area by the Police Department.) After the complaint is drawn, it will be sworn to by the arresting officer before a designated superior police officer, as per Section 23 (1) of the New York City Criminal Court Act as amended by Chapter 286 of the Laws of 1969, and Order of the First and Second Judicial Department of the Appellate Division of the Supreme Court dated May 23, 1969.* The arresting officer will then deliver the papers and the prisoner to an "escorting officer" and will immediately return to duty. The escorting officer will accompany the prisoner in a Police or Correction van to one of two central booking facilities:

- a. 100 Centre Street for Bronx and Manhattan arrests:
- b. 120 Schermerhorn Street for Brooklyn, Queens and Richmond arrests.

At central booking, the following will take place: the prisoner will be searched and placed in temporary detention; the escorting officer will report to the central booking desk officer and will complete and present copies of the arrest form;

*If the Mayor declares a State of emergency, the arresting officer may "affirm" the complaint instead of having to swear to it. Section 150-b Code of Criminal Procedure.

a central booking arrest number will be assigned; the escorting officer will turn defendant over to the Department of Correction for pre-arraignment detention and will deliver the complaint to the complaint room where backs will be prepared, docket numbers issued and the case docketed by court clerks; and standard arraignment procedures will be followed except that the prisoner will be arraigned on the complaint sworn to by the arresting officer at the Staging Area and delivered to the court by the escorting officer.

Where the charge is finger printable under Section 940 of the Code of Criminal Procedure, the escorting officer must await the prisoner's criminal record before the arraignment can take place, except that if a state of emergency has been declared by the Mayor, the prisoner may, in the discretion of the court, be arraigned and admitted to bail without waiting for the criminal record.

MEMORANDUM FOR COMMUNITY REPRESENTATIVES AT THE
STAGING AREAS

Introduction

The National Advisory Commission on Civil Disorders, appointed by former President Johnson in 1967, found that the administration of criminal justice nearly collapsed in many cities that experienced civil disturbances. The Commission concluded that this was due in large measure to the failure of these communities to plan for such emergencies.

Almost immediately after the Commission issued its report, Mayor John V. Lindsay, who served as Vice Chairman of the Commission, appointed an Ad Hoc Committee on the Administration of Justice Under Emergency Conditions, and charged it with the "difficult but essential task of reform and emergency planning necessary to give the judicial system the strength to meet emergency needs" and thereby protect the legal rights of all citizens. One of the recommendations contained in the Committee's final report was that plans be made for "responsible community leaders to act as impartial observers to report back to the community on all stages of processing of persons arrested." You have volunteered to serve as an impartial observer should the need ever arise. In order to perform this function, it is important that you understand what will happen to persons who are arrested during a period of civil disorder.

Persons Arrested During A Civil Disorder

In the event of a serious civil disturbance in New York City, the Police Department will establish "staging areas" near the location of the trouble. In most cases, the staging area will be a large public building, such as a Department of Parks recreation building. All persons who are arrested--men and women, adults and youngsters--will be taken by the arresting officer to the staging area. There, two polaroid photographs will be taken of each arrested person and the arresting officer. The purpose of these photographs is to eliminate cases of mistaken identity.

All juveniles (i.e., youngsters under the age of 16) taken into custody will be turned over at the staging areas to officials from the Office of Probation. The juveniles will then be taken either to the Family Court (if it is in session) or to the Spofford Juvenile Center. Office of Probation personnel then try to contact the parents, so that their youngsters can be released to them.

Arrested adults will remain at the staging areas only until there is transportation to take them to the Manhattan or Brooklyn Criminal Court for arraignment. If the disorder is not a serious one, the arrested person will be accompanied to the courthouse by the officer who arrested him. Should the disturbance escalate, however, Assistant District Attorneys will come to the staging areas to draw up complaints. When the complaint is drawn, the arresting officer will return to the scene of the disorder, and an "escorting officer" will accompany a group of 5 or 6 arrested persons to the courthouse for arraignment.

The Role of Community Representatives at the Staging Areas

If a civil disturbance occurs in your neighborhood, the Police Department will notify you and ask you to report to the staging area that has been established. When you arrive there, ask for the commanding officer and show him your identification card.

Your job at the staging area will be to observe the processing of arrested persons, and to watch for any problems that may arise, and observe the quality of treatment of persons arrested. If any situation exists that you believe warrants corrective action, bring it to the attention of the Assistant Corporation Counsel who will be present at the staging area. He in turn will speak with the appropriate police official and see to it that the proper action is taken.

Conclusion

The function you will be performing as a community representative at the staging area is an extremely important one, and your willingness to assume this responsibility is greatly appreciated. It is of course hoped that there will never be any need to call upon you.

July, 1969.

LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1968

No. 31

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to establishing emergency measures for riots and other disorders.

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is hereby amended by adding thereto the following new sections, to follow section 8a-4.0 to read as follows:

State of Emergency

§ 8a-5.0 **Declaration of emergency.** Whenever the mayor determines that there has been an act of violence or a flagrant and substantial defiance of or resistance to a lawful exercise of public authority, and that, partly on account thereof, there is reason to believe that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law, and substantial injury to persons or to property, all of which constitutes a threat to public peace or order and to the general welfare of the city or a part or parts thereof, he may declare that a state of emergency exists within the city or any part or parts thereof.

§ 8a-6.0 **Emergency measures.** 1. Whenever the mayor, pursuant to § 8a-5.0 of this local law, declares that a state of emergency exists, (a) the emergency measures provided in paragraph two of this section shall thereupon be in effect during the period of said emergency and throughout the city and (b) the mayor may order and promulgate all or any of the emergency measures provided in paragraph three of this section, in whole or in part, and with such limitations and conditions as he may deem appropriate, and any such emergency measure so ordered and promulgated shall thereupon be in effect during the period of said emergency and in the area or areas for which the emergency has been declared.

2. (a) The sale or other transfer of possession, with or without consideration, offer to sell or so transfer, and the purchase of any ammunition, guns and other firearms of any size or description is prohibited.

(b) The displaying by or in any store or shop of any ammunition, guns and other firearms of any size or description is prohibited.

(c) The possession in a public place of a rifle or shotgun by any person, except a duly authorized law enforcement official or person in military service acting in the official performance of his duty, is prohibited.

(d) The possession of any rifle or shotgun in any place, public or private by a non-resident who has not been issued a permit for the purchase and possession of rifles and shotguns, is prohibited.

3. (a) The establishment of curfews, including, but not limited to, the prohibition of or restrictions on pedestrian and vehicular movement, standing and parking, except for the provision of designated essential services such as fire, police and hospital services including the transportation of patient thereto, utility emergency repairs and emergency calls by physicians.

(b) The prohibition of the sale of any alcoholic beverage.

(c) The prohibition of the possession on the person in a public place of any portable container containing any alcoholic beverage.

(d) The closing of places of public assemblage with designated exceptions.

(e) The prohibition of the sale or other transfer of possession, with or without consideration, of gasoline or any other flammable or combustible liquid altogether or except by delivery into a tank properly affixed to an operable motor driven vehicle, bike, scooter, boat or airplane and necessary for the propulsion thereof.

(f) The prohibition of the possession in a public place of any portable container containing gasoline or any other flammable or combustible liquid.

§ 8a-7.0 **Filing and publication.** Any state of emergency or emergency measure declared or ordered and promulgated by virtue of the terms of this local law shall, as promptly as practicable, be filed in the office of the city clerk and published in the City Record and shall also be delivered to appropriate news media for publication and radio and television broadcast thereby. If practicable, such state of emergency declaration or emergency measure shall also be publicized by other appropriate means such as by posting and loud-speakers.

§ 8a-8.0 **Duration and termination of emergency.** A state of emergency established under this local law shall commence upon the declaration thereof by the mayor and shall terminate at the end of a period of fifteen consecutive days thereafter, unless prior to the end of such fifteen day period, the mayor shall either terminate such state of emergency or shall declare an additional state of emergency. Any such additional state of emergency shall commence and terminate as provided in section 8a-5.0 and in this section.

§ 8a-9.0 **Violations.** Any violation of a provision of this local law or of any emergency measure established pursuant thereto shall be a misdemeanor punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than one year, or both.

§ 8a-10.0 **Local law not affected if in part unconstitutional or ineffective.** If any section, subdivision, paragraph, clause or provision of this local law shall be unconstitutional or ineffective, in whole or in part, to the extent that it is not unconstitutional or ineffective it shall be valid and effective and no other section, subdivision, paragraph, clause or provision shall on account thereof be deemed invalid or ineffective.

§ 8a-11.0 **Definitions.** For the purposes of this local law:

1. "Alcoholic beverage" shall mean an alcoholic beverage as that term is defined by section three of the alcoholic beverage control law but shall not include patented medicine.

2. "Rifle" and "shotgun" shall mean a rifle and shotgun as those terms are defined by section 436-6.0 of the administrative code.

§ 2. This local law shall take effect immediately.

OFFICE OF PROBATION
REPORT TO COURT

DATE _____

RATING: (ROR) EXCLUSIVE OF PRESENT CHARGE

COUNTY _____

INFORMATION RATED FAVORABLY FOR ROR: YES _____ NO _____ VERIFIED: YES _____ NO _____ (IF "NO" EXPLAIN BELOW)

COMMENTS _____

NAME _____ AGE _____ DOCKET NO. _____

CHARGE: _____
CENTRAL BOOKING
OR
ARREST NO. _____

BACKGROUND INFORMATION

RESIDENCE IN N.Y.C. AREA FOR _____ PHONE _____ WITH WHOM _____

ADDRESS WHEN ARRESTED _____ FOR _____

PRIOR ADDRESS _____ FOR _____

FAMILY TIES: WHOM _____ ADDRESS _____
(RELATIONSHIP)

EMPLOYMENT _____ FOR _____ MO. UNEMPLOYED _____
(WHEN ARRESTED) ADDRESS _____ LAST DATE _____

PREVIOUS EMPLOYER _____ LAST DATE _____

SCHOOL _____ CURRENTLY: YES _____ NO _____ DATE LEFT _____

HOSPITAL / HEALTH _____

PRIOR CONVICTIONS: _____ FELONIES _____ MISDEMEANORS _____ IDENTIFICATION _____

ON PROBATION _____ PAROLE _____ WHERE _____ P.O. _____

IF RELEASED: WILL LIVE AT _____ WITH _____
REFERENCES

NAME _____
ADDRESS _____ PHONE _____
NAME _____
ADDRESS _____ PHONE _____

INVESTIGATOR _____
I HAVE CONSENTED TO THIS INVESTIGATION AND
CERTIFY THAT THIS INFORMATION IS CORRECT
X _____
DEFENDANT'S SIGNATURE

CRIMINAL COURT ACTION

COUNTY _____

CRIMINAL COURT OF THE CITY OF NEW YORK

UPON REVIEW OF THIS REPORT AND OTHER INFORMATION CONCERNING PRE-TRIAL RELEASE OF THE ABOVE NAMED DEFENDANT IT IS HEREBY ORDERED THAT THE DEFENDANT BE:

- PAROLED BAIL NOT SET
- RELEASED UPON DEPOSITING

\$ _____ SURETY BOND; OR
\$ _____ CASH IN LIEU OF BOND

DATED: NEW YORK CITY _____ X _____
JUDGE OR JUSTICE

BAIL REEVALUATION PROCEEDINGS

INVESTIGATION

ADDITIONAL INFORMATION FOR BAIL REEVALUATION

- VERIFICATION
- NEW INFORMATION OBTAINED AS FOLLOWS

ORDER

_____ COURT, STATE OF NEW YORK
AFTER REVIEW OF BAIL CONDITIONS PREVIOUSLY SET, IT IS HEREBY ORDERED THAT THE DEFENDANT BE:

- PAROLED BAIL NOT SET
- RELEASED UPON DEPOSITING

\$ _____ SURETY BOND; OR
\$ _____ CASH IN LIEU OF BOND

DATED: NEW YORK CITY _____ X _____
JUDGE OR JUSTICE

DATED: NEW YORK CITY _____

APPENDIX F

MEMORANDUM FOR COMMUNITY REPRESENTATIVES AT PRE-ARRAIGNMENT
DETENTION FACILITIESIntroduction

The National Advisory Commission on Civil Disorders appointed by former President Johnson in 1967, found that the administration of criminal justice nearly collapsed in many cities that experienced civil disturbances. The Commission concluded that this was due in large measure to the failure of these communities to plan for such emergencies.

Almost immediately after the Commission issued its report, Mayor John V. Lindsay, who served as Vice Chairman of the Commission, appointed an Ad Hoc Committee on the Administration of Justice Under Emergency Conditions, and charged it with the "difficult but essential task of reform and emergency planning necessary to give the judicial system the strength to meet emergency needs" and thereby protect the legal rights of all citizens. One of the recommendations contained in the Committee's final report was that plans be made for "responsible community leaders to act as impartial observers to report back to the community on all stages of processing of persons arrested." You have volunteered to serve as an impartial observer should the need ever arise. In order for you to perform this function, it is important that you understand exactly what will happen to arrested persons when they are brought to the courthouse.

Persons Arrested During A Civil Disorder

In the event of a serious civil disturbance in New York City, all arrested persons will be taken either to the Manhattan Criminal Court Building (100 Centre Street) or to the Brooklyn Criminal Court Building (120 Schermerhorn Street). In Manhattan, prisoners will initially be held in the large detention area on the 12th floor. They will later be taken to smaller detention areas located near the courtrooms in which they are to be arraigned. After arraignment, remanded prisoners will be placed in still other pens until there is transportation available to take them from the courthouse to a post-arraignment detention facility.

In Brooklyn, prisoners will be placed in one of several detention areas scattered throughout the building. They will remain there until they are arraigned. After arraignment, remanded prisoners will be held in another detention area until there is available transportation to a post-arraignment detention facility.

Every attempt will be made to bring arrested persons before a judge as quickly as possible. If a great many arrests have been made, however, it may be several hours until an arrested person is taken from the cell in which he has been placed to the courtroom in which he will be arraigned. During this time, the Department of Correction will provide all prisoners with something to eat and drink, and a doctor will attend to any person requiring medical care. All arrested persons will be allowed to personally make a phone call to a lawyer, relative or friend. In addition, they

will be interviewed by: 1. someone from the Office of Probation seeking information for purposes of parole, and 2. a Legal Aid or volunteer attorney gathering facts needed to represent the person at arraignment.

The Role of Community Representatives At the Pre-Arrestment Detention Facilities

Should a serious civil disturbance occur in New York, you may be contacted by the Department of Correction and asked to report either to the Brooklyn or Manhattan Criminal Courthouse. When you arrive there, present your identification and ask to be taken to the Department of Correction official whose name you have been given. He will take you to the area in which you will be working.

You will have several functions to perform:

1. Answering questions -- Many of the arrested persons will be confused and scared. Since you will be wearing some type of special identification indicating that you are a community representative, you should expect that a fair number of questions will be directed to you. Try to answer them as best you can and to calm the individual.

2. Complaints from prisoners -- Arrested persons will also direct their complaints to you. If you believe that the complaint is justified (e.g., need of medical attention) and warrants corrective action, bring the matter to the attention of any Correction officer who is present. If the situation is not corrected in a reasonable time, speak with the Assistant Corporation Counsel who will be present at

the detention facility, and he will take the matter up with someone in the Department of Correction.

3. General observer -- You should observe the processing and treatment of all prisoners, and watch for any problems that may arise (e.g., overcrowding in one area while another area is relatively empty) or violations of individual's rights that may occur. Again, if any situation exists that you believe warrants corrective action, discuss the matter first with any Correction official who is present, and then with an Assistant Corporation Counsel if the situation is not corrected.

Conclusion

The function you will be performing as a community representative at the pre-arraignment detention facilities is an extremely important one, and your willingness to assume this responsibility is greatly appreciated. It is, of course, hoped that there will never be any need to call upon you.

July, 1969.

LEGAL AID SOCIETYARRAIGNMENT IN THE CRIMINAL COURT*GENERAL:

All persons arrested or summoned for most crimes in Manhattan, including youths, are arraigned in one central court, Part 1A.

Every case is given a sequential docket # preceded by a letter. The facts and the charges are listed on the complaint form.

Felonies, on yellow backs, have A# designation.

Misdemeanors, on blue backs, have B# designation.

Violations, on white backs, have C# designation.

Youth cases regardless of nature of charge
a Y# designation.

Court and D.A. personnel prepare the complaints, based on police and complainant information.

Defendants are generally interviewed prior to arraignment, by Probation Department (ROR) employees as to eligibility for free counsel, financial status and roots in the community; i.e., jobs, family, employment, length and residence, etc.

The complaints, ROR forms, yellow sheets (fingerprint record), CR 1 form (Narcotics Addiction Control Commission), are then given LAS lawyers, if no private counsel is on file.

* Some of the procedures outlined here will be modified in the event of a civil disorder to enable arraignment of large numbers of arrestees.

Attorneys will double check as to LAS eligibility before proceeding.

Pick up cases from intake basket with lowest calendar number, not docket number.

PRE-INTERVIEW:

Take LAS form and fill in pertinent data in spaces provided. Attach a copy of the complaint(s) and yellow ROR forms. Particularly note companion cases, addiction forms, past criminal records for felonies and similar crimes. Does record raise the degree of crime? Carefully check for possible conflicts of interest where there are co-or multiple defendants. If uncertain, read the statute to ascertain elements of crime. Note age of defendants. All Youth cases have a Y designation, no matter what the charge. Male prisoners are kept in detention cells. Female defendants are usually on benches in the courtroom. Summoned defendants are in the court audience.

INTERVIEW PROCEDURES:

Take LAS case sheet plus attachments and the court copy into interview area. Fill in all spaces on the form. Be concise and precise. Use uniform symbols: complaining witness (CW); Police Officer (PO); Illegal Search and Seizure (ISS); etc., when possible. Symbol for defendant is a triangle or D. All information acquired from papers should be fully understood prior to speaking to defendant.

Ascertain defendant's ability to retain counsel and

financial status.

Inform defendant of charges and rights. Read complaint or let defendant read complaint. Ask if complaint is true ("Is that the way it happened"), etc. Let defendant give his version of facts. Do not let him wander from facts of case. Question the defendant as to the who, what, when, where, why and how of occurrence and arrest. Guide the interview so as to get true factual and legal outlines. Inform defendants of possibilities of being held for Grand Jury, reducing charges, having a hearing or waiver, NACC interview by doctor, bail. Correct errors in ROR report, if any.

Specifically ask defendant as to culpability, lineups, how weapons, contraband or property obtained by police. If possessory crime, where did defendant obtain the evidence?" "Where did you get the car?" "When?" "Can you produce that fellow "John"?" "Could the officer have seen the kitchen from the door?" "How many people in the apartment?" "Who was arrested?" "Why did they pick you from the crowd?" "Were you wearing the same clothes last Tuesday?" "Was the officer in uniform?" "Did he say anything to you before he arrested you?"

All questions should be clearly phrased so as to require short answers, often Yes or No.

ATTITUDE TOWARD DEFENDANTS:

Remember that the defendant is your client. Let him know about possible delays, hearings, bail, etc. He gives

you the facts. You furnish the advice and guidance.

He makes his own decisions. Be sure that he does not harm himself by making admissions or other inculpatory statements in court. There is no set specific policy to follow in every case. Tact and patience are essential.

Before leaving defendant, check as to friends, relatives or witnesses. If they are in court speak to them.

THE ARRAIGNMENT:

Discuss any problems with an associate before giving the Court papers to the bridgeman. If other cases are in basket, take one or more and prepare in the interval.

Before the Court you are the lawyer. Be forceful, but courteous. Know what motions and/or objections you will make. Be sure to put your objections on the record, particularly as to compulsory medical examination for possible narcotic addiction. Ask for a fair bail or parole. The adjournment should not be lengthy. Note date and part on your case sheet. Enter bail information in proper space. Enter your name in the proper space.

Do not hesitate to approach the Assistant District Attorney in proper situations, i.e. reduction or dismissal of the charges, low bail or parole.

ADJOURNED CASES TO SPECIFIC PARTS:

Felonies to 1D for hearing and possible reductions.

Misdemeanors to 1B for all purposes, hearings and motions.

2A for one judge trials, some motions.

2B for three judge trials.

1C for all trials of violations.

In all cases, where the sentence is more than six months, ask for jury trial if case is sent to trial part.

COMMENTS BASED ON PAST EXPERIENCE:

Defendants who have had experience may try to assume the role of legal expert. Do not lose your temper. Many of these will inform you that they want a quick reduction and will plead out. Some want an assurance on sentence. You cannot promise them anything less than the maximu. You may tell them of the sentences that you have seen imposed, but make sure this cannot be mistaken for a promise.

Treat first offenders gently. No plea of guilty is to be entered on arraignment in these cases, without first consultating with attorney in charge of the part. Expedience is not the goal. An adjournment, particularly if defendant is out on bail or parole, reduces the pressure on a first offender. Let him consult with family, friends or other counsel, if he expects to retain one.

If there are two or more defendants, obtain each story individually. Look for conflicts.

Do not permit unauthorized persons to be present when you are interviewing the defendant. Do not let your file be read by any person not on the staff of The Legal Aid Society.

If facts warrant an investigation, make out required form and discuss feasibility with investigators.

Keep companion cases together as to date and part.

No plea should be taken in a case which has CRI form attached. Advise client to wait until after determination as to addiction. This applies particularly to prostitution cases. The maximum penalty is fifteen days. Commitment as an addict is for 36 months.

Violation adjournments should be very short, as 15 days is maximum sentence.

When possible, speak to the police officer. He may be the source of a great deal of information.

Question defendant as to identification by witnesses and lineup procedures.

SECTIONS OF CODE OF CRIMINAL PROCEDURE THAT MUST BE READ:

Arrests, 177;

Adj. & hearings, 189-190-191;

Y.O., 913 et seq.;

Confessions, 395;

Witnesses for People, 215 to 219;

Motions to suppress, 813;

Admissions or confessions, 813F.

SECTIONS OF CRIMINAL COURTS ACT THAT MUST BE READ:

§33-42-43-45-48-55-62.

AGENCIES CONNECTED WITH COURT AND RELATIONSHIP TO DEFENDANTS:

Youth Counsel Bureau (YCB)

Worthy cases should be adjourned and YCB will supervise defendant for period of time, then recommend dismissal of

charge if defendant has been rehabilitated. (Speak to senior attorney about this.)

VERA:

A program to take eligible person 17 to 41 with less than 90 days prior jail time and assist him over a period of months, to learn skill or trade or gain employment, and then request that charge be dismissed if result is satisfactory.

PROBATION DEPARTMENT:

After conviction, in cases where supervision and direction is needed rather than jailing, the probation department will supervise defendant for a period of time, by direction of the Court.

YOUTHFUL OFFENDERS AND YOUNG ADULTS:

Those eligible for Youthful Offender (YO) treatment are aged 16 - 18. Young adults are those 16 - 18 denied YO treatment, and all defendants under 21.

Y.O. - if granted all the records are sealed.

Demand jury trial.

Conviction as Y.O. is not considered conviction for crime.

AVAILABLE DISPOSITIONS FOR A Y.O. ADJUDICATION ARE:

1. Unconditional discharge.
2. Conditional discharge (3 years)
3. Probation (5 years) - Sec. 913 (m) (2) P.L. has increased probationary period from 3 to 5 years.

4. Where drug addiction has been certified by Court after hearing or on admission Section 209 M.H.L. requires certification to N.A.C.C.

SPECIAL PROVISIONS FOR BAIL RE-EVALUATION

In the event of large numbers of arrests arising from civil disorders, the following procedures will apply for bail re-evaluation:

1. ROR interviewers will complete the bail re-evaluation form (appendix i) during pre-arraignment processing and retain copy #6 for their records.
2. The remaining forms will be sent to Court and copy #5 given to Defense Counsel.
3. The Judge will review the recommendation and record his action on the form and sign it.
4. If Defendant is committed, copy #1 will be retained by the Court with the case papers and copies 2, 3 and 4 will be attached to a xerox copy of the complaint and these forms will accompany the committment order to the post arraignment detention facility (probably Rikers Island).
5. The forms will be given to the ROR bail re-evaluation staff at Rikers, who will interview the Defendant so as to review, complete or up-date the investigation.
6. After completing the up-date procedures, ROR staff will forward re-evaluation forms and the copy

of complaint to bail re-evaluation part sitting at the facility i.e., Rikers Island. That part will be manned by a Supreme Court Justice, Legal Aid lawyer, District Attorney and non-judicial personnel.

7. The Supreme Court Justice will review the up-dated report and perhaps hear arguments on the bail application. After making his decision, he will note his action on the form and sign it.

8. Copy #3 will be given to Correction to indicate up-dated committment or bail status e.g., defendant paroled, new bail set, etc.

9. Copies #2 and #4 will be returned to the Criminal Court. Copy #2 will be filed with court papers and copy #4 sent to the information center.

10. In addition to a regular Docket number, each case will have assigned to it an Arrest number. It is important that the interviewing attorney write the Arrest number on the LAS file (interview sheet). The information center will identify each case by the Arrest number. Each case on the bail re-evaluation will be identified by the Arrest number only.

* * * * *

APPENDICES:

- a. Copy of LAS arraignment form and information sheet.
- b. Copy of sample complaint.

- c. Copy of sample short form complaint.
- d. Copy of sample complaint with printed references to crimes generally resulting from public disorders.
- e. Copy of sample complaint with printed references to offenses under the Administrative Code during a state of emergency.
- f. Summary of provisions of N. Y. City Criminal Courts Act, section 55, Code of Criminal Procedure, section 552 and Penal Law, section 940.
- g. Summary of statutory provisions relating to public demonstrations.
- h. Statement of Possible Narcotic Addiction (NACC-Cr 1).
- i. Special bail re-evaluation form.

Docket # B-1234/67	Charge 230.20 Procuring	Bail \$500/\$100 Par. cash
Name John Doe	Alias	
Address 100 Centre Street NYC		
Age 35	Prev. Record FEL Rob 3° MISD P/L (3L) NARC CPDD	Hearing Date Judge Steno

Date	Part	Purpose	Atty.	Adj. Date or Dispos.
9/17/67	1A	Arr.	Stewart	Adj to 9/25/67- Part 1B
9/25/67	1B	AP	Kalian	Adj to 10/17 - 1B
10/17/67	1B	AP	Goss	Adj to 10/31 - 2A
10/31/67	2A	Trial	Smith	Δ Acquitted

Co. Dept.

Δ States:
I am not guilty. I deny offering to get P/O a girl for \$20. I admit talking to P/O about woman.
I deny procuring.

I do not wish to appeal

Deft. John Doe

Date 10/31/68

Attorney Swidson

CPDD- Criminal Possession of a dangerous drug.

ARR. - arraignment; AP - all purpose;
P/O - police officer; Δ - defendant;
Adj - adjourned; ROB 3° - robbery third degree
P/L - petit larceny;



Criminal Court of the City of New York

Part 1A 1, County of New York

STATE OF NEW YORK, }
New York } ss.:
COUNTY OF _____ }

Mr. James Gordon

of No. 1511 Bronx Ave.

being duly sworn, says that on XXXXXX May 8, 1969 at about 11:30 AM

at 141th St. Playhouse (Theatre)

New York County, City and State of New York, the defendant(s)

Walter Carlson

committed the offense(s) of: Harassment, under the following circumstances:

~~XXXXXX~~ The deponent states that while waiting on line at the above location trying to get tickets to the above theatre, the defendant did push and shove the deponent, and did otherwise subject him to ~~XXXXXX~~ physical contact, thereby causing him much annoyance and alarm.

Sworn to before me

_____, 19

Affiant

Judge.



RIOT IN THE SECOND DEGREE
INCITING TO RIOT
UNLAWFUL ASSEMBLY
RECKLESS ENDANGERMENT IN THE SECOND DEGREE
RECKLESS ENDANGERMENT OF PROPERTY
RESISTING ARREST
DISORDERLY CONDUCT

Criminal Court of the City of New York

Part BA, County of New York

STATE OF NEW YORK, }
COUNTY OF NY } ss.:

Ptl. Charles Anderson # 19840

of No. 33rd Pct.

being duly sworn, says that on June 18th 1969 at about 10 PM

at 155th St. & 6th Ave

NY County, City and State of New York, the defendant(s) Charles G. Moore, Alexander Rice

William Joseph and other not arrested

committed the offense(s) of:

- RIOT IN THE SECOND DEGREE (Sec. 240.05 Penal Law), in that said defendant, simultaneously with four or more other persons, engaged in tumultuous and violent conduct and thereby intentionally and recklessly caused and created a grave risk of causing public alarm;
- INCITING TO RIOT (Sec. 240.08 Penal Law), in that said defendant urged ten or more persons to engage in tumultuous and violent conduct of a kind likely to create public alarm;
- UNLAWFUL ASSEMBLY (Sec. 240.10 Penal Law), in that said defendant assembled with four or more other persons for the purpose of engaging and preparing to engage with them in tumultuous and violent conduct likely to cause public alarm, and when, being present at an assemblage which had and developed such purpose, he remained there with intent to advance that purpose;
- RECKLESS ENDANGERMENT IN THE SECOND DEGREE (Sec. 120.20 Penal Law), in that said defendant recklessly engaged in conduct which created a substantial risk of serious physical injury to another person;
- RECKLESS ENDANGERMENT OF PROPERTY (Sec. 145.25 Penal Law), in that said defendant recklessly engaged in conduct which created a substantial risk of damage to the property of another person in an amount exceeding two hundred fifty dollars;
- RESISTING ARREST (Sec. 205.30 Penal Law), in that said defendant intentionally prevented and attempted to prevent a peace officer from effecting an authorized arrest;
- DISORDERLY CONDUCT (Sec. 240.20 Penal Law), in that said defendant acted with intent to cause public inconvenience, annoyance and alarm and recklessly created a risk of public inconvenience, annoyance and alarm

in that: the deponent states the defendants did gather together at the above time and place and with various sticks and stones did break numerous windows of automobiles parked at the above area.

The deponent further states that the defendants did make unnecessary noise, did use abusive and obscene language and did refuse to move from the scene when ordered to do so by the officer.

The officer further states that when he did place the defendants under arrest on the above charge, the depts. refused to submit to the lawful authority of the officer at which time necessary force had to be used to effect the arrest.

Sworn to before me

Charles G. Moore
Affiant

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Judge

Criminal Court of the City of New York

Part 1A 1, County of New York

STATE OF NEW YORK, New York COUNTY OF New York ss.:

Det. Joe Jones

of No. 15 Sqd.

being duly sworn, says that on May 8, 1969 at about 12:30 PM

at 100 Centre St.

New York County, City and State of New York, the defendant(s)

John Jones, and Richard Roe, while acting in concert

knowingly violated Section 8a-6.0 of the Administrative Code of the City of New York, as amended, in that during a state of emergency declared by the Mayor pursuant to law, said defendant

- Sold, transferred possession of, purchased and possessed and offered to sell and transfer ammunition, guns and other firearms.
..... Displayed in a store ammunition, guns and other firearms.
..... Possessed in a public place a rifle and shotgun.
..... Being a non-resident, possessed a rifle and shotgun without a permit for its purchase and possession.
..... Appeared in a public place and on a public highway at a time and in an area in which a curfew had been established by the Mayor pursuant to law.
..... Sold an alcoholic beverage in violation of an order promulgated by the Mayor pursuant to law.
..... Possessed in a public place a portable container containing an alcoholic beverage in violation of an order promulgated by the Mayor pursuant to law.
..... Maintained, operated and permitted to remain open a place of public assemblage in violation of an order promulgated by the Mayor pursuant to law.
..... Sold and transferred gasoline and other flammable and combustible liquid in violation of an order promulgated by the Mayor pursuant to law.
..... Possessed in a public place a portable container containing gasoline and other flammable and combustible liquid in violation of an order promulgated by the Mayor pursuant to law.

The officer states at the above time and place he observed the defendants carrying a cardboard box containing glass bottles filled with a flammable mixture and xx what appeared to be a rag sticking out of the top of each bottle. The officer states these bottles prepared as they were are commonly known as "Molotov cocktails".

Sworn to before me

....., 19.....

..... Judge.

[Signature] Affiant

SECTION 55 New York City Criminal Courts Act (as amended and effective September 1, 1967)

Arrestment on Short Affidavit

Short affidavits are authorized in the following cases:

- | | |
|-----------------------------------------------|---------------------------|
| 1) Felonies | |
| 2) Endangering Welfare of Child | Sect. 260.10 Penal Law |
| 3) Sexual Abuse 2nd Degree | " 130.60 Sub. 2 Penal Law |
| 4) Sexual Misconduct | " 130.20 Penal Law |
| 5) Consensual Sodomy | " 130.38 Penal Law |
| 6) Criminal Poss. of Stol. Prop
3rd Degree | " 165.40 Penal Law |

SECTION 552 Code of Criminal Procedure (as amended and effective September 1, 1967)

Misdemeanors enumerated in Sect. 552 CCP

- | | |
|---------------------------------------------------------------------|-------------------------------|
| 1) Illegally using, carrying, Possessing Pistol or Dangerous Weapon | Sects. 265.05 and 265.35 P.L. |
| 2) Possession Burglars Tools | Sect. 140.35 Penal Law |
| 3) Criminal Possession Stolen Prop. 3rd Degree | Sect. 165.40 P.L. |
| 4) Escape 3rd Degree | Sect. 205.05 P.L. |
| 5) Jostling | 165.25 P.L. |
| 6) Fraudulent Accosting | Sect. 165.30 Penal Law |
| 7) Loitering | Sect. 240.35 Sub 3 P.L. |
| 8) Endangering Welfare of a Child | Sect. 260.10 Penal Law |
| 9) All of Article 235 P.L. (Obscenity and related offenses) | |
| 10) Issuing abortional articles | Sect. 125.60 |
| 11) Permitting Prostitution | Sect. 230.40 Penal Law |
| 12) Permitting Prostitution 3rd Degree | Sect. 230.20 Penal Law |
| 13) Offenses defined in Art 130 Penal Law (Sex Offenses) | |
| 14) Offenses defined in Art. 220 Penal Law (Dangerous Drugs) | |

SECTION 940 Penal Law (Identifying Criminals)

Fingerprint Sheets required for Arrestment on following offenses:

- | |
|-----------------------------------------------------------------------|
| 1) Felonies |
| 2) Any Crime which would be Felony if Previously convicted of a crime |
| 3) All offenses listed in Section 552 Code of Criminal Procedure |
| 4) Prostitution Section 230.00 Penal Law |
| 5) All Misdemeanors listed in Article 225 P.L. (Gambling) |
| 6) Fortune Telling Sect. 165.35 Penal Law |

LAWS RELATING TO PUBLIC DEMONSTRATIONS

Criminal Solicitation 3rd—100.00—Violation

"A person is guilty of criminal solicitation in the third degree when, with intent that another person engage in conduct constituting a crime, he solicits, requests, commands, importunes or otherwise attempts to cause such other person to engage in such conduct."

Menacing—120.15—Class B Misdemeanor

"A person is guilty of menacing when, by physical menace, he intentionally places or attempts to place another person in fear of imminent serious physical injury."

Reckless Endangerment 2nd—Class A Misdemeanor

"A person is guilty of reckless endangerment in the second degree when he recklessly engages in conduct which creates a substantial risk of serious physical injury to another person."

Criminal Trespass 3rd—140.05—Violation

"A person is guilty of criminal trespass in the third degree when he knowingly enters or remains unlawfully in or upon premises."

Criminal Trespass 2nd—140.10—Class B Misdemeanor

"A person is guilty of criminal trespass in the second degree when he knowingly enters or remains unlawfully in a building or upon real property which is fenced or otherwise enclosed in a manner designed to exclude intruders."

Criminal Trespass 1st—140.15—Class A Misdemeanor

"A person is guilty of criminal trespass in the first degree when he knowingly enters or remains unlawfully in a dwelling."

Under these sections the defendant must be requested to leave, there must be a refusal (silence can be so interpreted) and if they do not leave they will be placed under arrest. They should be so advised by competent authority in the place in question as well as by a superior police officer and individual

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charge conspiracy. If it can be shown, e.g., an agreement to resist arrest (205.30 Class A Misdemeanor) or agreement to engage in unlawful assembly (240.10 Class B Misdemeanor) charge of conspiracy could be made. However, in the typical street sit-down (disorderly conduct-violation) no conspiracy is possible but if the sit-down obstructs governmental functions (195.05—Class A Misdemeanor) a conspiracy charge could be made (see discussion under 195.05).

Reckless Endangerment of Property—145.25—Class B Misdemeanor

"A person is guilty of reckless endangerment of property when he recklessly engages in conduct which creates a substantial risk of damage to the property of another person in an amount exceeding two hundred fifty dollars."

Not necessary under this section for actual damage to have occurred. Must establish at the time the defendant was aware or consciously disregarded a substantial and unjustifiable risk that damage to property in excess of \$250 would occur, e.g., group rocking a car with good chance it will turn over but in fact never does—each person would be in violation of this section. Risk has to be of such a nature and degree that the disregard thereof constituted a gross deviation from the standard of conduct a reasonable person would observe in the situation.

Obstructing Governmental Administration—195.05—Class A Misdemeanor

"A person is guilty of obstructing governmental administration when he intentionally obstructs, impairs or perverts the administration of law or other governmental function or prevents or attempts to prevent a public servant from performing an official function, by means of intimidation, physical force or interference, or by means of any independently unlawful act."

This obstruction must be by means of physical force or interference. This section may be used if government offices (federal or state) are blocked and the intent is to obstruct a particular function and this is done, e.g. draftees cannot go in or out of the building; other functions are impeded because of people blocking the entrances, etc. This section would re-

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quire a complainant from the governmental agency concerned who could testify as to what was obstructed and how. The obstructors should be advised that they are obstructing the operation of government administration and unless they desist they will be so charged. One police officer should be assigned to no more than 2 or 3 arrests and he should note the acts of each individual defendant, his physical makeup, his position in relating to others in the group (e.g., 3rd from left on 1st step), clothing, distinctive identifying characteristics. If possible, each officer should repeat the original order to disperse to his defendants. This section may also provide the grounds for conspiracy (105.00) or solicitation (100.00) charge.

Criminal Mischief 3rd—145.00—Class A Misdemeanor

"A person is guilty of criminal mischief in the third degree when having no right to do so nor any reasonable ground to believe that he has such right, he:

1. Intentionally damages property of another person; or
2. Recklessly damages property of another person in an amount exceeding two hundred fifty dollars."

Criminal Mischief 2nd—145.05—Class E Felony

"A person is guilty of criminal mischief in the second degree when, with intent to damage property of another person, and having no right to do so nor any reasonable ground to believe that he has such right, he damages property of another person in an amount exceeding two hundred fifty dollars."

Criminal Mischief 1st—145.10—Class D Felony

"A person is guilty of criminal mischief in the first degree when with intent to damage property of another person, and having no right to do so nor any reasonable ground to believe that he has such right, he damages property of another person:

1. In an amount exceeding one thousand five hundred dollars; or
2. By means of an explosive."

After arrest would have to locate the owner of property as complainant.

Conspiracy 4th—105.00—Class B Misdemeanor

"A person is guilty of conspiracy in the fourth degree when, with intent that conduct constituting a crime be performed, he agrees with one or more persons to engage in or causes the performance of such conduct."

Under this section the conspiracy must be to commit at least a Class B Misdemeanor. A violation is not included. In any conspiracy there must be an overt act committed by one of the conspirators. Two or more persons must be involved to

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quire a complainant from the governmental agency concerned who could testify as to what was obstructed and how. The obstructors should be advised that they are obstructing the operation of government administration and unless they desist they will be so charged. One police officer should be assigned to no more than 2 or 3 arrests and he should note the acts of each individual defendant, his physical makeup, his position in relating to others in the group (e.g., 3rd from left on 1st step), clothing, distinctive identifying characteristics. If possible, each officer should repeat the original order to disperse to his defendants. This section may also provide the grounds for conspiracy (105.00) or solicitation (100.00) charge.

Resisting Arrest—205.30—Class A Misdemeanor

"A person is guilty of resisting arrest when he intentionally prevents or attempts to prevent a peace officer from effecting an authorized arrest of himself or another person."

Passive resistance is preventing arrest as well as active resistance. In the sit-down situation where an arrest has been made and the defendant has to be carried after he is arrested, the law does not specifically require a warning before the additional charge is made. The best procedure, however, from a legal standpoint would be to advise each individual defendant "You are under arrest for, will you submit to arrest? If you do not I must advise you an additional charge will be made against you for resisting arrest." If this is impossible or impractical under the circumstances, it would not be necessary to advise the defendant to submit, but he still must be advised that he is also being charged with resisting arrest.

Riot 2nd—240.05—Class A Misdemeanor

"A person is guilty of riot in the second degree when, simultaneously with four or more other persons, he engages in tumultuous and violent conduct and thereby intentionally or recklessly causes or creates a grave risk of causing public alarm."

Must be at least 5 persons under this section. Section designed to connote frightening mob behavior involving ominous threats of injury, stone throwing or other terrorizing acts. Must identify each individual and his particular acts. No more than one arresting officer to 2 or 3 defendants. Each arresting officer should note the acts of each individual defendant, his

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physical makeup, his position in relation to other rioters, clothing, distinctive identifying characteristics.

Riot 1st—240.06—Class E Felony

"A person is guilty of riot in the first degree when (a) simultaneously with ten or more other persons he engages in tumultuous and violent conduct and thereby intentionally or recklessly causes or creates a grave risk of causing public alarm, and (b) in the course of and as a result of such conduct, a person other than one of the participants suffers physical injury or substantial property damage occurs."

Must be at least 11 persons. Requires physical injury or substantial property damage. (See also comments re: Riot 2nd).

Inciting to Riot—240.08—Class A Misdemeanor

"A person is guilty of inciting to riot when he urges ten or more persons to engage in tumultuous and violent conduct of a kind likely to create public alarm."

Must be at least 10 persons not including the incitor.

Unlawful Assembly—240.10—Class B Misdemeanor

"A person is guilty of unlawful assembly when he assembles with four or more other persons for the purpose of engaging or preparing to engage with them in tumultuous and violent conduct likely to cause public alarm, or when, being present at an assembly which either has or develops such purpose, he remains there with intent to advance that purpose."

This section is anticipatory of Riot 2nd. That is, before a situation becomes a riot it may very probably be an unlawful assembly. The provisions in the obstruction (195.05) and riot (240.05, 240.06) discussion previously relative to the mode of arrest and identification would apply here.

Disorderly Conduct—240.20—Violation

"A person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof:

1. He engages in fighting or in violent, tumultuous or threatening behavior; or

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2. He makes unreasonable noise; or
3. In a public place, he uses abusive or obscene language, or makes an obscene gesture; or
4. Without lawful authority, he disturbs any lawful assembly or meeting of persons; or
5. He obstructs vehicular or pedestrian traffic; or
6. He congregates with other persons in a public place and refuses to comply with a lawful order of the police to disperse; or
7. He creates a hazardous or physically offensive condition by any act which serves no legitimate purpose."

Harassment—240.25—Violation

"A person is guilty of harassment when, with intent to harass, annoy or alarm another person:

1. He strikes, shoves, kicks or otherwise subjects him to physical contact, or attempts or threatens to do the same; or
2. In a public place, he uses abusive or obscene language, or makes an obscene gesture; or
3. He follows a person in or about a public place or places; or
4. As a student in school, college or other institution of learning, he engages in conduct commonly called hazing; or
5. He engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose."

Where abusive or obscene language is directed at a police officer with intent to harass, annoy or alarm him, sub-division 2 of this section would be a proper charge.

Fireworks—270.00

At a recent demonstration, flares were used to frighten the horses of the mounted patrolmen. Section 270.00 (2) provides that possession, use, furnishing or exploding any firework without a permit is a Class B Misdemeanor.

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NOTES

1. Definition of narcotic addict. §201, sub. 2, defines narcotic addict as follows:

The term "narcotic addict" means a person who is at the time of examination dependent upon opium, heroin, morphine or any derivative or synthetic drug of that group or who by reason of the repeated use of any such drug is in imminent danger of becoming dependent upon opium, heroin, morphine, or any other derivative or synthetic drug of that group; provided, however, that no person shall be deemed a narcotic addict solely by virtue of his taking of any of such drugs pursuant to a lawful prescription issued by a physician in the course of professional treatment for legitimate medical purposes.

2. The following are a list of commonly used narcotic drugs:

Opium, morphine, heroin, codeine, hydromorphine (dilaudid), metopon, methadone (dolophine), hydrocodone (hycodan), oxycodone (percodan), levorphanol (revo-dromoran), meperidine (demerol).

The following are not narcotic drugs:

Cannabis (marijuana), cocaine; hallucinagens (L.S.D., D.M.T., peyote, mescaline).
Amphetamines (Dexadrine, benzadrine, etc.)
Barbiturates (Pheno-barbitol, etc.)
Doriden, tranquillizers (Milltown).

3. Arresting officers should fill out this form at the time of arrest and should be prepared to submit it to the court upon arraignment.
4. District attorneys, correction officers, probation/parole officials or any other persons or agencies who might become aware of a defendant's possible addiction should fill out this report and submit it to the court having jurisdiction at the earliest opportunity.

NACC-Cr 1

COURT _____
COUNTY _____
DOCKET NO. _____

STATEMENT OF POSSIBLE NARCOTIC ADDICTION (MHL 207)

NAME OF DEFENDANT _____ DATE OF ARREST _____ CHARGE _____

STATEMENT OF DEFENDANT _____ TIME AND PLACE OF STATEMENT _____

USES NARCOTICS _____ WHICH _____ HOW LONG _____
FREQUENCY & COST _____ DATE OF LAST USE _____

PRIOR ARREST OR CONVICTION FOR NARCOTIC VIOLATION _____

PRIOR TREATMENT OR HOSPITALIZATION FOR NARCOTIC ADDICTION _____

OBSERVATIONS: _____ TIME AND PLACE OF OBSERVATIONS _____

CHECK IF OBSERVED:

NEEDLE MARKS _____	EYES RUNNING _____
SKIN SCARRED _____	NOSE RUNNING _____
VEINS VERY BLUE, DARK, HARD _____	REPEATED YAWNING _____
EYES GLASSY _____	NAUSEA, VOMITING OR RETCHING _____
EYELIDS DROOPED _____	SWEATING _____
PUPILS VERY SMALL OR WIDELY _____	HOT & COLD FLASHES _____
DILATED _____	MUSCLES TWITCHING _____
DIFFICULTY STAYING AWAKE _____	SKIN SHOWED COOSEPIMPLES _____
NOSE INFLAMED _____	OTHER _____
OTHER _____	

INFORMATION FROM OTHER SOURCES
(Indicate nature and reliability of information)

NAME OF PERSON MAKING REPORT: _____
POSITION: _____
ADDRESS: _____

DATED: _____ (OVER)

Instructions: Prepare in triplicate: Send one copy to Court; another to Narcotic
Addiction Control Commission, Stuyvesant Plaza, Albany, N.Y. 12203;
and retain a copy.

OFFICE OF PROBATION
REPORT TO COURT

RATING: (ROR) EXCLUSIVE OF PRESENT CHARGE
INFORMATION RATED FAVORABLY FOR ROR: YES ___ NO ___ VERIFIED: YES ___ NO ___ (IF "NO" EXPLAIN BELOW)
DATE _____
COUNTY _____

COMMENTS _____

NAME _____ AGE _____ DOCKET NO. _____
CHARGE: _____ CENTRAL BOOKING OR ARREST NO. _____
BACKGROUND INFORMATION

RESIDENCE IN N.Y.C. AREA FOR _____ PHONE _____ WITH WHOM _____
ADDRESS WHEN ARRESTED _____ FOR _____

PRIOR ADDRESS _____ FOR _____
FAMILY TIES: WHOM _____ (RELATIONSHIP) ADDRESS _____

EMPLOYMENT (WHEN ARRESTED) _____ FOR _____ MO. UNEMPLOYED _____
ADDRESS _____ LAST DATE _____

PREVIOUS EMPLOYER _____ LAST DATE _____
SCHOOL _____ CURRENTLY: YES ___ NO ___ DATE LEFT _____

HOSPITAL / HEALTH _____

PRIOR CONVICTIONS: FELONIES _____ MISDEMEANORS _____ IDENTIFICATION _____
ON PROBATION _____ PAROLE _____ WHERE _____ P.O. _____

IF RELEASED: WILL LIVE AT _____ WITH _____
REFERENCES _____

NAME _____
ADDRESS _____ PHONE _____
NAME _____
ADDRESS _____ PHONE _____

INVESTIGATOR _____
I HAVE CONSENTED TO THIS INVESTIGATION AND CERTIFY THAT THIS INFORMATION IS CORRECT
X _____ DEFENDANT'S SIGNATURE

CRIMINAL COURT ACTION

CRIMINAL COURT OF THE CITY OF NEW YORK

UPON REVIEW OF THIS REPORT AND OTHER INFORMATION CONCERNING PRE-TRIAL RELEASE OF THE ABOVE NAMED DEFENDANT IT IS HEREBY ORDERED THAT THE DEFENDANT BE:

COUNTY _____ PART _____
 PAROLED BAIL NOT SET
 RELEASED UPON DEPOSITING
\$ _____ SURETY BOND; OR
\$ _____ CASH IN LIEU OF BOND
X _____ JUDGE OR JUSTICE

DATED: NEW YORK CITY _____

BAIL REEVALUATION PROCEEDINGS

INVESTIGATION

ADDITIONAL INFORMATION FOR BAIL REEVALUATION
 VERIFICATION
 NEW INFORMATION OBTAINED AS FOLLOWS

ORDER

_____ COURT, STATE OF NEW YORK
AFTER REVIEW OF BAIL CONDITIONS PREVIOUSLY SET, IT IS HEREBY ORDERED THAT THE DEFENDANT BE:
 PAROLED BAIL NOT SET
 RELEASED UPON DEPOSITING
\$ _____ SURETY BOND; OR
\$ _____ CASH IN LIEU OF BOND
DATED: NEW YORK CITY _____
X _____ JUDGE OR JUSTICE

CRIMINAL COURT COPY • RETAIN WITH CASE PAPERS

EMERGENCY INFORMATION CENTER MANUAL

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I. Introduction

In April 1968, Mayor John V. Lindsay appointed an Ad Hoc Committee on the Administration of Justice Under Emergency Conditions to undertake the "difficult but essential task of reform and emergency planning necessary to give the judicial system the strength to meet emergency needs" and thereby protect the legal rights of all citizens. One of the questions the Committee considered was how, in the event of a civil disturbance, the public could be provided with information concerning the whereabouts of missing persons. The Committee concluded that a central information center should be established to collect, coordinate, and disseminate information about arrested, relocated, and hospitalized persons.

To understand how this information center will operate, you should be familiar with the plans that have been made for persons who are arrested, relocated, or hospitalized as the result of a disorder.

A. Persons Who are Arrested During A Civil Disorder

1. Adults

Any adult who is arrested will be taken either to the Criminal Court in Manhattan (100 Centre Street) or to the Criminal Court in Brooklyn (120 Schermerhorn Street). At the courthouse, the arrested person may be issued a summons by the police and allowed to return home.

Most arrested persons, however, will be brought before a Criminal Court judge and "arraigned" (i.e., the judge will be told why the person was arrested). If the evidence is not sufficient, the charges will be dismissed by the judge and the case will be closed. If the charges are not dismissed, the judge will decide whether to "parole" the accused (i.e., release him without requiring bail until his next court appearance) or "set bail" (i.e., tell the accused how much cash or how large a bail bond he must deposit with the court in order to be released until his next court appearance). Any person unable to post bail will be sent to a detention facility run by the Department of Correction, where he will remain until his next court appearance or such time as he, or a relative or friend, is able to post bail. Within 48 hours of arraignment, a judge of the Supreme Court will conduct a "bail re-evaluation" hearing for all persons who have not been either paroled or released on bail. At that hearing, the judge will decide whether to order parole or reduce the amount of bail that was set at arraignment.

2. Juveniles

All juveniles taken into custody during a civil disorder will be turned over to the Office of Probation and taken either to the Family Court if it is in session, or to a Juvenile Center. In either case, Probation officials

will attempt to contact the family of the juvenile so that he can be released in their custody.

B. Persons Who Must be Relocated
During a Civil Disorder

During a civil disorder, some families may be forced to leave their homes. Representatives of the Police Department and Department of Social Services will direct such families to emergency shelters where they will be housed and fed until such time as they can return to their homes or other accommodations are found for them.

C. Persons Who Are Injured
During a Civil Disorder

Persons who receive minor injuries will be treated at the scene of the disorder by the Red Cross. Anyone with a serious injury will be taken to a public or private hospital for treatment.

D. The Emergency Information Center

The Emergency Information Center will be located in Room 219 of the Manhattan Criminal Court Building. It is this Center that you will be helping to operate. The courthouse can be reached in the following ways:

<u>Stop</u>	<u>Subway Rt.</u>	<u>Local or Express</u>	<u>Times</u>
Brooklyn Bridge	4 - Lex. Ave. Woodlawn	Express	24 Hours
Brooklyn Bridge	5 - Lex.Ave. Dyre Ave.	Express	So.bound 5:53AM-9:36PM No.bound 6:08AM-9:52PM
Brooklyn Bridge	6 - Lex.Ave. Pelham	Local	24 hours

Chambers Street	BMT "M"	Local	AM & PM rush hours Monday to Friday
Chambers Street	BMT "GJ"	Local	24 hours
Chambers Street	BMT "RR"	Local	AM & PM rush hours Monday to Friday

BUS

<u>Bus #</u>	<u>Route</u>	<u>Stops</u>	<u>Times</u>
M/1	Madison Ave.	So. bound Broadway and Worth No. bound Lafayette and Worth	24 hours
M/6	Broadway	So. bound Broadway and Worth No. bound Church and Worth	5 AM - 12:36AM 5:40AM - 1:00AM
M/15	1st & 2nd Ave.	So. bound Worth and Centre No. bound Worth and Centre	24 hours
M/101	3rd & Lex. Ave.	So. bound Park Row and Worth No. bound Park Row and Worth	24 hours

In Room 219, which is reached through Room 300 at the south end of the third floor, the Center will maintain its records, and the operators will answer telephone calls concerning missing persons. Other volunteers will be stationed in the Criminal Court Information Booth located in the lobby. They will answer questions from persons who have come to the courthouse in order to locate or assist friends or relatives who have been arrested.

If arrested persons are taken to the Brooklyn Criminal Court Building, 120 Schermerhorn Street, information about them will first be collected in Room 500A of

that building, and then will be sent by messenger to Room 219 in the Manhattan Criminal Court Building where it will be made available to the public through our operators. In addition, an information booth will be established in the lobby of the Brooklyn Criminal Court Building. The Brooklyn courthouse can be reached in the following ways:

SUBWAY

<u>Stop</u>	<u>Train Route</u>	<u>Local or Express</u>	<u>Times</u>
Borough Hall	2 7th Ave. White Plains Rd.	Express	24 hours
Borough Hall	3 7th Ave. Lenox	Express	So. bound 6:01AM 8:58 PM No. bound 5:57 AM 9:19 PM
Borough Hall	4 Lex. Ave. Woodlawn	Express	24 hours
Borough Hall	5 Lex. Ave. Dyre Ave.	Express	So. bound 6 AM 7:01 PM No. bound 6:01AM 7:06PM
Borough Hall	BMT "QJ"	Local	24 hours
Borough Hall	BMT "RR"	Local	Morning & Evening rush hours Fri-Mon.

BUS

<u>Bus #</u>	<u>Route</u>	<u>Bus Stops</u>	<u>Times</u>
B/41	Flatbush Ave.	Livingston St. & Court St.	24 hours
B/61	Crosstown	Livingston St. & Boerum Pl.	24 hours
B/67	7th Ave.	Livingston St. & Smith Streets	24 hours.

II. How Will the Emergency Information Center Operate?

A. Arrested Individuals

1. General Information

At the courthouse, the police will fill out a special form (Emergency Arraignment/Disposition Form, 301.1A) for each arrested person. The form consists of three parts. The middle part--a light yellow slip of paper--will be our first source of information about arrested persons. It will contain the individual's name, address, age, sex, and central booking number (see Exhibit #1). If the person has been brought to Brooklyn for arraignment, the central booking number will be preceded by a red "B". The yellow slip will be sent to Room 219 and filed alphabetically.

EXHIBIT #1

DEFENDANT'S SURNAME		first and initial		CENTRAL BK. NO.	DOCKET NO.
ADDRESS		(number and street) (apt./flr.)		PREC. ARREST NO.	
CITY		STATE	AGE	SEX	DATE & TIME OF OFFENSE
				Date Arraigned	PART

DEPOSIT THIS COPY AT CENTRAL BOOKING AFTER ENTERING
CENTRAL BOOKING NUMBER

2. Docket Number and Arraignment Part

As soon as a court official assigns a "docket number" and "arraignment part" to an arrested person, that information will be recorded on the white copy of the Arraignment/Disposition card (see Exhibit #2).

EXHIBIT #2

DEFENDANT'S SURNAME		first and initial		Central Booking No.	Docket No.
				Precinct Arrest No.	
ADDRESS		(number and street)	(apt./flr.)	Date Arraigned	Part
CITY	STATE	AGE	SEX	DATE AND TIME OF OFFENSE	
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE	ADJOURN DATE	PART	
1.		F M V	<input type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET	
2.		F M V		\$ Bond/Cash Alt.	
3.		F M V	<input type="checkbox"/> PAROLED	<input type="checkbox"/> BAILED IN COURT	
			<input type="checkbox"/> OTHER (Specify)		
DEPARTMENT OF CORRECTION			BAIL RE-EVALUATION		
<input type="checkbox"/> TO DETENTION FAC. _____			DATE		
Name			<input type="checkbox"/> PAROLED		
<input type="checkbox"/> TO HOSPITAL _____			<input type="checkbox"/> BAIL SET \$ _____		
Name			Bond/Cash Alt.		
<input type="checkbox"/> BAILED FROM PENS _____					
Date					
<input type="checkbox"/> OTHER (Specify) _____					
<input type="checkbox"/> DISCHARGED _____					
Date			Reason		
THIS COPY TO EMERGENCY INFORMATION CENTER Room 219 Man. Crim. Ct. Bldg.					

The docket number is merely a means of identifying the case, while the arraignment part indicates the particular courtroom in which the arrested person will be arraigned. When this information is recorded, the white card will be sent to Room 219 to replace the individual's yellow slip in our files. (When a yellow slip is

removed from the files, it will be placed in a special box marked "Used Forms".) The white card is the permanent information card for each arrested person, and all subsequent information about his status will be recorded on it.

3. Police Summons

If an arrested person is issued a summons a copy of the summons will be sent to the Information Center. One of the clerks will remove that person's card from the file, write the word "summonsed" across the card in red, and then refile it (see Exhibit #3).

EXHIBIT #3

DEFENDANT'S SURNAME		First and Initial	Central Booking No.	Docket No.
			Precinct Arrest No.	
ADDRESS (number and street)		(apt./flr.)	Date Arraigned	Part
CITY	STATE	AGE	SEX	DATE AND TIME OF OFFENSE
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT	
CHARGES (Original)	SEC. OF LAW	TYPE	ADJOURN DATE	PART
1.		F M V	<input type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET
2.		F M V		\$ Bond/Cash Alt.
3.		F M V	<input type="checkbox"/> PAROLED	<input type="checkbox"/> BAILED IN COURT
			<input type="checkbox"/> OTHER (Specify)	
DEPARTMENT OF CORRECTION			BAIL RE-EVALUATION	
<input type="checkbox"/> TO DETENTION FAC. _____ Name			DATE	
<input type="checkbox"/> TO HOSPITAL _____ Name			<input type="checkbox"/> PAROLED	
<input type="checkbox"/> BAILED FROM PENS _____ Date			<input type="checkbox"/> BAIL SET \$ Bond/Cash Alt.	
<input type="checkbox"/> OTHER (Specify) _____			THIS COPY TO EMERGENCY INFORMATION CENTER Room 210 Man. Crim. Cl. Bldg.	
<input type="checkbox"/> DISCHARGED _____ Date Reason				

4. Arraignment

Arrested persons who do not receive a summons will be brought before a judge to be arraigned. At arraignment, any

of the following things may occur:

1. the charges may be dismissed and the accused released;
2. the accused may plead guilty;
3. the judge may set bail for the accused;
4. the judge may parole the accused;
5. the accused may post bail in the courtroom.

Information about arraignment will be recorded on arraignment calendars (see Exhibit #4) by a court clerk, and a copy of these calendars will be forwarded to the Center where

EXHIBIT #4

CRIMINAL COURT OF THE CITY OF NEW YORK

PART 1A, COUNTY OF New York DATE May 15, 1969

JUDGE Daniel Weiss DIST. ATTY. Tallakson REPORTER Hope

Cal No.	Docket Number	Name of Defendant	Charge	Officer & Assign	Prev. Adjs.	Disposition
1	C-13961	Able, Alan	240.20			No Compl. Dism.
2	C-13962	Barnes, Brooke	"			Dism. Motion AD
3	C-13963	Friburg, Carl	"			Compl. Withdraw
4	C-13964	Dill, Barbara	"			Dismissed
5	C-13965	Conroy, Paul	"		PG	Uncon. Disch.
6	C-13966	Ennis, James	"		PG	Cond. Disch.

the following information will be entered in the portion of each arrested person's file card marked "Disposition at Arraignment."

a. Whether the charges against the accused have been dismissed and the accused released from custody: This is indicated on the arraignment calendar in the column marked "Disposition" by any of the following notations (see Exhibit #4, Lines 1-4). If any of these notations appear next to a person's name on the arraignment calendar, the box marked "Dismissed" will be checked on his 301.1A card. (see Exhibit #5).

EXHIBIT #5

DEFENDANT'S SURNAME		first and initial		Central Booking No.	Docket No.
				Precinct Arrest No.	
ADDRESS (number and street)			(apt./flr.)		Date Arraigned
					Part
CITY	STATE	AGE	SEX	DATE AND TIME OF OFFENSE	
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE		ADJOURN DATE	PART
1.		F M V		<input checked="" type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET
2.		F M V			\$ Bond/Cash Alt.
3.		F M V		<input type="checkbox"/> PAROLED	<input type="checkbox"/> BAILED IN COURT
				<input type="checkbox"/> OTHER (Specify)	
DEPARTMENT OF CORRECTION				BAIL RE-EVALUATION	
<input type="checkbox"/> TO DETENTION FAC. _____				DATE	
Name				<input type="checkbox"/> PAROLED	
<input type="checkbox"/> TO HOSPITAL _____				<input type="checkbox"/> BAIL SET \$	
Name				Bond/Cash Alt.	
<input type="checkbox"/> BAILED FROM PENS _____					
Date					
<input type="checkbox"/> OTHER (Specify) _____				THIS COPY TO EMERGENCY INFORMATION CENTER Room 219 Man. Crim. Ct. Bldg.	
<input type="checkbox"/> DISCHARGED _____					
Date					
Reason					

b. If the accused pleaded guilty at arraignment, the notation "PG" will appear in the column marked "Prev. Adjs", and will be followed by one of the following notations in the "Disposition" column (see Exhibit #4, Lines 5-8).

"Uncond. Disch." (Unconditional discharge person released)

"Cond. Disch." (Conditional discharge person released.)

"\$5/1 day F.P." (The accused was ordered to pay a fine of \$5 or to spend 1 day in jail. F.P. indicates that the fine was paid and the person has therefore been released)

"15 day com." (Fifteen day commitment. The accused has been sentenced to 15 days in jail.)

When any of these notations appear, the box marked "Other" will be checked on the 301.1A card, and the notation (e.g., "Uncond. Disch." will be recorded after the word "Specify" (see Exhibit #6).

EXHIBIT #6

DEFENDANT'S SURNAME		first and initial		Central Booking No.	Docket No.
				Precinct Arrest No.	
ADDRESS		(number and street)	(apt./flr.)	Date Arraigned	Part
CITY	STATE	AGE	SEX	DATE AND TIME OF OFFENSE	
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE	ADJOURN DATE	PART	
1.		F M V	<input type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET	
2.		F M V		\$ Bond/Cash Alt.	
3.		F M V	<input type="checkbox"/> PAROLED	<input type="checkbox"/> BAILED IN COURT	
			<input checked="" type="checkbox"/> OTHER (Specify)	Uncon. Disch.	
DEPARTMENT OF CORRECTION				BAIL RE-EVALUATION	
<input type="checkbox"/> TO DETENTION FAC. _____ Name				DATE	
<input type="checkbox"/> TO HOSPITAL _____ Name				<input type="checkbox"/> PAROLED	
<input type="checkbox"/> BAILED FROM PENS _____ Date				<input type="checkbox"/> BAIL SET \$ Bond/Cash Alt.	
<input type="checkbox"/> OTHER (Specify) _____				THIS COPY TO EMERGENCY INFORMATION CENTER	
<input type="checkbox"/> DISCHARGED _____ Date Reason				Room 219 Man. Crim. Ct. Bldg.	

c. The amount of bail and cash alternative set by the judge, the date of the accused's next court appearance, and the court part assigned. This is indicated in the column marked "Officer and Assign." by the following type of notation (see Exhibit #4, Line 9); 6/19 - 1B - \$500/50 This notation indicates:

6/19	1B	\$500	\$50
the date when the accused must next report to court	the courtroom to which he must report	the amount of bail bond the accused must put forth	the amount of cash the accused can put forth instead of posting a bail bond. (A cash alternative is not always set by the judge, so that sometimes only one figure, the amount of bail bond will appear.)

If this type of notation appears, the box marked "Bail Set" will be checked on the 301.1A card, and the "Adjourn Date," "Part," and the amount of "Bail/Cash Alt." will be filled in (see Exhibit #7)

EXHIBIT #7

DEFENDANT'S SURNAME		first and initial		Central Booking No.	Docket No.
ADDRESS (number and street)		(apt./flr.)		Precinct Arrest No.	
CITY		STATE	AGE	SEX	DATE AND TIME OF OFFENSE
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE	ADJOURN DATE	PART	
1.		F M V	6-19	1B	
2.		F M V		<input checked="" type="checkbox"/> BAIL SET	
3.		F M V		\$ 500/50	
			<input type="checkbox"/> DISMISSED	Bond/Cash Alt.	
			<input type="checkbox"/> PAROLED	<input type="checkbox"/> BAILED IN COURT	
			<input type="checkbox"/> OTHER (Specify)		
DEPARTMENT OF CORRECTION				BAIL RE-EVALUATION	
<input type="checkbox"/> TO DETENTION FAC. _____ Name				DATE	
<input type="checkbox"/> TO HOSPITAL _____ Name				<input type="checkbox"/> PAROLED	
<input type="checkbox"/> BAILED FROM PENS _____ Date				<input type="checkbox"/> BAIL SET \$ _____	
<input type="checkbox"/> OTHER (Specify) _____				Bond/Cash Alt.	
<input type="checkbox"/> DISCHARGED _____ Date				THIS COPY TO EMERGENCY INFORMATION CENTER	
				Room 219 Man. Crim. Ct. Bldg.	

d. If the accused is paroled; this will be indicated by the following type of notation (see Exhibit #4 Line 10); 6/23 - Pt.3 - Par. This notation indicates;

6/23

Pt. 3

Par.

the date when the accused must next return to court

the courtroom to which he must report

that he was paroled and subsequently released

When this type of notation appears, the box marked "Paroled" will be checked on the 301.1A card, and the "Adjourn Date" and "Part" will be filled in (see Exhibit #8).

EXHIBIT #8

DEFENDANT'S SURNAME		First and Initial		Central Booking No.	Docket No.
				Precinct Arrest No.	
ADDRESS (number and street) (apt./flr.)				Date Arraigned	Part
CITY	STATE	AGE	SEX	DATE AND TIME OF OFFENSE	
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE	ADJOURN DATE	PART	
1.		F M V	6-23	3	
2.		F M V	<input type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET	
3.		F M V	<input checked="" type="checkbox"/> PAROLED	\$ Bond/Cash Alt.	
			<input type="checkbox"/> OTHER (Specify)	<input type="checkbox"/> BAILED IN COURT	
DEPARTMENT OF CORRECTION				BAIL RE-EVALUATION	
<input type="checkbox"/> TO DETENTION FAC. _____ Name				DATE	
<input type="checkbox"/> TO HOSPITAL _____ Name				<input type="checkbox"/> PAROLED	
<input type="checkbox"/> BAILED FROM PENS _____ Date				<input type="checkbox"/> BAIL SET \$ Bond/Cash Alt.	
<input type="checkbox"/> OTHER (Specify) _____				THIS COPY TO EMERGENCY INFORMATION CENTER	
<input type="checkbox"/> DISCHARGED _____ Date Reason				Room 218 Man. Crim. Ct. Bldg.	

e. If the accused posts bail at arraignment, there will be a notation in the column marked "Officer and Assign", similar to the one described in Number "c" above. In addition, in the "Disposition" column it will be noted "ROB" (released on bail). (see Exhibit #4, Line 11). When such a notation appears, the box on the 301.1A card marked "Bailed in Court" should be checked, and the information in the "Officer and Assign" column should be entered on the card as described in Number "c" above. (see Exhibit #9)

EXHIBIT #9

DEFENDANT'S SURNAME		first and initial		Central Booking No.	Docket No.
ADDRESS		(number and street) (apt./flr.)		Precinct Arrest No.	
CITY		STATE	AGE	SEX	DATE AND TIME OF OFFENSE
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE	ADJOURN DATE	PART	
1.		F M V	6-19	1B	
2.		F M V			<input checked="" type="checkbox"/> BAIL SET
3.		F M V			\$ 500/50 Bond/Cash Alt.
			<input type="checkbox"/> DISMISSED		<input checked="" type="checkbox"/> BAILED IN COURT
			<input type="checkbox"/> PAROLED		
			<input type="checkbox"/> OTHER (Specify)		
DEPARTMENT OF CORRECTION				BAIL RE-EVALUATION	
<input type="checkbox"/> TO DETENTION FAC. _____ Name _____				DATE	
<input type="checkbox"/> TO HOSPITAL _____ Name _____				<input type="checkbox"/> PAROLED	
<input type="checkbox"/> BAILED FROM PENS _____ Date _____				<input type="checkbox"/> BAIL SET \$ _____ Bond/Cash Alt.	
<input type="checkbox"/> OTHER (Specify) _____				THIS COPY TO EMERGENCY INFORMATION CENTER Room 219 Man. Crim. Ct. Bldg.	
<input type="checkbox"/> DISCHARGED _____ Date _____ Reason _____					

EXHIBIT #11

DEFENDANT'S SURNAME		first and initial		Central Booking No.	Docket No.
ADDRESS		(number and street) (apt./flr.)		Precinct Arrest No.	
CITY		STATE	AGE	SEX	DATE AND TIME OF OFFENSE
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE		ADJOURN DATE <u>6-19</u>	PART <u>1B</u>
1.		F M V		<input type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET
2.		F M V		<input type="checkbox"/> PAROLED	<input checked="" type="checkbox"/> BAILED IN COURT
3.		F M V		<input type="checkbox"/> OTHER (Specify)	\$ <u>500/50</u> Bond/Cash Alt.
DEPARTMENT OF CORRECTION				BAIL RE-EVALUATION	
<input type="checkbox"/> TO DETENTION FAC. _____ Name				DATE	
<input type="checkbox"/> TO HOSPITAL _____ Name				<input type="checkbox"/> PAROLED	
<input type="checkbox"/> BAILED FROM PENS _____ Date				<input type="checkbox"/> BAIL SET \$ _____ Bond/Cash Alt.	
<input type="checkbox"/> OTHER (Specify) _____				THIS COPY TO EMERGENCY INFORMATION CENTER	
<input type="checkbox"/> DISCHARGED _____ Date Reason				Room 210 Man. Crim. Ct. Bldg.	

6. Remand

Any arrested person who has not been able to post bail immediately after arraignment will be remanded (i.e., sent to a detention facility where he will remain either until his next court appearance or such time as he can post bail). For each remanded person, the Department of Correction will forward a Prisoner Location Information Form to the Information Center. (see Exhibit #12)

EXHIBIT #12

PRISONER'S SURNAME	FIRST	INITIAL	CENTRAL BOOKING No.
DATE	CHARGE		DOCKET NUMBER

INDICATE BELOW DISPOSITION FROM COURT PENS

- To Dept. of Correction Institution _____
Name of Institution
- To Hospital _____
Name of Hospital
- Bailed
- Other _____
Specify Conditions

DEPARTMENT OF CORRECTION
PRISONER LOCATION INFORMATION

236B

If a Prisoner Location Information Form is received for an arrested person, the following information will be transferred from it to the individual's 301.1A form. (see Exhibit #13).

a. If the person was sent to a detention facility, that box will be checked and the name of the facility will be recorded.

b. If he was sent to a hospital, that box will be checked and the name of the hospital will be recorded.

c. If bail was posted for him while he was awaiting transfer from the courthouse to a detention facility, the box marked "Bailed from Pens" will be checked.

e. If something else occurred, the box marked "Other" will be checked, and an explanation given after the word "Specify."

EXHIBIT #13

DEFENDANT'S SURNAME		first and initial		Central Booking No.	Docket No.
ADDRESS		(number and street) (apt./flr.)		Precinct Arrest No.	
CITY		STATE	AGE	SEX	DATE AND TIME OF OFFENSE
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE		ADJOURN DATE	PART
1.		F M V		<input type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET
2.		F M V			\$ _____
3.		F M V		<input type="checkbox"/> PAROLED	<input type="checkbox"/> BAILED IN COURT
				<input type="checkbox"/> OTHER (Specify)	
DEPARTMENT OF CORRECTION			BAIL RE-EVALUATION		
<input type="checkbox"/> TO DETENTION FAC. _____			DATE		
<input type="checkbox"/> TO HOSPITAL _____			<input type="checkbox"/> PAROLED		
<input type="checkbox"/> BAILED FROM PENS _____			<input type="checkbox"/> BAIL SET \$ _____		
<input type="checkbox"/> OTHER (Specify) _____			Bond/Cash Alt.		
<input type="checkbox"/> DISCHARGED _____			Date _____ Reason _____		
THIS COPY TO EMERGENCY INFORMATION CENTER Room 218 Man. Crim. CL Bldg.					

EXHIBIT #13A

OFFICE OF PROBATION
REPORT TO COURT

DATE _____

RATING: (ROR) EXCLUSIVE OF PRESENT CHARGE

INFORMATION RATED FAVORABLY FOR ROR: YES _____ NO _____ VERIFIED: YES _____ NO _____ (IF "NO" EXPLAIN BELOW)

COUNTY _____

COMMENTS _____

NAME _____ AGE _____ DOCKET NO. _____

CHARGE: _____ CENTRAL BOOKING OR ARREST NO. _____

BACKGROUND INFORMATION

RESIDENCE IN N.Y.C. AREA FOR _____ PHONE _____ WITH WHOM _____

ADDRESS WHEN ARRESTED _____ FOR _____

PRIOR ADDRESS _____ FOR _____

FAMILY TIES: WHOM _____ (RELATIONSHIP) ADDRESS _____

EMPLOYMENT (WHEN ARRESTED) _____ FOR _____ MO. UNEMPLOYED _____

ADDRESS _____ LAST DATE _____

PREVIOUS EMPLOYER _____ LAST DATE _____

SCHOOL _____ CURRENTLY: YES _____ NO _____ DATE LEFT _____

HOSPITAL / HEALTH _____

PRIOR CONVICTIONS: _____ FELONIES _____ MISDEMEANORS _____ IDENTIFICATION _____

ON PROBATION _____ PAROLE _____ WHERE _____ P.O. _____

IF RELEASED: WILL LIVE AT _____ WITH _____

REFERENCES _____

NAME _____

ADDRESS _____ PHONE _____

NAME _____

ADDRESS _____ PHONE _____

INVESTIGATOR _____

I HAVE CONSENTED TO THIS INVESTIGATION AND CERTIFY THAT THIS INFORMATION IS CORRECT

X _____ DEFENDANT'S SIGNATURE

CRIMINAL COURT ACTION

COUNTY _____

CRIMINAL COURT OF THE CITY OF NEW YORK

UPON REVIEW OF THIS REPORT AND OTHER INFORMATION CONCERNING PRE-TRIAL RELEASE OF THE ABOVE NAMED DEFENDANT IT IS HEREBY ORDERED THAT THE DEFENDANT BE:

- PAROLED BAIL NOT SET
- RELEASED UPON DEPOSITING

\$ _____ SURETY BOND; OR
\$ _____ CASH IN LIEU OF BOND

DATED: NEW YORK CITY: _____

X _____ JUDGE OR JUSTICE

BAIL REEVALUATION PROCEEDINGS

INVESTIGATION

ADDITIONAL INFORMATION FOR BAIL REEVALUATION

- VERIFICATION
- NEW INFORMATION OBTAINED AS FOLLOWS

ORDER

_____ COURT, STATE OF NEW YORK
AFTER REVIEW OF BAIL CONDITIONS PREVIOUSLY SET, IT IS HEREBY ORDERED THAT THE DEFENDANT BE:

- PAROLED BAIL NOT SET
- RELEASED UPON DEPOSITING

\$ _____ SURETY BOND; OR
\$ _____ CASH IN LIEU OF BOND

DATED: NEW YORK CITY: _____

X _____ JUDGE OR JUSTICE

7. Bail Re-evaluation

All persons who are remanded to a detention facility will have their bail re-evaluated by a judge within 24-48 hours after their arrest. If bail is lowered or the individual is paroled at that time, this information will be recorded on a Bail Re-evaluation Form, a copy of which will be sent to the Information Center (see Exhibit #13A outlined section).

If the box marked "Paroled" has been checked on the Bail Re-Evaluation Form, then the corresponding box in the "Bail Re-evaluation" section of the 301.1A form will be checked and the date indicated (see Exhibit #14).

EXHIBIT #14

DEFENDANT'S SURNAME		first and initial		Central Booking No.	Docket No.
ADDRESS		(number and street) (apt./flr.)		Precinct Arrest No.	
CITY	STATE	AGE	SEX	Date Arraigned	Part
ARRESTING OFFICER TO FILL IN				DATE AND TIME OF OFFENSE	
CHARGES (Original)			SEC. OF LAW	DISPOSITION AT ARRAIGNMENT	
TYPE				ADJOURN DATE _____ PART _____	
1.		F M V		<input type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET
2.		F M V			\$ _____ Bond/Cash Alt.
3.		F M V		<input type="checkbox"/> PAROLED	<input type="checkbox"/> BAILED IN COURT
				<input type="checkbox"/> OTHER (Specify)	
DEPARTMENT OF CORRECTION				BAIL RE-EVALUATION	
<input type="checkbox"/> TO DETENTION FAC. _____ Name _____				DATE 6-6	
<input type="checkbox"/> TO HOSPITAL _____ Name _____				<input checked="" type="checkbox"/> PAROLED	
<input type="checkbox"/> BAILED FROM PENS _____ Date _____				<input type="checkbox"/> BAIL SET \$ _____ Bond/Cash Alt.	
<input type="checkbox"/> OTHER (Specify) _____				THIS COPY TO EMERGENCY INFORMATION CENTER	
<input type="checkbox"/> DISCHARGED _____ Date _____ Reason _____				Room 218 Man. Crim. Ct. Bldg.	

If the box marked "Released Upon Depositing" has been checked on the Bail Re-Evaluation Form, this indicates that the accused will be released if he deposits a bail bond or the amount of cash specified directly below. In such cases, the "Bail Set" box which appears in the "Bail Re-evaluation" section of the 301.1A form will be checked, and the new amount of the bond and cash alternative will be written in along with the date (see Exhibit #15).

EXHIBIT #15

DEFENDANT'S SURNAME		first and initial		Central Booking No.	Docket No.
				Precinct Arrest No.	
ADDRESS (number and street) (apt./flr.)				Date Arraigned	Part
CITY	STATE	AGE	SEX	DATE AND TIME OF OFFENSE	
ARRESTING OFFICER TO FILL IN			DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE	ADJOURN DATE	PART	
1.		F M V	<input type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET	
2.		F M V	<input type="checkbox"/> PAROLED	\$ Bond Cash Alt.	
3.		F M V	<input type="checkbox"/> OTHER (Specify)	<input type="checkbox"/> BAILED IN COURT	
DEPARTMENT OF CORRECTION			BAIL RE-EVALUATION		
<input type="checkbox"/> TO DETENTION FAC. _____ Name			DATE 6-6		
<input type="checkbox"/> TO HOSPITAL _____ Name			<input type="checkbox"/> PAROLED		
<input type="checkbox"/> BAILED FROM PENS _____ Date			<input checked="" type="checkbox"/> BAIL SET \$ 300/25 Bond/Cash Alt.		
<input type="checkbox"/> OTHER (Specify) _____			THIS COPY TO EMERGENCY INFORMATION CENTER		
<input type="checkbox"/> DISCHARGED _____ Date Reason			Room 219 Man. Crim. Ct. Bldg.		

8. Release

When an individual is released from a detention facility, the Department of Correction will advise the Information Center

by telephone of this fact and will indicate the reason for his release (e.g., bail posted). This information will first be recorded on the Department of Correction Supplementary Information Sheet (see Exhibit #16), and then transcribed by a clerk onto the 301/1A form by checking the box marked "Discharged," and indicating the

EXHIBIT #16

EMERGENCY INFORMATION CENTER

DATE b-11

Supplementary Information Sheet---Dept. of Correction

Name (last,first,initial)	Central Booking No.	Docket No.	Add. Info.	Time Rec'd	Put on Card
(1) Tripp, James	42986	B-4877	Released- Bail Posted	2.00 P.M.	✓
(2)					
(3)					
(4)					
(5)					
(6)					
(7)					
(8)					
(9)					
(10)					

date of, and reason for, the release (see Exhibit #17).

EXHIBIT #17

DEFENDANT'S SURNAME				first and initial	Central Booking No.	Docket No.
ADDRESS				(number and street)	(apt./flr.)	Precinct Arrest No.
CITY				STATE	AGE	SEX
DATE AND TIME OF OFFENSE				Date Arraigned		
ARRESTING OFFICER TO FILL IN				DISPOSITION AT ARRAIGNMENT		
CHARGES (Original)	SEC. OF LAW	TYPE	ADJOURN DATE	PART		
1.		F M V	<input type="checkbox"/> DISMISSED	<input type="checkbox"/> BAIL SET		
2.		F M V	<input type="checkbox"/> PAROLED	\$ Bond/Cash Alt.		
3.		F M V	<input type="checkbox"/> OTHER (Specify)	<input type="checkbox"/> BAILED IN COURT		
DEPARTMENT OF CORRECTION				BAIL RE-EVALUATION		
<input type="checkbox"/> TO DETENTION FAC. _____ Name				DATE		
<input type="checkbox"/> TO HOSPITAL _____ Name				<input type="checkbox"/> PAROLED		
<input type="checkbox"/> BAILED FROM PENS _____ Date				<input type="checkbox"/> BAIL SET \$ _____ Bond/Cash Alt.		
<input type="checkbox"/> OTHER (Specify)				THIS COPY TO EMERGENCY INFORMATION CENTER		
<input checked="" type="checkbox"/> DISCHARGED <u>6-6</u> <u>Bail Posted</u>				Room 210 Man. Crim. Ct. Bldg.		
Date				Reason		

B. Juveniles Taken Into Custody

The Police Department will fill out a short arrest form (see Exhibit #18) for each juvenile taken into custody during an emergency. A copy of that form will be forwarded either to Room 219 or to Room 500A where the clerks will transfer the relevant information to a green juvenile card (see Exhibit #19) that will be alphabetically filed in Room 219. Once the information has been transcribed, the arrest form will be placed in a box marked "Arrest Forms" and later returned to the Police Department.

ARREST REPORT (BRIEF)						U.F. 412 (5-68)	
PRISONER'S SURNAME		FIRST	INITIAL	SEX	COLOR	ARREST NO.	
ADDRESS (INCLUDE BOUQUET)				APT/FLOOR	AGE	DATE OF BIRTH	COMPLAINT NO.
DATE and TIME OF OFFENSE		PLACE OF OFFENSE				PRECINCT	
PRISONER'S OCCUPATION (If student, include name of school)				PLACE OF EMPLOYMENT (Business name and address)			
COMPLAINANT'S NAME				ADDRESS			TELEPHONE NO.
CHARGE(S)				SPECIFIC OFFENSE(S)			
PRISONER'S ADDRESS VERIFIED (If yes, describe how)						PROPERTY VOUCHER NO.	
<input type="checkbox"/> YES		<input type="checkbox"/> NO					
TELEPHONE CALLS AND NOTIFICATIONS							
NUMBER	NAME OF PERSON CALLED		PURPOSE			TIME	
DETAILS							

NAME/RANK OF ARRESTING OFFICER (PRINT)		SIGNATURE	INITIALS	NAME/RANK OF ENDORSEMENT OFFICER (PRINT)		SIGNATURE	INITIALS
SIGNATURE OF SUPERVISING OFFICER				SIGNATURE	INITIALS	NAME (PRINT)	

EXHIBIT #19

NAME	LAST	FIRST	INITIAL	AGE	SEX
ADDRESS				BOROUGH	
NUMBER & STREET					

IMPORTANT This person is a juvenile. Instruct the caller that all inquiries regarding juveniles should be directed to Spofford Juvenile Center at 328-5000 and urge the caller to phone there at once. Do not indicate that the person whose name appears on this card has been taken into custody.

C. Hospitalized Individuals

The Information Center will also provide information about persons who have been hospitalized as a result of a civil disturbance. Periodically, the Department of Hospitals will forward to the Information Center a pink card containing information about persons who have been admitted to a hospital (see Exhibit #20). This card will then be filed alphabetically.

EXHIBIT #20

NAME		last	first	initial	AGE	SEX
ADDRESS		number & street	borough	city	state	
NAME OF HOSPITAL			ADDRESS OF HOSPITAL			
DISPOSITION						
<input type="checkbox"/>	treated and released	date:				
<input type="checkbox"/>	admitted as patient	date:	condition:			
<input type="checkbox"/>	released subsequently	date:				
<input type="checkbox"/>	other	specify:				

D. Relocated Persons

The Department of Social Services will forward a blue card to the Center containing information about persons who have been taken into one of the Department's emergency shelters (see Exhibit #21). This card will also be filed alphabetically.

One card will be filled out for each family. Only the name of the family head will appear at the top, and the first name, sex, and age of all members of the family (regardless of whether or not they are in the shelter) will be listed.

EXHIBIT #21

Family Head: Last Name		First Name		SHELTER LOCATION		Date Registered
		M. _____				
		W. _____				
Home Address: Number and Street		Borough		State		ZIP Code
MEMBERS OF HOUSEHOLD			PRESENT WHEREABOUTS			Subsequent Whereabouts
First Name	Sex	Age	Shelt. (check)	Unk. (check)	Other (include address)	
Man	M					
Woman	W					
Children						
1.						
2.						
3.						
4.						
5.						
6.						
Case No. (If Applicable)		Medicaid No. (If Applicable)		(Social Service Center)		
Form W 755 Revised 3/1/69		REGISTRATION CONTROL			The City of New York Department of Social Services	

in the section marked "Members of Household." A check will be placed in the column marked "Shelt." for each member of the family who is at the shelter. If a member of the family is somewhere other than the shelter and his whereabouts are known, this information will be placed in the column marked "Other." If the whereabouts of a member of the family are unknown, a check will be placed in the column marked "Unk." Any information about an individual's subsequent whereabouts (e.g., if he's left the shelter to stay with relatives) will be telephoned to the Center where a representative from the Department of Social Services will be stationed. He will

EMERGENCY INFORMATION CENTER DATE 6-4

Supplementary Information Sheet-- Dept. of Social Services

Name (last, first, initial)	Central Booking No.	Docket No.	Add. Info.	Time Rec'd	Put on Card
1) Phillips, Walter	St. Mark's Church	—	Went to live with mother 101 E. 23 St.	11:20 PM	✓
2)					
3)					
4)					
5)					
6)					
7)					
8)					
9)					

record the new information on a special data sheet (see Exhibit 22) and the information will then be transcribed by a clerk onto the relocated person's file card in the column marked "Subsequent Whereabouts."

E. Two other agencies will also be active. relocating persons and providing them with food and other services:

1. Red Cross will forward to the Center a sheet with information about persons it has relocated (see Exhibit #23). This information will then be transcribed by our clerks to blank Department of Social Services cards (see Exhibit #21) which will be filed.

EXHIBIT #23

THE AMERICAN RED CROSS IN GREATER NEW YORK

Disaster Services

Police Dept.
Fire Dept.
Relocation Dept.

150 Amsterdam Avenue
New York, N.Y. 10023

Telephone: (212) 787-1000

DATE:

ADDRESS:

Hotel & Room #	Family Name	Age	Apt. #	Family Plans

2. Interfaith City-Wide Coordinating Committee Against Poverty will contact the Center by telephone and give us information about persons it has relocated. This information will be recorded by the operator on blank Department of Social Services cards (Exhibit #21) which will then be filed.

III. What Will the Operators Do?

A. Telephone operators at the Emergency Information Center will basically have a three-fold responsibility:

1. To provide callers with information about persons who have been arrested, hospitalized, or relocated.
2. To refer callers to other sources of information.
3. To calm those who call; to keep them "cool" amidst the confusion that can be expected.

B. When an operator answers a call, the following procedure should be followed:

1. Say to the caller: "This is the Emergency Information Center. May I help you?"
2. If the caller replies in Spanish, ask "Habla usted ingles." "abla oo-sted ingles?" (Do you speak English?)

If the answer is no, say to the caller "Un momento, por favor. Buscare una persona que hable espanol."

Onn momento, pour fahvor. Hoo-skaray oona pearsohna kay ahbla espanyol. (Wait a minute. I will get a Spanish speaking operator for you.) Then get a Spanish speaking operator.

3. Obtain certain information from the caller. All operators will be supplied with inquiry slips (see Exhibit #24).

EXHIBIT #24

NAME OF MISSING PERSON			AGE	SEX	DATE	TIME
ADDRESS	number & street	borough	city & state		RECEIVED BY	
OTHER QUERY		INFORMATION GIVEN TO CALLER				
MISCELLANEOUS						

A slip will be filled out for each call in the following way:

a. For all Telephone Calls

Enter the date and time of the call in spaces 1 and 2.

Record the operator's location number and initials in space 3. (Each operator's seat will have a location number assigned to it.)

Inquire as to whether the call is being made from a pay phone. If it is, ask the caller for the number, explaining that the Center will call back if his time runs out before the requested information is found. Record the telephone number

in space 10.

b. If the Call is not About a Missing Person (for example, a particular legal problem), indicate the question in space 4, and refer the call, if possible, to someone who can respond (in this case, to the Legal Aid representative who will be either in Room 210 or at the Information Booth in the lobby. Important reference numbers will be listed in a special information booklet that each operator will be given at the Center at the time it is activated.

c. If the Call is About a Missing Person, take the name and other identifying information about the person who is being sought (spaces 5-9). Then hand the inquiry slip to a person whose job it will be to search the files. (The operator should raise his hand as a signal to the searcher to pick up the slip.

4. If there is No Card for the Missing Person in the File the searcher will notify the operator of this. The operator will then advise the caller that there is no information at the present time, and suggest that the Center be called again in an hour if the person is still missing. The operator should write "No Information" in space 11 of the inquiry slip, and place it in a specially designated box.

5. If there is a Card for the Missing Person in the File the searcher will remove the card from the file and bring it back to the operator. The operator will then give the following information:

a. Arrested Persons

1. If a Yellow Temporary 301.1A Slip is Brought Back by the Searcher, tell the caller that the person has been arrested.

If there is a red "B" preceding the Central Booking Number, indicate that the person is at the Brooklyn Courthouse (120 Schermerhorn Street) awaiting arraignment.

If there is no red "B" indicate that the person is at the Manhattan Courthouse (100 Centre Street) awaiting arraignment.

2. If a Yellow Temporary Slip or a White Permanent 301.1A Card is Brought Back by the Searcher with the word "Summonsed" written across it indicate that the person was arrested but was subsequently summonsed and released.

3. If a White Permanent 301.1A Card is Brought back by the Searcher (and the word "Summonsed" is not written across it) follow this procedure to supply information:

1. Look first at the "Bail Re-evaluation section.

If the "Paroled" box is marked, indicate that the person has been released.

If the "Bail Set" box is marked indicate the amount of bail the person must pay. Then look in the "Department of Correction" section to see where the person is being held in custody, or if he has been discharged.

ii. If no marks appear in the "Bail Re-evaluation" section, look at the "Department of Correction" section.

If either the "Discharged" or "Bailed from Pens" box is checked, indicate that the person has been released.

If the "Hospital" box is checked, give the caller the name of the hospital. (A list of hospitals, their addresses and telephone numbers will be contained in the special information booklet given to each operator).

If the "Detention Fac." box is checked, give the caller the name of the detention facility and look at the "Disposition at Arraignment" section for the amount of bail.

iii. If no marks appear in either the "Bail Re-evaluation" or "Department of Correction" sections, look at the "Disposition at Arraignment" section.

If the box marked "Dismissed" is checked, indicate that the person has been released.

If the box marked "Paroled" is checked, indicate that the person has been released.

If the box marked "Bail Set" is checked, indicate the amount of bail.

If both the "Bail Set" and "Bailed in Court" boxes are checked, indicate that the person has been released on bail.

If the "Other" box is checked, and one of the following notations is present:

"Uncond. Disch"
 "Cond. Disch"
 "F.P." (Fine paid)

indicate that the person has been released.

If " _____ Days Com." (committed) appears, indicate that the person has been sent to jail for _____ days.

iv. If no information is noted in the "Disposition at Arraignment" section, indicate that the person has been arrested but has not yet been arraigned. Tell the caller at which courthouse the person is being held (Manhattan or Brooklyn), and indicate that he will soon be arraigned in the court part noted at the top right-hand corner of the 301.1A card. (A list of the room numbers for the different court parts will be found in the operator's information booklet.)

b. Juveniles

IF A GREEN JUVENILE CARD IS BROUGHT BACK BY THE SEARCHER, do not indicate to the caller that the youngster has been taken into custody. (That is confidential information that can be revealed only to a relative of the youngster, and we have no way of verifying that the caller is a relative.)

Tell the caller that the Center has no information about juveniles (i.e., youngsters under the age of 16) and

that all inquiries must be directed to the Office of Probation. Urge the caller to telephone 328-5000 immediately. Explain that if the youngster inquired about has been taken into custody, the Office of Probation will want to contact his parent or guardian so that he can be released. Remember, even though there is a card, do not tell the caller that the youngster has been taken into custody.

c. Hospitalized Persons

IF A PINK DEPARTMENT OF HOSPITALS CARD IS BROUGHT BACK BY THE SEARCHER, tell the caller that the person was taken to a hospital and (depending upon which box is marked)

- treated and released, or
- admitted as a patient, or
- released subsequently.

Also give any other information which appears on the Department of Hospitals card.

d. Relocated Persons

IF A BLUE DEPARTMENT OF SOCIAL SERVICES CARD IS BROUGHT BACK BY THE SEARCHER, first look under the column marked "Members of Household" for the name of the person inquired about, since only the name of the family head will appear at the top.

Once the name of the person inquired about is located, look at the column marked "Subsequent Whereabouts" and convey to the caller whatever information appears there.

If nothing is written in the "Subsequent Whereabouts" column, look next at the "Present Whereabouts" column, and convey to the caller whatever information you find there.

If both the "Present" and subsequent Whereabouts" columns are blank, look at the boxes marked "Unk." and "Shelt." If the "Unk." box is checked, tell the caller that the whereabouts of the person in question is unknown but that some members of his family have been relocated in an emergency shelter. If the "Shelt." box is checked, tell the caller that the person has been relocated at the shelter the address of which appears at the top of the card.

6. Once the appropriate information about the arrested, hospitalized, or relocated person has been given to the caller, indicate in a word or two in Box 11 of the inquiry slip exactly what information was provided (e.g., "person paroled", "person sent to Kings County Hospital", "person relocated in St. Marks Church") and place the card in the box marked "File Cards," and the inquiry slips in the box marked "Inquiry Slips." The cards will be refiled by the searchers as quickly as possible.

7. One operator will be assigned to cover two of the Center's special telephones. This operator will deal with the following types of calls:

a. Calls from the Department of Correction informing the Center about arrested persons who have been released

from a detention facility. This fact, as well as the reason for the release and the date, will be noted on a special data sheet (Exhibit #16) and a clerk will transfer the information to the individual's file card.

b. Calls from the Brooklyn Courthouse - If the call gives new facts about an arrested person, this information will be noted on the special data sheet (Exhibit #25), and recorded by a clerk on the individual's file card. If the call requests information about a missing person, it will be handled just like any other inquiry (Step 3 above).

c. Calls from the Information Booth in the lobby at 100 Centre Street requesting information about missing persons. Again, handle these inquiries in the regular way (Step 3 above).

IV. What Will the Searchers Do?

A. When an operator holds up an inquiry slip, a searcher will take it from him and search the files for a card with the name and address that appear in the upper left-hand corner of the inquiry slip. The card and slip will then be handed back to the operator. (The operator's location number should always be noted on the inquiry slip, so there should be no confusion if a searcher looks for several slips at once.)

B. It is important to remember that if a search comes across a buff-colored Department of Social Services card with the same last name as the person he is looking for, but a different first name, it will be necessary to check the card further. This is so because only one Department of Social Services

EMERGENCY INFORMATION CENTER Date _____

Supplementary Information Sheet-- Persons Arraigned in Brooklyn

	Name (last, first, initial)	Central Booking No.	Docket No.	Add. Info.	Time Rec'd	Put on Card
1)						
2)						
3)						
4)						
5)						
6)						
7)						
8)						
9)						
10)						

card will be filled out for each family regardless of how many members it has; and only the name of the family head will be written at the top of the card. For example, suppose that the Jones family, consisting of Mr. Harry Jones, his wife and four children, is taken into a shelter. Only one card will be filled out for the 5 Jones, and Mr. Jones' name will appear at the top. If a searcher is looking through the files for the name Billy Jones, and comes across a Social Services card with the name Harry Jones at the top, he must further check to see if the Billy Jones he is trying to find lives at the same address as the Harry Jones whose name appears at the top of the card. If the addresses are the same, the searcher should look in the column marked "Members of Household" to see if the name Billy appears there. If it does the searcher should bring the card to the operator.

C. Whenever searchers are not busy looking for cards, they should be refiling those that the operators are done with. Cards that are ready for refiling will be found in specially designated boxes near the operators, marked "File Cards."

V. What Will the Clerks Do?

A. Manhattan

All forms and cards containing new information about arrested, hospitalized, or relocated persons (e.g., arraignment calendars, Red Cross sheets, Department of Correction Prisoner Location Information cards, supplementary information sheets, etc.)

will be placed in a designated "New Information" box. The clerks will take these forms and cards from the box and record the information on the individual's permanent card which will be immediately refiled. The forms and cards from which the new information was copied will then be deposited in another box marked "Copied Forms."

Before transcribing information from arraignment calendars, bail registers, Prisoner Location Information cards and supplementary information sheets to the permanent 301.1A card, the clerk should check to see that the central booking number and/or docket number on the sheet containing the new information are the same as the central booking and/or docket numbers on the 301.1A card. This is the only way to be certain that the information is being transferred to the proper card.

The clerks will record the following information in the manner described in Section II.

To be recorded on Form 301.1A:

1. The word "Summonsed" if a copy of a summons is received, or if it is indicated on the supplementary information sheet.
2. Information from arraignment calendars.
3. Information from bail registers.
4. Information from the Department of Correction's Prisoner Location Information form.

5. Information from Bail Re-evaluation forms.
6. Supplementary information received by telephone from the Department of Correction and Brooklyn courthouse.

To be recorded on Juvenile Card:

1. Information from short arrest form.

To be recorded on the Department of Hospital's form:

1. Subsequent information about persons who have been hospitalized.

To be recorded on the Department of Social Services form:

1. Supplementary information with regard to changes in the status of persons at the shelters.
2. Information from Red Cross relocation sheets.
3. Information from the Interfaith City-wide Coordinating Committee Against Poverty.

B. Brooklyn

The clerk in Room 500A will have the following functions:

1. Man the telephones should any calls be received.
2. Collect the various forms that will be sent to 100 Centre Street.
3. Place a red "B" before the central booking number on all copies of the yellow and white 301.1A form.
4. Copy the information from the short arrest form to the juvenile card.

5. Telephone either 566-0665 or 566-0666 to give the operator the name of any person for whom a summons has been received.

VI. What will the Runners Do?

A. Manhattan

Approximately every half hour one runner will be responsible for picking up the following forms within the Criminal Court building:

1. 301.1A temporary copy - From Room 300.
2. 301.1A with docket number and arraignment parts assigned - From Room 450, docket room.
3. Copies of the arraignment calendar - From Room 450, Central clerk's office.
4. Bail Register - From each of the clerk's offices of the arraignment parts used. The runner will be notified as to which specific parts are being used.
5. Copies of summonses - From Room 300.
6. Department of Correction Prisoner Location Information forms - From Room 300.
7. Department of Social Services Relocation forms - from Room 300.
8. Red Cross Relocation sheets - From Room 300.

Upon returning to Room 219, the runner will place the arraignment calendars, bail registers, summonses and forms

from the Departments of Correction, Social Services, and Red Cross in the "New Information" box. The runner will then file the temporary copies of the 301.1A that he has delivered. He will also file the permanent copies of the 301.1A he has delivered, being certain first to remove the individual's temporary card from the files. When this is done, he will again go around the building collecting the various forms.

A second runner will be responsible for picking up the Department of Hospital cards at the Disaster Medical Control Center located in Room 627 at 124 Worth Street, which is within walking distance of the Criminal Court Building. Forms should be picked up from the DMCC approximately every hour. Upon returning to the Center, the runner will file the cards he has delivered.

B. Brooklyn

If the facilities of the Brooklyn Criminal Court Building are being used, one runner will be responsible for picking up, approximately every half hour, the following forms within the building:

1. Copies of the arraignment calendar - from Room 502, Central Clerk's Office.

2. Bail Register - from each of the clerk's offices of the arraignment parts used. The runner will be notified as to which specific parts are being used.

The forms will be delivered to Room 500A and handed to the clerk who will be there. A second runner will then take these forms together with the completed juvenile cards, the 301.1A cards, and the Prisoner's Location Information cards to Room 219 of the Manhattan courthouse.

VII. The Information Booths

Information Booths will be manned by volunteers in the Manhattan and/or Brooklyn Court Buildings, and will have the following basic functions:

1. Directory Information: Individuals will be given directions within the courthouse itself.
2. General Information: If a person has a question concerning bail, arraignment, transportation to detention facilities, etc., the volunteers at the booth should attempt to provide an answer based upon the information in this booklet and the booklet they will receive at the time of the actual disorder. If the volunteer is not completely certain of the answer, he should refer the questions to someone else. (Legal Aid representative, court officers, etc).
3. Missing Persons: Any person inquiring at the information booth about a missing person will be asked to fill out an inquiry slip. The volunteer at the booth will then call the Information Center (566-0665 or 566-0666). The volunteer will give the operator at the Center the name of the missing

person, and will then relate to the inquirer whatever information is available. Under no circumstances should a volunteer at either of the booths send a person with a question to Room 219 in Manhattan or Room 500A in Brooklyn.

VIII. Representatives from Other Agencies

In addition to the volunteers, representatives from the following agencies and organizations will be at the Information Center and/or Information Booth to assist in answering inquiries that will be received:

1. Civilian Review Complaint Board - to handle complaints about the actions of police.
2. Court Officer - to answer questions relating to court procedures.

Room 219 - Manhattan

1. Legal Aid - to answer any legal questions.
2. Department of Social Services - to record changes in the status of persons at any of the emergency shelters, and answer any questions about the operation of the shelters.
3. Court Officer.

Information Booth - Brooklyn

1. Civilian Review Complaint Board.
2. Legal Aid.
3. Court Officer.

EMERGENCY INFORMATION CENTER
SUPPLEMENTARY INFORMATION

AN EXPLANATION OF BAIL

In order to be sure that a person charged with a crime appears in court for his hearing or trial, the judge at arraignment "sets bail" for the arrested individual. Setting bail is simply telling the arrested person how much cash or how large a bail bond he must give the court in order to be released until his next court appearance. The judge may, for example, state that bail is set at \$500. This means that the arrested person, or some member of his family or a friend, must give the court either \$500 in cash or a bail bond for that amount. The judge may also set what is known as a "cash alternative." For example, he may set bail at \$500 or \$50 cash alternative. This means that the arrested person must give the court either a \$500 bond or \$50 cash. In deciding how much bail will be, the judge will consider such factors as how long the accused has lived in New York City, whether he has a job, whether he is married, what crime he is charged with, whether he has any criminal record, etc.

There are certain important differences between cash bail and a bail bond. Cash bail can be given to the court at the time of arraignment if the accused, or a friend or relative who is in the courtroom, has the necessary money. The court will only accept cash; checks - even bank checks - will not be taken. The cash is collected by a court clerk who is located

in the front of the courtroom. He fills out a receipt for all cash deposited with him.

If there is no one in the courtroom who has the necessary cash, the money can subsequently be deposited either at the detention facilities where the arrested person is being held, or at the courthouse where the court papers are filed. For approximately 24 hours after arraignment, those papers will be filed in the General Clerk's Office in the courthouse where the individual was arraigned (either 100 Centre Street, Manhattan, or 120 Schermerhorn Street, Brooklyn), and bail should be posted there. After that time, the court papers will be sent to the Criminal Court in the borough where the person was arrested, and bail must then be posted there. For example, a person arrested during a civil disorder in the Bronx will be arraigned in Manhattan. His court papers will remain there for approximately 24 hours after arraignment, after which time they will be sent to the Bronx Criminal Court. Because this 24-hour figure is only an approximation which may not be accurate if there are a large number of arrests, any person wishing to post bail for someone who was arrested in one borough but arraigned in another should be advised to call the clerk's office in the Criminal Court where the arraignment took place to learn if the papers are still there.

Cash given to the court as bail is returned after the case is completed, provided the accused person appeared in court each time he was supposed to. The money is returned by mail, in the form of a check. It is sent to the accused unless at the time the cash was given to the court he signed a special waiver stating that the money should be returned to someone else, such as the relative or friend who put up the money. In all cases, a fee of 2% is subtracted from the money before it is returned. For example, if \$100 cash were deposited, the 2% charge would be \$2 and therefore only \$98 would be returned.

If a person who is released on bail fails to show up for one of his court appearances, he is guilty of another crime known as bail jumping, and the court can keep the money that was deposited as bail. To prevent this from happening, a person on bail should be certain that he knows the date of his next appearance and the courtroom where he is to go. If he is not sure about this, he should contact his lawyer or the docket room of the Criminal Court in the borough where he was arrested: Manhattan, 566-7365; Brooklyn, 643-5678; Bronx 665-7500; Queens, 544-9300.

A bail bond must be purchased from a licensed bondsman. A list of bondsmen can be found in the yellow pages of the phone book under "Bonds - Bail." The bondsmen's offices are located near the courthouses and are open 24 hours a day.

(Note: There no bondsmen at Rikers Island.) In order to get a bond, a person must give the bondsman some type of "security" such as cash, a bank book, or an insurance policy. The amount of security that must be given depends on the amount of the bail bond. For example, for a \$500 bond, the bondsman might ask for a bank book that showed an account of at least \$200; while for a \$200 bond, the bank book might only have to show \$100. The bondsman will hold the security until the case is completed, and will then return it to the person who gave it to him, provided the accused person has appeared in court when he was supposed to. If the accused person failed to show up, the bail bond may be lost, and the person who bought the bond will have to pay the bondsman the difference between the amount of the bond and the security that was given. For example, if the bondsman took \$200 cash security for a \$500 bond, and the bond was kept by the court because the arrested person failed to show up for trial, the person who bought the bond would owe the bondsman \$300 more.

In addition to putting up the security, a person buying a bond must pay a fee to the bondsman. This fee, which is the cost of the bond is not returnable. The amount of the fee depends on the amount of the bond. The rates which are fixed by law are 5% of the first \$1000; 4% of the second \$1000; and 3% of any amount over \$2000. The minimum fee for any bond is \$10. The following table gives some examples of maximum fees that bondsmen may charge:

<u>Value of Bond</u>	<u>Fee</u>
-\$200 or less	\$10
500	25
1,000	50
1,500	70
2,000	90
2,500	105
5,000	180
10,000	350

Any bondsman who charges more than these rates is guilty of a misdemeanor and should be reported to the District Attorney's Office. (Note: It costs less to post cash bail than to buy a bond for the same amount. For example, if bail is set at \$500 and the accused deposits that much cash with the court, the charge is 2% or \$10. A \$500 bond purchased from a bondsman costs \$25.

Criminal Court Building
 100 Centre Street
 New York, N.Y.

CRIMINAL COURT DIRECTORY

<u>Part</u>	<u>Room</u>	<u>Telephone</u>
1A1	218	566-6348
1A2	218	566-7365
1A3	218	566-7365
1B	401	566-7383
1B1	219	566-7354
1C	205	566-7354
1D	420	566-7361
1D1	423	566-7361
2A	206	566-7381
2A1	206	566-7381
2A2	546	
2A3	550	
2B	405	566-7382
2B3	535	
3	1313	566-8382

SUPREME COURT DIRECTORY

30	1100	566-6367
31	1104	566-6268
32	1333	566-6315
33	1116	566-6270
34	1111	566-6271
35	1130	566-6272
36	1323	566-6304
37	1300	566-6305
38	1306	566-63-6
39	1319	566-7316
40	1324	

GENERAL INFORMATION	566-7420
DOCKET ROOM	566-7365

Criminal Court Building
120 Schermerhorn Street
Brooklyn, New York

CRIMINAL COURTROOM DIRECTORY

<u>Part</u>	<u>Room</u>	<u>Telephone</u>
1A	105	643-5675
1B	110	643-7525
1C	209	643-5675
2A	6th	643-4044
2B	6th	643-5116
3	6th	643-7521
6A	5th	643-4047
6B	5th	643-4047
7	6th	643-5674
GENERAL CLERK'S OFFICE		643-4044
DOCKET ROOM		643-5678
GENERAL INFORMATION		643-5675

IMPORTANT REFERENCE NUMBERS

If there is a question about:	Tell the caller to call:
1. General conditions in the City	255-9400
2. Curfew regulations	255-9400
3. Public transportation	852-5000
4. Emergency police and ambulance service only	911
5. Fire	Operator
6. Red Cross	SU 7-1000
7. Disaster Medical Control Center 125 Worth Street, New York	277-6630
8. Department of Social Services Emergency Assistance Unit	344-5241
9. How to file a complaint about a police officer	673-6001 - or see the representative of the Civilian Review Complaint Board in the lobby of the courthouse.
10. A juvenile	328-5000 - The Spofford Juvenile Center.
11. Charges against a defendant or other legal matters	Speak to the Legal Aid representative in Room 219 (whom the operator will call to the phone) or call Legal Aid: BE 3-0250
12. Bail	Speak to the Legal Aid representative in Room 219 if you cannot answer the questions from the bail information.

HOSPITALSLOWER NEW YORK COUNTY

174.

Beekman

BE 3-5300

Bellevue

1st Ave. & 26th St.

OR 9-5000

Beth Israel

10 Nathan D. Perlman Pl.

673-3000

Lenox Hill

100 E. 77th St.

TR 9-8000

New York

525 E. 68th St.

TR 9-9000

Roosevelt

428 W. 59th St.

554-7000

St. Vincents

153 W. 11th St.

620-1234

University

560 1st Ave.

679-3200

Veterans

1st Ave. & 24th St.

686-7500

KINGS COUNTY

Brookdale

Linden Blvd. at Brookdale Plaza

495-6800

Brooklyn-Cumberland

121 DeKalb Ave.

270-4400

Caledonian

Parkside Ave. & 10 St., Paul's Pl.

IN 9-1000

Coney Island

Ocean & Shore P'ways

SH3-4100

Downstate

450 Clarkson Ave.

270- 1000

Greenpoint

Kingsland & Skillman Ave.

EV 7-3010

Holy Family

151 Dean St.

875-9200

Jewish of Brooklyn

555 Prospect Place

UL 7-8700

Kings County

451 Clarkson Ave.

IN 2-4000

Kingsbrook

86 East 49th St.

SL 6-9700

Bronx County

175.

Bronx-Lebanon
Concourse Div.
1650 Grand Concourse

Fulton Div.
1276 Fulton Ave.

LU 8-7000

Bronx Municipal
Pelham Pkwy. & Eastchester

TY 2-6000

Fordham
Southern Blvd. & Crotona

CY 8-4000

Lincoln
320 Concord Avenue

CY 2-9000

Misericordia
600 E. 233rd St.

OL3-3000

Montefiore
111 E. 210th St.
920-4321

Morrisania
168th St. & Gerard Ave.
960-2525

St. Barnabas
183rd St. & Third Avenue
CY 5-2000

Veterans Administration
130 W. Kingsbridge Rd.
584-9000

Upper New York County

Delafield
99 Ft. Washington Ave.
579-8401

Flower Fifth Avenue
5th Avenue & 106th St.
TR 6-5500

Harlem
Lenox Ave. & 136th St.
AU 6-3300

Hospital Jt. Disease
1919 Madison Avenue
TR 6-7000

Jewish Memorial
Broadway & 196th St.
LO 9-4700

Knickerbocker
70 Convent Ave.
AU 1-4100

Metropolitan
1901 1st Avenue
360-6262

Mt. Sinai
5th Ave. & 100th St.
Tr 6-1000

Presbyterian
622 West 168th St.
579-2500

St. Luke's
114th St. & Amsterdam Ave.
870-6000
Sydenham
565 Manhattan Ave.
MQ 6-8000

L.I. College
340 Henry Street

780-1717

L.I. College
Prospect Hts.
775 Washington Ave.

ST9-6000

Lutheran (Brownsville)
22 Junius St.

DI2-2100

Lutheran Medical
4520 4th Ave.

492-3200

Maimonides
4802 10th Ave.

UL3-1200

Methodist
506 6th St.

780-3000

St. John's Epis.
480 Herkimer St.

467-7000

St. Mary's
1298 St. Mark's Ave.

PR4-3600

Swedish
1350 Bedford Ave.

622-1300

Unity
1545 St. John's Pl.

PR 4-5700

Veterans Admin.
800 Poly Place

836-6600

Wyckoff Hts.
374 Stockholm St.

456-8200

QUEENS COUNTY

Booth
Main St. at Booth

445-1000

Elmhurst
79-01 Broadway

DE 5-3200

Flushing
Parsons Blvd & 45th Ave.

359-2000

Queens General
164th St. & 82nd Drive
JA6-8600

Jamaica
89th Ave. & Van Wyck Expressway

JA6-7500

L.I. Jewish
270-05 76th St.

343-6700

Queens County continued-

Mary Immaculate
152-11 8th Ave.

AX1-3300

Peninsula
51-15 Beach Ch. Drive

GR4-8000

St. John's Queens
90-02 Queens Blvd.

457-1300

St. Joseph's
(Far Rockaway)
327 Beach 19th St.

GR1-8100

RICHMOND COUNTY

Richmond Memorial
375 Sequine Avenue

YU4-1900

St. Vincent's
355 Bard Avenue

GI2-5100

Seaview Hospital
460 Brielle Avenue

EL1-2300

Staten Island Hospital
101 Castleton Avenue

GI7-6000

U.S. Public Health Service Hosp.
Bay & Vanderbilt Ave.

GI7-3010

TRAVELING AND POSTAL INSTRUCTIONS FOR RIKERS ISLAND

DIRECTIONS BY SUBWAY

IND subway trains (E, F, GG, and EE) to Queens Plaza station.

BMT subway train (RR) or IRT subway train (#7 Flushing Line) to Queens Boro Plaza station.

(a) Proceed to street and board a Steinway Transit Corporation bus marked "Q101 Rikers Island." The bus stop is located on the south side of the plaza between 27th Street and 28th Street. Take only "Q101" buses with the designation "Rikers Island" on the windshield. Only buses with this designation will proceed all the way to Rikers Island.

DIRECTIONS BY CAR

From the BRONX and MANHATTAN

Take the Triboro Bridge to Queens. Travel eastbound on the Grand Central Parkway. Exit from the Grand Central Parkway at Astoria Boulevard and proceed on Astoria Boulevard to 82nd Street. Turn left onto 82nd Street and proceed on 82nd Street (parallel to the LaGuardia Airport fence) to 19th Avenue. Turn left onto 19th Avenue and proceed on 19th Avenue to Hazen Street. Turn right onto Hazen Street and proceed on Hazen Street to the Rikers Island Bridge.

From QUEENS

Travel westbound on the Grand Central Parkway. Exit from the Grand Central Parkway at the Marine Air Terminal, Steinway Street exit. Turn right at the first traffic light onto 82nd Street. Proceed on 82nd Street (parallel to the LaGuardia Airport fence) to 19th Avenue. Turn left onto 19th Avenue and proceed on 19th Avenue to Hazen Street. Turn right onto Hazen Street and proceed on Hazen Street to the Rikers Island Bridge.

From BROOKLYN

Travel eastbound on the Belt Parkway to the Van Wyck Expressway. Proceed on the Van Wyck Expressway to the Grand Central Parkway. Follow directions listed for traveling on the Grand Central Parkway from Queens.

Travel on the Interboro Parkway toward the Triboro Bridge to the Grand Central Parkway. Follow directions listed for traveling on the Grand Central Parkway from Queens.

PARKING FACILITIES FOR VISITORS ARE ON THE QUEENS SIDE OF THE BRIDGE

DIRECTIONS BY BUS

From MANHATTAN

Proceed to the southeast corner of 59th Street and Second Avenue, Manhattan, and board Steinway Transit Corporation bus marked "Q101 Rikers Island."

POSTAL INSTRUCTIONS:

The following Post Office addresses are to be used for the mailing of correspondence and money orders to all inmates:

New York City Correctional
Institution for Men
10-10 Hazen Street
East Elmhurst, N. Y. 11370

New York City Reformatory
12-12 Hazen Street
East Elmhurst, N. Y. 11370

New York City Adolescent
Remand Shelter
14-14 Hazen Street
East Elmhurst, N. Y. 11370