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An Evaluation of the Vera Institute of Justice

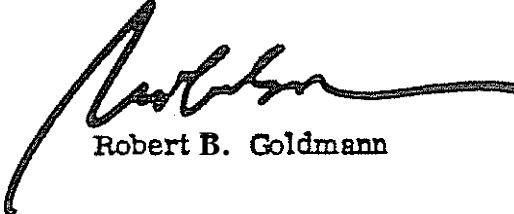
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This assessment was prepared by Jon O. Newman and
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Robert B. Goldmann

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BACKGROUND

It begins with Louis Schweitzer. In the fall of 1960, a friend encounters him at a cocktail party and tosses out a provocative question. "Do you know how many people are locked up in the jails of New York City, awaiting trial?" he asks. Louis Schweitzer had not the slightest idea. But the answer -- several thousand -- astounded him, dismayed and interested him. The friend's source of this information was Anna Kross, then New York City's Commissioner of Corrections. Responding to Mr. Schweitzer's interest, Mrs. Kross arranged to have him visit detention facilities.

A few days before the planned look at city jails, Louis Schweitzer greeted a visitor at his Madison Avenue office. The young man's name was Herbert Sturz. Schweitzer had known him just a few months, having first met him over the telephone. Sturz had called, at a mutual friend's suggestion, to see if Schweitzer might contribute \$500.00 to help pay travel expenses for a conference Sturz was arranging. He was anxious to bring a group together to discuss the formation of a youth foundation. Schweitzer listened to the plans, enthusiastically and persuasively outlined over the telephone, and before he hung up, agreed to send the \$500.00. The two met soon afterward, and, though the youth foundation never materialized, Sturz stopped by Schweitzer's office once in a while during the succeeding months.

On one of these occasions, Schweitzer asked Sturz if he would like to go with him to see some jails. Sturz said he would, and a few days later the pair set off to see the "Tombs", the jail in Manhattan, and a detention facility in Brooklyn. It was the start of an expedition that would carry them inside prison walls and

into the deepest recesses of the criminal justice system. It was the beginning of a journey that was to lead to a new and extraordinarily effective technique to bring about change in the criminal justice system, and potentially in all forms of social institutions.

Schweitzer and Sturz are an unlikely pair. In 1960, Schweitzer, aged 61, had become a top executive of a prosperous family company, doing a world-wide business as manufacturers of fine papers for cigarettes and industrial uses. Born in Russia, he was brought to this country at the age of 5, secured an education as a chemical engineer, and wrote his own personal chapter in the American success story.

A solid, hulking figure, he speaks slowly and quietly, with a trace of accent. Igniting reform had not been his style. In fact, he has no explanation why and how his interest in jails, prisoners, bail and justice developed. In his common sense, matter-of-fact way, he says simply that he has always believed in the Constitution as one of the most important things about this country, and he thinks the amendments guaranteeing speedy trial and reasonable bail should mean what they say.

In 1960, Schweitzer was capping a financially successful career, with no special inclination toward social reform. In that same year, his young friend Sturz was anxious to start a career in social reform, with no special inclination toward financial success.

Then 30, Sturz was searching about for a fulfilling way to spend his life. After college at the University of Wisconsin and a master's degree in education

at Columbia, Sturz had sought but not yet found his role. He spent a year on the staff at Pleasantville Cottage School, a residential center for emotionally disturbed children. After that he tried four years of life in Europe, writing articles and, together with his wife, a novel. Returning to the United States in 1958, he took a job with Boy's Life magazine, and soon became associate editor. Anxious to upgrade the magazine's content, he became interested in law and the criminal process, and wrote about such matters for his youthful audience. An article making the Bill of Rights come alive for his readers received wide acclaim.

A tall, gangling, restless young man, he combines earnest self-confidence with a disarming trace of shyness. He has an appetite for reform, and the energy and enthusiasm to achieve it. And there is about him a quiet sincerity that quickly wins the confidence of the people with whom he deals. Louis Schweitzer liked him at once.

The visit to the city jails impressed them both. It was a surprise to see so many men and women, who were presumed innocent, locked up before trial. Many were held for weeks, some for months. In almost every case, bail had been set, permitting the prisoners to be released if they could put up the required sum of money, or pay a bondsman the premium for a bail bond. For lack of funds, they remained prisoners.

It was distressing to see youngsters held with older men. Louis Schweitzer was also bothered by a sign advising prisoners that they were limited to a single

phone call. Both men left the jails deeply troubled, but without any notion of what might be done.

Schweitzer asked Sturz if he would be interested in looking into the problem while Schweitzer vacationed in Florida. Sturz readily agreed. There followed a series of conversations with judges and lawyers, but all expressed the usual pessimism: pre-trial detention had always existed and always would.

When Schweitzer returned, he offered Sturz a one-year salary to leave his job and pursue this one area of apparent injustice. By this time, the only idea the two had was to establish a bail fund, to be used generously to secure bail bonds for indigent prisoners. For several weeks Sturz investigated this prospect. Along the way, someone offered a new thought: don't purchase more bail bonds; release more prisoners without any bail requirements at all.

Like most thoughts that spur social change, it was a simple one. The difficulty lay in putting it into practice. How would judges be persuaded to release more accused persons without bail? How would prosecutors be persuaded not to fight such a move? How could objective facts be brought into the decision-making process to show that many of those in jail awaiting trial, would not flee if not imprisoned? What were the facts?

These were the questions to be answered before the idea of a change could be pursued realistically. Every good idea, whether or not its time has come, brings up this kind of question. Too often the best proposals for social reform

make no progress because the facts making up the problem are not adequately known, are not brought into the decision-making process, and no strategic attempt is made to persuade the decision-makers that change is not only desirable, but entirely feasible. With Louis Schweitzer's money, Herb Sturz began to develop the technique to do all these things, and to translate ideas into action.

The facts were dug out of court records and prison interviews. Hours and hours of checking and interviewing, by Sturz and later by young law students, developed the raw material for action. It could be shown objectively that hundreds in prison awaiting trial were unlikely to flee. They had lived in the community for years, had families, and -- until locked up -- jobs. A plan was developed to elicit such information promptly when a person was arrested, check it quickly by telephone to insure accuracy, and bring it to the attention of the judge at the first court appearance of the accused.

By summer of 1961, Sturz had developed a program of bail reform. The facts he had assembled were persuasive, and the procedure he wanted to try out looked practical. There followed many discussions with judges, court clerks, assistant district attorneys and legal aid attorneys. Schweitzer raised the issue with the then Mayor Robert Wagner. The Mayor like the idea and promptly telephoned senior judges with a request to provide space in the criminal court building to give Sturz a place to begin operations.

Financial backing came from Schweitzer. He created a private, non-profit foundation and named it for his mother. By the fall of 1961, the Vera Foundation was ready to launch the Manhattan Bail Project.

EARLY DEVELOPMENT

The Bail Project

The project ran three years. Financial support in the first year came solely from Louis Schweitzer, who contributed \$95,000. In subsequent years he contributed \$25,000 a year. Toward the end of the first year, the Foundation granted \$115,000 to the Institute of Judicial Administration to be used for continuation of the bail project.

The project turned out to be a spectacularly successful demonstration of effecting change in the criminal justice system. The age-old tradition of reliance on money bail as a condition of pre-trial release was replaced with a new procedure: an objective, verified inquiry into the likelihood that a defendant would voluntarily appear in court when required.

During the three years of operation, 3,505 accused persons were released without the requirement of bail upon the recommendation of the project's staff. Only 56, or 1.6 per cent wilfully failed to appear in court. Interestingly enough, those who were required to purchase bail bonds to secure their pre-trial release under the traditional system failed to appear at a rate of 3 per cent. Furthermore, nearly half of those released without bond were ultimately found not guilty, or the case against them was dismissed. Even of those found guilty, only 10 per cent were given prison sentences. Obviously the project kept out of jail before trial more than a thousand who were never destined for conviction and several hundred whose crime was not considered serious enough to justify incarceration after a finding of guilty.

The impact of the project upon judicial action was convincingly demonstrated by a controlled experiment. During the project's first year, the accused

persons considered eligible for a favorable release-without-bail recommendation were arbitrarily divided into two equal groups. Vera staff made their recommendations to the judges for the first group, but left the second group to whatever decision the judge would make unaided by a Vera recommendation. Of the first group the judges released without bail 60 per cent; of the second group they released only 14 per cent.

The significance of pre-trial release for determination of guilt or innocence was also examined. It was found that of those released before trial the acquittal rate was two and one-half times greater than among those jailed before trial. To what extent pre-trial liberty enabled them to prepare an effective defense is not clear. The factors that prompted their release (e. g. lack of prior criminal record) may simply show more correlation with innocence than the factors that kept the others in jail before trial.

As the project continued, interesting trends were observed. There was a marked increase in the number and percentage of defendants recommended for release by Vera staffers. The staffers acquired more confidence, and they began using an objective system that assigned positive points to such factors as residence, family ties and favorable employment record and minus points to prior convictions. A scale was devised to determine the appropriate number of points needed to warrant a favorable recommendation. Each staffer also found he could handle an increased number of interviews. The number of crimes excluded from the project was reduced from a large number to only homicide, narcotics and some sex crimes. And the rate at which judges went along with

Vera recommendations increased from an initial 55 per cent to 70 per cent.

Not only did the project result in change; it also illustrated some of the ingredients necessary to bring it about: to start with, it took a small, expert, privately supported staff to explore the problem and devise a solution. Their sole concern was the bail project. They were not diverted by the broad range of tasks that devolve upon their counterparts working in agencies within the criminal justice system. Secondly, the staff not only planned the change, they participated in carrying it out. They checked court records, interviewed prisoners, verified information and presented it in court to the judges. Third, they kept careful track of what they were doing, making it possible to communicate progress and favorable results quickly. Fourth, they made the extra effort to follow up and to leave nothing to chance. For example, when a released defendant had a date for a court appearance, Vera staffers notified him the day before; if he failed to show up, they contacted him again, and if a telephone call was not persuasive, they brought him to court in a taxi.

The project was also a startling illustration of how significant change can be effectively communicated throughout the nation. At first there were just isolated instances where reform-minded individuals learned of the Manhattan Bail Project and established similar projects in their communities. By 1964 there was a sufficient head of steam for the bail reform movement that Vera and the United States Department of Justice could organize a National Conference on Bail and Criminal Justice. This focusing of national attention on the success

of the Manhattan Bail Project and other projects that had started has led to extraordinary nationwide results. Bail reform has been undertaken in some form in almost every state and in scores of cities, and federal bail reform legislation has been enacted.

Vera has continually disseminated information on bail reform, a function it has only just begun to perform with respect to other projects. It has rendered assistance to more than 80 projects around the country, and to demonstrations in Canada, England, Australia and Japan. Sturz has written both general and technical articles on the Manhattan Bail Project. And the Vera offices in New York have been visited by people from all over the country anxious to learn more about the details of bail reform. Vera has well filled the role of national clearinghouse for information on the subject.

In 1964, the process of producing change in the bail system in New York faced a critical test: could the procedure developed and carried out by Vera staffers be institutionalized and taken over by an existing agency within the criminal justice system? More simply, could change become standard procedure?

Toward the end of 1963, Judges Botein and Beldock decided that the Manhattan bail project should be administered by the Department of Probation and extended throughout all the boroughs of New York City. As the Presiding Justices of the First and Second Appellate Departments, they have administrative power over court matters within New York City, including the Department of

Probation. A plan was developed and a budget request for \$175,000 sent to the City. For the next several months nothing happened.

One day during the following year, John Wallace, director of probation, was coming to work on the morning ferry when a news story caught his eye. A woman had appeared in court charged with a crime carrying a five-year sentence. The district attorney offered to let her plead guilty to a lesser crime with a maximum penalty of one year. In the courtroom she announced her refusal and insisted on pleading guilty to the more serious charge. Her reason? Conditions in the Women's House of Detention (where minor sentences are served) were so bad due to overcrowding that she wanted to be sent to the state prison, even though it meant a longer sentence! Turning to his friend on the ferry, Wallace predicted, "Now, we'll get action."

Arriving at his office, Wallace was greeted by a phone call from the Mayor's office: "Have you got some budget request pending for a project that will ease the overcrowding in the jails?" Wallace assured his caller he just happened to have such a request and in a matter of weeks the funds became available. (Sometime later the defendant's real reason for her courtroom request became known: her lesbian friend was in state prison and she was lonesome.)

For five years now the pre-trial release program has been administered by the Department of Probation. The procedure follows substantially the pattern established by Vera. Probation officers interview defendants as they await their first court appearance. An effort is made to check the information

they give concerning family, residence, and employment. A report is handed to the judge. And, in general, the results are good. Last year about half of those arrested were released without a requirement of money bail. This is a slight increase over the rate achieved by Vera, though the increase is more likely due to a growing acceptance by the judiciary of the principle of release without bail, rather than better performance by probation officers.

In fact, there is some indication that the changeover to the Probation Department has encountered a few drawbacks. The staff of the department is simply not large enough to interview all those arrested. And since probation officers have other duties -- principally the supervision of those placed on probation after conviction -- they give pre-trial release interviews low priority and sometimes fail to keep up with the volume. The Probation Department has also become slightly more restrictive in recommending release without bail, having revised Vera's point to put greater weight on the negative factor of prior criminal record. Also the rate of released defendants failing to appear is slightly higher due largely to the lack of persistent efforts to assure court attendance as practiced by Vera. Finally, there has been a subtle shift in approach. Vera considered itself a proponent of the accused. If the facts justified a favorable recommendation, they made one; otherwise they said nothing. The Probation Department sees itself as providing an information service to the court. Thus, after assessing the facts, they either make a favorable recommendation or oppose release without bail.

In general, the changeover can be considered a success. A basic system change has been carried over from a pilot project run by outsiders to a permanent institutional arrangement run by an established public agency. No doubt the performance can be improved. Prisoners who should be released are still locked up before trial. But in New York City, and indeed throughout the United States, Vera has changed the system. Instead of automatic reliance by judges on money bail, with indigents locked up for lack of funds, there is now widespread use of pre-trial release without bail, and consequent freedom for thousands of people.

The Summons Project

By 1964 the Vera Foundation was ready to conquer new fields. Its next step was a logical extension of the progress in bail reform. If a quick, objective, verified inquiry could persuade a judge to release an arrested person before trial, why not try the same approach on a police officer and persuade him to substitute an informal summons procedure for the cumbersome arrest procedure?

The idea of issuing a summons was not new. Every motorist stopped for a minor traffic violation has received one. It is simply a piece of paper advising the recipient that he has a date in court to answer to a charge of speeding, running a red light, etc. On the designated day, the defendant shows up and his case is heard. Failure to appear may result in the issuance of a formal warrant for his arrest.

The summons saves the accused the hazards that follow a formal arrest: a trip to jail, appearance in court later in the day or perhaps the following morning,

and then the prospect of staying in jail until trial if the judge declines to release him without bond or if he cannot afford whatever bail is set. The police officer who spots the violation also benefits from the summons procedure. In the case of traffic violations, the officer stops only long enough to write out the summons (the "ticket"), and moments later he is free to resume his patrol assignment. Had he arrested the motorist and brought his prisoner to jail, it would have been the end of his productive work time for the day.

The new idea was to use the summons instead of an arrest warrant for street crimes. Its previous use had been limited to traffic offenses and violations of labor, liquor, housing and other regulatory laws. In these cases, the police had little concern that the accused might be dangerous and were content to issue a piece of paper on the spot. But in cases of street crime, the police never know whom they were stopping. They felt it necessary to bring him in at least for fingerprinting and photographing so that proper identification could be made. The question was whether at that point the police could be persuaded to issue a summons and let the man go. Instead of court-house release by a judge later on, this would be station-house release at the beginning of the law enforcement process.

Vera's efforts to begin a summons project involved a combination of careful planning and helpful influence at the right time. Staffers examined arrest records and identified simple assault and petty larceny as two offenses to start with. A procedure was developed detailing exactly what the arresting officer would do from the moment of arrest, continuing through inquiry and

verification by Vera part-time law students, and up to the decision by the desk sergeant whether to issue a summons and release. The plan was broached to Police Commissioner Michael Murphy. He opposed it. At that point Vera enlisted the aid of Judge Botein, who had by now become an admirer of Vera's Manhattan Bail Project. Botein told Murphy he wanted the project tried out, and if Murphy did not permit it, the judge would have it tried out in a precinct on Long Island. Reluctant to see some other department get credit for a project that might work, Murphy agreed.

A test was authorized in one mid-Manhattan precinct in March, 1964. Seven weeks later, Murphy proudly stood before the National Conference on Bail and Criminal Justice, and (reading from a speech helpfully prepared for him by Vera) gave a report of initial success. Of 116 persons arrested for the test offenses, Vera had recommended release on summons for 58; summons were in fact issued to 53 of these, and all showed up in court on the assigned date. Of the next 400 defendants summoned, only 6 failed to appear.

In July, 1964, Vera applied to the Foundation for additional support. A total of \$266,000 was requested for the next three years, more than half of which was to finance what became the Manhattan Summons Project. Other purposes were continued evaluation of bail practices in New York and promotion of bail reform throughout the country.

Over the next three years, the summons project was extended to two more precincts, and the list of crimes eligible for a summons was increased. The police also developed more flexibility and confidence and became more

willing to issue a summons.

Like the bail project, the summons project attracted nationwide interest and emulation. A dozen police departments started summons projects while New York City's was still in the trial precinct stage.

The summons project also met the test of transfer to an established institution. Since it had been started in police stations and relied from the start on close cooperation with the police, the transfer to complete police operation was easier to accomplish than the shift of bail inquiry to the probation department. On July 1, 1967, the New York City Police Department issued instructions to all precincts in all boroughs authorizing the use of summons for a variety of minor street crimes.

The first two years of citywide operation produced significant results and favorable trends. In the fiscal year 1968, a total of 14,232 summons was issued; in 1969 the total rose to 22,685. These figures represent about one-third of those arrested for offenses eligible for summons. In most cases where a summons is not issued, the desk sergeant at the precinct has found the accused ineligible because of drunkenness, narcotics addiction, or outside residence. Of those considered eligible for a summons investigation, 16 per cent refuse to be interviewed, and another 8 per cent are found, after investigation, not to be good risks. Both percentages are down from the first year. Of those to whom summons were issued, only about 5 per cent failed to show up in court. The Police Department has estimated the savings in police man-hours and costs which result from freeing the arresting officer of the time he would have spent had a formal arrest procedure been used. In 1969, the police saved more than 28,000 eight-hour tours

of duty, at a cost saving of more than \$1 1/2 million.

Improvements have been made to make the system work even better. For example, the summons technique was extended to shop-lifting arrests in department stores. The suspect is released at the store, avoiding even the requirement of transporting him to the local precinct. New refinements are continually being developed. This year, 1970, a new feature will obviate the arresting officer's appearance in court on the day specified in the summons. His sworn complaint will suffice.

Vera Becomes an Institute

The experience gained and success achieved through the bail and summons projects encouraged Vera to plan a broader effort for making changes in the criminal justice system. Actually the planning had begun in 1963 when Vera first presented to the Foundation a proposal for expanded operations. This proposal was shaped by William Pincus, the responsible program officer in the Foundation, into a program of criminal justice institutes, each of which would be linked to a university and conduct pilot projects of the type pioneered by Vera in the bail and summons projects. The trustees of the Foundation appropriated \$3 1/2 million for such institutes. (Evaluations of five such institutes were undertaken in 1969-70.)

Originally the plans called for institutes in New York City (Vera with a tie to N. Y. U.), Harvard, and either Chicago (tied to the University of Chicago) or Washington, D. C. (tied to Georgetown). In 1965, projects were funded at Chicago

and Georgetown Universities. The effort to work out an arrangement between Vera and N. Y. U. proved unsuccessful and in 1966 Vera submitted to the Foundation a proposal to reconstitute the Vera Foundation as a criminal justice institute without any formal university affiliation. The proposal outlined a structural change, research plans, action projects and plans for education and training.

The structural change involved an expansion of Vera's board of directors appropriate to the shift from a family foundation to a more broadly based enterprise. Selected to be chairman of the board was Burke Marshall, who had recently resigned as Assistant Attorney General in charge of the Civil Rights Division of the Department of Justice and had moved to New York to become General Counsel of I. B. M. Prominent lawyers chosen for the board were R. Palmer Baker, Jr., Orison S. Marden, Oren Root, and Judge Botein, who subsequently retired from the judiciary and reentered the practice of law. From the academic world came Lloyd Ohlin and Adam Yarmolinsky of the Harvard Law School, and Joseph Goldstein of the Yale Law School. Patricia Wald, a Washington, D. C. attorney, and Franklin Thomas, president of the Bedford-Stuyvesant Restoration Corporation, brought an informed view of the problems in the emerging field of poverty law. Louis Schweltzer and his two brothers continued as members of the new board.

A name change was thought necessary to reflect Vera's expanded role, and so The Vera Foundation became the Vera Institute of Justice.

The research plans are interesting because of the extent to which they were not carried out. Two areas were outlined for study: the organizations

involved in the criminal process and the defendants. The first was to have been a systematic effort to analyze each of the agencies operating in the criminal justice system and to evaluate their performance against selected criteria. The second proposed to follow 2,000 defendants from their first contact with the criminal process right through court proceedings, imprisonment and release and return to society. A fairly elaborate plan of investigation was outlined.

As it turned out, neither research project was undertaken. In fact, the research component is so totally lacking from Vera's operations that when Burke Marshall is asked why the study of defendants was never undertaken, he replies that such a study was never part of Vera's proposal to the Foundation. Sturz concedes the study was part of the original proposal, but offers two explanations. First, he says, others are doing that kind of research, and Vera more usefully spends its time elsewhere. Secondly, Vera in fact is learning a great deal about the various agencies of the system through the action projects it undertakes. But Sturz concedes there has been no effort to organize the information thus acquired into any useful research materials that might aid others working in the field or scholarship in general.

A third area of activity outlined by the proposal concerned training and education. Several ideas were advanced, including development of school curriculum material concerning criminal justice, acceptance of teaching roles by Vera personnel, developing courses for high school teachers, and seminars for personnel working within the criminal justice system. In the main, these plans were never pursued, though, unlike the research proposals, there was

little reason to anticipate that serious efforts would be expended along these lines.

The core of the proposal to the Foundation was money for action projects "to test new approaches or procedures at key points in the process." Five examples were outlined in some detail. The first proposed an effort to show how the role of a policeman in the ghetto might be redefined so that people would perceive him more as an ally than an enemy. Twenty patrolmen were to be given special orientation in the problems of ghetto residents and special responsibility for pressing complaints by the residents rather than limiting their role to acting on complaints against them. Careful evaluation was planned to see if the new approach by the patrolmen affected community attitudes and improved citizen-police cooperation. The project never got off the ground.

The second project was to have been an experiment in the use of sub-professionals in the criminal process. Case aides were to be assigned to an arrested person and were to follow him through the entire process, assisting at the police station, working with defense counsel during the trial, helping with preparation of the pre-sentence report, visiting the defendant in prison, and working to ease his adjustment after release. It has not been tried as a self-contained project, though other elements of Vera's program which will be described later have made interesting use of sub-professionals.

The third project was a treatment and rehabilitation program for skid row drunks. This became the Manhattan Bowery project, which is the subject of the next chapter.

Project number four was to have been a research-oriented examination of

police interrogation practices. The objective was to assess the results of four different approaches to the problem: (1) warning an arrested person of his rights prior to police questions, (2) immediately bringing the arrested person before a judge for arraignment without any police questioning, (3) providing defense counsel at the precinct to be available at the earliest opportunity following street arrest, and (4) tape recording of police interrogation. Within a few months, the United States Supreme Court had rendered this project obsolete by ruling in the Miranda decision that all arrested persons must be warned of their rights prior to any questioning. Nevertheless, Vera did carry out one portion of the project -- tape recordings of police questioning.

The fifth project was to prepare pre-sentence reports in misdemeanor cases and provide community based services to supplement the work of probation officers. This proposal became the Bronx Sentencing Project.

Of course, any enterprise proposing to design experimental projects cannot be expected to blueprint them all in advance and stick strictly to the blueprint. But in Vera's case the straying from original goals cannot pass unnoticed. As the proposal came to the Foundation, it was one of a series, along with the Georgetown and Chicago centers, that set out to combine research in the criminal process with action projects to try new techniques. Georgetown and Chicago, being affiliated with universities, could be expected to maintain a consistent emphasis on research, and bring to their action pro-

jects a concern for careful evaluation and scholarly analysis that would make the projects more useful by enabling others to assess more readily, their value and applicability.

Vera, though it lacked the formal university affiliation, nevertheless proposed to approach its work with a similar scholarly orientation. In fact it has not done so. The research components have been disregarded, and whatever has been made to translate the results of action projects into useful scholarship has been inadequate. This does not mean that the real worth of what Vera has accomplished is any less than what was planned. As will be seen after all the projects are examined, the change of plans may have been for the better. It is enough to note at this point that there has been a change.

The Criminal Justice Coordinating Council

At the time when Vera sought to broaden the range of its action projects, the City of New York embarked on a significant venture that was to provide new opportunities for Vera and ultimately a framework for the major portion of its activities. It was called the Criminal Justice Coordinating Council, and after its formation neither New York City nor Vera were quite the same again.

The CJCC traces its origins to the 1965 mayoralty campaign. Following the national pattern in 1964, crime was a major political issue in the city campaign of 1965. All the candidates discussed it vigorously, including John V.

Lindsay, who brought to the topic not only his general background as a lawyer but his specific experience as a former executive assistant to the Attorney General of the United States.

Following his election, Mayor Lindsay appointed a nine-member task force to formulate specific programs in the administration of justice. Recognizing the valuable role Vera had come to play in the city, Lindsay named Sturz to this group. Among the task force recommendations was a coordinated approach to the problems of criminal justice, involving a working council representative of all the agencies that make up the criminal justice system. Another task force, working in the field of corrections, made the proposal more precise, and recommended a broad membership that ultimately became the criminal justice coordinating council.

At the invitation of the mayor, the operating heads of all the pertinent agencies agreed to serve. They included the administrative judges of the criminal court (the city's minor court) and the supreme court (New York's principal trial court), the district attorneys of the city's five boroughs, the police commissioner, heads of city departments and administrations, such as Probation, Corrections, Health and Human Resources, representatives of legal aid and the legal profession, and a distinguished group of private citizens drawn from the business and academic worlds -- 67 members in all.

This was the first time in any city that such a group had been formally convened and asked to serve on a continuing basis. At first the group remained a formality. But gradually, as it undertook the projects to be described in de-

tail, it began to acquire a sense of its purpose. It began to function as a council, with a *raison d'etre* independent of the life of each of its constituent members. It began to bring home to its participants that there did indeed exist a criminal justice system, and that this system required the cooperation of the council members if problems were to be approached and solved in a rational way.

Vera was to play a key role in the life of the CJCC. Vera's staff became the staff of the Council. The arrangement was formalized by an annual contract under which the Vera Institute became a group of consultants to the Council. Funding was provided by the Police Department, since the Council initially had no operating funds of its own. What this relationship would come to mean to Vera and to New York City can best be judged after the projects undertaken under CJCC auspices are examined.

By mid-1967, the stage was set for Vera to move ahead. Its application to the Foundation had been approved, and a \$1.1 million grant had been made in 1966 for a five-year period. The CJCC was formed, and, in July of 1967, formally contracted for Vera's services as a consultant. It was time to produce.

VERA HITS ITS STRIDE

The Manhattan Bowery Project

The first major effort for the newly designated Vera Institute was the Manhattan Bowery Project. Mayor Lindsay called upon Vera to formulate some plan for dealing with the derelicts of the Bowery. The motivation was both humane and practical. Some more humane system was needed to replace the current system of arrest, court appearance, and either a brief stay in jail or, as in 80 per cent of the cases, prompt return to the street. Derelicts frequently returned to the Bowery ahead of the police officer who had arrested them.

The practical pressure came from the courts. Some court decisions in other parts of the country had indicated that public intoxication could not be considered a crime. Drunkenness, these courts said, was the symptom of disease, and constitutionally beyond the reach of the criminal law. In 1966 the issue was headed for the U. S. Supreme Court. A similar decision from that Court would mean a major crisis in every American city. Arrests for public drunkenness account for more than one-third of the nation's two million arrests each year, and the cities simply had no alternative procedure set up in the event that criminal procedures were ruled illegal. Though the Supreme Court ultimately ruled by 5 to 4 to uphold arrests for public intoxication, the threat of a decision the other way caused a serious question to be asked. If the police could not use the power of arrest to remove these men from the streets and doorways where they had fallen down -- cold, sick and sometimes dying, how was a city supposed to handle the problem?

Sturz and one member of the Vera staff went to work studying the problem and trying to devise a solution. They sought out experts across the country, and heard various proposals for treatment and rehabilitation. Gradually one issue emerged that required a fast answer: would a drunk voluntarily accept the services of a treatment program, or was arrest (or some new form of governmental coercion) necessary to get him off the street?

The way Sturz decided to answer this key question says a lot about Vera's approach to social problems. Some would have sought the views of doctors running rehabilitation centers. Others would have relied upon sociologists or psychiatrists. A few might have suggested designing a carefully controlled clinical experiment lasting a year with several more months to analyze results.

Sturz decided to find out in a hurry. He arranged to have a few cots set up in a building in the heart of the Bowery and persuaded a doctor to spend a day with him. Then he corraled a car, a police officer (out of uniform) and a case worker. He instructed the pair to drive around the Bowery streets, approach derelicts wherever they lay, and invite them to come along for medical treatment.

The team cruised around and quickly came upon their first subject. He was sprawled on the street, sleeping off a half bottle of cheap wine. A gentle, but persistent poke in the ribs brought him to at least semi-consciousness. Then, with more trepidation than a nervous suitor, they popped their question: "Would you come with us to get some medical attention from a doctor?"

"Uh, uh, mmm, uh, yeah, guess so," came the reply, whispered through 60 proof breath. It turned out to be a historic answer.

After checking their first prospect in with Sturz's doctor, the team set out for more. Before the day was over they had approached a dozen derelicts. All agreed to come with them.

Satisfied that the voluntary approach would work, Sturz set about planning his project. He initially wanted to set up a program based in a local hospital, but each hospital in the area turned him down. The next idea was to set up a new facility -- in effect a field hospital.

Space for a 50-bed unit was found on the vacant fourth floor of the Men's Shelter, run by the city Department of Social Services. Various city and private agencies were cajoled into providing food, clothing, beds and transportation. Dr. Robert Morgan was persuaded to become the projects's medical director, an assignment that would come to occupy half of his time. St. Vincent's hospital agreed to take in derelicts in need of regular hospitalization. Both the Police Department and the Department of Corrections agreed to supply personnel.

Vera set up a separate corporation to run the new project and sought funds from federal, state and city sources. Ultimately a three-way funding arrangement was developed among the U. S. Department of Justice, the Bureau of Alcoholism of the State Department of Mental Hygiene, and the city's Community Mental Health Board. The city agency has in recent years assumed the major burden of the costs.

Licensing problems nearly snarled the project in red tape before it could begin. After weeks of bureaucratic pulling and hauling, the State Department of Mental Hygiene licensed the project as an alcoholism treatment facility, the State Department of Health agreed not to require licensing as a hospital or nursing home, and the State Board of Social Welfare approved the certificate of the new corporation that was to run the project.

In November, 1967, the Manhattan Bowery Project was underway.

This is the daily routine. All day long a two-man team patrols the Bowery in an unmarked police vehicle. The driver is a plain-clothes police officer. His partner is a rescue aide, himself a recovered alcoholic. They look for derelicts in need of help, especially those requiring medical attention. Spotting a likely candidate, they make an informal approach, just as in Sturz's one-day experiment. In two-thirds of the cases, the derelict agrees to come. By now the existence of the project is so well known on the Bowery that most of those approached know the team and what they are proposing. And the rescue team in turn knows a large number of its potential customers.

A willing candidate is driven back to the project headquarters and admitted to a 50-bed facility staffed by doctors, nurses, social workers and case aides. The usual pattern is a five-day stay. Upon admission the new arrival is showered, deloused and put to bed. He gets a complete medical examination, and acute illnesses are treated. For the next three days he is eased through the process of detoxification.

By the third day, the patient usually moves on to the recuperative ward, where he meets a caseworker and begins to discuss his future. Staff conferences consider each case and try to formulate a suitable after-care plan. About 60 per cent of the men accept referral upon discharge from the project. Possible routes include Camp LaGuardia, an upstate residential camp run by the city's Social Services Department, out-patient services or psychiatric wards of state hospitals, or the Bowery Project's own after-care clinic.

The after-care clinic was opened a year following the initiation of the project began, in response to the pressing need for some continuing attention to the released patients. About 100 men a day stop by to receive medication, counseling and moral support. Subsequently the project opened a second clinic, an emergency out-patient facility to provide service for men who either walked in or were brought in and did not require temporary hospitalization. About 200 men receive treatment in the clinic each week.

After its first two years, the project had recorded 5,000 admissions, averaging 50-60 a week. Some of the clientele walks in off the street, but three-quarters of them are brought in by the street patrol. The after-care clinic for the project's out-patients handles nearly 1,000 patients a month, and the emergency clinic averages 800 cases a month.

The Bowery Project is run as a separate entity by the Manhattan Bowery Corporation. Its board meets every six weeks to provide policy guidance. Board members are especially helpful in raising funds for the project.

Administration is divided between Dr. Morgan, who is responsible for all medical aspects, and Robert Goldfeld, the administrative director. Goldfeld

was recruited by Sturz to handle this assignment. He is young, intelligent, earnest, and able. The staff exceeds 50 people.

The project maintains an informal but nonetheless direct relationship with Vera. All major decisions are checked with Sturz, and it is quite apparent that the project does not see its separate corporate status as freedom to embark on a course that Sturz disapproves. Goldfeld and Dr. Morgan also maintain frequent contacts with Vera's Ken Marion, who functions unofficially as Sturz's deputy for administration.

What have the two years meant? What's been accomplished for alcoholics, for the criminal justice system, and for New York City?

Basically, a more humane form of revolving door has been substituted for the heartless and senseless system of arrest, court appearance, and return to the street. No one connected with the project claims that Bowery derelicts are being cured of their alcoholism. But project staff people do point with pride to the fact that the project has made medical attention available where it was desperately needed. They are also heartened by the growing acceptance by the derelicts of referrals.

Some men spurn referrals the first time, but accept the second or third time. Some have been genuinely helped to substitute medication for drink, and begin to lead a useful life.

For the police the results have been dramatic. Arrests for public intoxication have dropped 80 per cent -- from 1600 in a three-month period in

1968 to just over 300 in the same period of 1969. Annually thousands of cases have been removed from the caseload of the regular system -- the police, courts, and the prisons.

As a demonstration, the project has yielded two significant lessons. First, it is clear that the voluntary method of recruitment works. This has important implications for other efforts to substitute medical treatment for the criminal process, such as projects for narcotics addicts. Secondly, the project has shown that the voluntary feature promotes good behavior of the patients in the medical facility. Hospitals had shunned derelicts and addicts because they are chronic trouble-makers in the wards. But the project's experience shows that men with personalities and in conditions highly conducive to disruption are manageable in a hospital when admission has been voluntary.

For New York City, the project has been an important demonstration of the best way to strike out in new directions from the quagmire of bureaucracy. And that way, quite simply, is to have a Vera Institute carry the ball.

Dr. Morgan says bluntly that St. Vincent's Hospital would not have cooperated if the project had been run by the city. He himself would not have become the medical director. He was attracted by what he calls the "charisma" of Vera. The Institute was independent, the staff was small and bright, it had the backing of the mayor, and it was unencumbered by any of the vested interests of city agencies. Goldfeld adds that Vera was able to secure the cooperation of city agencies because of the credits it had earned from the bail project -- a repu-

tation for doing the detailed homework, staying with a project, and working in the background, leaving the plaudits to others.

Had the mayor asked a city agency to set up the Bowery Project, it is doubtful whether anything would have happened. Before the project opened its doors, the active cooperation of 28 separate federal, state and local agencies was needed -- whether in the form of funds, supplies or mostly approval. City governments are simply not equipped to cut through that much red tape.

The project is not unique. There is a Bowery project in Philadelphia, and other cities have tried various programs for alcoholics. But in New York, Vera showed how to plan, fund and carry out the major project of its kind in the nation.

The Manhattan Court Employment Project

The second major undertaking of the Vera Institute also aimed at diverting people from the criminal process into a program of rehabilitation. This was the Manhattan Court Employment Project. Its essential purpose was simple: to intervene at the moment an arrested person is first brought to court, find him a job, and arrange for the charges against him to be dropped if his work performance is satisfactory for three months. Experience was to show that this plan was more difficult to carry out.

The idea for the project developed in 1966 in discussions between Sturz and members of the staff of the late Senator Robert Kennedy. Through the Senator's efforts, the U.S. Department of Labor made a planning grant and

gave assurances of operating funds once the project had been designed. By the middle of 1967, Henry Aronson was hired by Sturz to structure the program.

Aronson is perhaps the best of Sturz's stable of bright, young doers. He is a lawyer, who sharpened his skills and his social conscience fighting the battle for civil rights in Mississippi for three years. While many of Sturz's staff people tend to be a bit subdued, Aronson is an aggressive, dynamic personality with an abundance of justified self-confidence.

His initial development work followed a pattern that typifies one of Vera's strengths. He was given a broad assignment with ample time to fill in the details. While he pursued his task, he had no other responsibility. He was given the problem and told to figure out a way to solve it. But he knew that just drawing a blueprint would not suffice. Whatever plan he proposed would have to meet an important practical test: it would have to be something he himself could carry out.

Aronson set about looking at manpower training programs in New York City and elsewhere. He quickly saw that something more than just job placement was needed when the clientele was drawn from the hard-core unemployed. There would have to be a major counseling effort to deal with the variety of social problems these men encounter. Aronson soon concluded that the best personnel for the counseling task would be non-professionals, preferably those who themselves had experienced the full weight of the criminal process, including time in prison.

Aronson also studied court records to determine what classes of cases might be suitable for diversion into a job placement program. It was also necessary to plan procedures to cope with the details of interviewing prisoners, checking court records, securing approval of the district attorney, and appearing in court to arrange for release of prisoners to the project.

Once a plan of action had been prepared, Sturz took Aronson in tow and escorted him around to the key officials whose cooperation was needed. These included judges, corrections personnel, legal aid attorneys and, most important the district attorney's office. As Aronson says: "The D.A. is the key to this project, not the courts."

As it turned out, the D.A. agreed to cooperate. The project fell within the jurisdiction of New York County District Attorney Frank Hogan, but it was his chief assistant in the Manhattan Criminal Court, Joseph Stone (now a judge), who gave the okay. He was persuaded by a combination of arguments. The project proposed to divert from the criminal system mainly those who, if left in the system, would rarely be sentenced to jail. So there was little to lose. The project also offered some prospect of lessening court dockets. Then there was the fact that Judge Botein was interested, Mayor Lindsay was interested, Senator Kennedy was interested, and federal funds were available. And there was the growing Vera reputation for practicality, reasonableness, and low-key style.

By February 5, 1968, Aronson was ready to launch the Manhattan Court Employment Project. He had a staff on board and a Labor Department grant of

\$411,000 for the first 16 months of a three-year project.

This is how it works. Whenever arrested persons are brought to the Manhattan Criminal Court for their first court appearance following their arrest, project staff check the court papers to identify likely candidates for the project. They are looking for people who live in New York, have no job, are not charged with major crimes like murder, rape or serious assault, and appear to have no problem with either drugs or alcohol. The screening of papers is done by imaginative and committed college youngsters who have been given the run of the clerk's office to have ready access to the papers as fast as the arresting officer hands them in.

The men eligible for consideration are then interviewed in the detention pens by project representatives. These "reps," as they are known, are perhaps the key personnel of the project. They are all ex-convicts -- shrewd, street-wise men who have turned the corner of their own lives and have a sincere interest in helping others do the same. Their own prison records range from 3 months to 17 years.

The "rep" confronts his prospects in a half-hour tough-talk interview. He wants to know whether this man can make it, whether -- with help-- he can muster the initiative and self-confidence to hold a job and work his way out of his predicament. The "rep" also probes vigorously for any indication that the man uses drugs.

If the "rep" thinks he has a winner, a staff member then clears the case with the assistant district attorney and appears in court to ask that the defendant be assigned to the project. Each week the project selects some 15 candidates, of whom about ten are approved by the court.

"Approval" means that the defendant's case is suspended for three months. If he stays with the project and comports himself satisfactorily, the charges against him will be dismissed. If not, he is returned to court, and the case against him proceeds.

Once accepted, the participant receives the two basic services available through the project: counseling and job placement. The counseling is undertaken by the "rep" who initially selected the man as a promising candidate. Each "rep" carries a caseload of 20-25. Counseling means two things: aiding the man in securing a range of needed services such as welfare assistance, medical attention, remedial education and skill training, and secondly, helping the man face personal problems through group therapy sessions with other participants.

Job placement is carried out in cooperation with more than 300 employers, unions and training programs, especially those interested in dealing with the hard-core unemployed. For the project staff, it is frustrating work. Most men in the program stay on the first job less than one month. Persistent efforts are needed to find them another opportunity and encourage them to try again. Often the second placement is far more satisfactory than the initial try.

At the end of three months, the project staff must decide what recommendation to make to the district attorney. They assess each participant on several criteria: whether he is holding a job, and whether there has been an improvement in attitude. In short they look for some indication that the man is a better risk for the future than when he came. If they believe so, they recommend that the pending criminal charges be dropped, and the prosecutor invariably goes along. In many cases, the staff recommends that additional time be granted to see what progress can be made. If the man simply is not making it, the staff reluctantly, but faithfully, reports to the prosecutor that the criminal case should proceed.

A view of the results varies depending on one's vantage point. The public, looking at a program that gives an arrested man a chance to have criminal charges dropped if he can hold a job for three months, would probably expect a high rate of successful completions. The project staff, looking at the extraordinary difficulties of changing life patterns of society's rejects in three years -- much less three months -- would find satisfaction in even a minimal rate of successful completion. The figures give each group something to think about.

Overall, of the cases finally brought to decision -- either to dismiss charges or proceed with the case -- about one-third are dismissed. If those discovered to be addicts are separated from the total figures, the successful completion rate rises to about 50 per cent.

Despite the effort to screen out addicts at the initial selection process, about 30 per cent of those accepted into the program later turn out to have narcotics problems. This continues to be the project's most serious problem.

The project has grown since its start, taking in more participants and gradually broadening its criteria for eligibility. The staff now exceeds 40. The U. S. Department of Labor continues to be the funding source.

The project functions in a very autonomous fashion. Aronson is plainly the boss, and runs his own show. He brings to Sturz's attention matters of major policy nature, but in the main Sturz is delighted to leave a man of Aronson's ability on his own. The Mayor's Coordinating Council has a committee organized to oversee the project, but it rarely meets and exerts no policy guidance.

What does it all prove? Primarily, the project is a demonstration of how change can be initiated in the criminal process. The number of defendants rehabilitated is not too impressive. But it is impressive that there now exists within the criminal court building an operating program that diverts some defendants from the criminal process and offers them a constructive way out.

It is inconceivable that a project of this scope could have been developed by the court system itself. Nor is it likely that other criminal justice agencies would have cooperated to put it together. It is the product of a private initiative. It required the planning, persuading and initial operation of Vera to come into existence.

What it will become is an open question. Aronson concedes that little is proved by the fact that a group of bright young people can run this type of program. He hopes that one day it will be institutionalized within the criminal justice system, and he realizes that the major test will be faced at that point. Can the bureaucracy run this type of program, encounter all the frustrations and disappointments of dealing with hard-core unemployed defendants, and still sustain interest, enthusiasm and commitment from the small successes it will be lucky to achieve?

Apart from the main thrust of the project, Aronson's operation has yielded important by-products. The use of ex-convicts as counselors has been important. These men have shown the program and themselves how useful they can be. The salvage of their lives is a vital part of the project.

There is significance, too, in the role played by the young college students who staff the project. Released from Antioch College, they serve six months and then return to Antioch to complete their studies. Every three months a new group arrives to be taught the routine by the group already working. Aronson has endeavored to make their experience educational by conducting a course with them in various aspects of criminal law and procedure.

Their presence in the court building adds an interesting dimension to the criminal process. The regular system is administered by the tired people of this world -- the legion of court clerks, bailiffs and other personnel who do the necessary but lackluster chores. Into this basically drab environ-

ment comes an infusion of youthful enthusiasm -- bright, eager faces, working hard at their tasks, asking pertinent and occasionally impertinent questions. They have captivated the crustiest curmudgeons. There is no more refreshing sight in a courtroom than when a tired minor court judge is interrupted from the deadly daily routine of arraigning a hundred prisoners by the bouncy appearance of an Antioch coed, asking to have a defendant referred to the Project.

The students' presence also illustrates an important point about the performance of routine tasks in any cumbersome system such as the process of criminal justice. Many routine jobs need to be done. The tasks of these students are mostly dull. They spend hours searching court records -- hardly a stimulating assignment. But because it is all new to them, because it is an experience in the real world, and because they will only be doing it for a short time, they hurl themselves into the assignment. How many tasks there must be in all systems that require bright people to handle them, yet quickly bore those assigned to them for any prolonged length of time.

In sum, the project is achieving some results, but what is more significant is what is being demonstrated by the way the project was created and the way in which it operates.

The Bronx Sentencing Project

With the Bowery and Court Employment projects successfully launched, Sturz was anxious to develop a program in the field of corrections. He began,

as Vera often does, by throwing the ball to a bright, young lawyer and telling him to come up with something. The receiver in this case was Tom Chittendon, who caught his assignment in July, 1968, with no special instructions or plans.

Chittendon began by observing court practices in connection with sentencing. One fact became readily apparent: in most of the cases that came before the judges for sentencing, there was scarcely any information at hand on which to make an informed judgment. The judge knew about the crime at hand, and he knew the defendant's prior criminal record, but he did not have a pre-sentence report to tell him about the defendant's family, employment record, social and medical background. Such reports are regularly furnished judges in criminal cases in the state Supreme Court, where major crimes are handled, but in the Criminal Court, pre-sentence reports are prepared in only 10 per cent of the cases. Though most of the crimes sentenced in this court are misdemeanors, these carry up to a year in jail. In addition, some felony crimes are sentenced there.

Drawing on the experience of Vera in the bail and summons project, Chittendon designed a plan to prepare short-form pre-sentence reports so that the judge would have some basic background facts about the defendant before him. And, as with pre-sentence reports in major cases furnished by the probation officers, Chittendon's reports would make a recommendation about disposition. In keeping with Sturz's philosophy that Vera either says something helpful for the defendant or nothing at all, the reports prepared by Chittendon

recommend no jail sentence where appropriate; otherwise, they say nothing.

Chittendon's procedure is simply to interview the defendant, elicit the needed information, and then verify it. The information is boiled down into a one-page report. In effect, Chittendon and his staff of three young college graduates function as replacements for the probation officers whose time simply does not permit the preparation of pre-sentence reports, except in the most serious of cases handled in the Criminal Court.

Entree for the project was secured through Judge Botein, and subsequently Judge Dudley, the chief administrative judge for the Criminal Court. Sturz and Chittendon later met with each judge of the Criminal Court in the Bronx, where the project was to be tried out.

The judges have found the reports helpful, and have followed the non-jail recommendation in 93 per cent of all cases. Chittendon and his staff have been conscientious in deciding when they make the recommendation, doing so in slightly more than one-half the cases they report on. These include felonies and the more serious misdemeanors.

There appears to be a significance to the Vera recommendation. Jail-ing for the class of crimes in question had averaged 65 per cent before the project reports were furnished. Afterwards the percentage dropped to about 50 per cent.

Once the pattern of providing pre-sentence reports was established, Chittendon sought to develop sentencing alternatives within the community. This phase began with efforts to steer the defendant toward a job. If the man was hired, the pre-sentence report recommended that sentence be

deferred for two weeks to see if the man went to work. Or, on occasion, a defendant was referred to a group counseling program, and sentence was deferred for as much as three months to see whether progress could be reported.

From these beginnings, Chittendon has tried to develop a set of alternatives that might be used instead of jail, or even probation with its usual lack of a specific route for the defendant to follow. The project has been working with the Bronx Model Cities program and has received federal planning funds to structure a program that will involve job referral, supervision and counseling. Staffing of the program will be undertaken by neighborhood residents.

This program does not operate on anything like the scale of the Court Employment Project. In the Bronx the effort is simply to refer the accused to some community program, whereas the Court Employment project undertakes to run the counseling and job referral programs. Nevertheless the Bronx project is useful in working to develop non-jail sentencing alternatives. And the pre-sentence reporting is helpful both in filling a gap in the system and demonstrating the useful role that can be played by young non-professionals.

The Methadone Project

By far the most ambitious project for Vera will be the Methadone Project just now getting off the ground. Perhaps no problem poses a greater challenge to the criminal justice system than narcotics addiction. The addict commits a

heavy proportion of all crimes, and his conduct has not been successfully circumscribed by any of the traditional rehabilitative programs. In short, society simply does not know what to do with him.

In recent years, use of the drug methadone has gained increasing attention as a possible way out. Methadone is a synthetic narcotic drug which its proponents claim dulls the appetite for heroin yet does not require a constantly increasing dose to meet the narcotic's need. It is still viewed skeptically by many medical authorities who see it as simply the substitution of one dangerous substance for another. They recall that years ago some prescribed heroin as a means of weaning addicts away from morphine.

In recent years some serious experimentation with methadone has been underway, most notably the project run by Doctors Dole and Nyswander in New York City. They claim to have achieved moderate successes in maintaining heroin addicts with methadone doses, keeping them off of heroin and enabling them to function as useful members of society. But their patients have not been selected at random. Instead, they tend to be addicts most likely to benefit from a therapeutic program.

Much current opinion on methadone comes down to this: it may not be the answer, but when a problem this serious has no other answers, we better learn all we can about this technique.

In New York City various proposals for methadone programs have surfaced at one time or another. Some of them got caught in a political crossfire

between City Council Democrats, who wanted a program conducted by the City Department of Corrections, and Mayor Lindsay, who was not persuaded of the advisability of that project. The City's Hospital Services Administration also had plans for a methadone project, but the type of project needed was more than a single agency could put together. Ultimately the Mayor decided a serious program should be undertaken, and he turned to Vera to design a project under the auspices of the CJCC.

Sturz gave the assignment to Robert Bogomolny, an attorney recently resigned from the Department of Justice, where he had worked on narcotics programs. Bogomolny precisely fits the Vera mold: he is intelligent, creative and quiet, the very model of a Vera planner.

What emerged after several months of planning by Bogomolny under Sturz's watchful and helpful direction was a most ambitious project. It aims to handle some 5,000 addicts in the Bedford-Stuyvesant section of Brooklyn. It will try three different approaches to treatment: (1) maintaining addicts on methadone doses in lieu of heroin, (2) initial maintenance with methadone followed by withdrawal from all drugs during the second year, and (3) short-term use of methadone to ease an addict through detoxification and try to withdraw him from all drugs in a short time.

In addition to the methadone medication, that project will include a full range of supportive services such as vocational training, job placement, personal counseling and referral to existing social service agencies.

Recruits for the project will be drawn from four sources: (1) defendants facing criminal charges to be referred by the courts in the same manner as defendants in the Court Employment Project, (2) jailed offenders who would be in effect paroled into the program, (3) addicts on the street sought out by rescue teams similar to the way derelicts are brought in for the Bowery Project, and (4) addicts who walk in on their own to seek help.

The project is entirely an out-patient service. A city hospital will provide in-patient care when needed.

Planning for the program includes a major research effort involving medical evaluation by a doctor at the Albert Einstein College of Medicine and evaluation from the standpoint of criminal justice by a professor at the Harvard Law School.

The principal funding source will be the National Institute of Mental Health, which has granted more than \$1 million for the first year of operation. More than one-half million more dollars have been secured from the Department of Justice, the Model Cities program, and New York City.

Operation of the methadone project will be handled by a separate corporation, established along the lines of the Bowery Corporation. Chairman of the new board is the former U. S. Attorney General Nicholas Katzenbach.

Since the project is only now beginning to function, there is no basis for assessment. But there is little doubt that a project of this scope needed the assistance of Vera to move from concept to reality. It is unlikely that any one city agency could have put together the combination of agencies that will be actively

involved in the methadone program. Nor could the city easily have interested top flight legal and medical scholars to handle the research and evaluation aspects of the program. In fact, at the most elemental level of project planning, it is unlikely that any city agency could have enlisted a person with the experience of Bogomolny and given him several months of uninterrupted time to do the detailed planning such a project requires. The city would have hired a consultant, and his plan would have lacked that link to reality that typifies most Vera projects -- the requirement that the planner design a program so workable that he himself can and will stay with the project in its initial operation.

As with all of its demonstrations, here, too, Vera demonstrates the best way to organize a project.

Oiling the Machinery of Justice

When Vera undertook the Manhattan Bail and Bowery Projects, it sought to achieve two goals: better treatment of those caught up in the criminal justice system, and more efficiency for the system itself. The bail project primarily aided the accused by securing his liberty before trial. But it also relieved some overcrowding in the jails, and saved the corrections department the expense of bringing hundreds of prisoners to court each time the case was called. The Bowery program alleviated the plight of alcoholics, but it also saved the police and court personnel the time and expense of making hundreds of arrests and handling hundreds of court cases.

When Vera broadened its activities after receiving major Foundation support in 1966, and as it operated as the staff arm of the Mayor's CJCC, Vera came to

pay increased attention to efforts to promote efficiency in the criminal justice system. Like the Manhattan Summons Project, these efforts had a two-fold objective, though the priorities of the bail and Bowery programs were reversed: the Summons program was a major time and expense saving for the police but it also benefited the victims of crime and witnesses who often had to waste hours of their time when the formal arrest process was used. Many projects undertaken since 1967 have aimed at these goals and in this same order. They have primarily sought to save the time and money of courts and police, while reducing the police station and courtroom waiting periods of victims, witnesses and defendants.

24-Hour Arraignment. The Criminal Court faced a chronic problem stemming from the fact that court hours do not coincide with crime hours. Most crimes are committed between 6 p. m. and 2 a. m. New York law requires police to bring the arrested person promptly to court, where he is arraigned -- i. e. brought before a judge who tells him what charges he faces, advises him of his rights, and sets the amount of bail, if any, that must be posted to secure his release. When an arrest is made in daytime, court is open to handle the arraignment. But with nighttime arrests, prisoners usually spent a night in jail until arraignment the following morning. And when court opened at 9 a. m. (or later, depending on the judge), there was a jam of cases from the previous night's police activity. All concerned -- defendants, lawyers, complaining witnesses, victims and arresting officers -- waited for hours until the case was called.

In an effort to ease the morning delays and avoid the nighttime incarceration, Judge Botein decided to experiment with a 24-hour court that would handle arraignments regardless of the time of arrest. The experiment was tried out during the first six months of 1967. The project was set up primarily by the court system, but Vera was called upon to help with the planning. Vera staffers had by that time acquired an extraordinary amount of detailed knowledge concerning the Criminal Court. They had the time and the knowledge to be of substantial assistance to court personnel.

Ultimately the 24-hour project proved to be too burdensome for those who had to operate it. Judges, prosecutors and defense attorneys simply did not bear up under the odd-hour assignments such a system required. After six months, the project was abandoned. However, the scheduling of arraignments was extended from the old system to a new 18-hour schedule, which did take much of the pressure off the morning hours, and made immediate bail hearings possible unless the prisoner was arrested just before midnight.

The project produced two benefits for Vera. First, staff members gained further knowledge of the detailed operations of the court system and demonstrated to the judges who saw how helpful they could be as a result of having this knowledge. Secondly, the project led to the establishment of an extremely useful staff arrangement with the New York City Police Department. Realizing that developing the mechanics of a 24-hour arraignment system would require a close working relationship with the police, Sturz asked Commissioner Howard Leary to assign a police

liaison officer to Vera. Perhaps the best evidence of Sturz's solid relationship with Leary and of Vera's acceptance by the police is the fact that Leary readily complied with this request. Lt. Michael Farrell got the assignment and went to work in Vera's offices. Farrell had worked in the police department's planning department and had begun to work with Vera when the summons project was expanded from a trial project to a city-wide operation.

Traffic Court Alert. During the summer of 1967 Sturz sent a law student, working with Vera for the summer, into the traffic court to see what improvements might be made there. The student quickly observed the major problem: police officers were required to be in attendance for all cases, even though many cases were postponed because one of the principals failed to show up. Analyzing the process with some care, the student found that the police officer was wasting the time of his court appearance in 50 per cent of the cases.

Sturz gave Lt. Farrell the assignment to devise a change. Farrell developed a plan under which arresting officers in traffic cases remain on duty the day their cases come to court, with an "alert" arrangement whereby they can come to court quickly if all the other parties show up. Officers in cars check in with their precincts every hour while those on foot patrol call in every half hour. Two court clerks staff a room at the courthouse to keep track of the cases in which all necessary parties are present. A police liaison officer calls the precincts to summon the arresting officer to testify. The plan was presented to the administrative judge of the Criminal Court, Judge Dudley, who ordered it tried out on a pilot basis

in Manhattan.

The project got underway in November, 1967, and was gradually expanded to the Bronx, Queens and Brooklyn during 1968. In the first full year of operation, nearly 6,000 officers were placed on alert status, and, as the initial study had shown, less than 3,000 were actually called to court. The CJCC has estimated that the saving in the cost of the patrol time of the officers left on duty was nearly \$150,000. Now that the project is functioning city-wide, the annual savings will be considerably higher.

Vera is now studying the possibility of expanding aspects of this alert system to criminal cases.

Calendar Control Project. Building on the experience of the traffic court project, Vera next tried to improve court scheduling for criminal cases. The concern here was not only with police witnesses, but also with members of the public who were either witnesses or victims of the crime. If the case was postponed, the court appearance was a nuisance and often the cause of failure to show up the next time, when their presence really was needed.

Staff member Jim Lacy, recently graduated from Columbia law school, set about designing a project. Since more witnesses were involved than just the police officer in the traffic cases, it did not seem feasible to use the "alert" technique. Lacy's answer was simply to make it possible to postpone a court case until a day when all the necessary people could attend.

A trial run was started in Bronx County on July 1, 1968. Lacy received from the District Attorney, Burton Roberts, permission to postpone scheduled criminal cases if a needed party could not attend. The staff then reviewed court files and set aside all but those cases in which a defendant was in jail or where more than three postponements had previously been granted. This left about 50 cases a day. Ten days prior to the scheduled trial date, notices went to all witnesses advising them to call the project director if a postponement was needed. The staff checked with the defense attorney and the police two days before the trial date. If one party could not be present, the staff worked out a mutually convenient date and notified all the necessary people. On the original court date, a staff member appeared in court and informed the judge of the postponement. Usually this presented no problem, although once in a while a judge vehemently objected to the procedure.

After two months, the Vera staffers decided not to invite postponements, but rather to notify all concerned that there was a telephone number they could call if postponements were needed. Instead of contacting the parties in each case, the staff gave general notice to the lawyers through the bar journal, to the police through command channels, and to all who had sworn out criminal complaints by a stamped notice on the complaint. Then the staff waited to see if anyone called requesting a postponement. As it turned out, requests for postponements came in for about 60 cases a week.

The project continued until April, 1969, and then abruptly came to a halt. Though it was popular with the police and the district attorney's office, it became a source of irritation to the judges. They resented the idea of having their calendars controlled by others. Even though the project was saving time and annoyance for many members of the public, it was discontinued with the hope that a more thorough revision of the scheduling process could be developed. As former staff member Harry Subin put it: "Calendar control was just a band-aid operation. More basic changes were needed."

Master Calendar Plan. The effort to devise a more comprehensive solution became a planning task, not an operating project. Vera staffers visited courts in Los Angeles and Philadelphia, studied the details of the New York procedures, and ultimately drafted a plan to speed the assignment of criminal cases. Rather than devise a pilot project to try out the proposal, Vera simply submitted the plan to Judge Stevens, who had succeeded Judge Botein as Presiding Justice.

Subin neatly articulates the distinction between Vera's approach to this assignment and its usual, action-oriented way of working. He says: "We did this more like Rand than like Vera." And like so many reports of expert but outside consultants, this one has not been implemented. Court personnel working for Judge Stevens continue to work on the problem, and Vera continues to act as consultant. Basic changes in court calendaring are still a long way off.

Pre-Arraignment Processing. Vera's most successful effort to streamline the processes of justice has been focused on what is perhaps the most cumbersome and frustrating phase in the handling of a criminal case: the period from the moment of arrest up to the defendant's first court appearance for arraignment. Several factors make this stage a source of special inconvenience to the police, as well as to crime victims and witnesses. The arrested person must be brought before an arraigning judge so that bail can be set. Before this happens, the prisoner must be photographed, fingerprinted (in all except very minor cases), and transported to whatever court is open for arraignment. Meanwhile, a formal complaint must be prepared based on statements of the victim, the witnesses and the arresting officer. At the same time, the fingerprints of the accused must be sent to police headquarters so that the prisoner's prior record can be located and made available to the judge at the time of arraignment. The entire process normally takes between five and eight hours. Additional delays are encountered if the arrest occurs at a time when no arraigning court is open.

For the victim or by-stander witness, this procedure means a waste of several hours' time and often the extra inconvenience of travel from the Bronx, if the arrest occurred there, all the way to lower Manhattan, if that was the location of the only court open for arraignments. For the police officer it means valuable time off from patrol plus the extra hours of duty tacked on to his regular shift if the arrest occurred past the half-way point in an eight-hour tour. Since New York police are now paid for overtime instead of receiving

compensating time off as in the past, this means an enormous expense for the city. Moreover, many police officers valued their time higher than the overtime pay and simply declined to make arrests in the closing hours of their shift unless the observed criminal conduct was too serious to ignore.

Vera designed and helped to implement a detailed procedure which essentially substituted the movement of paper for the time-consuming travel and waiting of people. It was first tried out in the Bronx. Police brought an arrested person to a "pre-arraignment processing facility" located at a precinct station in the Bronx. There the arresting officer, the witnesses, the victim and an assistant district attorney did all the necessary paper work. As soon as this was completed -- usually within an hour after the arrest -- they were all free to leave. The prisoner was transported to the arraignment court, and eventually all of the documents arrived -- the formal complaint, a photograph, fingerprint card and prior arrest record. Personnel located in the building where the arraignment court was held picked up the case and handled it from the papers, calling back to the pre-arraignment office only in rare cases when something needed clarification.

In the first four months of the new system in the Bronx, the project handled cases involving more than 4,000 police officers, nearly 2,000 crime victims and 400 by-stander witnesses. The time saved by each police officer averaged more than nine hours. After allowing for the additional police time required to staff the pre-arraignment facility, Vera calculated that the city

had been saved \$150,000 in overtime payments. Projected savings city-wide as the project is being expanded to all boroughs are estimated to approach \$2 million.

More dramatic than the dollar savings is the measurable increase in the effectiveness of police performance. In the two months before the new system was tried out, the affected precincts in the Bronx noted that arrests were running 20 per cent ahead of the prior year. For the next two months, starting right after the advent of pre-arraignment processing, the arrest rate jumped to more than 40 per cent over the previous year. The only explanation was the availability of more police officers on the street, since no other precincts in the city showed an increase of this proportion.

The Police Department was delighted with the results and gradually extended the procedure to all boroughs.

It is important to note that this change has been of special value to New York City. Since few other cities operate under systems that require police officers to devote nine hours of time to the processing of an arrested person. For example, the idea of sorting out complaints at the precinct and releasing the officer instead of requiring his presence in court at the time of arraignment occurred to most communities years ago. The success of pre-arraignment processing is not so much a measure of innovation, but simply a commentary on how antiquated the New York procedures were. Nevertheless Vera's role in cutting through the hoary practice stands as a major achievement.

Emergency Conditions. Civil disturbances throughout the country brought home to most cities the need to develop special procedures for handling fairly and efficiently the flood of cases that engulf a minor court system in the aftermath of several days of rioting. The CJCC prepared for New York City a useful report outlining procedures to be used in the event of mass arrests.

Unlike other cities, however, in New York the report served as the beginning rather than the end of detailed planning. Vera was called upon to work out procedures for the implementation of the CJCC report. A grant was obtained from the Department of Justice to finance the work, and Vera gave the assignment to Peter Nussbaum, a young lawyer hired for the assignment.

Nussbaum spent several months on the assignment and produced the most elaborate procedures for handling emergency mass arrest problems to be found anywhere in the country. The plan involves the prompt establishment of a staging area near the riot zone to enable arrested persons to be processed quickly with police freed to return to duty. The plan includes an information system to provide facts promptly to the public and to the families of those arrested, guidelines for the police concerning the enforcement of curfew regulations, explanations to those arrested as to the procedures that will confront them, and representatives of the public stationed at key locations to observe and report any improper conduct. Innumerable practical details are covered, including a novel but common sense arrangement to have a

polaroid photo promptly taken of each arrested person and attached to the arresting officer's papers.

Nussbaum's work involved not only working out with all affected agencies the specific role each would play in the event of a riot, but also preparing a plan for each agency to check annually on its own state of readiness to meet such a contingency.

In carrying out the assignment, Nussbaum found two strong elements of support for his work: the backing of the Mayor and Vera's reservoir of expertise in the details of criminal procedure. Skillful use of both, plus his own talents, got the job done.

Fingerprint transmission. A small but illustrative project of Vera helping to speed the criminal process is Lt. Farrell's effort to automate the transmission of fingerprints. Under current practice the prints of an arrested person are sent by messenger to the identification unit so that the prior record can be furnished to the court by the time of arraignment. It now takes up to an hour and a half to do this. Under Farrell's plan, electronic scanning equipment is available that would relay the prints via closed circuit television in less than a minute. Lt. Farrell is working out a plan for the installation and efficient use of such equipment. What makes the project especially noteworthy is L. Farrell's view that in this purely police-oriented project, he is able to function far more effectively as a liaison officer with Vera than he used to as a member of the police department's planning unit.

TRYING SOMETHING NEW

In many different ways Vera tries to formulate a new approach to see if it will work. A few examples illustrate the range of activity undertaken.

Police-Community On-the-Job Training. This 1968 project was an effort to see if a police department might be a useful site for an on-the-job training program. Paid for by a grant of \$125,000 from the Standard Oil Company of New Jersey, the project was organized by Vera in close cooperation with the Police Department and the Voorhees Technical Institute. The idea was to take a small group of high-school drop-outs and offer them a program of remedial education and vocational training in the context of an operating city agency.

The training at the Police Department was not necessarily oriented towards police work. The training there prepared for jobs as clerk-typists, auto mechanics and key-punch operators. But it was important to show these youngsters job opportunities within an agency to which they previously felt quite hostile. There was no requirement of working for the department. The important thing, in addition to the education and training itself, was to show a group of ghetto youngsters that there is a positive side to the police department. Hopefully, too, the department saw some positive qualities in these youngsters. Of the 56 young people accepted into the program, 47 received certificates after completion of the 26-week program, and nearly all were placed in jobs.

The project was useful, but as yet there are no plans to repeat it. A report on the project was sent to various agencies, but provoked little response.

Community Patrol Corps. It sounded like a good idea to take a group of teen-agers from a ghetto neighborhood and put them on patrol in pairs in a semi-official status. They were not to be policemen, but would be on the look-out for crime. Mayor Lindsay was anxious to try it out as a possible step to break down police-community hostility. A Vera staffer assisted in the planning of what turned out to be a one-week demonstration.

Not much was demonstrated. The youths never saw a crime. They did report on trash in the streets and other conditions needing community services. They also encountered some heckling from other youngsters. Exactly what the Corps members were supposed to do was never made clear.

The project did reveal that many problems arise with a Patrol Corps, and that careful planning must be undertaken. An application to the City has been made for a two-year project, but this has not been funded. Possibly model cities funds will eventually be used for such a project.

Information Booth. Among the bewildering aspects of the criminal court process is the simple fact that a person walking into 100 Center Street in lower Manhattan finds himself in a huge multi-story office building with no idea about which court-room he should go to or what is likely to happen when he gets there. Vera decided to set up an information booth on the ground floor of the building and staff it with volunteers to provide some orientation to the mass of people who daily crowd the building.

It was a small gesture but a useful one. The booth still exists though now manned by regular court personnel, tired and lacking the zest of the original helpful group.

Family Court Law Officer. A major shortcoming of New York's Family Court is the absence of any permanent office to represent the state's interest not only in prosecuting cases but in developing alternative methods for handling cases referred to the court. The Corporation Counsel's office intervenes in some serious cases; others are left to police prosecution.

Vera assigned a staffer to explore the problem and develop a new approach. The result was a carefully thought-out plan for a family court law officer. His duties would include a careful screening of all cases referred to the court; representing the public in cases that should be prosecuted; and working to develop community-based delinquency prevention programs and alternate routes for referral of cases away from the court. The proposal is detailed and thorough, and represents the kind of extremely helpful staff work Vera brings to the criminal justice system. Unfortunately, the city has not funded the proposed office.

Public Opinion Survey. An interesting new departure for Vera is a project recently undertaken in the field of public opinion. The Mayor's office suggested the use of surveys to probe public attitudes on the issues of education, health, housing and the administration of justice. The idea was to elicit opinion that would be useful to the city government in developing policies and programs. A grant was secured from the Fund for the City of New York, and a staffer was hired for the assignment. She is Mary Myers, a former Department of Justice aide.

Working with the city's Budget Bureau, some neighborhood groups and a professional polling organization, she has been designing questionnaires and opening channels for the use of the information gathered by the surveys.

While this is not officially a Vera project, Miss Myers nonetheless finds it advantageous to be working under Vera's wing. Vera's reputation with the city gives her easy access to the Budget Bureau, yet she much prefers to undertake the project outside a formal city relationship. As with many other projects that the city is interested in, Vera provides a useful insulation. If the project does not appear useful, it will be easier for Vera to drop it than for the city, which may find forces building up to continue it.

A project of this sort, of course, has some political dangers, as the charge may one day be leveled that Vera is simply fronting for a device to get current readings on the Mayor's popularity. Miss Myers is not unaware of this risk. She hopes, however, that the danger can be avoided and that Vera will find it useful to learn what applications public opinion research might have throughout the administration of criminal justice.

Preparing Reports

Not all of Vera's activities take the form of full-blown projects. Some of its work involves the writing of reports on a wide variety of subjects and for a variety of audiences. A few examples illustrate the range of topics.

Police Interrogation. Vera's initial application to the Foundation outlined an elaborate project designed to experiment with different approaches to

the manner of police interrogation of a suspect. Thereafter the U. S. Supreme Court in its well-known Miranda decision, restricted flexibility in this area by prescribing precisely what advice as to rights must be given to a suspect before any legally admissible questioning may be done.

Thereupon Vera scrapped its plan for experimentation and decided to take a look at what the Supreme Court edict meant in practice. Through its close rapport with the Police Department, Vera was able to secure permission for the tape recording of actual interrogation sessions.

A staff member was assigned to analyze the tapes and to prepare a report on what they revealed. His findings served to confirm the view of many non-police observers that the Miranda warnings bear little if any relationship to whether a suspect under arrest decides to confess his crime. What he did note was the large number of instances in which the whole idea of giving warnings is illusory because the accused is in such a state of agitation, fear, withdrawal from addiction, or intoxication that the warnings are not realistically perceived.

Hopefully the report will provide the basis for a law review article. This is an area where little concrete information about what actually happens is available to the legal community concerned with the constitutional issues involved. As yet the article has not been written, though the report has been made available to the Police Department.

Firearms Use. When the New York State legislature amended the law concerning police use of firearms, Vera undertook to draft a set of guidelines for the police that would explain and clarify the intent of the law. It was a useful tool, although the police department's own legal personnel could have done this job on its own.

Bail. Vera has continuously been concerned with bail ever since the Manhattan Bail Project in 1961. In 1968 Vera was asked by the courts to take a look at the overcrowding in the city's jails due to pre-trial detention and to recommend steps to alleviate the situation. The result was a comprehensive report, pulling together in one document all pertinent information on the number of detained pre-trial prisoners, the length of detention, types of cases involved and the operation of the release-on-recognizance system in the hands of the Probation Department.

Another report is planned on arrested persons who are released without bail and subsequently fail to show up in court. Their number is very small in comparison to the total number released, but their characteristics need to be studied to provide judges with useful information on the probability of flight in different types of cases and with defendants of different backgrounds.

One shortcoming of reports of this sort is that thus far the information has not been presented to the academic community through law review articles. Vera's initial experience with the Manhattan Bail Project was written for a scholarly audience, but its current collections of information have not been similarly presented.

Vera Looks To The Future

It is not surprising that an agency like Vera is oriented toward the future. The Vera staff continually looks ahead, and their vision has been sharpened by the need to prepare for the Foundation an outline of objectives for the next five years. It is not the intention here to assess all their plans, but simply to identify for illustrative purposes four areas where plans are already under way.

1. Plea Bargaining. A vital part of the criminal justice system, and one long insulated from any form of systematic evaluation, is plea bargaining. Typically, an arrested defendant is accused of conduct that violates a series of laws. For example, a man who breaks into a home, steals money, and shouts a threat at an awakened homeowner could be charged with the relatively minor crimes of breaking and entering or larceny, or the more serious crimes of robbery or assault. It is largely up to the prosecutor to determine what charges will be brought against the accused. In selecting the charge, the prosecutor determines the maximum penalty that can be imposed. Frequently the prosecutor and the defense attorney reach agreement on a charge to which the defendant will enter a plea of guilty. Sometimes the "bargain" also includes an agreement that the prosecutor will recommend a specific sentence, which the judge often accepts.

The process disposes of more than 90 per cent of all criminal cases that result in conviction. Yet almost nothing is known about the bargaining process itself -- what factors influence each side, how informed each side is of the other's case, how likely it is that an innocent defendant pleads guilty to a lesser charge to escape the risk of wrongful conviction on a more serious charge, and ultimately,

whether the process itself helps speed the flow of cases or faces the defendant with unfair choices.

Sturz has decided to take a serious look at plea bargaining. His approach is pure Vera. He hires a lawyer fresh out of Yale Law School and assigns him the problem of plea bargaining. "What do I do?" asks the staffer. "Find out about plea bargaining," says Sturz.

The chances are the staffer will find out a great deal about plea bargaining. He has no other assignment. He will have access to people throughout the criminal justice system in New York City. Trading on Vera's hard-won credentials, he will be able to watch the process in action, because prosecutors and public defenders have confidence that a man working under Vera's auspices has discretion -- and can be helpful.

After a time of fact-finding, Sturz's man is likely to start designing a specific project that Vera might undertake. It will not be easy to have an impact in this area, but it is well worth the effort. In time, a critical phase of the system will be illuminated, and possibly, a way will be found to change the mechanics of plea bargaining. Surely change will come - and Vera's approach is the most likely to succeed.

2. Youth and the Law. Despite the many projects sponsored by private, city, state and federal funds to find answers to the problem of juvenile delinquency, the field of knowledge is strictly limited. Only the facts of rapidly increasing youth crime are known quantities. Techniques of prevention and possible ways of rehabilitation remain elusive.

For Vera this area has held low priority, though there is some indication of heightened interest in the future. Initial efforts have consisted mainly of close observation of a group of Brooklyn youths in trouble with the law. The aim has been to learn what really goes on in the life of these youngsters, what causes their first brush with the law, how the legal system affects them, and what community alternatives are available.

Out of this inquiry has come a proposal for a project to divert youthful offenders from the formal legal machinery by the intervention of a neighborhood-oriented youth forum. The idea is to have neighborhood people assume some direct responsibility for teen-agers in trouble with the law. Whether this will take the form of a neighborhood court or simply an elaborate "Big Brother" arrangement is not yet clear. Whatever plans are implemented, Vera hopes the project will develop new ways in which a neighborhood can be actively involved in some phase of the administration of justice -- a process too long perceived by many as something directed at the community instead of developing from the community.

3. Organizing Information. A recent analysis labelled the criminal justice system a "non-system." In addition to the many historical, political and structural reasons for this harsh but valid assessment, there is a basic practical consideration -- the "system" lacks any organized method of assembling factual information. While many agencies collect quantities of statistics, they usually measure different things, for different time periods, and do not necessarily deal with the most pertinent subjects.

For example, police may keep track of the number of offenses, courts might total the number of cases, and prisons may keep tabs on the number of offenders. Even if the time periods were consistent, this kind of data would yield no meaningful analysis about the system's handling of people or cases, because each agency is measuring something different. And efforts to follow the progress of individuals is thwarted by the invariable practice of each agency to assign a person or case a number different from that used by the other agencies handling the same person or case.

There is a vital need for information in two broad categories: operating information, which enables each agency in the system to fulfill the specific task assigned; and management information, which permits analysis of the entire system. In New York City, and elsewhere, such information is extremely scant.

Vera and the CJCC have carefully considered ways of gathering the needed information. Within Vera the task has fallen largely to Steve Clark, a young man with the unusual combination of training in law and computer programming. He is not, however, overawed by the bright lights and spinning reels of computer equipment.

"There is no point," he says, "in just moving in a lot of electronic data processing equipment, because that just automates the existing system and doesn't make any basic change."

Clark has been working to develop system changes under which the proper equipment, once installed, will yield the necessary information. So far the effort has been a frustrating one. Proposals have been made to Judge Dudley, and they have been turned down. The effort has not yet met success, because it is trying to accomplish something very difficult -- persuading established institutions to make broad changes in the way they operate.

Whether Vera will be able to accomplish much in this area remains to be seen. The problem is by no means being ignored by the various agencies. The court system has its own staff of experts hard at work on information and management problems. It may be that eventually change can be effected only when the institutions themselves come up with plans and solutions and resolve to put them into effect. Unlike its success in other areas, Vera has thus far not been able to show the agencies a specific project in the area of organizing information that can be implemented quickly. Possibly the nature of the problem precludes easy solution, but the matter is still very much on Vera's agenda for the future.

4. Beyond Criminal Justice. What relevance has the Vera technique for fields other than criminal justice? This is one of the most intriguing questions to come out of the Vera experience, and, not surprisingly, Vera has set about exploring the answer.

Under a modest grant from the Field Foundation, Sturz hired two young college graduates -- Ray Baxter and Dale Forsythe -- and set them to work examining possible areas for an appropriate Vera project. What they sought

was a field with a public client and a system of related agencies that confront the client. It was not long before they decided on the next challenge -- the world of health.

Then came the search for a suitable entry into the field. In time they began to design a project centered around medical corpsmen recently discharged from the Army. Their study disclosed that the abilities of these valuable corpsmen were almost entirely wasted. Men with 6-8 years' experience in a variety of medical skills were returning to civilian life without any organized route into the field of health services where their talents were so badly needed. A few became hospital orderlies, where their skills and training were not used. Many left the health field entirely.

After discussions with health professionals and others knowledgeable in the field, Baxter and Forsythe planned a project using these ex-corpsmen in a variety of ways to promote better delivery of health services. They will be stationed in neighborhoods for night and week-end duty, providing a link between the patient and the physician who may diagnose and prescribe by telephone. Baxter is concerned lest the project fall into the trap of being just "slum medicine." He sees it as a way of improving the delivery of medical service within the entire health system, not only at the low end of the economic scale.

The project has already stirred wide interest and enthusiasm among many doctors and hospitals -- no mean achievement for two young men who began a year ago without the slightest knowledge or experience in the field of health.

For Vera, however, the project itself will be only the beginning. Its importance lies in the opportunities that will unfold in the entire health field. Says Baxter, "This project is something to do that gets inside the whole system." For Vera, it could become the bail reform project of the health field. That is surely an exciting prospect to contemplate as Vera looks to its future.

EVALUATION OF PERFORMANCE

Inside Vera

On East 39th Street between Park and Madison Avenue in New York City stands a narrow, six-story building, sandwiched in a row of similar structures. A dignified plaque near the front entrance says "Vera Institute of Justice." It is a conservative setting for these architects of social change. Inside the staff is distributed vertically, usually three people to a floor. Sturz works in shirt-sleeves from a second-floor office.

He runs the place with an easy grip, but no one doubts who is in charge. The internal structure is not elaborate. The handful of permanent staffers handle their individual assignments, taking direction from and reporting progress to Sturz. The director has no second-in-command and prefers to keep it that way. A year ago he brought Ken Marion abroad to handle administrative tasks, and Marion's role has been extremely useful. The complexities of funding flow through his office, and project directors like Aronson, Goldfeld and Chittendon check with him frequently on minor procedural matters.

Sturz exerts his leadership through individual contacts with staff members. Staff meetings are sporadic, more often with only half the group at a time. These sessions are designed to share information and maintain morale. Policy planning and execution is done by Sturz with the person assigned to a particular project.

The Staff. The staff is acutely aware of the innovative role they are playing in New York City's criminal justice system. They are not only interested in what they are doing, but also in how they are doing it. The technique of change fasci-

nates them as much as the results of change. They are quick to speak of the "Vera method," even different staffers interpret it differently.

For some, the key to the method is working outside the bureaucracy, yet being intimately involved in the mechanics of the system. Others mention the fact that each staffer not only studies his problem and plans a project, but also expects to work through the project. They have scorn for the approach of academic consultants and point out that this is the way they do not operate. Some dwell on their familiarity with the political intricacies of their work, how well they deal with political personalities such as the mayor's staff and district attorneys. All emphasize their reluctance to engage in public criticism of the agencies they deal with, and they point to Vera's practice of always giving credit for improvements to the agency in which the change was introduced, with Vera receiving either no mention at all or barely a line at the end of a newspaper article.

They are a lively group, knowledgeable and inquisitive, creative and practical.

A recent addition to the staff, Barbara Naftalis, has begun to give some needed attention to the ways in which Vera communicates its results to the world. With the exception of the initial bail project, Vera has not made much effort in this direction. Major projects such as Bowery and Manhattan Court Employment have prepared extensive mimeographed reports for the benefit of Vera's board and funding sources, but there has been no effort to prepare materials of general interest. The first of a series of attractive booklets briefly outlining what Vera does appeared just a short while ago.

A key element of the staff is the police liaison group under Lt. Farrell. Assigned to Vera by Commissioner Leary when the 24-hour arraignment project was set up, Farrell has become a permanent fixture at Vera and now has three sergeants working with him. All remain members of the police department, but they work full time at the Vera offices.

Their work has been invaluable to both Vera and the police department. Farrell's current usefulness is both an ironical comment on the bureaucratic process and testimony to the effectiveness of Vera. As a member of the police department's planning unit, Farrell was submerged under several layers of bureaucracy, and his ideas could be shot down at four levels of command before they received consideration by the Commissioner. Now, at Vera, Farrell needs to persuade only Sturz. If Sturz approves of an idea he arranges a lunch date with the Commissioner and conveys Farrell's suggestion. If the Commissioner approves, Farrell is given a full opportunity to present details to key staff members of the department. From then on, the idea is working its way downward toward implementation, rather than upward toward doubtful approval.

During the summer of 1968, the staff was supplemented by nearly 100 law students who were dispersed throughout Vera's projects. A few worked in the main office doing helpful, detailed research. For some reason recruiting of summer interns slacked off considerably in 1969, and it is not clear what efforts will be made along these lines next summer.

The Board. Vera's relationship with its board consists for the most part of personal contact on a regular basis between Sturz and Burke Marshall, Prof. Goldstein, Prof. Ohlin and Pat Wald. The board itself meets five or six times a year. Marshall views the board as an effective policy review mechanism, which frequently uses its authority to say "no" to Sturz. But from Sturz, one does not get the impression that the board has proven much of an obstacle to his plans.

One issue, however, did divide the board and the director. Sturz, always anxious to conquer new worlds, took steps a year ago to involve Vera in Washington, D. C. The District of Columbia government was anxious to develop its own version of New York's CJCC, and Mayor Walter Washington and Sturz had some conversations as to how Vera might be helpful in this effort. There is some reason to believe that Sturz rather actively promoted the overtures that ultimately came from Mayor Washington. When the issue finally surfaced, Vera's board took a firm stand against such an expansion of activity. There was no opposition to Vera's playing a consultant role, but firm rejection of any notion that Vera should be operating in another city. The board prevailed.

Funding. As would be expected of any group skillful at maneuvering in and around bureaucracies, Vera has easily mastered the art of grantsmanship. In the past two years, they have spent \$282,000 of the Foundation's funds on specific projects. This sum has been matched by city, state and federal funds totaling nearly \$3 million. Nearly all the public funding has been used for Vera's three major projects -- Bowery, Court Employment and Methadone. The balance has been about \$300,000 of CJCC funds channeled to Vera by the New York Police

Department and used for a variety of smaller projects and studies. Thus, the Foundation's seed money has borne ample fruit.

Vera's Operations

The key officials of the criminal justice system in New York City are generally enthusiastic about Vera. The Mayor, the police commissioner and the senior judges lead the applause. A few reservations are expressed by heads of operating agencies.

There is general agreement that Vera is practical. Judge Botein observes: "They are a group of solid people, with good judgment. They know the practical problems, the politics and the personalities." The administrative judge of the Criminal Court, Judge Dudley, says simply: "Vera has the professional competence." In the words of Judge Beldock: "They are professional, fair and down to earth."

Howard Leary, the Police Commissioner, emphasizes that Vera knows the workings of the justice system in New York City. "Their professional integrity is very high. They are not a fault-finding organization. They have rapport with the courts, the district attorneys and the police."

Regard for Sturz runs extremely high. The senior judges and Commissioner Leary have complete confidence in him. Judge Stevens thinks the confidence might not be easily transferable to another director, but most of the others think that Vera has earned trust as an institution.

Bronx District Attorney Burton Roberts has a special accolade for Sturz. "He is the greatest con man in America, but a decent one", he says it with a

smile, and with admiration.

Most key officials attribute much significance to the fact that Vera is a private agency. Judge Botein readily admits that his administrative staff could not have set up the bail project in 1961. He characterizes Vera as "not too academic but not too harsh either."

Judge Beldock calls Vera "independent...not torn by the pressures from all the departments." He offers an interesting illustration. He is anxious to have the Corrections Department take over responsibility for a prisoner at the very first pre-arraignment stage, to replace the present system where prisoners are shuttled back and forth between the custody of police and corrections personnel. He wants Vera to look into the problem and advise him how many new people the corrections department would need.

"Vera is my check," says Beldock. "If I ask Corrections how many people they'll need, they'll tell me too many. If I ask the city, they'll be too concerned with money and tell me too few. But Vera is impartial." The judge adds: "The city's Budget Bureau would look at it too coldly. Their examiner won't know anything about corrections. I need someone who will live with the problem, who will throw a young lawyer into the cells to see what happens." He concedes his own \$18,000 a year administrative staff lawyers cannot handle such an assignment. "It takes a young fellow with a passion for making a contribution to a problem," he says, underscoring one of Vera's strengths.

Judge Stevens feels Vera can be helpful "because it has no ax to grind." He also observes that proposals that come from an outside group encounter less resistance from government agencies than a proposal from inside a department.

This thought is echoed by Howard Leary. When the Police Department wanted to expand the summons project to all boroughs of the city, he felt that Sturz could be more effective than the police in presenting the plan to the judges and the district attorneys. He was right.

District Attorney Roberts cites several advantages to Vera's approach. "They are involved," he says, "so if a project flops, they flop with it, maybe more so." Next he cites their manpower. Finally, he lauds their expertise. "They have overcome the philosophy that says, 'we have always done it this way.' "

Budget Director Fred Hayes emphasizes the availability of Vera's bright, young staff members. Even though he heads a well-staffed organization, he readily concedes that he cannot free a staff man for the time it takes to tackle a major planning assignment.

A slightly contrary view comes from George McGrath, the Commissioner of Corrections. He is a career official, having come to the city agency after heading the state agency in Massachusetts. He agrees that Vera has a useful group of bright, young men and he is impressed by their ability to attract funds. But he feels that the Vera staffers lack administrative experience, and that they

are too quick to assume that line agencies have nothing to contribute. He concedes their technical competence, but questions their judgment.

To some extent McGrath's views stem from bureaucratic infighting. After the legislature passed a bill (which he drafted) permitting the city to start a work release program for prisoners, he battled the Mayor's office which wanted to have Vera run a pilot program. He resisted, feeling this was properly a function of his department. He won.

All the officials agree that Vera has succeeded in bringing about a new spirit of cooperation among the agencies of the criminal justice system. "There is now a difference in tone, more acceptance of change," says Judge Botein. "The whole Vera effort has achieved a momentum and it's got to keep rolling."

"Vera," says Burton Roberts, "has helped all the agencies to become receptive to change. They don't just prepare scholarly papers. They figure out how to do something, and what they come up with is worth trying."

Judge Dudley says the CJCC could not have moved as far and as fast without Vera. "As far as I'm concerned," says Judge Beldock, "CJCC and Vera are the same thing." Even Commissioner McGrath concedes that Vera has made a reality out of the CJCC.

The Council itself is not universally hailed. Judge Dudley sees it as mostly a publicity vehicle for the mayor, though he concedes it is useful. Judge Stevens finds the Council too large, with the meetings often useless. But he, too, is glad it exists.

There are some mixed views as to what role Vera should play in the future. Judge Stevens would prefer to see Vera concentrate on pilot projects and leave broader planning (in the courts area) to his own professional staff. Judge Beldock, however, wants Vera involved in broad planning tasks, such as the effort to work out a master calendar arrangement for all court cases. And even Commissioner McGrath, who bluntly accuses Vera of empire-building, is anxious to have them develop some new projects in the corrections field.

There is no doubt that Vera has been extraordinarily well received by the key men of the criminal justice system in New York. Mayor Lindsay summed it up this way, with a pardonable bit of hyperbole:

"The Foundation's support of Vera has probably been the single most important thing that has happened in public safety and the administration of justice in this city."

Vera in Perspective

Vera has achieved three results: the specific projects it has established; the contribution it has made to promoting a hospitable climate for change in the criminal justice system; and the technique it has developed and demonstrated for prodding the existing public institutions to improve their operations and to marshal private resources for this effort.

1. Projects. The projects themselves are significant, but with the exception of the original bail reform efforts and perhaps the Bowery project, their significance lies more in achieving a short-term beneficial result rather than bringing about

a basic change in the system. This is not said to downgrade the short-term results. Enabling police officers to spend their time on the street instead of waiting for hours in courtrooms is an important achievement. So is the diversion of three-hundred or more defendants from the formal criminal process into a well-organized job placement and counseling program. So is the organization of a methadone program on a mammoth scale. The smaller projects, too, have utility. An emergency plan for riot conditions, a teen-age patrol corps, pre-sentence reports, education for Rikers Island prisoners, police station receptionists -- all these things are well worth doing. They benefit people, and they point the way to projects of larger dimension. New York City is better off because these projects have been undertaken, and the fact that they have been tried there is likely to encourage other cities to emulate them.

Yet recognition of Vera's accomplishments should not be allowed to obscure the fact that its performance fell somewhat short of the expectations raised by the initial Vera application to the Foundation. Vera was funded on a major scale to design innovative projects that would attack root problems in the criminal justice system. The initial bail project was the prototype. The routine setting of bail was replaced with a carefully structured inquiry into the real reason for bail -- the likelihood that the defendant, if released, might not return to court for his trial. A new procedure was developed and institutionalized into the system.

The Bowery project followed this approach in one respect. While projects for alcoholics are underway in several cities, Vera pioneered the

voluntary approach to short-term detoxification. They structured a program to test the voluntary approach and they convincingly demonstrated its utility as a desirable alternative to the prior reliance on formal custody to bring derelicts to any form of treatment facility.

The other projects undertaken by Vera have not similarly tried out wholly new alternatives to solve basic shortcomings in the criminal justice system. Nor have they shed much light on basic issues in criminal justice, as Vera's earlier plans contemplated. What about the nature of representation of the criminally accused? What about the negotiated pleas of guilty, which disposes of the overwhelming percentage of business before all criminal courts? What realistic alternatives are there for the delinquent youth? Is there something really new for the released prison inmate? Is there some basic alternative to the minor court system itself, such as an informal neighborhood dispute settlement agency?

These questions have one thing in common. They are extremely difficult to answer, and any effort to explore them is not likely to show glamorous results. But they need to be explored.

Of course, some of them may yet be on Vera's agenda. The guilty plea system is now getting a look from a Vera staffer. An innovative project may result. And Sturz frequently expresses a deep interest in new approaches for saving the delinquent youth and restoring the released prison inmate.

Whether Vera will give increased attention to projects of this sort or will stay with the useful but less significant improvements in the machinery of the system is an open question. Sturz himself clearly sees the need to do both. But he is anxious to achieve visible results, and he is under no pressure from the Foundation, and apparently little if any from his board, to concentrate on the more difficult areas. He tends to rationalize his preference by arguing that improvements in the machinery of justice lead the way to basic system changes and also give Vera both the inside knowledge and the confidence of the agencies which Vera needs to take on the harder assignments. There is validity to both points, but there is also the danger that both arguments could be thrown up for the next several years as the rationale for not tackling more intractable yet significant problems. Moreover, Vera's increasingly close relationship with the Mayor's Coordinating Council may press it toward the more pragmatic, short-range projects.

Yet Vera may go on to the broader and tougher tasks. The quality of its leadership and staff and the way in which it has successfully burrowed inside the criminal justice system of New York City give it an unparalleled opportunity to move up to these more difficult areas and try to answer the more complex questions.

2. A New Climate. The second result -- helping to develop a climate for change -- is an unqualified achievement. If all the changes have not been profound, creation of the new climate is nonetheless significant. It has been

a hallmark of the criminal justice system that the agencies that constitute it have steadfastly refused to recognize that a system exists. Each deals with those who pass through its gates with scarcely any realization of what the other agencies are doing, much less what they could be doing if a coordinated system were really functioning. In most cities the key figures in each of the agencies do not even know each other. Many district attorneys know many judges, but it is a rare judge who knows the Police Commissioner, the head of the Corrections Department, and the heads of the social service agencies that impact the clientele of the criminal justice system.

In New York City all these people not only know one another, but each has come to take an interest in the others' problems and to see the desirability of working out solutions together. It is not yet the millenium. Jealousies, hostilities and misunderstandings still abound. But what can be clearly discerned is a new attitude, a spirit of cooperation, and a recognition of the mutuality of the problems.

What is more difficult to determine is whether the credit properly belongs to the leadership of Vera or to such figures as Mayor Lindsay, Judge Botein and Commissioner Leary. Together they have made a viable entity out of the Coordinating Council. It would not resemble its present form without Vera's staff role. Yet it seems equally fair to say that enlightened political and judicial leadership has been equally crucial to the Council's success. Vera has operated on the inside both because its talents entitled it to and because its friends permitted it to. Whether such

a relationship can be established in other cities may turn out to depend as much on the attitude of the key political and judicial figures as on the quality of the local staff operation.

In helping to bring about this climate for change by making a reality out of the CJCC, Vera has paid a mild price in independence. Its relationship with the Council is now very firm and runs both ways. Vera not only gets the Council interested in doing things, but the Council, and especially the Mayor's office and the Police Commissioner, call on Vera to undertake projects they are interested in. Thus far, the risks of this relationship have been slight. Sturz steadfastly maintains that he reserves the right to reject any assignment the Council might toss at him, and says he has done so. He does concede that on occasion Vera will undertake some minor task of less than passable merit simply to keep everybody happy. And Jay Kriegel, the Mayor's staff aide who serves as director of the Council, stoutly maintains that Vera preserves its independence. "They are not just a tool of the Mayor," he insists, reflecting in his answer precisely the criticism leveled by some unfriendly observers. "And," he adds, "they have turned us down."

There is probably no way for a staff agency such as Vera to establish a close working relationship with agencies such as those brought together in the Council without a slight loss of independence. So far the problem is minor, but it should be watched in the future.

3. Technique for Change. The third result of Vera's operations is far and away its most significant achievement. Vera has developed a technique for bringing about change. No matter that the changes have not all been profound, that some have been concerned with minor problems and mechanical adjustments of secondary importance. The fact remains that in a system with a long history of resistance to change and governed by bureaucratic agencies suspicious of outsiders, Vera has been able to devise an approach that gets results. Vera gets inside the system, formulates projects in a practical way, persuades the agencies to give their projects a chance and works to make sure the projects are put into operation. It is done with both a technique and a style.

The technique has several aspects. The first is the nature of the agency. It is important to Vera's success that it is a privately financed institute. Its needs for funds are not great, but such as they are, there is the certainty that staff can be hired and put to work for extended periods of time.

As a private organization, Vera also can take on a project a city agency might not want to handle for fear of failing. If a Vera project does not succeed there are no political embarrassments. How long this will be true as Vera moves into an increasingly closer relationship with the City is an open question. Its independence also makes it easier for Vera to stop a project after initial experience shows that it is not worth continuing. This is not always easy for a government agency which tends to institutionalize new projects and finds it correspondingly difficult to end and dissolve them.

More important, the institute has no given set of responsibilities. It operates only those projects it selects to undertake. This significantly distinguishes the Vera approach from the operation of a governmental agency. No matter how well a government agency may be staffed, its best people cannot be relieved of their regular duties and given uninterrupted time to tackle a special assignment. The day-to-day, if not the hour-to-hour demands constantly crowd in upon them. An agency head who would like to assign a staffer to a special project faces an unhappy choice: the man who has time for the assignment is probably an older, less imaginative employee unlikely to come up with anything new while the young, energetic aide who could do the job is already in a key position and cannot be spared.

Vera escapes this dilemma. It can attract bright, young creative people with the lure of an adequate salary, a chance to work on interesting projects and freedom from the stifling effects of civil service and bureaucracy. And each staffer can be given a single assignment and the time to work it through to completion.

Once he is handed the ball, the Vera Staffer knows he is to run with it. The Vera technique disdains the consultant's role. They do not just write reports and hand them in to overworked and harrassed public agencies, where it is extremely difficult to follow even the best of outside advice. The Vera staffer studies his problem, and develops a solution, conscious that he will be the one

to put it into effect. This greatly increases the likelihood that the proposal will be practical, and that its draftsman will have given careful thought to all the troublesome details that usually escape the attention of the typical consultant.

The Vera style adds important gloss to its technique. The hallmarks are low visibility and low-keyed dealings with public officials. Vera stays in the background. It does not issue press releases. When new projects are brought to public attention, the credit is given to the CJCC or to the individual public agencies connected with the project. When Vera examines procedures within a public agency, it refrains from public criticism. It identifies shortcomings not to embarrass the agency but to work quietly with the agency to bring about improvements.

In the hands of Sturz, the Vera style has become politically sophisticated. He establishes personal lines of communication with the key figures he needs to deal with. He enjoys the high regard of Mayor Lindsay and the leading judges. He is an intimate friend of Police Commissioner Leary. He had strong ties to the office of Senator Robert Kennedy and to reform-minded officials of the U. S. Department of Justice. What lines he will develop into the current Justice Department regime remain to be seen, but his success in keeping afloat during the transition of three city police commissioners augurs well for the future.

How well the Vera technique will withstand the test of time and what applications it has to other fields besides criminal justice are the important issues in

Vera's future. The technique works best when Vera tackles projects that are plainly helpful to an agency such as pre-arraignment processing for the police department. It encounters greater difficulty as it moves into projects that seem to threaten the traditional role of agencies. Thus the Corrections Department will become increasingly skeptical of Vera projects in prisoner rehabilitation. And the very fact of Vera's continued existence makes it more a contender in the public arena for funds and influence and hence a growing object of competition from the established bureaucracies.

Vera's entrance into the health area is one of its most fascinating initiatives. The field seems ideally suited for the Vera technique. Education may be another. For Vera the challenge will be concerned not only with the applicability of the technique to new fields, but also with the appropriate structure for Vera as it spreads its interests. Sturz sees a choice between a series of parallel structures in separate fields, or a parent "Vera Institute of Urban Affairs" as a planning agency for a group of individual institutes.

The new directions may also include movement into other cities. Sturz has not abandoned this objective, first raised in the abortive effort to develop activity in Washington, D. C. This thrust may well receive new impetus from the recent report of the Urban Coalition, lauding the Vera operation and recommending similar undertakings in all of America's major cities.

A POSTSCRIPT

What has become of the man who gave the whole venture its initial push? What of the Founding Father, Louis Schweitzer?

He attends the Vera board meetings, contributes \$25,000 a year, and maintains an avuncular relationship with Sturz that is a source of obvious pleasure to both of them. He is pleased by the growth and success of Vera, but not especially impressed. He is delightfully unawed by what he has wrought.

His interest in bail reform continues unabated. He wants to see progress made throughout the country. But this grand objective does not divert his attention from the specific plight of the individual man locked up in a cell.

When he first toured the jails, he was dismayed to see a sign limiting prisoners to a single telephone call. He personally arranged to provide additional phones in some locations. He takes special delight in letters he has received from prisoners who tell him how much it meant to be able to make a call to a relative or family friend. He knows the Department of Corrections has permitted greater use of phones, and that in one borough the police have issued orders to permit more extensive telephoning from precinct lock-ups. But he knows this matter is important, and he is not satisfied with the progress made thus far for prisoners locked up before trial.

"If I had my way," he says, with a smile and a quiet earnestness, "there would be a phone in every cell." Louis Schweitzer means it. And one day there probably will be.