

VERA INSTITUTE
LIBRARY
1052

STATUS REPORT

Program Development Activities
of
THE VERA INSTITUTE OF JUSTICE

Vera Institute of Justice
30 East 39th Street
New York, New York

October, 1980

CONTENTS

Background	1
I. CRIMINAL JUSTICE AND JUVENILE JUSTICE	
a) Redesign of the Court Employment Project	5
b) Making Community Service an Alternative to Jail	8
c) Mediation and Victim Services	12
d) Better Screening Out of Unprosecutable Felony Arrests, and Better Prosecution of Those that Remain	16
e) Juvenile Justice	21
f) Vera's Technical Assistance Abroad	25
g) Other	26
II. EMPLOYMENT	
a) The Neighborhood Work Project	31
b) The Vocational Development Project	37
c) The Alternative Youth Employment Strategies Program	37
d) Basic Research on the Relationship Between Employment and Crime	40
e) JOB PATH -- Supported Work for the Mentally Retarded	44
f) JOB SITE -- Supported Work for the Visually Impaired	47
III. SPECIAL PROJECTS -- PROBLEMS OF THE YOUNG, THE OLD, THE INFIRM AND THE HOMELESS	
a) Children Detained at Spofford, and Children Abused or Neglected in Foster Care	49
b) EASYRIDE -- Transportation for the Elderly and Handicapped	57
c) South Bronx Housing Demonstration Project	61
d) Homeless Persons	62

Background

Since 1961, the Vera Institute's pilot projects, demonstration programs and research studies have been instrumental to reform in criminal justice in the United States (and, to a surprising extent, abroad). Over the last decade it has developed a similar role in the manpower, transportation, and social welfare fields as well. The Institute's purpose is to ameliorate the conditions of urban life, particularly as the action or inaction of government creates misery in the underclass or leads to waste and inefficiency in the expenditure of public resources. Vera's approach to innovation is to isolate problems that seem to resist remedial efforts of governmental and conventional private agencies and, then, to fashion solutions, demonstrate them, and thereby ignite reforms on a larger scale.

Vera was formed in 1961 to launch the Manhattan Bail Project. The aim was to avoid pretrial imprisonment of large numbers of poor, mostly minority defendants for many of whom Vera believed money bail to be unnecessary (because they were too tied to the community to abscond), unjust (because their indigence rendered them unable to buy liberty), and inefficient (because criminal justice resources were wasted on their unnecessary imprisonment). Because this pilot project was subjected to controlled research, its success was clearly demonstrated -- the result was a national bail reform movement that has reduced pretrial imprisonment in hundreds of U.S. jurisdictions (and, recently, in several foreign countries).

Since that time, Vera's work sparked similar national developments in the use of summons in lieu of arrest, detoxification as an alternative to arrest for derelict alcoholics, diversion to job-centered programs in lieu of prosecution, various alternatives to jail, supported work, services to victims and witnesses, mediation of both minor and felony crime cases, and more than a dozen reforms in the administration of court, police, prosecutorial and correctional agencies.

Although the methods by which the Vera Institute attacks problems were developed in its early years, when it focused on the justice system and the persons -- particularly the poor -- who became enmeshed in it,

the Institute's approach has proved applicable to other systems, particularly as they affect (or pass over) the poor, the out-of-work, the institutionalized, the at-risk young, and the handicapped. Thus, in addition to the agencies that have been created as a result of Vera's past efforts and which continue to get attention from Vera's central staff as the need arises, the Institute is presently engaged on thirty separate program development and research projects. The rationale and status of major elements of this current work are summarized in the following sections.*

Vera's basic approach to its work remains as it has been: learning the nuts-and-bolts of a problem; informing that understanding of the problem by a search of the literature; developing a plausible program idea and collecting enough data to permit refinement of the idea and a rough assessment of its feasibility and potential impact; keeping the innovative program small at first; carefully testing and modifying the program design in the light of this pilot experience; proceeding to a larger-scale demonstration of the program (accompanied by formal research), if the pilot confirms the early judgements about feasibility and potential impact; and attempting to institutionalize the program either within the responsible agency of government or as a separate not-for-profit corporation with its own financing and its own mission of further program development. An integral part of the program development process is research -- basic fact-gathering, operations research, impact evaluation, and theory-building.

Vera seems to have certain advantages as an innovating agency that are rarely enjoyed by the public agencies whose operations Vera helps amend: public agencies are usually restricted, in the degree to which they can plan and innovate, by lack of coordination among them and by the press of daily problems on overworked staffs. These agencies are often reluctant to divert personnel for experimental program development, but have been generally receptive to program innovations advanced from Vera. Vera attempts to preserve this access by doing its work quietly and staying with specific problems rather than messing with global concerns. Working in this way, Vera is often

* Vera's action-research for the years 1961-1976 is reported in Progress in Criminal Justice Reform: Ten Year Report, 1961-1971 (Vera Institute of Justice, 1972), and Future Work on Criminal Justice Reform: A Five-Year Report (Vera Institute of Justice, 1977). The latter report summarizes the former, and it is available without charge.

able to bring together several agencies for coordinated work on common problems. By cooperating with agencies in the public sector, rather than working against them, Vera seems to have earned and maintained an unusual degree of trust and cooperation.

Because Vera's action-research regularly surfaces problems and program ideas at the edges of immediate focus, and because subject-matter boundaries are artificial when the concerns are efficiency of government and better conditions of life for the underclass, the Institute's cyclical course of program development has taken it well beyond its initial focus on the administration of justice, so that it is now actively pursuing innovations in the manpower, health, housing, and transportation and social welfare fields.

The projects described below are at various stages: in some cases, effort is still focused on proper definition of a problem (e.g., use and abuse of fines in sentencing); in others, Vera has developed programs from the planning stage to proposals that are now or are soon to be in search of funds (e.g., Neighborhood Work Project Research, South Bronx Housing); some of the funded programs to which Vera is currently devoting resources are about to begin operations (e.g., Job Site -- the supported work project for the blind) or have just begun (e.g., Brooklyn Community Service Sentencing Project); others are demonstrations or research efforts in midcourse (e.g., Employment and Crime Research, Neighborhood Work Project) or are approaching conclusion of the demonstration phase (e.g., Easyride); and, finally, Vera continues to monitor and prod the many former pilot programs whose acceptance has been demonstrated by legislation, replication, or inclusion in the city budget (e.g., Redesign of the Court Employment Project).

Vera's central planning and administrative staff is called upon to help project staff when problems arise at any of these stages. Projects particularly need intervention from core staff for three critical leaps: from recognition of a problem to design of a responsive, workable program; from program idea to the design of a pilot and the acquisition of funds; and from demonstration phase to institutionalization.

It is also the responsibility of core staff to define criminal justice, labor market, and human service problems in terms that permit an action-research attack. Any sensitive person working in these fields knows that the sentencing options available to courts are too limited (jail or a "walk," in practice), that unemployment among black youth is a crime, and that the very young and the

very old are often victimized, institutionalized, and ingored. It is for core staff to define the problems in ways amenable to step-by-step solution: precisely how might a conditional sentence be enforced and perceived to be enforced in a system where there are a quarter of a million bench warrants outstanding?; exactly how could the kinds of employment services financed by CETA be reshaped so they actually reach underclass youth?; just what yet-untried mechanism would permit the agencies responsible for foster care to prevent abuse of foster children (who are often placed in foster care because of abuse or neglect by natural parents)?; by what method can funds be obtained and used to give the elderly and the handicapped the mobility that would avert their unnecessary hospitalization and premature institutionalization? Reading, talking, and thinking about how elements of different programs could be combined into a new program, thinking about what questions remain to be answered before a new program can be designed or a mature program can be institutionalized -- these require time from a core staff with the experience to get it right.

Besides defining problems in ways that permit an action-research attack and intervening as needed with ongoing projects, the central staff is responsible for sharing Vera's experience with others. Testifying before Congressional committees and conferring informally with legislators, meeting and corresponding with governmental officials and private sector planners, promoting communication among the various agencies with which Vera has contact, and turning research reports into monographs for wide distribution, core staff is the resource by which the Institute informs and stimulates reform.

However, it is the array of program development activities that defines the Vera Institute at any point in time. The following sections of this report summarize most of the current work.

I. CRIMINAL JUSTICE AND JUVENILE JUSTICE

a) Redesign of the Court Employment Project

Vera's recent involvement in overhauling the Court Employment Project serves well as a paradigm of the Institute's approach. In 1967, Vera launched the Court Employment Project as the nation's first pretrial diversion program. It was designed to avoid punishment and the stigma of conviction for young offenders who, it was thought, would be better dealt with by remedial programs, counselling and help finding work than by prosecution, adjudication of guilt, and penal sanction. CEP participants were diverted before trial and, if they took part in the program for four months, had the charges against them dismissed. It was soon apparent that CEP's service-based alternative could draw increasing numbers of cases out of the criminal process; and the best available data indicated that, by doing so, it was achieving the goals set for it. In due course, CEP was institutionalized as an independent corporation supported with social service funds by contract with the City of New York, and its pretrial diversion model was replicated in hundreds of U.S. jurisdictions.

However, a crucial question had not been answered with certainty: do these pretrial diversion programs in fact divert their clients from full prosecution and punishment at the hands of the court, or do they merely impose (without conviction) a new form of rather burdensome "treatment" on persons whose cases would have been dismissed or discharged anyway? This question, and a series of equally important questions about the effects of "treatment" provided in this way, could not be answered with confidence except by random-assignment controlled research, the difficulty and expense of which stood in the way of answers until 1977-79. During that period, Vera carried out a federally-funded study, the design for which had won support from those on the bench and in the bar who had opposed earlier controlled research proposals.

The results of the research effort confirmed that, by the late 1970's, pretrial diversion simply did not result in significantly more lenient treatment from the courts, primarily because almost half the cases in the control group were dismissed anyway (although virtually all were cases commenced by arrest on felony charges), and most of the control cases that were not dismissed were disposed of without full criminal convictions. The research also showed that, despite their exposure to an array of CEP services of demonstrably high quality, the diverted group remained indistinguishable from the controls with respect to recidivism, employment and educational status, and other measures of social adjustment. Although the news was not good, it was important: CEP stood as one of the few service-providing agencies targetted at young adult offenders and had developed a fine staff --many of them street-wise ex-offenders--and a fine reputation; if these were to be put to good use, pretrial diversion was not (or was no longer) the way to do it.

In the report of this research, which has already had fairly wide distribution in the field and which is to be published next year in monograph form by Longman,* the Institute has attempted to make it clear that, although pretrial diversion is no longer effective in jurisdictions with dispositional patterns and offender populations that resemble New York City's, it seems to have been rendered ineffective by its own past success. That is, CEP and programs like it have succeeded over the years in changing the attitudes of prosecutors and judges so that the criminal process has become more diversionary in general. In this changed context, the decision not to prosecute or not to impose burdensome sentences no longer depends upon the availability of a quality treatment program to which to send defendants. In addition, individuals who come to a service-based program -- however high its quality -- are not likely to take full advantage of it to change their lives if their motive is to avoid an (illusory) punitive response from the court.

While working to disseminate the results of the research nationally in such a way that other jurisdictions not over-react to the findings, Vera worked with CEP itself to completely restructure its program. CEP ceased accepting pretrial diversion clients. A pilot program was launched, through CEP, in which intensive supervision was provided (all day, daily for the first six weeks and thrice weekly for four months thereafter) to offenders already sentenced to jail but whose sentences were deferred for so long as CEP's conditions of supervision were being met. (This was an attempt to ensure that CEP's resources not be wasted on cases that the system would not treat seriously, and to increase the intensity of service to a point where it would be more reasonable to expect improvement in employment and education and a decrease in recidivism.) The pilot proved right on target--judges proved surprisingly eager to

*Vera has entered a relationship with the publisher, Longman Inc., which contemplates publication of 10 monographs in a Vera/Longman series. The first, to be published in December, 1980, is a new edition of Felony Arrests (discussed below).

use an alternative to jail when re-assured by experience with it that the offender would not be allowed to ignore the conditions imposed, would be returned to court for imposition of the jail term if the conditions were violated, and would in fact be closely supervised. (The judicial reaction to this pilot project surfaced a largely ignored problem that has been getting more and more serious in recent years: Probation, understaffed and carrying caseloads of up to 200, cannot provide intense supervision and is not appropriately staffed to handle the young, alienated, ill-educated, multiply disadvantaged minority offenders who make up most of the criminal court caseload; the result is an over-reliance on jail and a hunger for ably-performed intensive supervision.) The pilot project went well enough to pick up foundation and City financial support in the summer of 1980, for a 12-month demonstration. At the same time that it experimented with this pilot for the "deep end" of the criminal court population, CEP made its services available (on a voluntary, not a diversion basis) to any defendant, whether coming pretrial or not, who had a desire to make use of the counselling, educational, health and other services it offered.

But the other major change that followed termination of CEP's pretrial diversion effort was its nearly total re-design and re-financing to make it a direct provider of paid work experience and stipended job-training for young adult offenders referred from any point in the criminal process. The Vera Institute saw this as the most desirable course to pursue because, as outlined in the Employment section below, Department of Labor (CETA) funds have not, as a rule, been successfully applied to the task of entering inner-city, ill-educated, delinquent minority youth into the world of work. Most programs, focused on the placement-rate requirements written into their CETA contracts, seemed to exclude such unlikely candidates and to cream their participants off the top of the enormous pool of eligible youth; CETA programs that are open to criminally-involved youth have not been sufficiently well-designed or well-managed to deal effectively with their often unruly behavior or their multiple deficits. Through Vera's work with DOL's Office of Youth Programs, CEP received \$2 million in CETA funds to operate a youth employment program for its clientele, and, pursuant to Vera's contract with DOL, CEP continues to receive Vera's assistance in shaping and managing the basic CETA program models.

Thus, by its intensive supervision of jail-sentenced offenders, by providing its services on a voluntary basis to any criminal court defendant wanting to make use of them, and by directly employing and training several hundreds of high-risk youth, CEP has been transformed and stands a good chance of once again playing a useful role. The program development cycle continues, of course, with refinement of the program model, and with controlled research as outlined in Section II (Employment).

b) Making Community Service Sentences an Alternative to Jail

A general enthusiasm for "alternatives to incarceration" arose in the 1960s and continues today in co-existence with the hardening of our society's views on penal policy. Indeed, in the last couple of years as our jails and prisons have become more and more overcrowded and the public purse has been more and more strained, the search for alternatives has intensified. On the other hand, the track records of programs aiming to provide alternatives have not been very good because, as the CEP research suggests, it is very hard to ensure that the alternatives not be used for first or minor offenders for whom the prospect of harsh punishment is in any event unlikely; this, in turn, tends to make alternative sentences unenforceable which, in turn, makes it all the more difficult to move sentencers toward using the alternative in cases serious enough to make enforcement a real issue and jail the likely sentence.

One of the most promising ideas for alternative sentencing is the imposition of a certain number of hours of unpaid work for the community's benefit, in lieu of incarceration. The Institute had witnessed the growth of this alternative in England, where community service sentences have surpassed probation orders in frequency of use and where research shows about 50 percent of those sentenced to community service would have been sent to jail in the absence of this alternative. In 1976-77, Vera's London office helped LEAA introduce the concept to American practitioners, but then watched with dismay as it was diluted to the point where, today, thousands of such sentences are imposed yearly in this country and virtually none of them are imposed in cases where jail would otherwise have been used. Convinced that there was nothing wrong in the concept of community service sentencing -- and much to recommend it -- Vera launched a pilot project in the South Bronx to demonstrate how to target this alternative on jail-bound cases and how to administer the sentence when dealing with the much more difficult offender group that actually gets jail in this country's busy inner-city courts -- the unskilled, unemployed Black or Hispanic offender who faces multiple social problems and has a prior record.

This pilot project stands outside the mainstream of community service sentencing in this country -- in the mainstream, community service sentences go mostly to middle-class, white first offenders who require little supervision and little support and who face little risk of jail. But the Bronx pilot project has generated a great deal of attention nationally, for

precisely this reason. The pilot (supported by grants from the Ford Foundation, the McConnell Clark Foundation and the German Marshall Fund, and by funds from Vera's contract with the City of New York) ended September 30, 1980. The results can be summarized in a few paragraphs, although the impact of the pilot has been achieved through wide distribution of a full-length report that details the lessons learned and the gradual evolution of program techniques for keeping the sentence focused on jail-bound offenders, supervising them in the performance of their sentence, and assisting them to deal with the multitude of personal problems they present.

From the end of February, 1979, through September, 1980, 260 offenders were sentenced by the Bronx Criminal Court to perform 70 hours of unpaid service for the benefit of the community, under the supervision of project staff. They cleaned up badly neglected senior citizens' centers, youth centers and neighborhood parks; they repaired appliances and installed smoke alarms for the elderly; they helped staff recreational programs for retarded children, and painted and repaired community facilities and playgrounds; and they performed other useful work in one of the most service-needy areas of the city. Some continued to volunteer their services after completing their court-imposed obligations.

There is evidence that the pilot met its goal of drawing away from short jail terms at least half of those who were given the new sentence. Eligibility criteria, established before the pilot began, ensured that all of the 260 had been convicted as adults at least once before; as a group they averaged 2.5 prior convictions; a third had some time in the past been convicted of a felony; over half received the community service sentence in a prosecution commenced by arrest on felony charges (all property offenses); 95 percent were Black or Hispanic; and almost all were unemployed at the time they entered the project. This looks like a jail-bound group. Additional evidence that the project reached a group of offenders who faced a substantial risk of jail can be found in the re-sentencing data: Although almost 90 percent completed the community service sentence, the rest were referred back to court to be re-sentenced; the number of these cases in which a new sentence has been imposed is still too small for much weight to be given to the data, but more than half of those who have been re-sentenced were sentenced to jail.

For the nearly 90 percent who satisfied the conditions of their community service sentences, project staff offered assistance in finding jobs, housing, and educational or other social services. This appears to have been essential for

the offenders who did use the experience of making restitution by community service as a starting point for a change from petty property crime to a legitimate income and life-style. Few of the 260 had any past experience of steady employment, though most were in their mid-20s (they ranged in age from 16 to 45); at least a third were having evident problems with drugs, and others needed treatment for alcoholism; some were illiterate and few scored above elementary grade levels on reading and math tests. (The case summaries appended to the project report more clearly convey the need of this Criminal Court population for basic services of all kinds.) Staff provided emergency assistance to those who could not perform the sentence without it. In addition, two-thirds of the project participants accepted help in formulating and carrying out post-sentence plans; each was referred to at least one agency or employer (half had two or more appointments set up for them). Although only 50 percent of these appointments were kept, many participants went on to get jobs, stipended training, or treatment.

The pilot showed that in many cases for which prosecutors would otherwise seek jail terms of up to 90 days, the prosecutor, the defense attorney, the defendant and the court can agree on the community service sentence as a suitable penalty for the offense, and that nearly all who get the sentence will, if properly supervised, perform it. The result was to introduce into regular use a new penal sanction -- one that is more positive, less burdensome and less costly than jail time, but more burdensome, more likely to be enforced and, thus, more credible than the present alternatives to jail.

As a result of the pilot, a formal demonstration project in community service sentencing was launched in New York City on October 1, 1980. Over the next year, with funds from the Criminal Justice Coordinating Council's LEAA appropriation, from the Edna McConnell Clark Foundation, and from the City tax levy, the demonstration aims to take in 300 offenders sentenced by the Bronx Criminal Court, 350 from the Brooklyn Criminal Court, and 150 from the Staten Island Criminal Court. Vera will administer the Bronx and Brooklyn projects, which will be replicas of the pilot, and the New York City Probation Department will adapt the model to the rather different conditions of Staten Island. The offenders receiving these sentences are, in turn, expected to perform roughly 53,000 hours of service to groups in their communities that are in need of it. If the demonstration succeeds in meeting these goals, the community service sentence will cost roughly \$615 per offender. Obviously, this compares favorably with the cost of

short-term incarceration; it even compares rather well with the cost of a year's once-a-month probation supervision.

However, there are many questions, including some pressing policy questions, that call out for empirical study. During the coming year, Vera intends to carry out a controlled research design that addresses some of these issues. The question of greatest importance is whether, and to what extent, offenders sentenced to this model of community service would in fact have served jail terms, absent the availability of this sentencing alternative. The research will also examine impact of the program on speed of disposition; rate at which arrest warrants are issued by the court; recidivism; attitudes of offenders towards their crimes, the criminal justice system, and this sentence; offenders' use of educational, occupational and social services, and their employment histories after conclusion of the sentence period; and attitudes of prosecutors, defense attorneys and judges toward the community service sentence.

Thus, through the next twelve months of activity, the Institute hopes to provide others in this field with a better understanding of community service as an alternative sentence -- an understanding based in wider experience than the pilot project and enriched by systematic research.

c) Mediation and Victim Services

Two Vera efforts, begun for independent reasons, came together in an action-research project that, during the last two years, resulted in a major increase in knowledge about mediation and arbitration as alternatives to the court process. The first of these earlier projects was the research that led to Vera's monograph Felony Arrests: Their Prosecution and Disposition in New York City's Courts. That monograph, issued in 1977, was the first systematic description of the behavior and incidents that constitute the felony caseload of an American city court system, and it displayed in detail the generally unexpected characteristics of this caseload that tend to explain the pattern of dispositions reached in court. (Felony Arrests has become something of a classic and in December it is to be re-published, with some updating of the data, by Longman, Inc., as the first in series of ten Vera/Longman monographs.) One of the principal findings from that research was that in 50 percent of the felony arrests coming to court (excluding victimless crimes), the defendant and complainant had a prior relationship; the data also revealed that these cases ended in dismissal of the charges at an exceptionally high rate. These findings meshed with Vera's growing practical experience in its Victim/Witness Assistance Project. That project had been launched late in 1975, as a pilot in Brooklyn, with the aim of increasing the rate at which victims cooperate with prosecutors and thereby reducing the dismissal rates. The underlying program notion, grounded in the literature of the time, was that crime victims are so shabbily treated by the court system (poor communication, repeated wasted appearances at court, etc.) that they become disaffected and drop out of the process. But, despite Vera research in 1976 and 1977 showing that V/WAP's array of services to victims and witnesses was used and valued by them, the expected improvement in their cooperation with the prosecution process did not occur. Staff of the project became convinced that the reason for this was not the disaffection of complaining witnesses, but their perfectly rational conclusion that the prosecution process could not deliver a result that met their own desires. This seemed particularly so in the "prior relationship cases" where termination of the relationship or a modus vivendi was desired, often intensely--goals incompatible with the criminal justice system's focus on adjudicating guilt and meting out penal sanctions.

Vera then conducted survey research of the stated desires of complainants as their cases entered the criminal justice system, and of their attitudes as their cases progressed

through the system to point of exit. Of principal importance here is the finding that many of these victims knew exactly what they desired from the system--and retribution was not nearly so often what they wanted as was generally believed--but that the prosecution process could not deliver what they wanted. Again, this was the most apparent in the large number of cases in which the victim and defendant had had some sort of on-going relationship.

With this as a background, Vera joined the Institute for Mediation and Conflict Resolution in planning and launching a Dispute Center to which prior relationship felony arrests could be diverted from the Brooklyn Complaint Room for mediation and arbitration. In addition, Vera executed a research effort that represents the first controlled research permitting assessment of the relative merits of mediation versus prosecution of criminal offenses that arise from interpersonal disputes. The report of this research has had a wide readership nationally (and is to be a major part of another in the Vera/Longman monograph series), because the federally-inspired Neighborhood Justice Centers and other programs around the country are grounded in a popular perception that development of mediation/arbitration programs will solve much of what is awry with the criminal justice system. Thus, because the Vera research directly addresses the relative merits and compares the results of the two processes, it is of obvious importance to sound program development and to sound policy in this growing field.

During the first year of the Brooklyn Center's operation, about 10 percent of all felony arrests for which there were civilian complainants, or 30 percent of felony cases involving a known prior relationship between complaint and defendant, survived the screening process for diversion to mediation. (Approval was needed from the District Attorney's Office, the victim, the defendant and the judge, in each case.) The majority of cases diverted to the Center involved strong ties between complainant and defendant (immediate family members or lovers). Most also involved a history of interpersonal problems between the parties; in one-third, the complainants reported having called the police on a previous occasion. Many cases presented ancillary problems such as chronic unemployment or drug abuse.

The research hypotheses were straight-forward and drawn directly from the principles on which the national movement for mediation is based. It was expected that the substantial procedural and substantive differences between mediation and criminal court would be reflected by marked differences in the experiences of the experimentals and controls. (Mediation is an informal, participatory, and relatively time-consuming process; the court process is more formal, is handled by lawyers

who usually exclude the parties from discussion, and--at least in Brooklyn Criminal Court--gives each case only brief attention. Mediation aims to resolve disputes through understanding of the etiology of the incident that led to arrest, while the court process addresses the narrower questions of the defendant's legal culpability and deserts.) It was believed that, because mediation afforded disputants greater participation in the process and control over the outcome, disputants whose cases were diverted to the Center would evidence greater satisfaction, both with process and with outcome, than would disputants in the control group cases. It was further expected that, because the agreements that dispose of cases in mediation were shaped by the disputants themselves, problems would be less likely to recur in the cases referred to the Center than in cases reaching disposition in the court.

From the comparison of experimental cases and control cases it was apparent that complainants whose cases were referred to mediation did, in fact, feel they had had greater opportunity to participate in resolution of the dispute, felt that the presiding official had been fairer, and felt that the outcome was more fair and more satisfactory to them. Similar but much less marked differences were found between defendants in the experimental and control groups. There was evidence that, during a four-month follow-up period, complainants' perceptions of defendants differed according to the process (mediation or prosecution) by which their disputes were handled. Complainants in the experimental group less often reported feeling angry at or fearful of the defendant and were more likely to believe that the defendant's behavior toward them had changed for the better.

However, there was no indication that conflicts and hostilities between disputants were less frequent in cases that had been referred to mediation than in cases that had been handled by the court: the disputants had further contact equally often, reported a similar number of new problems with each other, and reported the same number of calls upon police to intervene again. In addition, the experimental (mediation) and control (court) cases did not differ at all in the frequency with which one party was subsequently arrested on the complaint of the other.

Some comfort may be found in the relatively low incidence of serious subsequent hostilities in both the experimental group and the control group. But the theoretical advantages of mediation-- getting at the etiology of on-going disputes, giving the parties an opportunity to shape a workable disposition, emphasizing agreement and discussion rather than adversariness and punishment-- ought to be reflected

in reduced reliance on the police and courts as well as in greater satisfaction of the parties with the mediation process. The research, therefore, points clearly to the need for further refinement of the basic program model that is being popularized by system reformers in their attempts to capitalize on the theoretical advantages of mediation. For example, however powerful the mediation technique may be, it is unlikely that one session will always, or even often, be sufficient for it to have its potential impact; or, where there are problems which might be remedied by social services but which burden the underlying relationship, a series of mediation sessions might work well only if conjoined with actual delivery of the needed social services (e.g., alcoholism treatment, job placement).

Not a great deal could be done to try to give mediation more impact at the Dispute Center itself after the report was disseminated at the beginning of this year, because it has been buffeted by unrelated management problems since then. But in this period Vera staff, supported in part by a separate grant from the Ford Foundation, completed the fieldwork, court data-collection, legal research, and program specifications for what is now called the Peacemaking Project. (The Peacemaking Project has not yet entered the pilot phase, because the prospect of LEAA support has vanished through de-funding of its block grant budget, and various state and federal bills that aim to provide resources for new mediation-based programs have not as yet completed the legislative process.) The Peacemaking pilot project would be an attempt to apply the lessons learned from the Brooklyn research and Dispute Center experience, and from the federal experiments with Neighborhood Justice Centers. The central idea is that mediation is more likely to alter behavior, so that disputes stay out of the courts, if the mediation is rooted in a neighborhood setting where repeated recourse to its process and credible assurance of follow-up service are more likely. A "neighborhood" in this sense is smaller than the borough of Brooklyn, for example, and smaller than the areas the Neighborhood Justice Centers attempted to serve. For planning purposes, Vera settled on an area no larger than the precinct in most parts of this City. The practical difficulty with this idea, and the difficulty directly addressed by the plan for a Peacemaking project, is that a mediation service cannot function efficiently on this smaller, decentralized model if it confines itself to mediating and arbitrating only those disputes that are criminal in nature. The volume of criminal matters of a suitable kind is not great enough on a neighborhood level and such an exclusivity of subject matter creates serious image problems for any program that aims to draw strength for its process (and for the impact of its process on the subsequent behavior of the disputants) from the neighborhood itself. The Peacemaking Pilot design, therefore, elaborates a set of procedures and staffing patterns aimed at drawing disputes away from the Housing Court, the Small Claims Court, and the Family Court -- as well as from the Summons, Criminal and Supreme Courts and from the local precinct itself. Vera's intention is to try to implement this pilot in 1981, and tentative discussions have started with foundations and Community

Boards towards that end. The results of Vera's preparatory planning, data collection, analysis, and memoranda in this area have been shared with staff of the City's Criminal Justice Coordinating Council, engaged in related work in parts of the city that have not been the focus of Vera's fieldwork during the Peacemaking planning effort. Vera staff have also been meeting and sharing materials with staff from various State legislative committees which are contemplating appropriation of funds, for use in New York City and other jurisdictions, to launch and test pilot programs of this kind.

d) Better Screening Out of Unprosecutable Felony Arrests, and Better Prosecution of Those That Remain

The Felony Arrests monograph also drew Vera's attention to the arrest activity of the police and the enormous inefficiency of the prosecution process that follows: only 56% of felony arrests led to conviction of any kind, and only about 15% result in conviction on felony charges. By no means should all of the attrition in felony arrests be attributed to the desire of complainants in prior relationship cases for a mediated result. The research evidenced poor arrest decisions and charging decisions, and poorly-informed prosecutorial decisions. Defendants, witnesses, and police officers waste months as some of these cases progress through the system only to be dismissed when their unprosecutability finally becomes obvious; others, which should and could be fully prosecuted as serious felony charges against serious criminals, are dropped or pled out as misdemeanors for want of proper, timely preparation of the cases.

Over the last two years, Vera has worked with the Police Department and the Bronx District Attorney's Office in designing, demonstrating and evaluating a procedure that is expected, on the basis of the earlier research, to improve the quality of felony arrest activity in the patrol force, reduce the volume of cases forwarded to court as felonies that cannot be prosecuted at that level or at all, and to increase the percentage of felony arrest activity that results in indictment and felony level conviction and sentence. Briefly, the program idea is to subject every felony arrest to an immediate detective investigation--both to capture at the earliest moment all evidence that would be useful to a prosecutor in pressing the case forward, and to identify and drop cases in which the evidence for prosecution cannot be had. The results of these investigations, reduced to a written Arrest Investigation Report and delivered to the Complaint Room together with the defendant (without delaying arraignment), are expected to improve the accuracy of decisions by Assistant District Attorneys (ADAs) and to result in a higher conviction --particularly felony conviction--rate for the arrest activity subjected to program's procedures.

Vera assisted the Department and the District Attorney to obtain \$ 418,647 of LEAA block grant funds, sufficient to introduce these procedures for felony arrests in the 43rd Precinct in the Bronx without drawing manpower away from other activities.

Although the key project personnel are police officers, detectives, and ADA's, Vera's Project Coordinator is responsible for day-to-day operations and oversight. And Vera's Research Department is conducting the evaluation. (Vera had previously collected base-line data showing that the indictment rate achieved in the 43rd Precinct was running at just over 10 percent.)

Over the past twelve months, the project has operated as follows: With the exception of homicide arrests and arrests made by a few specialized units, all adult felony arrests are referred to the Precinct Detective Unit for an immediate follow-up investigation. A detective, trained under the direction of Vera's Project Coordinator, is assigned to the case and is responsible for conducting a thorough investigation of the circumstances under which the crime was committed and the arrest made. In doing this, he interviews the complainant, any witnesses, and all police personnel involved in the arrest. During the course of his investigation, the detective may visit the crime scene to search for additional witnesses, obtain the assistance of forensic units to search for physical evidence, conduct line-ups and take whatever other steps necessary to insure that all of the facts concerning the crime and arrest are discovered and recorded. When he has completed his investigation, the detective prepares an Arrest Investigation Report recording all of the information he has gathered on the case. This report is then forwarded to the Assistant District Attorney responsible for the D.A.'s screening of the case prior to arraignment.

This procedure differs substantially from that followed in the normal arrest-to-arraignment process throughout the balance of the City. Under normal procedures, the ADA in the complaint room receives only the police booking report, which does no more than to present (usually in one sentence) those facts necessary to show that the officer had probable cause to make the arrest; the remainder of his information the ADA gathers by an on-the-spot interview of the officer and complainant. (Where other witnesses exist, they are not normally produced in the complaint room and it may be some time before the prosecutor ordinarily can realistically estimate the strength of this case.)

To evaluate the program, Vera adopted a strategy which permits comparison of court dispositions of felony arrests

subject to the experimental project procedures with those obtained for similar arrests made in the same precinct in the previous year (which were processed without either a follow-up investigation or an arrest investigation report having been produced). To insure that any differences observed can be fairly attributed to the experimental police procedures, a similar pre-and-post comparison is being conducted for another precinct in the Bronx whose arrest rate and demographic features most closely resembled those in the 43rd Precinct (this is the "control" precinct). Initial results indicate the following:

- Arrests which were dropped from the system prior to arraignment (That is, arrests voided by the police at the precinct and arrests that the ADA declines to prosecute) increased in the Experimental Precinct to 18.3%. This was an increase of 7.5% over the base year, a relative increase of 69.4%. In the control precinct, arrests dropped pre-arraignment increased 0.9% over the previous year, a relative increase of 8.9%.
- Looking at those arrests which were arraigned in court, the proportion which did not result in either a Criminal Court conviction or an indictment (that is, cases dismissed or adjourned in contemplation of dismissal) decreased by 13.9% in the Experimental Precinct, dropping from 45.9% in 1978 to 32.0% in 1979, a relative decrease of 30.3%. In the control precinct, arrests resulting in non-convictions decreased by 2.4% over the two years (42.0% to 39.6%), a relative decrease of 5.7%.
- The proportion of arraigned cases which resulted in Criminal Court convictions increased in the Experimental Precinct by 5.3%, rising from 41.2% in 1978 to 46.5% in 1979, a relative increase of 12.9%. In the control precinct, Criminal Court convictions decreased by 0.8% over the two years, a relative decrease of 0.02%.
- The proportion of arraigned cases which resulted in indictment increased in the Experimental Precinct by 8.6%, rising from 12.9% in 1978 to 21.5% in 1979, a relative increase of 66.7%. In the control precinct, the proportion of arraigned cases resulting in indictment increased by 3.2% over the previous year, rising from 15.2% to 18.4%, a relative increase of 21.1%.

- The proportion of arraigned cases which resulted in either a Criminal Court conviction or in an indictment increased in the Experimental Precinct by 13.9%, rising from 54.1% in 1978 to 68.0% in 1979, a relative increase of 25.7%. In the control precinct, arrests resulting in Criminal Court convictions or indictments increased by 2.4%, a relative increase of 4.1%.
- The increase in the percentage of arraigned cases resulting in indictments was most noticeable in robbery and burglary cases. Robbery indictments increased by 27.3% in the Experimental Precinct, rising from 38.6% in 1978 to 65.9% in 1979, a relative increase of 71.0%. Burglary indictments increased by 13.6%, rising from 10.2% in 1978 to 23.8% in 1979, a relative increase of 133%. In the comparison precinct, robbery indictments increased by 6.0% (43.7% to 49.7%), a relative increase of 13.7%. Burglary indictments in that precinct increased by 4%, a relative increase of 49.9%.

What these data powerfully indicate is that the increase in screening out of poor quality cases and the increases in felony arrest efficiency (particularly as measured by the prosecutors' seeking and obtaining indictments and convictions on the felony arrests presented by the police at the Complaint Room) is not the result of some "third factor" (e.g., a change in DA or court policy or practice). For if influences other than the arrest investigations and Arrest Investigation Reports were causing the observed changes, the comparison precinct would exhibit percentage changes of similar magnitude. Perhaps the point can be best illustrated graphically, using the data on arraigned robbery and burglary arrests (see next page).

Following his review of these interim impact results and Vera operations research reports showing no increase in overtime and only a 10% increase in detective workload as a result of the pilot, the New York City Criminal Justice Coordinator requested that Vera work with the New York City Transit Police Department to see whether a similar Felony Case Preparation Project could be applied, with similar impact, to Transit Police arrests in the Borough of Brooklyn. Several meetings were held with representatives of the Transit Police and the Office of the Criminal Justice Coordinator, and plans are now being formulated for the introduction of a Felony Case Preparation Project in that agency early in 1981.

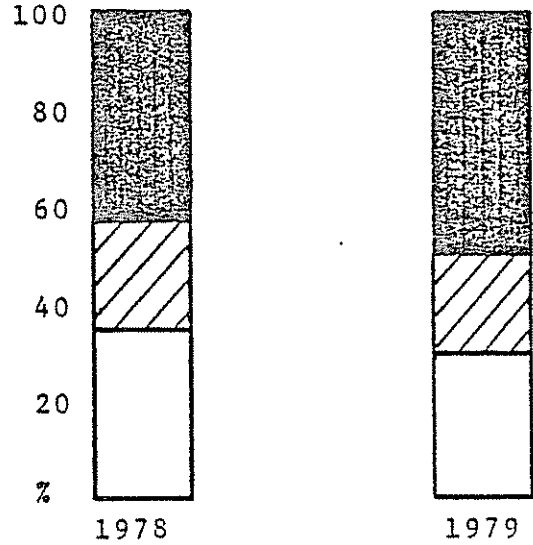
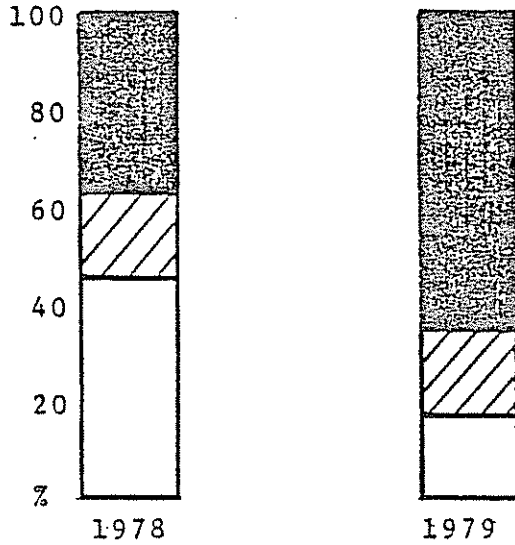
Meanwhile, the Police Department is considering expansion of the Bronx pilot to a three-precinct demonstration in January, 1981, and to the entire borough of the Bronx in 1982.

DISTRIBUTION OF DISPOSITIONS (CLOSED CASES) FOR
DEFENDANTS ARRAIGNED ON ROBBERY AND BURGLARY CHARGES

ROBBERY

Experimental Precinct

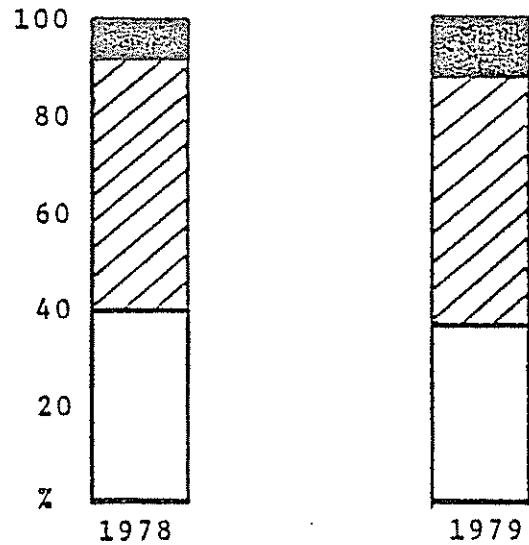
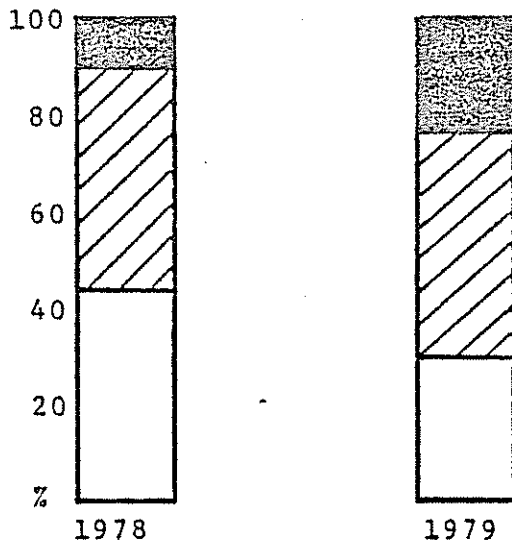
Comparison Precinct



BURGLARY

Experimental Precinct

Comparison Precinct



Not-Convicted



Criminal Court
Convictions



Indictments

e) Juvenile Justice

Publication in 1978 by Monarch Press of Paul Strasburg's Violent Delinquents: A Report to the Ford Foundation from the Vera Institute of Justice marked the beginning of a series of program development efforts at the Institute. One effort has aimed to launch a pilot project, to test a program model combining rich services and very intense supervision for dealing with chronically delinquent youth in a non-secure setting. Chronic delinquents, although relatively few in number, are more likely than other groups to engage in an act of violence -- simply because their delinquency is so frequent; yet, ironically, when such youths are released from a secure placement facility or from detention after arrest for their last criminal engagement, they are rarely accorded any program (parental, private or public) that holds much promise for controlling their behavior and working to change it. However rich the services (educational, vocational, etc.) offered by a program, it cannot prevent the return to Family Court and to confinement of client youth whose delinquency is so chronic that they re-offend after entering the program. Of course, concern about this likely early recidivism, about staff's inability to prevent it, and about the implications of program failure that inevitably arise when the re-offending occurs, leads most programs to turn chronic delinquents away. Vera's basic program ideas have been developed and discussed with the Ford Foundation, the City's Department of Juvenile Justice, the State's Division for Youth, and federal officials. The problem has been (and remains) an ambivalence towards tackling this problem and towards devoting program dollars to a search for its solution, at the Office of Juvenile Justice and Delinquency Prevention in the U.S. Department of Justice. Without substantial funding from a source of that kind, pilot and demonstration programs to test the novel staffing patterns and supervision procedures are not realistic.

Vera staff continues to meet with the Department of Justice's OJJDP staff -- occasionally at OJJDP's request -- in an effort to help shape the up-coming OJJDP "Serious Delinquency Initiative" so that it might provide scope for jurisdictions like New York City to create programs suitable for the chronically delinquent group. Through such meetings, Vera has conveyed to OJJDP data about the delinquency patterns and program gaps here -- data derived from the on-going Family Court Disposition Study. While no success can be reported at this point, there appears now to be movement in OJJDP away from its past fixation on status offenders and first offenders and a recognition of the more serious problems faced in New York City and similar jurisdictions. Meanwhile preparatory planning sessions have been held with DFY and DJJ in New York. Therefore, for the past two years, Vera's principal effort in the area of Juvenile Justice has been the Family Court

Disposition Study, which is now in final draft. It is, like the Felony Arrests research, the first study to reveal the full detail of the Juvenile Justice system -- and, because of that, it should improve the quality of future legislative reforms in this area and of the program development efforts of Vera and the other agencies that are trying to meet the needs of children who get enmeshed in the juvenile justice system.

The Institute began this study in 1978, when the ideas historically associated with the juvenile court's jurisdiction over youthful misconduct were increasingly being questioned by those who condemned juvenile courts as an experiment that had failed. There was a widespread perception that crime committed by children within the jurisdiction of New York City's Family Courts was increasing in frequency and viciousness; at the same time the idea took hold that Family Court was lenient with dangerous juvenile criminals. One headline that summer, proclaiming that "15 Year Olds Get Away With Murder" became (and remains, two years later) a popular, shorthand condemnation of Family Court. The (incorrect) notion gained currency, in part by frequent repetition in the press, that an 18-month placement was the most severe dispositional option available to a Family Court judge. Pervasive images of a surging tide of dangerous juvenile criminals being handled by an intentionally non-punitive Family Court aroused popular anger and offended notions of just outcome.

At the same time, the Family Court's handling of less serious conduct and, in particular, status offenses, was condemned as overly harsh. The deleterious effect of court involvement with PINS ("Persons In Need of Supervision"), the perceived over-use of the placement disposition in PINS cases, and the virtual identity of PINS and delinquency case processing procedures were often cited as evidence of the Family Court's over-reaction to essentially trivial behavior.

Finally, Family Courts shared the blame that was directed at adult criminal courts for allowing the great majority of persons arrested to slip through the system unscratched. Quite apart from its philosophical ban on punishment, Family Court was criticized as administratively or procedurally unable to deliver substantial justice to the thousands of cases making up its burgeoning caseload. The result of Family Court's action on its incoming cases could be described as an "inverted pyramid": In 1976-77, the Youth Aid Division of the New York City Police Department reported that approximately 25,000 juveniles were arrested on delinquency charges in New York City, but the Office of Court Administration reported that only about 350 juveniles

were ultimately placed by the Family Court in any sort of confined setting. Few informed explanations could be offered for this dramatic falling off in the delinquency case-load after it hit Family Court, but it generated a substantial public perception of injustice.

When decision-makers and planners, including the Vera Institute's staff, tried to lay the ground-work for changes in Family Court policy and procedure, they discovered that, beyond anecdote and press-based public perception, almost no information existed to describe the business of the Family Court or its actual processing of juvenile cases. Most participants in the Family Court system acknowledged the lack of systematic information, and the chronic, puzzling inconsistencies in the data that did exist.

For example, no one agency was charged with collecting information on delinquency cases from arrest through final disposition. The Police Department gathered arrest data, the Department of Probation gathered intake data, and the Office of Court Administration gathered court processing data. It was a matter of general knowledge that the information from the various sources did not mesh. Thus it was not always possible to document the fate of particular cases, or particular categories of cases in the Family Court system. It was generally acknowledged that the lack of reliable information frustrated planning for change.

For all of these reasons, the Vera Institute launched a comprehensive study, with the support from the New York State Division of Criminal Justice Services, the Foundation for Child Development, the William T. Grant Foundation, and the Scherman Foundation. The purposes of the research were to provide a systematic information base describing the kind of behavior with which Family Court is presented in its juvenile offense-based jurisdiction (delinquency and status offenses), and to try to understand how the Family Court system disposes of these cases. The study's design was based in large part on the "wide" and "deep" sample design first used in Vera's Felony Arrests: Their Prosecution and Disposition in New York City's Courts. In that study, the combination of statistical and interview data was shown to be a useful method for understanding the realities behind aggregate case processing data.

Vera drew a "wide" sample of 1890 delinquency and 893 PINS cases, selected randomly from all delinquency and PINS cases appearing at Probation intake in the four major boroughs of New York City between April 1, 1977 and March 31, 1978. The sample represents approximately one in ten delinquency and one in six PINS cases that appeared at intake. Since the sample was drawn at random, it was possible -- for the first time -- to document the full range of behavior that gives rise to delinquency and PINS jurisdiction. Detailed information with respect to each wide sample case was gathered from arrest, probation and court records.

In addition, Vera researchers conducted interviews with the principal Family Court system actors -- e.g., arresting officers, intake officers, prosecuting Assistant Corporation Counsels, judges -- who were involved in each case of the "deep" sample; the deep sample consisted of over 200 cases drawn from the wide sample.

(In the murder/manslaughter category, the deep sample consisted of the full universe of murder/manslaughter cases that reached Family Court during the year: the number of such cases was far too few for the one-in-ten "wide" sample to pick up enough for significant "deep" sample data-gathering.) The wide sample data showed what the Family Court does with the cases presented to it; the deep sample interviews help to show why. The interviews were designed to explore reasons for the processing and dispositional decisions reached in individual cases, and to surface patterns of reasoning and underlying fact that would help policy formation and planning for an improved Family Court system.

Summary presentation of the results of this work is extremely difficult, because the principal purpose of the effort is to dig beneath the summary picture one gets from aggregating into a few categories the behavior of delinquents and the responses of officials. The research is to be published as another in the Vera/Longman monograph series, in the hope that the deeper and clearer picture it presents will get as wide an audience as did Felony Arrests.

f) Vera's Technical Assistance Abroad.

The administration of criminal justice has been under stress and has been the subject of scrutiny and experiment in foreign jurisdictions, much as it has in the United States. Differences in laws, procedures, and practices tend to make foreign systems seem peculiar or irrelevant to many American practitioners, and little of the foreign experience has been applied to the solution of problems in American criminal justice. American experience is similarly discounted by many foreign officials who view it from different political, social, and cultural perspectives. Yet many of the underlying problems are similar, and over the years Vera has taken the view that any country's criminal justice system is rich with ideas for new ways to approach old problems in every other system. The difficulty is in finding ways to get close enough to the day-to-day realities of foreign systems so that their relevance can be perceived.

In 1974, Vera was invited by the Home Secretary (the English Cabinet member responsible for criminal justice and penal policy) and by the Chief Probation Officer of Inner London to establish an office there and to assist in adapting American innovations to the English context. In the period 1974-77, Vera designed and launched a pilot bail project (modelled on its New York Pretrial Services Agency) in a London Magistrates' Court, established a bail unit in the local jail, and replicated the Wildcat support work program in a London analogue named Bulldog. Each of these projects was subsequently institutionalized and replicated. (And, last year, the jail-based bail unit was in turn replicated in New York City by the Department of Corrections.) In the period 1978-1980, Vera's work with English colleagues had two distinct components. First, several English practitioners were brought to New York for extended periods of work within New York agencies responsible for administration of justice; this program, administered by Vera, was supported by the German Marshall Fund and the Home Office. Second, Vera's London office embarked on a series of action and research projects that aim to reduce the problems of delay experienced in English Magistrates' courts. Vera staff has been working with the Home Office's Criminal Justice Department and Research Unit, the Magistrates' Association, and the Justices Clerks' Society to document the nature and extent of delay, to fashion remedies (some derived from American experience but some expected to contribute to on-going American exploration in this area), and to try to reverse the trend toward ever greater delays. In the current period, Vera has helped set up an experiment, in

one court, that is expected to reduce delay there by more than half; if this pilot is successful, Vera will be working in 1981 with the collaborating agencies to foster replications around the country.

By January, 1977, Vera's London Office had attracted sufficient attention in the French Ministry of Justice for the Institute, upon invitation, to establish an office there. Various aspects of the French system that seemed to hold lessons of importance to American practitioners were investigated and reported in articles published in this country, but, from the inception of the Paris project through the end of this effort in February, 1980, Vera's staff focused on efforts to reduce unnecessary pretrial imprisonment. For reasons reported elsewhere, it proved much harder in France than in England to launch a pilot of this type and to move it from the pilot to demonstration stage. But at the end of 1979, the pilot had taken hold and seemed secure enough to draw financial support and leading figures from the social welfare as well as the justice fields to form a French institute to carry on the pretrial project as a demonstration. By October, 1980, the program was a fully established innovation in the pre-trial release field, securely funded, and exploring new project ideas (e.g., diversion, victim services) for development. Although Vera closed its Paris office, the Institute stays in contact with the staff and directors of the new French institute, through monthly visits from a member of Vera's London staff and less-frequent visits to New York by Vera's French colleagues.

g) Other -- Criminal Justice Projects Completed, Projected, or Hanging Fire.

Over the last two years, Vera staff collaborated with several of the agencies responsible for administration of justice in New York City, in a variety of short term program development efforts to make the process more efficient and less burdensome to all who play a part -- defendants, victims, police officers, and taxpayers.

For example, Vera collected and analyzed a set of data detailing court action and subsequent police warrant squad activity in criminal cases that are commenced by a Desk Appearance Ticket rather than by arrest. (The Desk Appearance Ticket -- "DAT" -- is the now-common form of process that institutionalizes Vera's Manhattan Summons Project of the mid-1960's.) The purpose of Vera's recent

study was to determine to what extent new procedures for the handling of DAT cases could save criminal justice resources, particularly some of the police manpower devoted to appearing in court on the return dates of DATs and to enforcing arrest warrants that issue when defendants fail to appear at court on those return dates. This work, and discussions with the Police Department, led to design of a pilot project for a new form of process that was termed, for discussion purposes, the "Declined Prosecution Desk Appearance Ticket" (DP-DAT). The proposal had its roots in Vera's finding about the rate at which DAT cases, when they reach court, are disposed of by dismissal, adjournment in contemplation of dismissal, and conditional discharge. Prosecutors were reporting that, at least for a substantial number of these cases, the law-enforcement interest at stake has been satisfied by the initial arrest -- if the defendant does not get re-arrested for a period of time thereafter, little point remains in devoting prosecution and court resources to the case. This, it was argued, in part explains the extremely high rate at which DAT cases result in bench warrants issuing upon the defendant's failure to appear -- at the time the DAT is issued the signal is conveyed that the current charge will not be taken very seriously so long as the individual "keeps his nose clean." Although the warrants that are issued in DAT cases add considerably to the Police Department's enforcement burdens, there is little interest in their execution from the prosecution point of view. To a prosecutor, the fact that a warrant is outstanding in a DAT case often has as its chief significance the fact that the person in question has not gotten into trouble again (a new arrest would cause the outstanding warrant to fall). Vera's program idea was to regularize practice, and thereby to reduce the court appearance and warrant enforcement burdens on the police. Vera suggested a pilot project in which, by prior agreement with a District Attorney's Office, defendants on certain charges meeting certain other criteria would be issued a DP-DAT in lieu of a conventional DAT. The DP-DAT would indicate a return date six months hence, but would state on its face that the defendant was not to appear on that date because, unless he were re-arrested in the interim, the prosecutor would move on that date for dismissal in the interest of justice; if he were re-arrested, hearing on the first charge would be moved up to coincide with prosecution on the new arrest. This procedure would not be appropriate for some of the cases handled through DAT process, but the possibility seemed to exist that a substantial number of DAT misdemeanor arrests -- the ones that now are least likely to lead to conviction and most likely to lead to a failure to appear and an arrest warrant -- could be handled more efficiently through a DP-DAT procedure. To pursue the idea, further legal

and empirical research was done, but in September it was agreed that -- whatever the common sense merits of the idea -- its introduction by New York City in 1980 would be untimely.

In a related effort, Vera began in January 1980 to work on problems created for the Police Department by the enormous and increasing volume of arrest warrants issued by the Summons Part of the Criminal Court, with a view toward diverting more of the cases that originate there to administrative tribunals or to mediation/arbitration forums. However, in April the Office of Court Administration announced its intention to decentralize Summons Court which, in recent years, had been centralized at 346 Broadway. As a result, there appeared little more that Vera and the Police Department could do about the flood of arrest warrants issuing from this part of the court system until other parties decided how they would handle the crisis created by the closing of 346 Broadway. However, Vera's initial examination of the 346 Broadway caseload did produce one recommendation to the Police Department that is being pursued there in the interim. Vera's research revealed that a substantial proportion of the warrants transmitted to the Department from the Summons Part were unenforceable on their face. That is, they did not identify the person to be arrested with sufficient particularity to meet Fourth Amendment standards. Further the Institute's legal research made it clear that the City could be held liable for the false arrest, on such a warrant, of a person who, for example, had the same name as the party sought by the court but who was not the defendant. In March it was suggested that the Department search its outstanding warrants file to purge unenforceable warrants of this type and that it set standards to screen out warrants in the future in order to avoid the confusions arising when a substantial portion of its outstanding warrants are in fact unenforceable. As the Department proceeds with this strategy, it hopes to reduce the proportion of future warrants that lack sufficient particularity when issued by the court.

During the last two years, Vera has also turned its attention back to the product of the original Manhattan Bail Project; Institute staff have provided assistance to the Criminal Justice Agency (in which the bail reform work is now institutionalized). It was felt conditions had so much changed that the time had come to ask a new set of questions about judicial decision-making at arraignment. The resulting research design is focused on providing an empirically-grounded basis for guiding both disposition of the cases that are finally disposed at arraignment (more than a third)

and the release/bail/detention decisions as they arise (in different ways) for the group of cases in which a plea is taken but the case is adjourned for sentencing, and for the group of cases in which no plea is taken. (In the early stages of this study-design work it became apparent that these represent three distinct classes of cases, that within each class of cases there appears to be disparity in judicial decision-making, and that between the two groups of cases in which further court proceedings are required there appears to be quite different failure-to-appear behavior exhibited by defendants. Thus, arraignment now presents much more complex decisions than were addressed by Vera's bail-setting and ROR research in the early 60s and in the early 70s.) The research design work has been completed and, if the data prove amenable to the intended analysis and the underlying hypotheses prove right, the projected project could lead to a more flexible and useful set of tools for judges to use when making arraignment decisions. The effort is in abeyance at this point, because negotiations with LEAA for the financial support necessary to carry out the design collapsed as LEAA ran into its budget crisis. The design work remains useful, however, and CJA and Vera will be attempting to interest other potential funding agencies (federal and private) in this research in the coming year.

When Vera's Pretrial Services Agency was institutionalized by the City in 1977-78 as the Criminal Justice Agency, the City budget officials caused the program to drop its supervised release component. During the past year, when the City's population of pretrial prisoners on Rikers Island increased again, Vera was asked to assist the Office of the Criminal Justice Coordinator in data-collection and preliminary planning for several new models of supervised release. It is too early to tell whether this work will go further, but Vera has an interest in piloting a supervision model that is more secure than conventional programs of referral to third-party service providers, because it seems that only a more intense form of supervision is likely to win release of the defendants who are now subjected to long periods of pretrial incarceration (and whose release, therefore, would represent the greatest saving of custodial resources).

Finally, Vera planned a national and cross-national study of the use of fines in sentencing. The Institute's preliminary research suggested that fines were far more often used as a criminal sanction than most judges or lawyers

guessed, that they seemed to be levied with little regard to offenders' ability to pay, that they were unevenly enforced, and that most jurisdictions (including New York) collected little useful data about their own practices and knew virtually nothing about the innovative European practices. The national research (including a special focus on New York City) has now been funded by the National Institute of Justice, and the European research (in England, France, Germany and the Scandinavian countries) has been funded by the German Marshall Fund. Among the expected results of this research effort -- which is to be completed in mid-1982 -- is a series of pilot projects through which New York City and jurisdictions like it might more equitably and more profitably impose and enforce fines in sentencing.

II. EMPLOYMENT

Vera's concern with labor market problems arose from its involvement with elements of the underclass encountered in the criminal justice field--derelict alcoholics, drug addicts, and young offenders. In the 1970's, Vera's partnership with the Ford Foundation in developing, demonstrating and researching the supported work technique for easing such groups into the world of work led to institutionalization and replication of the Wildcat model by MDRC. But the thrust of Vera's exploration of employment problems has, as a consequence of the earlier pilot and demonstration projects, grown to encompass a wider array of program models, hard-to-employ populations, and much-needed basic research.

a) The Neighborhood Work Project

In New York state, prisoners leave the institutions with \$40 "gate money"; Rikers Island jails provide City inmates with only \$1 when they leave. Out of prison and out of work with no desire to go on welfare (and not enough cash to support him until a welfare check can be secured), an ex-prisoner's need for cash is immediate but, unless he is one of the very few who has lined up a job before release, the labor market cannot respond to that immediate need. And, even if illiteracy, lack of skills and employment experience, the stigma of recent imprisonment, and racial discrimination were not standing in the way of finding a source of legitimate income, conventional jobs usually pay at least two weeks in arrears. It seems obvious that the market's inability to provide earned income on an immediate basis to persons coming out of prison is a cause of crime.

Vera has attempted, in the Neighborhood Work Project, to provide prison releasees the immediacy of a day's pay for a day's work that characterizes the casual labor market, while eliminating the exploitative and uncertain features of it. With \$1.25 million of federal block grant funds from HUD, Vera launched the pilot Neighborhood Work Project (NWP) in November 1978. NWP offers to any prisoner coming into New York City from city, state or federal prisons a no-questions-asked opportunity to earn legitimate income on a flexible work schedule, for up to six months following release from custody. The project provides temporary, unskilled, part-time employment on closely-supervised work sites for persons over 18 who register no longer than a month after release. No skills are required and the only entrance requirement is a willingness to work hard at strenuous physical labor. There is no wait for two weeks for a paycheck--even the first day, pay comes at the end of the day's labor. NWP workers

perform a variety of community improvement projects requested by neighborhood associations, community planning boards and city agencies, at no cost to the sponsor (thus, the HUD financing).

Workers can choose which days they work and are assigned to work-sites on a daily basis. To schedule for work, a worker calls NWP the day before or by 8:30 the day he wants to work; the shape-up that gives him an appropriate site assignment is done by computer, while he's on the phone.

To continue in NWP, workers must work at least two and no more than three days a week. They are entitled to a total of seventy-five days of employment, to be used within six months of registration. At an hourly rate of \$4.15, workers take home approximately \$23.50 a day. Workers are paid at the end of every work day, enabling them to meet immediate financial needs. The financial limitations and time constraints imposed by the program are intended to reinforce the notion that NWP is a transitional employment program, not a permanent or conventional job.

An NWP participant can, if he chooses, get help in his search for permanent conventional employment from the project's Employment and Training Services staff. Job developers will assess their needs, desires, and skills and will assist them to find appropriate work or training. Because NWP is an employer as well as an employment agency, it can provide potential employers with performance evaluations and recommendations.

NWP does not attempt to meet all the needs of people released from prison. Other programs in the City provide assistance such as intensive personal counseling, treatment for drug problems, residence in a therapeutic community and supported work. Vera's experience with programs providing these and other services, and its research over the last few years, led it to believe that a substantial number of individuals (but, by no means all) returning to the community from prison do not need such support; for some, such comprehensive support seemed detrimental because they are ready for demanding tasks against which to test themselves and from which to earn some cash.

The Neighborhood Work Project aims to provide exactly that. The work is hard; the work rules are clear and strict; failure to follow the rules results in dismissal; and a day's work ends with a day's pay. The program does not seek to rehabilitate people, but to provide an opportunity for people

to get on with their own rehabilitation. The staff (many of whom are ex-offenders), are succeeding in tough and demanding jobs; they accept no less from the workers.

In these respects, the program can be seen as an attempt to create a conventional working environment (in contrast to supported work). It is comparable to conventional employment in that the demands made on the worker while on the job are at least equal to those in private sector work. It is also comparable to conventional employment in that there exists a real demand for the product of the labor. In low-income neighborhoods all over New York, community organizations need help in their efforts to maintain livable communities: removing debris from boiler rooms; cleaning out rat-infested alleys and yards; painting hallways and apartments in tenant-managed buildings; clearing vacant lots for playgrounds and gardens; gutting abandoned buildings to allow their rehabilitation by community groups.

Despite NWP's similarity to the private sector in the difficulty of and demand for the work, it does have important unconventional aspects. The most obvious -- and, for the recently released ex-offender, the most important -- is that there are no entry criteria; anyone eighteen years or older who has been out of prison one month or less can register and earn money the very next day.

NWP is also unlike normal employment in that it need not be just a job. Most of the recently released ex-offenders who stay with NWP for more than a few days have shown that they understand and are willing to accept the basic requirements of working, and that they are committed to work as an alternative to welfare dependency, crime or prison. Many of them however, do not know how to find a job or have no clear idea of what choices are available to them. For workers who seek assistance, NWP's Employment and Training Services (ETS) assists them to secure a job, to find a place in a stipended skills training program or in an evening high school equivalency program, or to meet other needs related to employment. But workers are not required to use ETS. A worker may simply work two or three days per week, be paid, and have no other connection with NWP. When viewed alongside many other programs for ex-offenders, NWP is passive; it presents a take-it-or-leave-it opportunity.

Further distinguishing NWP from conventional jobs is its adoption of the structure of the casual, or day-labor sector of the labor market. The flexibility of this type of employment is appropriate for many (but again, by no

means all) returning ex-offenders, who often have medical, governmental, or personal obligations which make a rigid five-day-a-week schedule difficult or impossible to manage. In addition, getting paid each day is important to those for whom the usual one or two week wait for the first pay check would be impossible.

Unlike private sector day-labor operations, however, NWP workers can work at least two days a week but are not allowed to work more than three. This is the key to the most important difference between working at NWP and working at a conventional job; NWP is short-term transitional employment. Workers are constantly reminded that NWP is only a bridge between prison and permanent employment, and that the only way to improve their situations is to find conventional work and leave NWP as soon as possible. Experience with other employment programs suggests that many participants find it difficult to accept the fact that, as their entitlement expires, they must leave the job that they have devoted so much time to and in which they have done so well. It is partly for this reason that work at NWP is limited to a maximum of three days a week, to reinforce the fact that NWP is not a career. In addition, this carves time out of the week for workers to look for full-time jobs.

NWP seems to offer a remarkably rich opportunity for research, but Vera has not yet been able to secure separate funding to pursue the empirical and policy questions that have arisen. Nevertheless, some data are available. A survey of workers who left NWP between November 1, 1978 (the day it opened) and April 28, 1980, reveals that: 7% signed up but never worked; another 30% worked no more than six days: (that is, they worked at least one day but no longer than three weeks); 36% worked between seven and 21 days (for a possible maximum of between seven and ten weeks); 18% worked 22 to 45 days; 9% worked 46 to 75 days (the maximum possible time). Of the 1,450 who left, some 450 are known to have gone on to a job or stipended training program. Of the remaining 1,000, the great majority were terminated for failing to work the required two days a week. Since very few of those contacted the program after being terminated it is not known whether or not they too found conventional jobs or just stopped working and returned to crime or welfare dependency; whatever they did, they used the program as a source of legitimate cash for varying lengths of time during the period of greatest economic (and other) stress immediately after release.

In the NWP Pilot year beginning November 1, 1978, just over 1,000 returning prisoners took up the NWP offer, and by the Fall of 1979, the project was able each day to field 7 crews of 10 slots for which its registrants could call in to reserve a place. This led Vera and CJCC to increase the capacity for the program year beginning November 1, 1979. Backed by \$1.9 million of HUD financing, NWP was able to field 10 crews each day. The demand from returning prisoners for paid work on the NWP model was still not met and NWP was further expanded in May, 1980 by a transfer of \$248,000 of HUD monies from the City's Housing Preservation Department: this permitted NWP to phase in an additional five crews. (These crews were devoted to work on HPD's in rem properties.) Thus, in the second NWP year, 1350 returning prisoners were accomodated. (For the period beginning October 1, 1980, NWP has been further expanded, with a total annual budget of \$2.9 million, to provide temporary employment to an anticipated 1950 persons returning to the City from incarceration; this is about 10 percent of all persons released to this city.

NWP has also been able to respond to a series of requests from the City's Department of Correction to help re-structure the City's work-release program. Lack of jobs for potential work-release participants, and lack of substance in the DOC program seemed to limit unnecessarily its utility both as a device to help re-integrate city prisoners and as a way to reduce pressure on Rikers Island. After joint inspection of the DOC work-release facility and program, Vera first assisted DOC in a successful search for CETA funds to employ vocational counsellors and job developers at the facility. (These new staff, in addition to providing the missing services, help by filling some of the need for daytime "custodial" coverage of the facility, thereby reducing the level at which DOC needs to assign corrections officers to the facility during the day.) Vera then set aside up to 50 slots in the daily NWP crew complement, for use by City work-release participants (capacity of the DOC work-release facility is now at 60 inmates). These changes will not by themselves make work-release all it could be, but they help demonstrate the utility of NWP's rather special and flexible version of transitional employment.

Although funds have not yet been secured to carry out Vera's proposed research of NWP and, more generally, of the experiences of ex-prisoners during the months immediately after release, enough data is available from day-to-day operations and from the files of the Employment and Training Services staff to suggest the need for an Ex-Offenders' Survival Manual. Vera is augmenting NWP's information with consultations with ex-offender advocacy groups, social service agencies and inmates who have not yet been released, to prepare a 200-page, pocket-size handbook designed to help ease the re-entry of inmates recently released

to New York City. It will aim to provide practical guidance with respect to the whole range of problems that seem regularly to arise -- from where to find emergency housing, to how to obtain a social security card or warm clothing.

* * * * *

There is a point of some importance hidden in the fact that NWP was financed with HUD money. CETA is the more logical source, but upon examination proved wholly unworkable. This lesson, in turn, helped shape the two programs described next. Although the CETA legislation appears to permit substantial flexibility of program design, so that innovative program models might be developed to meet the varying needs of various unemployed and unskilled groups, CETA regulations and administrative practices have introduced a number of rigidities that make it difficult or impossible to apply these monies where they might be most useful. NWP's model of two or three days of work a week is, for example, not possible under most localities' rules for CETA programs. But there are other difficulties that generally get in the way of good programming for the ex-offender groups. Usually, it is required of CETA programs that job placement efforts be pursued with every registrant, a technique antithetical to the operating principals of NWP and unwanted by a substantial number of those who were nevertheless able to make use of its transitional employment structure. And the high priority given to job placement is usually translated to contractual performance requirements which make it foolish to adopt a no-questions-asked, no-skills-or-experience-required approach to intake. (Thus, in conventional CETA-funded programs, ex-offenders tend to be screened out.) Equally inhibiting of sound program development is the conventional CETA separation of programs offering on-the-job-training, programs offering work experience, and programs offering classroom training. These rigidities are neither statutory nor regulatory in nature, but program operators' inability to secure CETA financing for projects that can offer individualized packages consisting of varying amounts of each type of basic service makes the ex-offender population (and other groups with multiple needs) an unattractive group to serve. The tendency has been for CETA contractors to offer one or another of the specific services (e.g., classroom training in clerical work, or work experience in building rehabilitation), and to match clients with one service. This result is not a problem for an individual who has made a clear vocational choice, who needs only one kind of CETA service, and who can shop around for a program offering what he wants. But this is not typical of ex-offenders who need CETA services. For example, a 25 year old high school drop-out may need to earn his high school equivalency diploma before proceeding to an on-the-job-training position to learn a trade. If he can do both within a single program, it is more likely that he will develop a sense of the short and long range goals, trust in one set of vocational counselors, and the security which will hopefully enable him to organize his life around an activity that is not

one or two months in duration but 6 or 8 months. Thus, Vera's Vocational Development Program.

b) The Vocational Development Program

In 1979, Vera staff met over several months with staff of the Department of Employment, New York City's CETA prime sponsor, to fashion a pilot project that could test the utility and impact of individually-tailored packages of CETA services. The basic idea was to permit the individual to participate (with professional vocational assessment and guidance) in selecting a mix, suitable for his needs, of work-experience, on-the-job-training, skills training, and college coursework. It was expected that this participatory, flexible approach to vocational development within a single CETA program would permit ex-offenders facing serious and multiple vocational deficits to gain a competitive posture in the labor market and to get and keep significantly better jobs. That fall, a contract was awarded and the Vocational Development Project began.

VDP can, for example, arrange for a participant to spend two days per week in a college curriculum and three days per week working in an agency; VDP organizes the program around the needs of incoming participants rather than referring them sequentially to one or another single-focused project. The program is intended as a laboratory in which assessment techniques for individualizing CETA offerings can be developed and the value of this flexible approach can be tested and demonstrated. The program will serve 160 individuals over the next twelve months, and, if successful, should help move the larger CETA program towards greater flexibility and should provide useful vocational assessment and tracking models for use by other CETA contractors.

c) The Alternative Youth Employment Strategies Programs

Obviously, the next step in this chain of program development would be to combine, into a single project, features of NWP's unconventional model of work-experience and VDP's flexible packaging of the other basic CETA services. To demonstrate that a new mix, along these lines, would permit CETA funds to reach the particularly hard-to-employ segment of America's youth that is in -- or at great risk of entering -- the criminal justice system, could be enormously beneficial. In the Spring of 1979, the Office of Youth Programs of the Department of Labor (DOL) invited Vera to design and launch a three-city experiment, in which the three CETA models of employment services would be combined and focused on "high-risk" 16-to-21-year olds.

Although Vera had not before directly designed or helped to manage program (nor conducted systematic research) outside the familiar New York City setting, the Institute seized this opportunity. With the exception of the supported work programs, most CETA-funded projects seemed either not to reach the population of greatest concern to Vera or to have been too poorly designed and managed to make much difference. Yet DOL was clearly going to sponsor controlled evaluation of the relative impact on this population's criminal and employment behavior of the three basic CETA models -- work experience, classroom training, and a mixture of the two. Because the evaluation was expressly intended to influence future expenditure policies, and because criminally-involved youth clearly need their share of CETA resources, Vera felt it critical that the programs evaluated be tailored to the needs and problems of this group, that they be of the highest quality, and that the research be rooted in the kind of practical experience Vera has built up in this field. In addition, the data-base required for this evaluation would clearly be a valuable addition to the Institute's 5-year course of basic research on the relationships between employment and crime (see below).

In July, 1980, the Alternative Youth Employment Strategies Programs began in New York, Albuquerque and Miami. Over the course of the next twelve months, 450 high risk youth (defined as low-income, out of school, out of work, and 16 to 21 years old) will participate at each site, and, at each site, 450 controls will be randomly selected. The project requires that at least 50 percent be referred from the criminal justice system. The AYES program models were carefully designed by Vera personnel who had direct experience of NWP and VDP; they also helped hire and train local staff.

In the negotiations between DOL and Vera, there was some compromising of what Vera felt to be the best program design for the target population -- although each AYES project offers three basic CETA services and some options within each service model, the flexibility is not as great as at VDP, for example, and program packages cannot be so highly individualized. Nevertheless, there remain strengths of program design and sufficient flexibility to increase the likelihood of positive results from the impact research. There are two other features of the AYES programs distinguishing them from CETA programs generally. The program design emphasizes strict enforcement of program rules, and it imposes no specific placement goals on the project operators. Typically, placement goals have had an important counter-productive effect. When placement rates are used as the sole measure of program performance (as is often the case with CETA programs), program operators are loathe to fire a participant -- however unruly and destructive for other participants -- because the potential "positive termination" rate is reduced.

Participants who have violated program rules are often not terminated, but permitted to hang on -- gaining a distorted perception of acceptable work-place behavior norms. They are thus ill-prepared to compete in the job market; they may get a job, but they won't be likely to keep it.

Two members of Vera's central staff provide full-time technical assistance to the local sites, monitoring operations carefully through frequent visits and almost daily phone contact. The site operators manage the day-to-day operations, but rely on the Institute staff for guidance on policy and many operating procedures. (Vera also handles all the DOL funds and fiscal monitoring for each site.)

The three AYES program sites have high crime and high youth unemployment rates and are facing serious problems integrating their young minority populations into the labor force -- Liberty City in Miami, the barrio in Albuquerque (a sunbelt boom town where the boom isn't reaching the Chicano underclass), and New York (which is a microcosm of the economic and social problems facing older northeastern industrial cities). Given the short time since the sites started operations, it is too early to report much about the program. However, several known areas are already encouraging. Over ninety percent of the participants at each site are minorities; the drop-out rate has been one quarter of what was projected on the basis of the Department of Labor's experience with other CETA programs serving less difficult populations; and the proportion of criminal justice referrals is substantial -- 77% in New York and 53% in Miami. These figures are probably somewhat understated because they depend to a substantial extent on self-report by the participants. In Albuquerque, for example, where the percentage of criminal justice referrals is reported at 33 percent, there is reason to believe that a strong culturally-based disapproval of involvement with the criminal justice system has substantially reduced the number of young persons willing to admit prior involvement with that system.

There is, obviously, nothing to report at this early stage about the results of the data-gathering and controlled research. The AYES research is designed to measure relative impact of the three program models on the employment outcomes, earnings, and criminal justice involvement of the participating "high risk" youth. Vera designed the research in response to DOL's policy questions, supervises the collection of all research data, and will in time prepare descriptive and analytic reports of research findings. The data collected will, in turn, be used at Vera to enrich the sources tapped by the Institute for its long-term research into relationships between employment and crime.

d) Basic Research on the Relationships Between
Employment and Crime

The last two decades have witnessed increased emphasis in theoretical discussions, in policy pronouncements, and in program initiatives on the relevance of economic and social structures to the origin, persistence and control of criminal behavior. Although the literature from which this emphasis emerges is devoted to many and disparate topics (families, peer groups, neighborhoods subcultures), it is the economy, and especially the manner in which it structures employment opportunities for different groups in American society, that has received the most attention.

Beginning in the early 1960s, the federal government through several executive departments and agencies (e.g., Health, Education and Welfare, Labor, Law Enforcement Assistance) encouraged and supported a number of programs designed to expand employment opportunities for people involved with the criminal justice system and for segments of the population considered to be at high risk of becoming so involved. By strengthening participants' ties to the world of legitimate work, these programs hoped to reduce recidivism and facilitate participants' adoption of a more conventional life style. A number of Vera programs were in that group; Vera has for years had as one of its principal concerns the development of more effective means to introduce offenders to the world of work, the benefits of steady income, and the legitimate lifestyle that is assumed to go with a steady job. But in recent years it has become apparent that the assumptions upon which we (and others) build employment programs for offenders and for groups at high risk of involvement in crime are too simplistic, and do not have as powerful an impact on job retention and crime aversion as was expected. We came to feel that labor market strategies in general, and employment programs in particular, can reach these groups effectively only if they are built on a sounder theoretical and empirical base. In the mid-1970s, the National Institute of Justice decided to look closely at relationships between employment and crime and to develop a context of knowledge within which to assess past accomplishments and future policy and programs in this area. In September 1977, the National Institute of Justice selected a proposal submitted by the Vera Institute of Justice to carry out this long-term research.

Vera's research effort is proceeding in three general areas: (1) study, review and reporting the literature from a variety of disciplines that throw some light on this subject (but that leave a lot of critical questions crying out for empirical exploration); (2) ethnographic study of the development of criminal and legitimate lifestyles among adolescents in three high-risk neighborhoods; and (3) several longitudinal studies of sampled New York City criminal court defendants and jailed offenders.

This research effort provides an unusual opportunity to consider carefully the empirical and theoretical reasons for the contention that experience of employment and unemployment is related to criminal behavior, and to increase understanding of the various ways in which these relationships may be manifested. The long-term research agenda contemplated by the agreement between Vera and NIJ involves exploration of theory as well as the generation and analysis of empirical data on both the aggregate and individual level.

The theoretical context for Vera's exploration of this area is initially framed by assumptions that have been made, within several social science disciplines, about how legitimate employment and criminal behavior relate on the individual level. In some instances, individuals are seen as rational economic actors weighing the relative benefits and costs of various legal and illegal activities and choosing those which maximize net benefits at a particular point in time. In this viewpoint, legitimate employment is relatively more or less economically beneficial to the actor than is illegal activity. The relationship is seen essentially as a direct trade-off between the two.

The view of crime as an essentially direct result of a conscious, rational process of economic decision-making may lead to policy and programs that aim to increase the volume and enhance the quality of employment for selected target populations. Alternatively, it may undergird policy and legislation that aims to raise the cost of criminal activity by increasing the deterrent impact of the criminal justice system (i.e., increasing the likelihood of detection, apprehension, conviction and punishment). At the present time, policy-makers seem to have embraced the notion that crime is the product of rational decisions of this economic type, and to be emphasizing deterrence as a means to influence the decisions. The lack of emphasis on policy and programs that might increase the benefits of choosing against crime may reflect a growing reluctance to expend public dollars on social welfare programs generally, or a loss of confidence in the potential effectiveness of publicly-supported employment initiatives specifically.

In any case, to define the policy options exclusively as deterrence versus subsidized employment is to limit unnecessarily and unrealistically the potentially useful set of assumptions one might make about the determinants of criminal behavior and the manner in which criminality is, or can be, affected by experience in the world of work. By exploring in depth a wide range of assumptions about these relationships, Vera hopes to expand understanding of how employment policies may and may not be useful to society's crime control efforts. Such enhanced understanding would include a more realistic set of expectations

regarding the results of employment programs for criminal justice populations. We need to know more about the extent and nature of trade-offs between crime and employment as they are actually perceived and experienced in high-crime neighborhoods. We also need to know more about the kinds of employment that are available for these trade-offs, how various work roles are defined and valued, what benefit high-risk youth can derive from these types of employment, how they secure work, how legitimate employment is supported by family and friendship networks in the community, and the circumstances that sometimes foster stable employment histories in an environment where primary employment is the exception rather than the rule.

By careful consideration of both theoretical work and empirical data on the aggregate, neighborhood and individual levels, the Vera research project hopes to:

- Clarify the theoretical assumptions that may or may not support a policy emphasis on employment initiatives as part of a crime control strategy;
- Identify more clearly the characteristics of people in high crime neighborhoods and in the criminal justice system for whom enhanced employment would be particularly likely to avert crime;
- Identify periods in life during which this form of intervention would be more likely to succeed;
- Identify more clearly the kinds of economic and social-psychological processes through which enhanced employment would have to work on the community and individual levels in order to be effective as a crime control mechanism;
- Describe more fully the kinds of work that are valued and the processes by which such work is found and by which work histories are established in high crime neighborhoods; and
- Describe how information of this kind can be used to shape the organization, content and presentation of employment programs in such communities.

All these questions rather obviously deal with the relationship between employment and crime. But Vera's concern is also with employment policy itself. Some recently completed program evaluations (including the Wildcat Evaluation, the Baltimore Life Project, and the Transition Aid Research Project) seem to agree that employment among both experimentals and controls was somehow associated with reduced recidivism, but none of the programs were particularly effective in creating and sustaining post-program employment for participants. Neither was MDRC in its ex-offender and juvenile delinquent components. Therefore, while one serious question is "How, and with whom, can enhanced employment be used to reduce criminal involvement," an equally important question is "How, and with whom, among people involved with the criminal justice system, can employment be enhanced?" The ethnographic component of this research project offers a good chance to develop a systematic understanding of the experience of work in economically depressed communities (what kinds of work are valued, by what processes is it found and established); from such an understanding should come useful suggestions about where and at whom to focus specific varieties of employment programs, how to shape their content and duration, and how to find supports for participants to secure and maintain post-program employment in the community.

In short, the aim is to build better models of the processes by which and the circumstances in which underclass youth in high crime communities can go about establishing legitimate employment careers. Such models would point to ways in which conventional employment programs might be improved.

e) JOB PATH -- Supported Work for the Mentally Retarded

After having demonstrated, with Wildcat and earlier efforts in the 1970's, that supported work could assist ex-offenders, ex-addicts, and rehabilitated alcoholics in their quest for employment, the Institute decided to adapt the concept to fit the needs of another population, mentally retarded youth and adults. The initiative for this effort came in large part from the New York State Department of Mental Hygiene's Metropolitan Placement Unit, which was established to coordinate the deinstitutionalization of mentally retarded persons mandated by the Willowbrook Consent Decree of 1975. In September, 1978, following a Ford-funded ten week pilot project the previous winter, Vera established Job Path. The purpose was to test the feasibility of using the basic supported work model to help moderately, mildly, and borderline retarded individuals make the transition from sheltered environments to stable jobs in the competitive labor market.

At the time Job Path was established, a number of rehabilitation agencies were providing sheltered employment for some mentally retarded people; in these programs, workers received between 25 and 50 percent of the minimum wage for repetitive tasks. Most of this kind of work did not provide skills or experience transferable to the competitive labor market, and many sheltered workshop clients were remaining in this state of dependency for years on end with no way out of the system.

Although workshops did provide placement services for clients considered ready for competitive employment, there was no opportunity for the mentally retarded individual who was not so assessed. It was Vera's strong feeling that, for them, long-term institutionalization in the sheltered workshop could be avoided by a structured, introductory, real work experience.

To provide a series of such experiences, Job Path has developed a three-phase transitional employment program. In the first phase, lasting for up to six months, new clients ("trainees") are out-stationed to public sector agencies where they learn job skills and good work habits while earning a salary at the minimum wage (paid by Vera from funds secured through CETA Title IIB). In the second phase, which can last up to six months, Job Path participants are placed on training sites, typically in the private sector, where they get job experience in another, more demanding setting; Vera continues to pay trainees the minimum wage in phase two, using funds secured through CETA Title VII (Vera is reimbursed for a portion of phase two salary costs by private sector sites, and Vera uses these revenues to finance other elements of the overall Job Path program).

By the time participants have completed their training, they are equipped in one or more of the following skills: clerical, porter/maintenance; housekeeping, mailroom, messenger, food service; department store ticketing; packaging and receiving; assembly and factory work; and duplicating.

Throughout the training in both public and private sector sites, Job Path participants receive a variety of counseling supports. Every trainee is assigned a job counselor who visits the work site at least twice a week to see how the trainee is coping with gradually increasing demands. The counselor also provides the trainee with an hour of individual counseling weekly in order to help develop good work habits and skills and to provide regular feedback and evaluation of the trainee's progress.

Since the counselor also meets every other week with the person at the trainee's worksite who is responsible for supervising the trainee, the counselor is in a position to encourage firm but sympathetic supervision. These joint sessions also alert the counselor to small problems so that they can be addressed promptly, thereby preventing them from becoming larger ones.

In addition to this professional support, trainees also receive peer support in weekly group meetings of 10-12 program participants. The director of job counseling leads these groups in which the trainees share common concerns about work-related problems and strategies for handling them.

Phase III takes place when a trainee moves from the Vera payroll to the payroll of the company that has hired him or her*. Hirings occur in two ways. In many instances what begins as a training opportunity turns into unsubsidized employment. Job Path participants simply "roll over" from their status as "trainees" to their new status as "employees" at the firm which has been training them. In fact, two out of three private sector employers who have provided subsidized training have subsequently hired their trainees for unsubsidized jobs.

In other instances firms hire Job Path trainees who have received training elsewhere. Those cases are termed "direct hires." Whether conventional employment results from a "roll over" or from a "direct hire," Job Path provides all former trainees with follow-up counseling services that are gradually reduced over the course of a year.

Job Path trainees are referred from a variety of professional agencies. The program tries to make certain that everyone who enters the program genuinely needs supported work in order to become employed, but it also tries to limit its acceptance to

*In one sense of the term, trainees have been hired by the Vera Institute prior to Phase III. The trainees do not consider themselves to be truly hired, however - nor does Job Path - until they graduate from the program and receive a salary from the organization for which they will be working on an unsubsidized basis. The term "hired", therefore, refers to conventional employment and not to the state then trainees are on the Vera payroll.

individuals who appear as if they will be ready to become competitively employed within a year's time.

Job counselors refer trainees to appropriate ancillary services for help with housing, health, recreation, schooling, and such. Job Path has deliberately tried to avoid duplicating the efforts of other agencies, in order to concentrate on providing transitional employment services which were not available in the existing service delivery system.

Between September 4, 1978 and September 5, 1980 Job Path has provided supported work for 221 trainees and has been able to place 114 trainees in unsubsidized employment during this period. Thus, 52% of the trainees have made the transition from supported work to unsubsidized employment.

A closer look at program results during this time shows that 98 trainees entered Job Path between September 5, 1978 and September 4, 1979 and forty-six (47%) went on to competitive employment during that year. Forty-four other first year participants in good standing who had not completed the 12 months of allotted transitional employment were carried over into the second year. Twenty-four of those 44 were placed in competitive employment between October 29, 1979 and July 22, 1980. In all, 70 of the 98 trainees (71%) who entered Job Path in its first year have made the transition from sheltered environments to conventional employment within 12 months of program activity.

During Job Path's second year as a demonstration project, which ran from September 5, 1979 to September 4, 1980, the program served 123 new trainees in addition to the 44 supported workers who were carried over from the previous year. It is premature to tabulate the final unsubsidized placement rate for second-year enrollees because 70 trainees have been in the program for less than six months.

It is not too soon, however, to consider the employment experience of the 53 trainees who entered Job Path during the first half of its second year, between September 5, 1979 and March 4, 1980. Thirty-seven of these trainees (71% have been placed in unsubsidized employment as of September 4, 1980. (Three trainees were placed in two different jobs, resulting in a total of 40 placements.)

As of this writing, Job Path is one of only two agencies meeting the need for transitional employment opportunities for mentally retarded individuals. Therefore, Job Path intends to disseminate its approach to a variety of geographic areas and populations. In this regard, Job Path's establishment of a Staten Island satellite office in June of 1980 should help

the program develop similar programs in other parts of the United States since this borough resembles medium-sized communities elsewhere more than it resembles the other four boroughs.

In addition to being retarded, a significant proportion of Job Path's participants have secondary disabilities such as epilepsy, cerebral palsy, severely limited hearing, poor eyesight, and a number of neurological, psychological, and medical problems. The agency's experience with this varied a population suggests that Job Path's program of supported work might be adapted to enable other handicapped groups to find stable employment.

To test the feasibility of the Job Path model with other handicapped populations, the program is introducing a pilot project for neurologically impaired youths and adults who seem to have the same vocational needs as the mentally retarded population.

Other plans for dissemination are also being readied. Job Path has written a guide to replication and adaptation, entitled Pathways to Employment: Strategies for Assisting Hard-to-Employ People. The manual, which is now being printed, will serve as a tool around which to structure national dissemination of the Job Path model.

In addition, the Manpower Demonstration Research Corporation (MDRC) has engaged Vera in a series of discussions to determine whether there should be a national demonstration of supported work for the mentally retarded modeled after its earlier demonstration of supported work for other populations. The Vera Institute is working closely with MDRC on exploration of such a demonstration. If it gets underway, it seems likely that New York City will be selected as one of the sites and Job Path as one of the participating projects.

f) JOB SITE -- Supported Work for the Visually Handicapped

During a period when she was campaigning to develop an increased number of training sites and placement jobs for Job Path program participants, the Project Director wrote several articles about the project and its methods for magazines and in-house newsletters published by a variety of businesses and professional associations. A surprising result of this effort was the number of inquiries received asking whether Job Path couldn't apply its supported work model to particular individuals or whole groups suffering handicaps other than retardation. Some of the sagas of frustrated blind and deaf job seekers particularly called for an affirmative response. Inquiries also came from vocational rehabilitation experts, from professionals

at universities and from non-profit agencies as well as from public sector agencies.

These inquiries prompted the Institute to examine vocational services currently available to the blind, deaf, and physically disabled in New York City. From the exploratory work the Institute perceived a clear need for and a receptivity to application of the supported work model to the problems of visually impaired persons who are locked out of the conventional labor market. The New York State Commission for the Blind and Visually Handicapped and the major local organizations serving the blind and visually impaired agreed. At about this time, the Rehabilitation Services Administration of the Office of Health and Human Services issued a Request for Proposals for the initiation and development of innovative generic service programs. The Vera Institute responded with a proposal to establish a pilot program to provide transitional employment services to visually impaired youths and adults in the city's five boroughs. Vera recently received official notification that a three-year grant has been awarded to it to launch that program. Planning for the project, which is to be called Job Site, is underway.

Job Site's services will address the needs of those blind and visually impaired persons who, though not yet ready for competitive employment, should be ready within a year's time to move from such environments as sheltered workshops, rehabilitation programs, or schools to unsubsidized employment. The program will seek to: develop effective referral mechanisms with agencies currently serving individuals registered as legally blind by the Commission for the Blind and Visually Handicapped; establish a mix of training sites which would be appropriate to the participants' range of abilities and interests and which would enable them to acquire the job and social skills and the work habits necessary for the competitive labor market; identify and deliver support services to facilitate participants' transition into the competitive labor market; and provide the requisite follow-up services to ensure that the participants would retain their jobs and maintain and improve their level of job performance.

A three-month pilot project for 10 individuals will be established in order to evaluate the appropriateness of the supported work model for the blind and visually handicapped. An advisory committee comprised of government officials, rehabilitation professionals and consumers will assist program operations.

III. SPECIAL PROJECTS -- PROBLEMS OF THE YOUNG, THE OLD, THE INFIRM AND THE HOMELESS

The program development activity reported in this section stands somewhat apart from the rest of Vera's work substantively, and is spread across a very wide spectrum of social ills. But each project here arose from and is built upon insights reached in earlier Vera work. Easyride was a direct outgrowth of Vera's job creation efforts for Wildcat graduates; the concern with abuse in foster care settings flowed from our work with the Ford Foundation on relationships between neurological impairments and delinquency in children institutionalized by the juvenile justice system; the work with HRA on strategies to better accommodate the city's homeless street populations has deep roots in Vera's work with its former Manhattan Bowery Project; and the collaboration with the South Bronx Development Office, aiming at a demonstration project to salvage the deteriorating South Bronx housing stock, is informed by Vera's work in creating the Wildcat welfare waiver mechanism and its current involvement through NWP in efforts to save the housing in which low-income and welfare families are forced to live.

a) Children Detained at Spofford, and Children Abused or Neglected in Foster Care.

Under the Ford grant and under a technical assistance contract with the Human Resources Administration, Vera deployed staff to the Spofford Detention Facility for six months in 1979; their principal task was to design and implement systems to screen away from detention newly-arrested children for whom some alternative to maximum security could be found until first court appearance. (This led to direct involvement of Vera staff in the creation of new procedures for the reception and classification of children admitted to detention and to a collaborative revision of some of Spofford's management and operating procedures.)

Vera's approach to reduction of the use of detention for children paralleled its 1960 approach to adult detention in the Manhattan Bail Project. An objective point system was developed to guide Spofford intake workers in identifying children who could, as a matter of policy, be referred immediately to a non-secure HRA residence or to outright release. During the six months of Vera's involvement, Spofford's Admissions staff screened 1,541 children brought there during hours when the Family Court was not in session and diverted 428 away from secure confinement -- 353 were transported to non-secure facilities until due at court, and 75 were released to parents or guardians who had been reached by admissions staff. Not only were 28 percent diverted from secure confinement, but an additional 12 percent were found eligible for diversion, by application of Vera's guidelines, at times when non-secure facilities were at capacity or no

transportation could be provided. (This eligible-but-not-diverted group constituted, in effect, a comparison group; comparison of subsequent Family Court processing of the two groups suggests that, for children as for adults, pretrial imprisonment is associated with more severe case dispositions by the courts.) When management of Spofford was transferred from HRA to a new Department of Juvenile Justice, Vera's involvement there was brought to an end; but, after a lapse of months, the screening program has been re-introduced by DJJ and is reported to be bringing about the same impact. The result is a reduction of unnecessary imprisonment of children and a modicum of relief for the over-crowded Spofford facility.

During the period of the Institute's direct involvement at Spofford, Vera was asked to assist in developing a code of conduct for the children and an operations manual for the staff there. Staff at Spofford, in all departments and at all levels, were interviewed about job responsibilities, existing procedures, the nature of supervision, coordination with other departments and training. The interviews surfaced problems in communication among Spofford staff including insufficient sharing of information; confusion regarding Spofford's mission and goals, job responsibilities and the structure of authority for decision-making; deficiencies in supervision, and lack of clarity regarding existing procedures. Additionally, Spofford's administration and staff were concerned about inconsistent practices used by counselors in supervising and disciplining residents. It became clear that the rules governing the children's behavior lacked clarity, and the methods of discipline were left to the discretion of individual counselors who were either too lax or too strict in taking disciplinary action.

In response to this problem, Vera provided support to a Spofford staff subcommittee that developed a discipline system and handbook for residents. Based on deliberations of this Spofford Discipline Subcommittee and administrative review, Vera staff prepared drafts and subsequent revisions of (1) rules of conduct for the Residents' Handbook and (2) a disciplinary system, including procedures for imposing sanctions. The resulting model disciplinary system consists of a set of graded rules and sanctions. For each rule violation there is a corresponding sanction which is dependent upon the severity of the infraction. A Residents' Handbook was developed using simplified language to convey information about the rules and sanctions. This illustrated guide for residents also contains a description of children's rights at Spofford, daily schedules and various programs

available at Spofford. Transfer of responsibility for Spofford to the Department of Juvenile Justice delayed implementation of the new disciplinary system, but the work done in 1979 is expected to be of substantial utility to DJJ when it is able to move on this front.

In a related effort, Vera worked with Spofford staff to redesign procedures for receiving, orienting and classifying newly-admitted children. At that time, there was no structured approach to orienting new residents or assigning them to dormitories. They were examined medically, interviewed by a case worker and then transferred by a counselor from the reception dorm to a regular dorm. Orientation to the rules and explanation of the routine at Spofford and programs were provided on an informal and inconsistent basis. With minimal observation and knowledge of the residents (and without consultation with the caseworker), counselors assigned residents to dormitories. Assault of the younger and weaker residents by older and more violent delinquents was one of the undesirable consequences.

In an attempt to remedy these inadequacies, Vera helped the subcommittee develop a program:

1. To orient children to Spofford rules, schedule and programs
2. To identify special needs of residents
3. To alleviate anxiety the child may have about being at Spofford
4. To make appropriate dorm assignments

The ultimate goal of the efforts begun by this joint planning was to develop individualized programming for Spofford residents that would extend throughout their stay at Spofford. The plan that emerged from these initial efforts centered on use of a team approach in which juvenile counselors, caseworkers, and, when appropriate, medical and other staff would meet daily to discuss each new resident and make decisions regarding dorm assignment and follow-up work to be done with the child. While in the orientation process, residents would participate in group discussions, meet staff from other departments who explain Spofford programs, view a slide presentation on life at Spofford, receive a medical examination and are interviewed by a caseworker.

In July 1979, a modified version of this program plan was implemented. Residents were housed in one dormitory for two or three days as they completed the various phases of the program. A back-up dorm was employed on a regular basis for new residents because the orientation dorm became overcrowded almost immediately. Following the recommendations of the staff working there and a monitoring report prepared by Vera after the first six weeks, a two-dorm system was introduced, with one dorm designated for reception functions and one for orientation/classification functions. It is expected that the program will continue to evolve along the intended lines.

Finally, with separate support from the Ford Foundation, Vera turned its attention back to the medical examination which each Spofford resident routinely undergoes at admission. Vera shared Ford's interest in recent studies that link medical deficits, neurological impairments and delinquency. And, quite apart from curiosity on these matters, it was obvious that Spofford's medical exam provides an opportunity to identify children who might benefit from more intensive diagnostic services or specialized treatment. Vera has planned and carried out a research project for which it obtained the support and cooperation of the Department of Juvenile Justice and Montefiore Hospital's Division of Adolescent Medicine.

Under this research project, Montefiore doctors and special consultants conducted a neurological and physical exam of a sample of juveniles entering Spofford and Vera correlated the results of these exams with records of their criminal justice system involvement. The findings have been separately reported to the Foundation in detail. While the data did not suggest any one key deficit as causally related to criminal behavior, the study underscored the problematic home lives of these juveniles -- many of whom had been abused. Forty-two percent reported being hit with an object and twenty percent reported being injured as a result of physical punishment. Generally, our work at Spofford exposed Vera to child abuse in many forms certainly to the kind that occurs in group settings of the Spofford variety, both actual physical harm to the children and in institutional policies and procedures creating emotionally and psychologically abusive situations. Although Vera was not able to solve the abuse problem at Spofford, the Institute's central staff began developing hypotheses that abuse was also likely to be a problem in foster care. Vera therefore proposed a study of the problem of child abuse in foster care to HRA; at about the same time, the City Council President's Office produced a brief anecdotal report dramatizing the problem of child abuse and neglect in foster care. (In 1979, 33 children in foster care died of abuse, neglect, and illness.) Because it is the case

that children are often placed in foster care because of parental abuse or neglect, child abuse in the foster care system seemed a particularly troublesome problem. HRA engaged Vera to conduct the study, a report of which is now in draft form.

The principal data collection effort was a record survey of substantiated cases of abuse and maltreatment of New York City children placed in foster homes, investigated in 1979. Examination of records maintained by SSC's Confidential Investigation Unit (CIU) yielded a sample of 73 cases involving 121 children identified as victims, who were placed in the care of 26 voluntary and public agencies. Foster parents were cited as perpetrators in 68 of the cases and natural in five. Data were collected for this CIU Survey from CIU investigation records and from agency records on the victims and on the foster parents cited as perpetrators.

The CIU Survey was supplemented by a small-scale interview survey of a randomly selected sample of foster parents and foster children, and caseworkers in three agencies. In addition, data on foster parent training were gathered from a questionnaire mailed to agencies that provide foster family care for New York City children.

The cases in the CIU survey presented a wide range of child mistreatment. Physical punishment constituted, or was a component of, the mistreatment in nearly half the cases (46%) in which foster parents were identified as perpetrators. In 25 of these 31 cases, the records indicated that foster parents used an object, on one or more occasions, to punish their children: belts, switches, and electric cords were used most frequently. Injuries in these cases tended to be relatively minor: mostly involving lacerations, bruises, or welts. In one case, however, a foster child was beaten to death by his foster father. The use of physical punishment appeared to be an unusual, explosive incident in some of these cases but a part of a persistent pattern of discipline in others.

The interview survey suggested that physical punishment of foster children may be widespread, despite its prohibition by New York State regulations. Twenty of 41 foster mothers (49%) reported that on occasion they spank or hit their foster children; in 27 percent of the sample of foster homes, foster parents have used an object to discipline their foster children, according to statements by foster parents and their foster children. If physical punishment with an object is as widespread in foster family care as the interviews suggest, then many foster children may be at risk of physical abuse.

Lack of supervision was the most common finding, which applied to 35 of the 73 cases in the CIU Survey (48%). These cases displayed a considerable diversity of mistreatment and also varied in persistence from isolated failures to provide adequate supervision to leaving foster children almost totally unsupervised or inadequately supervised for extended periods of time. A common pattern in several of these cases was that supervision and care of younger foster children had been delegated by working foster parents to adolescent children.

Examination of the 73 cases in the CIU Survey also disclosed a variety of problems in agency performance which may have contributed to or prolonged the mistreatment suffered by foster children. These deficiencies, which are detailed in the report, included gaps in homefinding, poor matching of foster children and foster parents, and inadequate monitoring of foster homes. Of interest was the fact that seventy-two percent of the victims had been in one or two foster placements (including the one in which the mistreatment occurred), and 28 percent had been in three or more. These victims seem to have experienced a degree of instability in placements greater than generally experienced by children placed in foster homes. A recent study of New York City children placed in foster homes showed that only 13 percent had been in three or more placements (Fanshel, 1979). This difference is statistically significant. And, as Vera had suspected, when compared with the general population of children placed in foster homes, a greater proportion of the victimized children was initially placed in foster care for abuse (17% vs. 5%) and for neglect (34% vs. 18%). Of the 54 foster homes in which foster parents had been cited as perpetrators and the victims had been placed there for three months or more, 14 homes (26%) had received no home visits by the caseworker during the three months preceding the investigation, according to agency case records. These 14 homes were under the jurisdiction of 13 agencies. Sixty-one percent of the 54 foster homes had less than three home visits during the three months preceding the investigation, and for 17 percent the extent of home visiting, if any, could not be determined from the records. For nine of these 54 foster homes (17%), under the jurisdiction of six agencies, the agency records contained no evidence of either home visits or in-agency contacts between the caseworker and foster parents or foster children during the three months prior to the investigation.

The detailed findings of this study led Vera to make a series of recommendations, aimed at reducing the incidence of the mistreatment of children placed in foster homes and improving their protection and care. The recommendations are summarized here, because HRA's first reactions to the

draft report have been sufficiently enthusiastic to suggest that this action agenda is likely to frame a course of program work by the Vera Institute over the next year:

1. Foster Parent Training

- Foster parent training should be extended, improved, and institutionalized as a mandatory feature of the system of foster family care.
- Regulations of the New York State Department of Social Services (NYS DSS) should be amended to require a minimum number of hours of pre-service foster parent training as a condition of foster home certification. (The overwhelming majority of agencies responding to Vera's questionnaire on foster parent training -- 40 of 42 -- indicated that training should be mandatory for new foster parents.) The regulations should specify required topics of training: including discipline and supervision, and regulations concerning abuse and maltreatment of foster children.
- NYS DSS regulations should require each child care agency to submit a plan for pre-service foster parent training to the local Department of Social Services.
- The provision of mandatory pre-service training should be monitored in the context of the foster care assessment process of HRA's Special Services for Children (SSC).
- Agencies should expand in-service training of foster parents; considerations should be given to requiring a minimum program of in-service training for all foster parents who wish to receive new placements of foster children.
- Priority should be placed on developing training programs designed to enhance understanding children's behavior and appropriate techniques of behavior management.

2. Matching

- Agencies should review and take steps to improve policies and practices for the selection of foster homes for particular children (matching); SSC should provide assistance to agencies in this effort.
- The process of orientation and training for new foster parents should be directed to help them determine the types of children in whom they are interested and for whom they are best able to care.
- Agency matching decisions should respect the preferences of foster parents.

- The annual foster home re-certification process should involve an assessment of the foster family's capability to provide adequate care for various types of children and this should be clearly documented in the case records.
- SSC should develop guidelines for matching decisions, to be disseminated to agencies and used as a standard for agency monitoring in the foster care assessment process.

3. Enforcement of the Ban on Corporal Punishment

- A concerted effort by all persons responsible for the care of foster children is needed to eliminate the physical punishment of foster children.
- Formal corrective action should be taken in every case in which a foster parent has been found to have used an object to administer physical punishment to a foster child. The following corrective action is recommended: Foster parents found upon agency investigation to have used an object as an instrument of punishment of a foster child should be decertified unless closing the home, with a consequent removal of the foster children, would be detrimental to the welfare of the foster children placed in that home. In the latter case, the foster home should be disqualified from receiving any additional foster children unless the foster parents participate in training on discipline and commit themselves to refraining from the use of physical punishment in the future.

4. Monitoring of Foster Homes

- NYS DSS regulations should require that agency caseworkers make a minimum of one foster home visit every two months for each foster home; during the first year of placement, a minimum of one home visit per month should be required.
- NYS DSS regulations or SSC Policy should require that each case record contain a log of caseworker visits, which indicates the date and location of visits and the persons present at the visit.
- SCC's foster care assessment system should monitor the frequency and documentation of home visiting.
- The NYS DSS regulations prohibiting employment by foster mothers outside the home should be amended to permit employment, provided that adequate substitute child care has been arranged and the arrangements have been approved by the agency.
- NYS DSS regulations should require foster parents to keep their agency informed concerning employment status and hours of work.

- e) SSC should sponsor development of a manual on the protection of foster children, for use in training of agency staff and as a reference work.

b) EASYRIDE -- Creation of a Transportation System for the Elderly and Handicapped

Easyride was Vera's first direct test of the concept of "double social utility" -- fulfilling the unmet service needs of one group (in this case, the elderly and handicapped) by meeting the employment needs of another group (in this case ex-offenders and other graduates of the Wildcat supported work program). From a pilot project begun in June 1976 with three rented vans, Easyride has evolved into a major demonstration program of national significance, in the provision of cost-effective, demand/response, door-to-door service to the transportation handicapped. ("Transportation handicapped" is the phrase most commonly used by transportation officials to describe those who, because physically or mentally impaired, cannot use public transit services.)

There were a number of reasons why the Institute felt it important that a paratransit system be developed to serve the frail-elderly and the handicapped, and that Vera should attempt to develop it. First, when these individuals are cut off from the social intercourse, services and convenience that mobility affords, they waste years in unproductive (often miserably lonely) isolation and are hospitalized unnecessarily and institutionalized prematurely at great economic and social cost. Second, without an innovative remedy for their plight, jurisdictions (like New York) that provide public transportation systems are under rigid legal obligations to make those systems fully accessible; yet, not only do the fiscal and technological difficulties of retrofitting all bus and subway systems seem enormous, but there is evidence to suggest that much of the population that is transportation handicapped would not in fact be able to use a system made "fully accessible" in this way. Third, development of a cost-effective model of paratransit service presented a snarl of practical problems of just the kind that can paralyze conventional agencies but can be amenable to Vera's more flexible approach: these included vehicle design, responsive trip-scheduling systems, insurance coverage, neutralizing expected obstruction (and, as it turned out, litigation) from the for-profit ambulette companies that have cornered the Medicaid transportation budget, and -- possibly most difficult -- meshing the scores of potential purchasers of transportation for this population (e.g., Medicaid, Office of Vocational Rehabilitation, Urban Mass Transportation Administration, Administration on Aging, settlement houses, individuals travelling to work) so that each could obtain more transportation at a lower per-trip cost and so that no restrictions would be placed on the system's riders limiting the destinations or purposes of their travel.

By the summer of 1980, Easyride seems to have unsnarled most of the problems and very nearly stands as a replicable model. With 17 specially designed vans (some equipped with wheelchair lifts) and a computerized system for registering new users, scheduling their trips as they call in to make reservations, and automatically billing the trips to the appropriate funding agency, Easyride can now transport any resident of the Lower East Side and (as of August 1980) the Lower West Side to any destination desired. As the West Side service builds volume, Vera projects that early 1981 will see about 6,000 registered riders taking over 90,000 door-to-door trips per year at an average per-trip cost of slightly less than \$10.

Following the introduction of computerized systems, two-way radios, and West Side service in the fall of 1980, there is further development work to be done before the Easyride model is finished. But already it has drawn attention nationally. As local governments begin to plan compliance with Section 504 of the Rehabilitation Act of 1973, they need to know:

- what service or combination of services would, in fact, meet the travel needs of the transportation handicapped (a group that is, by definition, immobile under present conditions and is therefore not evidencing demand)?
- what patterns of destinations and hours of travel characterize demand for transportation of the handicapped and frail elderly?
- what should be expected in the way of per-trip and aggregate costs for transportation of these populations by the various modes that are under discussion? What are the cost differentials, in each mode, for the wheelchair-bound, the blind, etc?
- what methods permit the greatest leveraging of transportation dollars to secure financial participation from the other conceivable funding sources?
- what training is desirable for drivers? What system for reserving, scheduling and grouping trips is most efficient? most responsive to users' needs?

For local governments and federal agencies to develop politically and economically feasible transportation policies and services for the handicapped, nuts-and-bolts questions such as these must be answered soon, before huge capital investments are made for purchase of whole fleets of

large buses with wheelchair lifts, for installation of elevators and other accommodations in fixed-rail systems, or for establishment of paratransit systems that are not well-designed to meet the demand. Easyride's experience, its growing database, and its software systems are obviously unique in this field, and Vera staff is as responsive as possible to requests for assistance from other jurisdictions. But the Institute's technical assistance effort in this field is focused principally on New York City itself. The challenges here are enormous. Not only must the individualized handicaps and particular circumstances of passengers be taken into account when reserving, scheduling, dispatching and delivering trips (e.g., requires wheelchair lift, cannot get downstairs to the door unassisted), but this jurisdiction poses the special problems of congested streets, unusual building configurations (e.g., high-rise apartments), a particularly complex system of government finance and regulation, a multitude of competing (and sometimes antagonistic) interest groups, and uniquely great volume.

The Easyride experience suggests that about 350 vehicles would be required to meet the paratransit needs of all the City's transportation handicapped population. It also suggests that there are virtues (in terms of accountability to passengers, scheduling efficiency and other economies) in maintaining a limited catchment area and an organized community base for services of this type. There is in the City some enthusiasm for, but some trepidation about, building a City-wide network of paratransit services on the Easyride model. It would require more than ten operations of Easyride's size, at an annual cost of between \$15 and \$20 million. This appears a fearsome sum to budget analysts and transportation officials in these times of fiscal restraint. (There are those, of course, who hope that the legal mandates to do something for the transportation handicapped will simply evaporate if the political complexion changes in Congress and the executive branch.)

So far, the City's response to pressures for paratransit service has been to earmark about \$ 4 million of its annual \$200 million federal transportation subsidy to finance a planned city-wide, centrally-dispatched paratransit system of 40 vehicles -- but not to implement the plan. Easyride's endorsement by the local handicapped community, its low per-trip cost, its success in integrating a wide range of social service and health funds to supplement transportation dollars, and the favorable view of it expressed by federal officials have kept it very much alive as the basis for an alternative plan. If the Easyride model can in fact be replicated, the federal transportation funds earmarked by the City could be used to gain far greater leverage on social service and health dollars than Easyride itself -- confined as it is now to a small part of the City. For example, the chief third-party purchasers of transportation for the target population -- Medicaid and the Office of Vocational Rehabilitation -- spend \$13-\$14 million annually to transport clients. It cannot

be known how much of this amount would be spent on paratransit in a City-wide system built around the Easyride model (because the per-trip cost would decline from Medicaid's present \$18.25 for an ambulette trip), but there is increasing awareness of the potential foolhardiness of ignoring this substantial source of revenue when planning a multi-purpose paratransit system. If New York City were to use its \$4 million of UMTA subsidies to capture just these Medicaid and OVR funds, it would be most of the distance towards financing an adequate service on the Easyride model. Easyride's current funding and billing arrangements provide a map for getting the rest of the way.

Vera has put a proposal to the City, in some detail, that would finance paratransit this way, and would organize it under a skeletal City-wide administrative body. That quasi-public body would let contracts to, monitor the performance of, and centralize technical services for local operators (both for-profit and non-profit) engaged to serve the transportation handicapped in specified zones -- just as Easyride does in its present catchment area.

The Institute is not anticipating that closure will come quickly. Nor would that necessarily be desirable. A city-wide, centrally-dispatched 40-van system financed entirely from UMTA subsidies may prove irresistible to the City's final decision-makers, and it might prove to be a good model in operation -- however improbable that seems now. Or Easyride might prove impossible to replicate. To reserve judgement is proper at this stage, given the financial and human misfortunes that would follow if the City were to lock itself into a plan that fails. Meanwhile, once the expanded Easyride model is working smoothly in lower Manhattan, Vera hopes to attempt a replication or to help some other group to do so. Discussions have been held with leaders of the Harlem community about a replication centered there.

c) South Bronx Demonstration Project for Saving the Low-income Housing Stock

The difficulties faced by official agencies in creating new methods to meet the needs of the single homeless is paralleled, in a way, by the obstacles they face trying to halt deterioration and abandonment of the housing stock used by low-income and welfare families. The City Council President's Office produced a report last year indicating that about 50% of families on welfare in New York City were living in sub-standard housing.

Largely as a result of the uninhabitable housing available to them on the market, families on welfare move frequently -- creating an even more unstable life-situation than results from their inadequate income alone. Several City agencies recently collaborated to put forward a proposal to increase the number of welfare tenants whose rent check is made payable jointly to them and to their landlords (two-party checks). This project aimed to produce a steady flow of income to landlords so that they could better maintain their building. It was rejected last year by HSS Secretary Patricia Harris, who viewed it as insufficient in its design to enforce maintenance agreement undertaken by landlords in return for being named a payee of the welfare check, and too punitive to welfare recipients who would be deprived of the power over their shelter allowance.

In the face of this rejection the South Bronx Development Office, which has responsibility for improvements in the quality of life generally in the South Bronx but has a particular focus on housing, and which is aware that one-third of all Bronx residents are on welfare, approached the Vera Institute. Knowing Vera's experience with welfare waivers and its ability to work with more than one government agency toward common objectives, SBDO asked Vera to develop an action-research demonstration project addressing the problem of marginal housing in the South Bronx -- both to ensure collection of rents for housing that is maintained at habitable standards, and to ensure that the rents are to a proper degree devoted to maintenance of the housing at that habitable standard. Vera was interested in trying to come up with an approach that would shift the focus from "welfare housing" to low-income housing; staff had discovered from available data that tenants on welfare generally pay rent at the same rate as non-welfare tenants, particularly where the housing is habitable. In June, the Institute began a six-week exploration -- through discussion with landlords, developers, and tenants; survey of 75 buildings in the South Bronx; and review of the literature. The result was a proposal, reflecting collaboration with Professor Richard Nathan of Princeton University, and Ed Logue of SBDO. While Vera staff may have had more skepticism than their collaborators about the chances for a modest approach to turn deteriorating housing stock around, we were agreed that a demonstration's chances would be improved by involvement of a third party-- a non-profit agency -- working with the landlords and tenants to reach agreement on repairs to be done, providing loans and grants in small amounts as

capital for repairs (up to approximately \$5,000 per dwelling unit), and monitoring payments by tenants. The concept paper drafted by Vera staff has now received a fair amount of comment -- both pro and con -- but it is far from clear that a political consensus will emerge that would permit the demonstration to go forward.

d) Homeless Persons

New York City faces critical problems in how to house adequately thousands of patients released from mental institutions, inmates released from City jails and state prisons, street derelicts and addicts, and, in general, a large number of persons who cannot manage to maintain stable living accommodations. For years, the Men's Shelter on Third Street, flop houses on the Bowery, and Single Room Occupancy (SRO) Hotels on the upper West Side have provided accommodation, albeit barely habitable. Residential conversions to middle income and luxury housing have reduced the supply of rooms in Bowery flop houses and SRO's by 8,000 beds since July 1979. The quality of the governmental response has been inadequate -- for example, the funds allegedly saved by releasing mental patients from institutions have not been reallocated to community programs. Rather, these homeless people are literally dumped on the streets without services. For some time, the Institute has been trying to develop an entry point on this subject with HRA, so that we might test new approaches to housing some of these people. Two years ago, under a general technical assistance contract between the Institute and the City's Human Resources Administration, we developed a proposal for a broad housing and multi-service project for the Times Square area. The Institute was unable to interest the City in experimentation at that time. From there we worked backward and proposed that a large-scale effort be mounted to find out where these street people come from -- to try to stem the tide at the point of referral to the Men's Shelter or release from an institution without accommodation. HRA viewed this task as one beyond the immediately pressing responsibility to provide emergency shelter. Given that it had proved impossible to collaborate in a broader approach to the problem, the Institute signed a contract with HRA to undertake a modest effort to analyze and recommend improvements in the operation of the Shelter on East Third Street and to develop ways to increase the program offerings (e.g., recreation, education) at Camp LaGuardia -- a 250-acre facility in Chester, New York, which houses 700-900 of New York City's would-be derelict population. This work has gone well over the past six months. For example, HRA appears to be close to accepting and implementing a plan to redesign the main floor at the Men's Shelter. The plan was developed by Vera staff with technical assistance from an architectural firm and advice from the Shelter staff.

HRA has now requested further assistance from the Institute in this area. Recognizing that its function as the dispenser of welfare monies requires that the agency be able to identify low-cost housing which can be purchased at the levels provided by the public assistance or SSI Shelter allowance, and realizing that the availability of this type of low-income accommodation is shrinking, HRA has asked the Institute to develop and test directly a housing strategy for the agency. Vera has suggested that a two-pronged effort should be launched. The first would be for the Institute to open a now-vacant Single Room Occupancy hotel and to operate it in such a way that data would be generated about: the costs of running such a hotel; the necessary staff to deal adequately with the target population (e.g., released mental patients, ex-offenders, recovering alcoholics); resident selection; social, medical, and nutritional support services needed; and funding sources available to support enhanced services at the facility. With this information base, HRA would be better equipped to encourage other non-profit operators to provide accommodation for these homeless groups.

The second prong of this effort would be Vera's development of a housing planning unit which would aim to increase the supply of shelter, hostel, and residence hotel accommodation for low-income single persons -- many of whom could also require additional support services. This unit would be a resource center for voluntary groups or public agencies interested in providing accommodation; it could provide, for example, guidance on site selection; reconstruction processes; building operations and maintenance; support services; surrounding legal issues. The center would aim to define more fully the various populations at risk and analyze housing strategies needed by the various groups within the populations. The ultimate goal of this project would be the organization of a consortium of present and special housing providers to replicate the models tested and to institutionalize the resource center. There is interest at HRA and at Vera in proceeding with these strategies; but, at this report, negotiations are still in progress. If this effort is undertaken, and if it is successful, New York City might overcome the major problems that arise because it (unlike many other major cities) lacks a vigorous non-profit hostel network.