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**The  
Manhattan  
Court  
Employment  
Project**

### **The Criminal Justice Coordinating Council**

The Criminal Justice Coordinating Council was created in 1967 by Mayor John V. Lindsay in response to the recommendation of the President's Crime Commission that "all of a city's actions against crime should be planned together, by a single body." The Council has approximately sixty members, half representing public agencies, and half private citizens. All City agencies involved in the criminal process are represented, including the City's five District Attorneys, the courts, police, probation, and correction departments, as well as community leaders, educators, and representatives of business, labor and social agencies. The Mayor serves as Chairman of the Council. In 1969, the Council was designated by the State of New York as the regional planning body for federal crime control funds in New York City.

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**The Manhattan Court Employment Project**

Criminal Justice Coordinating Council  
and  
Vera Institute of Justice

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The Manhattan Bowery Project

The Manhattan Summons Project

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## THE MANHATTAN COURT EMPLOYMENT PROJECT

### THE BACKGROUND

One hundred and three thousand arrested persons came into the Manhattan Criminal Court in 1968. Most were young, uneducated, unskilled, unemployed members of a minority group from one of the city's ghettos.

In the normal course of events, this would not be their last arrest. Statistics vary, but at least one expert has concluded that the average man who is arrested will be arrested seven times.

It is likely that the only successful people most of these 103,000 defendants had ever known were people beating the system: gamblers, pimps, numbers-runners, narcotics dealers. People from the ghetto who make a legal success of themselves do not remain in the ghetto as examples for the young.

Federal, State, City, and private programs have been developed in an attempt to counteract some of the disabilities faced by the young ghetto resident: welfare assistance, remedial education, addiction treatment, employment guidance, job training, health programs, legal services. But few reach a person when he may need them most at the time of arrest. Even fewer focus specifically on people accused of a crime.

The Manhattan Court Employment Project (MCEP) is an experimental attempt to intervene in the usual court process just after a defendant's arrest. It offers him counseling and job opportunities and, if he cooperates and appears to show promise of permanent change, recommends that the prosecutor (district attorney) and the judge dismiss the charges against him without ever deciding whether he is guilty. Thus, the MCEP attempts to convert a participant's arrest from a losing to a winning experience.

The system stands to benefit from this conversion as much as the defendant. Successful participants leave the Project working and earning an honest living, the community gains a taxpayer, and the resources of the overburdened criminal justice system are freed to attend to serious cases.

In effect, the MCEP is based on the proposition that criminal careers often develop casually, and reflect a joint

failure of the individual and society. The Project grew from an awareness that people rarely learn how to be useful citizens while in jail.

In the spring of 1967, the Manhattan Court Employment Project, developed by the Vera Institute of Justice and sponsored by the Criminal Justice Coordinating Council, was awarded a three-year \$950,000 demonstration grant by the Manpower Administration, U.S. Department of Labor. From its inception the Project received the strong support of the late Senator Robert F. Kennedy and Mayor John V. Lindsay.

### **HOW THE PROJECT WORKS**

After screening by the Project staff and with the consent of his attorney, the defendant is invited to take part in the Project at the time of his arraignment, which is his first court appearance. With the approval of the district attorney and the judge, his case is adjourned for a period of three months, during which the participant is given personal and vocational counseling and placed in a job or training program.

Additional adjournments may be needed before a participant finds a position he likes and acquires some measure of stability. At that point, after review by the district attorney, the charges may be dismissed by the court.

Some participants not wishing the Project's services or manifesting problems beyond the Project's capacity to respond are returned to court for continued prosecution of their cases.

### **SUMMARY RESULTS**

Since the first participant was admitted in February 1968 to June 1970, the Project has admitted a total of 1,067 defendants, 140 of whom are still actively involved in the program. Charges against 366 men have been dropped due to their successful participation with the program; 532 were returned to normal court processes — 503 due to general unresponsiveness and lack of success in the program, and 29 who were found ineligible after initial admission.

### **SELECTING PROJECT PARTICIPANTS**

Eligibility criteria for the Project were developed in



cooperation with the New York County District Attorney's Office and the Administrative Judge of the Criminal Court. As of June, 1970 the criteria are as follows:

1. SEX, AGE: Males between 17 and 45
2. RESIDENCE: New York City
3. EMPLOYMENT STATUS: unemployed, or if employed, earning less than \$70 a week, plus \$5 for each dependent; full-time students are excluded.
4. PRESENT CHARGE: No crimes of extreme gravity, such as homicide, armed robbery, forcible rape, or arson; no crimes indicating a lucrative illegal occupation, such as gambling or numbers running; no crimes indicating a problem beyond the Project's capability, such as drug addiction or alcoholism, and no addicts no matter what the charge.
5. PENDING CASES: No more than one pending charge in addition to the case presently before the court.
6. PRIOR RECORD: No more than six months served in prison; if on probation, the consent of the probation officer is mandatory.

Slightly over half the participants are black, and one-third Puerto Rican or of Latin descent. The average participant is just over 20, single, and a school drop-out during the tenth grade, although his level of achievement is below his grade level. Tighter screening has reduced the proportion of serious drug users inadvertently admitted from 25% in the first year of 16% of the current caseload. Efforts with the addict group have been markedly less successful than with the participant population at large. Only 15% enter addiction treatment programs, and addicts account for nearly half of the 12% of Project participants who are rearrested while active in the Project.

#### **ORGANIZING AND STAFFING THE PROJECT**

The Project staff of 38 is assigned to three units: a *screening* function, which identifies eligible defendants in the

court; a *service* function which includes a unit of the New York City Department of Social Services which provides benefits to participants who meet the statutory requirements; and a *counseling* and *career development* function — the last a group of three-man teams consisting of two non-professional counselors (called Representatives or “Reps”) who are responsible for a participant’s overall progress and one vocational specialist who is responsible for developing a job for the participant.

The Project’s reliance on non-professional counselors, trained and supervised by professional psychologists, resulted from the need to assemble a staff which could relate to a criminal court defendant, overcome his mistrust or hostility, and provide guidance which makes sense to him. The gap between the typical middle-class college trained counselor and a poor unskilled minority group member facing criminal charges seemed too great to bridge, particularly since most participants have been counseled and programmed by schools, caseworkers, and social agencies throughout their lives.

The Reps grew up in the neighborhoods from which most of the Project’s participants come and are themselves former drug addicts or offenders with prison records ranging up to 19 years. In addition, they receive an intensive one-month training program and participate in in-service seminars and on-the-job training.

## THE PROJECT IN DETAIL

### Screening The Participants

The Manhattan Court Employment Project is housed in the arraignment section of Manhattan’s Criminal Court. There under-graduate students and VISTA volunteers assigned to the Project’s screening function review the court papers of all arraigned on weekdays and recommend to the district attorney and presiding judge that eligible defendants be released to the Project.

The majority of defendants are screened out at this preliminary stage because of age, the seriousness of the charge, length of previous incarceration, or a record of drug

involvement. If a defendant appears eligible, a screener interviews the arresting officer, the complainant, and any relatives or friends of the defendant who may be in court. He then speaks with the defendant in the court detention pen to look for disqualifying factors, such as drug involvement, and to secure additional information about his roots in the community — residence, employment, and names of family or friends.

After at least one such community tie has been verified, a Project Rep interviews the defendant further, probing more deeply for drug involvement and interest in the program. The Rep then makes the final decision regarding admission. With the approval of the district attorney and the defendant's attorney the screener appears in court to request a three-month adjournment of the defendant's trial and his release on recognizance (without bail) during that period. Three-quarters of these requests are granted by the judges. Each week, the Project admits an average of ten defendants out of the 900 week-day arraignments processed through the court.

### **Counseling and Personal Assistance**

Once released by the court, the new participant is taken to the Project's office in the court building to meet the Rep who will be counseling him. In this interview, the Rep seeks to learn the participant's needs and begins to formulate a program, with the help of his Career Developer team-mate, the Project's Social Services Unit, and agencies outside the Project. He relies on the counseling relationship both to encourage the participant and to gauge his response.

The defendant — depending on his mood and the immediacy of his needs — might on his first day spend substantial time with the Rep and other Project staff or might meet with them only briefly to arrange later appointments. He will be asked to attend two group counseling orientation sessions the first week and to set a date for the Rep to visit him at home. What happens during a participant's first week in the Project is crucial in establishing trust as well as in giving a defendant a sense of the Project's capacity to deliver.

Working with 15 to 25 men, the Rep is in touch with 85

percent of his participants at least once a week -- in group sessions, in the neighborhood, at the office, or by telephone. One-third of the Rep's working hours are spent in the field meeting a participant's family and friends, steering them to Project staff or agencies which can help with specific problems, reminding a participant of a forthcoming job interview, or locating a man who has been absent from group meetings.

The Rep helps participants gain insight into how to relate to people who are important in their lives -- family and friends, employers, the police -- and to recognize the consequences of their actions. This process is aided substantially by the comparable backgrounds of the Reps and the participants.

When counseling is coupled with success on a job, improved family relationships, and a clear court record, the participant is beginning to create a stable structure within which he can live. This is the goal of the Project.

A key aspect of the counseling program is the weekly group session, led by a Rep and attended by the offenders assigned to him. The groups are a laboratory for increasing self-awareness, testing out new behavior patterns and receiving support from peers and role models.

Each participant must attend two orientation sessions before he can enter the regular group. He learns the obligations of group participation and is introduced to different defense mechanisms and the concepts of risk-taking, openness, and feedback. Group sessions are held at the Project clubhouse which also serves as a convenient place for informal activities in the evenings. A library and game room are available for participants' use, as well as the three counseling rooms, all comfortably furnished through the generosity of Playboy Clubs International.

### **Finding Jobs for Participants**

Career Developers focus on a participant's employment needs. The average participant has dropped out of school by the tenth grade, possesses minimal skills, and has had a discouraging employment history. A study during the early phase of the Project indicated that two-thirds of the

participants averaged less than \$70 in weekly earnings and that a substantial proportion were employed only half of each year prior to entry in the program.

More important, the participant is likely to be failure-oriented: his limited experience, poor work habits, and apprehensive attitude towards employment have typically conditioned his expectations. Finding jobs with reasonable salaries within the participants' skill levels has not been the major problem; it has been, rather, convincing a participant that he can succeed in a job and should stick with it despite setbacks.

The Career Developer spends a good deal of time learning the participant's aspirations as well as his experience and tries to find a job compatible with both. He rarely is forced to develop a new job on short notice; instead he relies on a file of 425 previously developed accounts — businesses, training programs, and unions — 93 of which have hired a substantial number of Project participants. In each case, before any participants are sent to these firms, a Career Developer meets with the prospective employer and explains the Project in detail as well as the capabilities and special needs of the participants. The prospective employer is assured that both the Career Developer and the Rep will continue to support the defendant on the job, dealing with problems and generally helping him to succeed. When possible, the Career Developer meets with people who will directly supervise a participant.

The staff has relied heavily on large corporations, which are able to predict future vacancies with some certainty and offer training programs and opportunities for advancement. Those companies which have instituted M.A. programs (Manpower Administration training programs for the unemployed subsidized by the U.S. Department of Labor) have demonstrated great awareness of the needs of participants. Most M.A. placements are in low-level white collar jobs with a corporation. Other placements include clerical, factory, and service positions. Seventy-five percent of the participants enter employment or training while in the Project. The other 25 percent are not placed for a variety of reasons: some are addicts, some return to school, some cannot adapt to a job.

The Career Development process is not over once a job referral is made or a job obtained. Many participants do poorly in interviews and in almost one-quarter of the referrals, the participant fails to report. On the average, more than two referrals must be made for each placement. Once on the job, the pressures of work or a desire for a different position often lead to firing or resignation. Frequently, two or three placements are necessary before a participant finds a situation in which he feels comfortable. The Rep and Career Developer work together to prime participants for their interviews, remind them of appointment times, and help keep their problems at work from getting them down. The Career Developer will check every two weeks with each firm employing a participant and will also get a feedback from the Rep and from the participant himself.

### **Social Services Benefits**

The Project's Social Services Unit serves a quarter of the participants during some part of their time in the Project, providing access to the City's Department of Social Services and other agencies. Newly accepted participants might need funds for food or rent since very often jobs will not produce a paycheck soon enough. Other participants might need medical assistance or in some cases might turn out to be unemployable. Few participants leave the Project still dependent on Social Services benefits: most often, the Unit has succeeded in stabilizing a participant's life for a short period until a job permits him to pay his own way.

### **Court Review**

At the close of each participant's initial three-month period in the Project, a report is submitted to the district attorney's office recommending one of three possible actions by the court — dismissal of the participant's criminal charges; extension of his term in the Project; or termination of his enrollment and resumption of prosecution. If the participant has made a positive adjustment to his problems, a dismissal of charges is recommended. On the participant's court date, his Rep appears on his behalf to provide additional information

supporting the prosecutor's motion for dismissal. All requests for dismissal of charges have been honored by the court.

A participant who has shown signs of progress, but who needs more time in the program, receives an additional adjournment. About one participant in three receives at least one adjournment beyond the initial three-month period. Participants spend an average of 4½ months in the program. When a participant has demonstrated little interest in the Project, or has exhibited a problem beyond the Project's capacity, the Project recommends to the district attorney that prosecution of the case proceed. Under an agreement with the district attorney's office, unsuccessful participation is not used against the defendant in the subsequent prosecution. When a participant is rearrested, Project staff will continue to work with him if he is freed through normal court processes pending disposition of his case. Generally, Project staff will not intervene in the second arrest, although in a few cases, where the participant has been deeply involved in Project activities, a request has been made to the court and to the district attorney to release the defendant and to continue his participation in the Project so that both charges might be dismissed if significant improvement can be demonstrated.

## SUMMARY

The Manhattan Court Employment Project, has to date tested several basic questions: whether such a project is organizationally feasible; whether the court will accept it and cooperate with it; whether the Project can produce an observable change in a significant number of participants in a 3-month period; whether meaningful jobs can be found for the participants; whether Project staff — particularly the nonprofessional Reps — will perform effectively; whether a data system can be designed for supervising and analyzing the results. All of these questions have been answered affirmatively.

As the Project continues operations, staff will take a close look at former participants to determine what effect the Project has had on their job status and on their rate of recidivism. Steps are also being taken to institutionalize the Project in the New York City Criminal Court so that Project services might become a standard part of the criminal process.

At the moment, plans are moving ahead to expand the Project by establishing a unit in another borough and by doubling the capacity of the Manhattan Project itself.



## APPENDIX

Many agencies, both public and private, have contributed substantially of their time and money toward the success of the Manhattan Court Employment Project. They are:

THE UNITED STATES DEPARTMENT OF LABOR, OFFICE OF SPECIAL MANPOWER PROGRAMS, funded the Project.

THE OFFICE OF THE MAYOR, THE CRIMINAL JUSTICE COORDINATING COUNCIL, and its COURT EMPLOYMENT COMMITTEE provided continuous support in the Project's dealings with agencies involved in the criminal justice system.

THE ADMINISTRATIVE JUDGE OF THE NEW YORK CITY CRIMINAL COURTS, on behalf of the sitting judges, agreed to release selected defendants on recognizance, to give them an extended adjournment which would permit participation in the Project, and to consider the district attorney's recommendations for dismissal of charges for successful participants.

THE NEW YORK COUNTY DISTRICT ATTORNEY cooperated in drafting eligibility criteria, selection procedures, and standards for dismissal of charges, and took the position that a failure to recommend dismissal of charges would not be used against defendants in subsequent prosecution of the case.

THE CHIEF CLERK of the court allowed Project staff access to court papers, gave the Project desk space in the Clerk's office of the arraignment section, and court officers allowed staff the opportunity to interview prospective participants before their cases were called for arraignment.

THE NEW YORK CITY OFFICE OF PROBATION lent its full cooperation in every instance where a participant was on probation at the time of his involvement in the Project, and also made available ROR reports (reports on a defendant's background and social history which the court uses to decide whether to release a defendant on his own recognizance).

THE LEGAL AID SOCIETY, which represents the majority of Criminal Court defendants, served as consultant

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in preparing eligibility criteria and urged its attorneys to consider Project participation for eligible clients.

THE NEW YORK CITY DEPARTMENT OF SOCIAL SERVICES (Welfare) stationed a supervisor and case aide at the Project to provide benefits to eligible participants.

MANPOWER AND CAREER DEVELOPMENT AGENCY designated the Project a neighborhood manpower center, thus giving the Project access to MCDA jobs and training programs.

### **The Vera Institute of Justice**

The Vera Foundation was established in 1961 by Louis Schweitzer, a chemical engineer and industrialist, with the aim of examining the criminal justice system and developing methods for improving it. In 1966 the Foundation became the Vera Institute of Justice with a generous five-year grant from the Ford Foundation. Mr. Schweitzer became president, and Burke Marshall chairman of the Board of Trustees.

According to its charter, Vera's main purpose is:

“To seek and further the equal protection of the laws for the indigent by research into neglected aspects of court procedures, law enforcement and the nature of crime; by freely sharing the results of such research with jurists, lawyers, correction officials and the public . . .”

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