

Winter 1939

Current Notes

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Current Notes, 29 *Am. Inst. Crim. L. & Criminology* 750 (1938-1939)

This Note is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in *Journal of Criminal Law and Criminology* by an authorized editor of Northwestern University School of Law Scholarly Commons.

CURRENT NOTES

NEWMAN F. BAKER [ED.]

Northwestern University Law School
Chicago, Illinois

A. B. A. Committees—J. J. Robinson of Indiana University, Chairman of the Section of Criminal Law, American Bar Association, has announced the creation of nine committees to serve during the present year. They are—

- (1) Committee on Supreme Court Rules for Criminal Procedure. (Membership to be announced.)
- (2) Committee on Magistrates and Traffic Courts. Chairman, George A. Bowman, Milwaukee.
- (3) Committee on Police Training and Merit Systems. Chairman, Judge Curtis Bok, Philadelphia.
- (4) Committee on Procedure, Prosecution and Defense. Chairman, Judge W. McKay Skillman, Detroit.
- (5) Committee on Sentencing, Probation, Prisons and Parole. Chairman, Wayne L. Morse, Eugene, Oregon.
- (6) Committee on Federal Election Laws. Chairman, Arthur J. Freund, St. Louis.
- (7) Committee on Rating Standards and Insurance Principles in Criminal Law Administration. Chairman, Dan W. Jackson, Houston, Texas.
- (8) Committee on Education and Practice. Chairman,

Cornelius W. Wickersham, New York.

- (9) Committee on Scope and Program. Chairman, Arthur T. Vanderbilt, Newark, New Jersey.

The chief work of the Section will be its program to secure congressional legislation to give the Supreme Court of the United States authority to prescribe for the Federal courts rules of pleading, practice and procedure with respect to proceedings in criminal cases prior to verdict. It is hoped that the next issue of this *Journal* will carry a complete account of progress in that direction.

Colorado Crime Survey—The University of Colorado Law School has decided to have the crime situation in the State of Colorado investigated, and necessary reforms, mainly concerning prevention and the parole system, recommended. Hans von Hentig will be the Editor.

Dr. Von Hentig formerly was Professor of Criminal Law at University of Bonn am Rhine. Since coming to this country he has lectured at the Law School of the University of Oregon and is now Professor of Criminal Law and Criminology, University of Colorado. His article, "Limits of Deterrence," which appeared in the

Nov.-Dec., 1938, issue of this *Journal* has been widely quoted abroad.

C. C. C. Decision—In late October, 1938, the American Prison Association adopted the following resolution: "Be it resolved, that the American Prison Association urge the administrative officials of the Civilian Conservation Corps Camps to re-examine their decision to exclude probationers and parolees, believing that this agency of human reclamation should not deny opportunity to a group vitally in need of employment under such conditions as the camps provide, and that the law did not contemplate such discriminatory exclusion."

This resolution was presented to the President of the United States by Mr. E. R. Cass, General Secretary of the American Prison Association. The President referred the matter to the Director of the C.C.C., Robert Fechner, who replied as follows: "In reply you are advised that I have given the most careful consideration to the desires of The American Prison Association in this respect, but regret that it is not deemed advisable to make any changes in the Civilian Conservation Corps regulations on this subject, for while changes might be helpful in certain individual instances, the difficulty of administering a relaxed rule on a national basis, and the possibility that the general public would misconstrue the change to the disadvantage of the Corps as a whole, combined to make inadvisable any modification of policy. The supervisory staff of a CCC camp is largely concerned with carrying forward the work program. In the limited sense of the term, the camps are not 'rehabilitative' agen-

cies. The Corps must, by its very nature, deal with groups of men in the mass. On its present basis it is not set up as a program for the specialized treatment of individuals and thus is not adaptable as a substitute for the very excellent systems of the States. Funds are not available to the Corps to provide for trained social work personnel to deal with problems of the type commonly met by a parole officer in the readjustment of former institutional inmates to normal living. The principal value of the Civilian Conservation Corps comes in prevention of crime and delinquency through useful employment, rather than in dealing with the correction and rehabilitation of known offenders. There is widespread agreement, I think, that in this preventative area the Corps has made a very useful contribution at a time when there has been much enforced idleness among young men. Your sincere interest in the Civilian Conservation Corps, and the welfare of young men generally, is much appreciated."

Drunken Driving—Although a new offense, the crime of driving a motor vehicle while intoxicated is becoming one of the most important felonies in the list of crimes. Traffic offenses as a whole probably are the most numerous of all criminal offenses. An important study, "Alcohol in Relation to Traffic Accidents," has met wide approval. Its author, Richard L. Holcomb, of the Traffic Safety Institute, made a 3-year study of the drunken driver to determine how many drivers in the general population were drinking and how much. Altogether about 2000 drivers were tested with the following results:

"1. The highest percentage of

drinking drivers occurs in the early morning hours and over the week-end.

"2. The largest number of drinking drivers occurs in the early evening and over the week-end.

"3. The peak age for drinking drivers is from 25 to 30.

"4. Women drink and drive as much as men when the number of women driving at various hours of the day is considered.

"5. The percentage of drinking drivers in the general population varies as does the percentage of drinking drivers in the personal injury accident group but falls considerably lower at all times.

"6. The percentage or number of drivers involved in personal injury accidents varies as does the percentage or number of drinking drivers.

"7. As the blood alcohol content increases, the number of drivers appearing in the personal injury accident group increases out of all proportion over that in the general driving population.

"8. As alcohol increases, accidents increase and at a rate somewhat proportionate to the increase in alcohol.

"9. Equal percentages of drinking drivers are found in the accident group and in the general population group at a point near 0.5 part of alcohol per thousand parts of blood, indicating that alcohol in that amount is not necessarily a significant cause of accidents.

"10. It has not yet been objectively and conclusively proved just how important a causative factor alcohol is, and, because of the complexity of the whole accident problem, it may never be proved. The data gathered in this study, however, point in one direction only.

They confirm a self-evident fact, that alcohol is a major cause of automobile accidents."

Parole in Illinois—The anti-parole movement is still alive in Illinois despite the courageous veto of a bill, intended to emasculate parole, by Governor Henry Horner a year and a half ago. (See 28 J. Crim. L. 318, Sept.-Oct., 1937.) The opposition to parole is headed by the Chicago Tribune and it is supported in varying degrees by the other local newspapers. The Tribune has on its editorial mast-head, "End the Parole Business," and goes to extreme lengths to advertise all parole *failures*. Repeatedly it has inferred that the Chicago Crime Commission, and its operating director, Henry Barrett Chamberlin, oppose the parole system. The Commission felt that it was necessary to issue a statement to clarify its position, also to point out a misuse of parole statistics by the press. The statement follows:

In the Chicago Tribune of Monday, December 5, 1938, there was presented a list of 32 convicted persons from Cook County enlarged on parole who committed new crimes while serving time under supervision outside the prison walls.

The Tribune was conservative in listing but 32 repeaters as there actually were 35 during the period in question—October 1, 1937, to October 1, 1938.

For the purpose of this analysis only the 32 listed by the Tribune are given consideration. Four of the 32 were released on parole twice and in some instances the crimes committed after the second parole occurred within a few months after release from custodial

care; 25 had no previous penal record.

A study which concerns itself with the average number of years that the convicted person was kept in a penal institution discloses that the average term was 4 years and 10 months. Nine of the parolees were incarcerated from 7 years to 7 years and 10 months; 2 from 6 to 7 years; 6 from 5 to 6 years; 2 from 4 to 5 years; 6 from 3 to 4 years; 1 for 2 years; and 6 for less than 2 years.

The average time that elapsed between parole and conviction for a new crime is 2 years and 10 months. Disregarding the case of a prisoner who appears to have been on parole for 21 years, the longest period that elapsed between parole and conviction for a new crime is 4 years.

In comparison of violations by crimes committed, it is shown that 21 of the parolees committed robberies prior to parole and that 16 were returned on the same charge; that 6 were convicted of larceny prior to parole and 6 were returned on the same charge; that 5 were convicted on a charge of burglary and that 5 were returned on the same charge; that 1 was convicted of murder after release on parole; that 1 was returned after parole on conviction of a sex offense; that 2 were returned after parole on conviction of manslaughter; and that 1 was returned upon conviction of confidence game.

It is interesting in this connection to note that the average sentence served in prison was 4 years and 10 months.

It must be understood that the old minimum sentence for robbery was 10 years. Juries considered this minimum sentence too severe and returned so many "not guilty"

verdicts, and because judges entertained pleas of guilty to lesser offenses the General Assembly changed the penalty to 1 year to life. The change was made in the belief that if the 10-year minimum term was removed more convictions would result. This is the fact. More convictions have been obtained, and it is just as true that the 4 years and 10 months represented in the present analysis is a longer period of incarceration than was true when judges were habitually reducing robbery counts to larceny. "Cook county larceny" became a byword for robbery with a gun.

There were 249 persons from Cook county released on parole from October 1, 1937, to October 1, 1938, according to Chicago Crime Commission statistics. Taking 35 actual repeaters, it becomes apparent that the violators represent only 1/7 of the total released, or approximately 14 per cent. If it is to be assumed that some of those released on parole are bound to commit new crimes, the 35 violators do not represent an astounding total.

The figures of the Chicago Crime Commission for the 11 months of 1938 show that there were 340 paroles granted to prisoners from Cook county; against this only 21 parolees were returned for new crimes during this period. This means that about 1/16 of the parolees were committed for new crimes, or, in other words, less than 7 out of each 100.

The success of parole administration depends not only upon its administrators, but upon a reasonable and informed public opinion. The time has come to begin a campaign of education so that the public may understand what is being

done, to be made acquainted with the fact that parole is a step forward in penology; that it is sound in theory, although in some instances its administration is bad.

Actuated by a desire to improve not only parole but the entire penological administration in Illinois, the Chicago Crime Commission has endorsed the recommendations and program presented by the Illinois Prison Inquiry Commission which proposes a consolidation of all of the factors having to do with probation, parole, incarceration, custodial-care and after-care. It is to be hoped that a bill translating these recommendations into law will be given favorable consideration by the General Assembly of Illinois.

New Association—The 68th Congress of the American Prison Association held in Saint Paul, Minnesota, October 2-7 was the occasion of the launching of the National Jail Association. This new body was sponsored by the former Standing Committee on Jails, of which Dr. Roy K. Flannagan and Russell B. DeVine were chairman and secretary, respectively.

This committee had been active for the past four years in stimulating interest in the manifold problems of the local jail. This interest had become so wide-spread that it was felt the solution of the difficult jail situation might best be approached by expanding the group into a separate national organization.

The National Jail Association is organized to fulfill the following objectives:

“To band together all those concerned with or interested in the custody and care of per-

sons awaiting trial, serving sentence, or otherwise confined in jails, with a view to improving the conditions and systems under which such persons are dealt with.”

Fundamentals in Crime—The Autumn issue of the quarterly “Federal Probation” is filled with interesting articles and comments, including specifically discussion of the Salvation Army, Medicine and Social Treatment and Tribal Indian Courts, etc. Outstanding in the issue was an article by Saul D. Alinsky, Sociologist for the Institute for Juvenile Research, Chicago. His topic was “The Basis in the Social Sciences for Social Treatment of Adult Offenders” (pp. 21-31), and he developed the idea that “the bases of crime are to be found in the framework of social organization”; we have criminal individuals because we have a criminal society; the cure for crime is a reorganized community life. This paper was given critical analysis in an article (pp. 31-38) “The Individual and the Social Environment as Factors in Maladjustment,” prepared by Dr. Chas. H. Meyer, U. S. Probation Officer, Northern District of Illinois. Dr. Meyer raised the question, “But, what is to be done about the individual already diseased? He needs individual treatment, and if he is not treated he will again disorganize the area from which the vitiating elements had already been removed.” The Chicago Area Project came in for an evaluation, naturally, and the two papers deserve thoughtful comparison.

New Institute—Organization of the Marquette University Criminal

Law Institute in the law school was announced in November, 1938, by Dean Francis X. Swietlik. Professor J. Walter McKenna was appointed its director by Dean Swietlik.

A two-fold program has been planned. Research and special studies in criminal law and in current problems of law enforcement will be made by the members. Speakers who are engaged in criminal law enforcement work will be invited to address the new organization.

Future plans for the Institute include cooperation with the police training schools of the state and also providing assistance in research on criminal law problems for the prosecuting attorneys of the state.

Law Teachers Addresses—The Illinois State's Attorneys Association meets each year at the time of the annual meeting of the Association of American Law Schools. As a result visiting law professors often are invited to address the state's attorneys. At the last meeting of the prosecutors the following law school men spoke upon the following subjects:

"What the Law Schools Should Do in the Field of Criminal Law," by Jerome Hall, Prof. of Law, Louisiana State University.

"Work of the Section of Criminal Law of the American Bar Association" . . . Prof. James J. Robinson, Chairman Section of Criminal Law American Bar Association, Director Institute of Criminal Law of Indiana University.

"Theory, Sanction and Develop-

ment of Present Day German Law Administration" . . . Prof. Max Rheinstein, The University of Chicago Law School.

"Russian Criminal Law Administration" . . . John N. Hazard, Graduate Student, University of Chicago.

"Probation, Parole and Pardons in the American States" . . . Dean Wayne L. Morse, Dean University of Oregon School of Law, Administrative Director and Editor-in-Chief of Attorney General's Survey of Release Procedures.

Other speakers were well known to readers of this *Journal*. Dr. Harold S. Hulbert of the Editorial Board discussed "Borderline Cases of the Criminal Insane—Types of Psychopathic Inferiority—Delinquents." Nathan T. Elleff, Esq., read a paper entitled "Abolition of the English Grand Jury" (see 29 *J. Crim. L.* 3 (May-June, 1938) for Mr. Elleff's article on this subject). Henry Barrett Chamberlin, President of the American Institute of Criminal Law and Criminology, discussed "Why Prisons and Parole?"

✓ *Lynching Record, 1938*—According to the records compiled in the Department of Records and Research of the Tuskegee Institute, there were 6 persons lynched in 1938. This is 2 less than the number 8 for each of the years 1937 and 1936; and 14 less than the number 20 for 1935. No one of the persons lynched was in the hands of the law; the bodies of two of the victims were burned.

There were 42 instances in which officers of the law prevented lynchings. 3 of these were in Northern

states and 39 in Southern states. In 41 of the instances, the prisoners were removed or the guards augmented or other precautions taken. In the other instance, armed force was used to repel the would-be lynchers. A total of 53 persons, 3 white men, 49 Negro men, and 1 Negro woman, were thus saved from death at the hands of mobs.

Of the 6 persons lynched, all were Negroes. The offenses charged were: rape, 1; murder, 3; failure to complete payment on funeral bill, 1; insulting remarks to woman, 1. The states in which lynchings occurred and the number in each state are as follows: Florida, 1; Georgia, 1; Louisiana, 1; and Mississippi, 3.

Jurisdiction Over Juveniles—The Illinois case of *People v. Lattimore* (see 27 J. Crim. L. 448 which discussed the decision, found in 362 Ill. 206) involved a contest between the Criminal Court of Cook County and the Juvenile Court. The Supreme Court's decision was a blow to the Juvenile Court. It decided that the Juvenile Court so far as delinquent children are concerned, exists only by license. The Criminal Court of Cook County may, at any time it chooses, take away from the Juvenile Court all cases of children over ten years of age who have offended against the penal code.

In 1936 and 1937, 120 children of juvenile court age were tried in the Criminal Court, of whom 117 were found guilty, and 3 not guilty.

The dispositions of these 120 were as follows: Probation 30, House of Correction 13, County Jail 9, Penitentiary 66, St. Charles 2.

Of the 66 who were sent to the

penitentiary 1 was 17 years old, 41 were 16, 21 were 15, and 3 were 14 years of age. The offenses were as follows: Petty larceny 17, driving an automobile without the consent of the owner, or tampering with an automobile 7, grand larceny 14, robbery while armed 17, larceny from a person 11, attempt to rob 1, robbery 16, burglary 9, larceny of automobile 25, rape 1, manslaughter 1, murder 1.

Fewer than half of all these boys and girls of juvenile court age held in the Cook County Jail in 1936 and 1937 had been known to the Juvenile Court of Cook County prior to their arrest for the present offenses.

It appears that the choice for criminal prosecution rests in an arbitrary grouping of offenses such as auto theft, robbery, burglary and crimes of violence, without reference to the child's previous experience in delinquency, and without any investigation into the child's social history.

In 18 states and parts of two others the juvenile courts have jurisdiction over boys under 18 years of age and in 23 states and parts of four others over girls under 18 years of age. In one state jurisdiction is exercised over boys and girls under 19; in one state over boys under 20; and in 3 states and the City and County of Denver over boys and girls under 21 years of age. In about half the states jurisdiction extends to a higher age than in Illinois, with some limitations. In 11 states the juvenile courts have exclusive original jurisdiction over both boys and girls under 18 years without any exception.

As a result of the Lattimore decision the Citizens' Committee on Juvenile Court has prepared a

statement through Miss Pearl M. Hart advocating a statutory change for Illinois: "A child over 10 and under 18 years of age, who shall commit any act or omission which, if committed by an adult, would be a crime, shall not be deemed guilty of any crime, but of juvenile delinquency only." It is thought that this would give jurisdiction to the Juvenile Court in such cases and settle the question in Illinois as it has been settled in the State of New York.

The Editor believes that a Constitutional Amendment is necessary to carry out the plan of the Citizens' Committee and that a statutory change is insufficient. Nevertheless, the problem is of interest and the figures given by Miss Hart show the seriousness of the matter.

Traffic Law Enforcement—Under the sponsorship of the American Bar Association, a National Committee of Traffic Law Enforcement has been created with the purpose of improving existing methods of traffic law enforcement. The Committee expects to develop higher standards and encourage their adoption throughout the nation.

It will have two main objectives:

1. *Research in the enforcement field.* This will involve two studies, one relating to the police, the other to the courts. The first will be made with the cooperation of the Safety Division of the International Association of Chiefs of Police, and the second with the cooperation of the National Conference of Judicial Councils. The committee will serve as a coordinating agency and technical advisory group. The general purpose of the studies shall be to determine:

- (a) Weaknesses in present enforcement activities of police, prosecuting attorneys, and courts.
- (b) Desirable procedures and performance standards in the conduct of a good enforcement program by police, prosecuting attorneys, and courts.
- (c) The extent of accident reduction possible through good enforcement.
- (d) Action necessary to the elimination of existing obstacles to good enforcement.

2. *Sponsorship of good enforcement.* This will involve two general purposes:

- (a) Inducement of traffic law enforcement authorities to carry on a good enforcement program at all times.
- (b) Creation of general public demand for and support of good enforcement.

These shall be accomplished by presenting to a national conference, to be called at a later date, facts developed by the researches, so that recommendations may be made for the formulation of a permanent program of effective action by appropriate national organizations.

Arthur T. Vanderbilt, 1938 President of the American Bar Association, is Chairman and Lt. F. M. Kreml of the Traffic Safety Institute is Secretary. George Warren is serving as Special Counsel. There are sub-committees on Courts, prosecutors, and police—the latter being divided into state and city sections.

N. Y. Dept. of Investigation—[The Editor is indebted to Mr. Morris

Ploscowe, Deputy Commissioner, City of New York Department of Investigation for preparing the following material. The Department herein described has much to interest the person interested in the efficient administration of the criminal laws. Will such Departments be created in other large cities? How will they cooperate with the city detectives? The county prosecutor? We hope that Mr. Ploscowe will follow up with further material as it becomes available.]

In 1873, after the Tweed Ring had looted the city treasury, the Commissioner of Accounts Office, the predecessor of the Department of Investigation, was created. It was felt that such an office would help to prevent a recurrence of similar thievery. The office was made independent of other city departments and directly responsible to the Mayor. It was charged with the duty of making a routine examination of the accounts of all city departments.

From the beginning, the Commissioner of Accounts Office has been interested in more than the mere performance of routine accounting functions. As the "eyes and ears" of the Mayor, it has concerned itself with complaints as to irregularities in city departments and investigations which looked toward greater efficiency in administrative procedures. This vital interest of the Commissioner of Accounts Office in the performance of investigational functions was recognized in 1924, when the title of the office was changed to "The Department of Investigation and Accounts." In the last four years of Mayor LaGuardia's administration the investigational functions have so far out-weighed

the accounting functions, that the new Charter definitely transformed the Department of Investigation and Accounts into a "Department of Investigation." The routine accounting functions have now been entrusted to the Comptroller's office.

Under the new City Charter the Department of Investigation is headed by a Commissioner who is given two fundamental duties: (1) to make any investigation directed by the Mayor or the Council, and (2) to make any study which, in the Commissioner's opinion, is in the best interests of the city. The Commissioner has the power to investigate not only the methods, personnel or efficiency of city agencies, but also county, borough or other agencies, the "expenses of which are paid in whole or in part from the city treasury."

The new Charter directs the Department of Investigation to maintain a complaint bureau "which shall receive complaints from the public." This makes it possible for any citizen who feels himself aggrieved by any action of a city department, or who has knowledge of facts relating to irregularities of city officials, to obtain a thorough investigation of his complaint. This Charter provision continues the complaint bureau organized by the Department of Investigation and Accounts in 1934 and which proved very successful in stimulating inquiries and obtaining information as to irregularities and inefficiency in city departments.

For the purpose of ascertaining facts in connection with any study or investigation made by the department, the Commissioner and his Deputies have the power of compelling the attendance of witnesses. They may, and any agent

or employee of the department, designated by the Commissioner, may administer oaths and affirmations, examine witnesses in public or private hearings and receive evidence in any study or investigation carried on by them.

The necessity for the existence of a department of investigation with wide powers of examination and inquiry is evident when one considers the vastness of the city's problems and the myriad opportunities for irregularities and inefficiency in the conduct of its affairs. The city government is the largest employer of labor in the city. While the great majority of these employees are honest and give the city a fair return for the salaries paid to them, there are certain employees who cannot resist the temptation of profiting from the money or property which comes into their hands as a result of their official positions.

Many such instances have been uncovered in recent investigations conducted by the department. In Richmond, for example, three veteran employees of the County Clerk's office were indicted as the result of an inquiry which revealed that they had misappropriated funds amounting to \$6,000 over a period of four years. This misappropriation was covered up by false entries in the books. Another example is the Property Clerk in Harlem Hospital who was in charge of money and valuables taken from hospital patients. He could not resist the temptation of misappropriating money belonging to patients and covering up such misappropriations by forged entries in his receipt book.

Old-fashioned larceny and embezzlement, however, are not the only means which city employees have

to profit from their official positions. The administration of the city's affairs requires that a considerable degree of discretion be vested in its officials. It is expected that officials will use this discretion impartially and perform their functions to the best interests of the city. But there have been officials who proved to be faithless to their trust and who permitted their use of their discretionary power to be influenced by money considerations, without regard to the public interest.

A gruesome instance of this type of graft was uncovered in the City Mortuary of the Bellevue Hospital. This mortuary is the depository of unclaimed bodies from all over the city. It is also the distributing center for anatomical material for the medical schools. The Public Health Law provides that unclaimed bodies shall be distributed to medical schools according to the number of students enrolled in courses of anatomy and surgery. For a period of years the practice existed, on the part of certain medical schools, of giving gratuities to mortuary employees. As a result, these schools were favored in the distribution of anatomical material, both as to number and quality, whereas schools which did not pay gratuities were discriminated against.

Many inquiries of the Department of Investigation concern the performance of city contracts. Millions of dollars are spent by the city on construction projects for schools, hospitals, institutions, highways, etc. Tremendous sums are spent for the maintenance of existing streets and city property. The city is also a huge consumer of supplies and materials. Eternal vigilance must be exercised if the city is to obtain a fair return for

the money paid to contractors for construction and maintenance or for the supply of materials. The Department of Investigation is one of the agencies through which such vigilance is exercised. Thus the Department has been called upon to investigate contractors who have tried to get by with shoddy and slipshod work on construction and maintenance projects. It has investigated numerous instances where contractors have tried to substitute inferior products for those called for by specifications. It has worked on many cases where contractors have failed to deliver the quantities called for by the contract. At the present time it is engaged in two long-range inquiries into charges that rings of contractors exist, which control the sale of certain commodities to the city, whose cost runs into millions of dollars.

The Department of Investigation not only makes inquiries into complaints of specific irregularities; it also conducts administrative surveys into the work of city agencies with a view toward obtaining greater efficiency and economy in the performance of administrative functions. Many agencies of the city and county government have grown up haphazardly without plan or design and without any attempt to adjust procedure or personnel to the functions to be performed. Only a thorough-going survey and close analysis of the work of the particular agency can determine such questions as to whether the most effective use is being made of its man-power, whether its procedures are well adapted to the tasks entrusted to it, and whether there are sufficient safeguards in its methods of operation.

Such a survey was made recently

of the work of the Emergency Revenue Division of the Department of Finance. This Division was charged with the enforcement of the emergency revenue taxes which are used by the city to finance relief. The taxes collected by the bureau amount to over seventy million dollars per year. The survey of the Department of Investigation revealed defects in the organization and procedure of the Division which seriously hampered its effectiveness in the collection of taxes. The report on this survey recommended basic changes in organization and procedure which will considerably improve the functioning of the Division and which will result in a much higher tax yield to the city. The Department of Finance has taken appropriate action to effectuate the conclusion of this report.

Administrative surveys have also been made recently in the County Clerk's offices in New York and Queens, in the office of the Borough President of Manhattan, in the Sheriff's office of Manhattan and in the office of the Commissioner of Records of the Surrogate's Court of Bronx County. The surveys of the latter two offices produced the most striking findings. In the Sheriff's office of Manhattan the survey clearly demonstrated that the staff was at least fifty per cent over-manned. In the Commissioner of Records' office of the Surrogate's Court of Bronx County the survey clearly showed that there was practically no need for the three executives of this office, namely, the Commissioner, the Deputy Commissioner and the Superintendent, since the office was performing routine work of the clerk of the Surrogate's Court,

which could be directed by regular officials of that office.

In the conduct of these investigations, it has been the policy of the department to look beyond the immediate situation or complaint which called for its attention, to the broad economic, social, political and educational problems affecting the city. Thus a consideration of the effect of labor disputes upon the cost of public construction projects has suggested a study of the extent to which municipal government may go in effectively regulating industrial relations. A survey of the personnel of the Board of Elections and an investigation into its printing and trucking contracts have led to a comprehensive inquiry into the entire problem of election law administration. An accountant's examination of the City Housing Authority has evolved into a broad inquiry into the economic and social, as well as the fiscal aspects of the housing problem. These are but a few instances of the direction which particular inquiries conducted by the department have taken.

The proper conduct of such investigations requires not only the development of the relevant facts, but also an appraisal of the underlying economic, social and political factors.

To a substantial extent the staff of the Department of Investigation, consisting of lawyers, accountants, engineers and investigators, has been able to carry on the more pressing inquiries. However, budgetary restrictions and the shortage of man-power make it difficult to provide for any immediate attack upon many long-range municipal problems. These circumstances converted the Commissioner of Investigation into a

prospector for research and investigative talent outside of the department.

This has been found in the various colleges of the City of New York. The Department of Investigation is making arrangements to use honor students from the various colleges to do research on fundamental problems of municipal administration. These students will be designated as "research associates." Topics of study have been assigned to students from City College, New York University and St. Joseph's College, which include such city problems as housing, migration of industries, taxation, training for public service, city planning and consumer protection. Similar arrangements are being consummated with Brooklyn College, Manhattan College, Hunter College and Columbia University. The department has created a separate division known as the "Division of Coordination and Research" to direct the work of the "research associates." The factual data unearthed by these students, after having been checked and rechecked by the Division of Coordination and Research, will be called to the attention of the appropriate departments so as to enable them to deal more intelligently with pressing problems of administration. It is hoped that these research associates will eventually be drawn into governmental service, providing the city with trained and efficient employees.

It is evident from the above pages that the Department of Investigation serves the city on a very broad front. It exercises vigilance so that city employees will perform their duties honestly, impartially and intelligently. It is on the alert to guard the interests

of the city in its dealings with private contractors and other outside agencies. It contributes to the improvement of standards of public administration by its thoroughgoing surveys of particular departments or agencies of government. Finally, its two-fold program of training and research will make it

possible for accumulated experience to be applied to the solution of many complex social, economic, educational and political problems, making the city a much better place to live in. At the same time, this program will attract outstanding college students to the service of the city.