

**A SURVEY OF CRIME CONTROL AND PREVENTION IN NEW JERSEY**

**BY**

**THE COMMISSION TO STUDY THE  
CAUSES AND PREVENTION OF CRIME IN NEW JERSEY  
FINDINGS AND RECOMMENDATIONS**



**MARCH 1968**

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## State of New Jersey

COMMISSION TO STUDY THE CAUSES AND PREVENTION OF CRIME IN NEW JERSEY

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IN REPLY, PLEASE  
ADDRESS CORRESPONDENCE  
TO:

March 1968

To: The Governor

The Legislature

The Commission to Study the Causes and Prevention of Crime in New Jersey is pleased to submit this report on A Survey of Crime Control and Prevention in New Jersey.

The Commission members have considered it a privilege to participate in this important project. We have made a series of recommendations whose implementation we believe will make a significant contribution to the prevention and control of crime and juvenile delinquency in New Jersey.

Respectfully submitted,

William George,  
Chairman

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THE COMMISSION TO STUDY THE CAUSES AND PREVENTION OF CRIME IN NEW JERSEY  
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COMMISSION MEMBERS

William George, Esq. Chairman

T. Howard Waldron, Vice Chairman

Monsignor Salvatore J. Adamo

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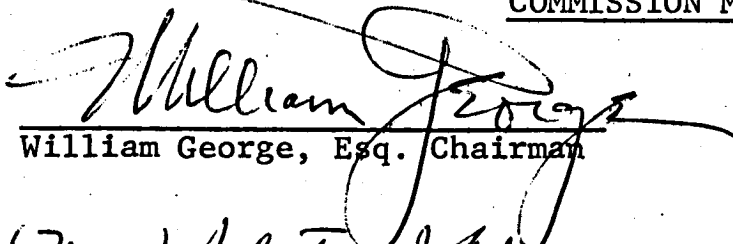
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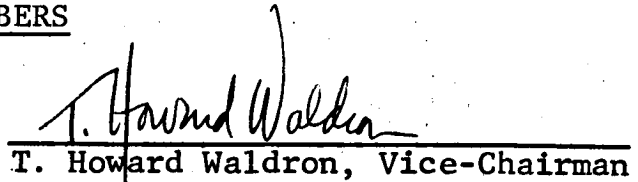
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TO: The Governor  
The Legislature

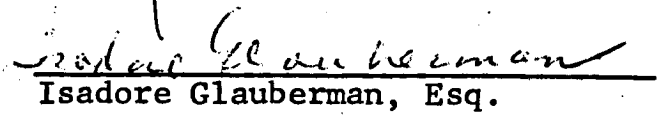
This report of the Commission to Study the Causes and Prevention of Crime in New Jersey is respectfully submitted to the Governor and the Legislature by the undersigned:

COMMISSION MEMBERS

  
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T. Howard Waldron, Vice-Chairman

  
Monsignor Salvatore J. Adamo

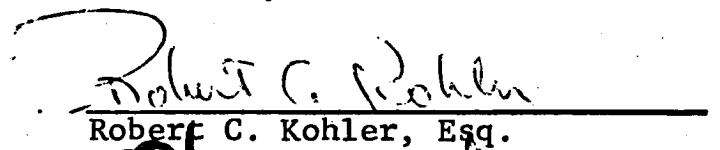
  
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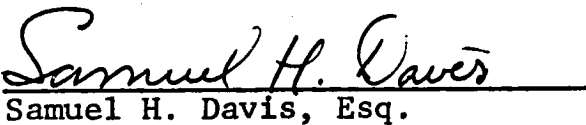
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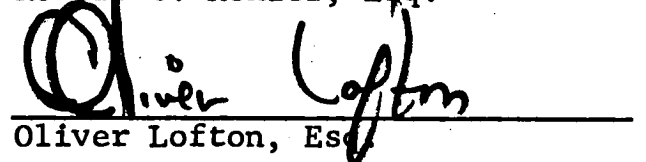
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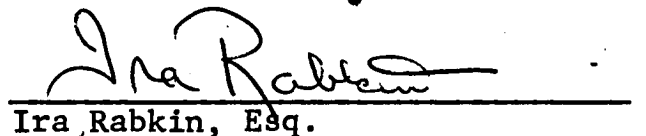
  
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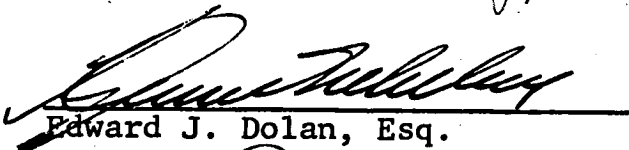
  
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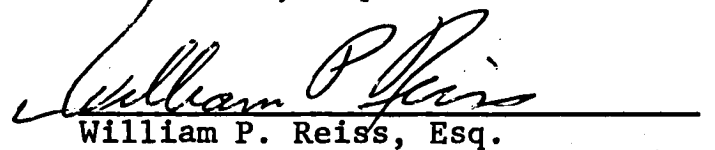
  
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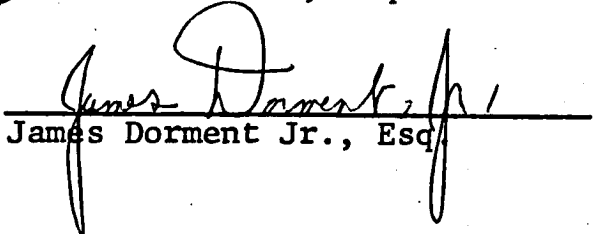
  
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\* Signature does not appear because Dean Boehm was out of the country at the time the report was printed.

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## INTRODUCTION

During the year of its functioning existence, the Commission has worked toward the submission of an interim report as mandated by the Legislature. With this preliminary goal in view, our studies to date have been selective and have concentrated upon sampling techniques from which reliable projections could be made. These have included an in-depth study of an urbanizing county; historical review of past studies of the crime and delinquency problem in the State; a questionnaire distributed by the Commission among law enforcement and criminal justice agencies in seven major cities, ten counties, major State-level agencies, and a number of non-public agencies; hearings involving official and unofficial witnesses; and individual interviews with many State-level officials and functionaries. From these inquiries a substantial amount of valuable information has been amassed and certain preliminary conclusions have emerged. These conclusions are embodied in this Report as recommendations for immediate corrective action by the appropriate governmental bodies. But in many areas, the Commission's findings thus far suggest the need for much further research, comprehensive planning and direct action experimentation. These areas will be pinpointed by the Report in the hope that it may provide a useful blueprint for the future.

The final report of this Commission is due January 1, 1969. In recent months, however, it has become increasingly apparent that further studies in this critical area will require the direction of a permanent agency of State government which can act decisively in line with the major and comprehensive crime control programs now being advanced by the Federal Government. Particularly in view of the imminent passage of the "Safe Streets and Crime Control Act of 1967," it is imperative that such an agency should be established and equipped to take advantage of the federal financial grants to be made available to local governmental units. Initially, the agency should be given responsibility for developing plans for the speedy implementation in New Jersey of programs to be made possible by the Act, as well as for auditing crime control grant applications from municipal, county, state-level and other public and private agencies to the Federal Government. Second, it should be responsible for the auditing and analysis of the grant application administrative and research procedures in those agencies receiving Federal assistance for crime control programs. Third, it should evaluate crime control demonstration programs supported by Federal grants and State and local matching funds, with reference to determining the desirability of their extension elsewhere in New Jersey. Fourth, it should be

assigned the long-range task of directing the development in the State of New Jersey of a comprehensive master plan for crime prevention and control, including implementation of the major recommendations of the President's Commission. Obviously this temporary Commission cannot provide the long-term State involvement envisioned by the federal plan, and it is in the best interests of New Jersey that the torch be passed without delay.

In that connection, we are proud and gratified to note that the Governor by Executive Order No. 37 (1968) recently established a New Jersey Council Against Crime, with powers beyond this Commission's limited mandate to study crime and delinquency in its sociological and rehabilitative aspects. The new Council, with a predominant membership of experts and officials representing law enforcement and the administration of justice, will give great emphasis to the area of crime prevention and control in line with current federal thinking, and is well suited to represent New Jersey in the federal councils on a permanent basis.

Accordingly, the Commission recommends that this designedly preliminary report be accepted as a final report, and that the Commission be terminated and its future duties assumed by the Council Against Crime. All information and materials gathered by the Commission to date should be turned over to the new permanent agency, and the transition should take effect as soon as possible. We hope that our ground-breaking efforts will be of assistance in laying the foundation of a permanent and impregnable bulwark of a society which is founded upon respect for and maintenance of law and order.

Appended to this summary report of findings and recommendations is the Staff Report submitted to the Crime Commission by the Commission's professional staff. It is from this major report that the conclusions contained herein have been obtained. This report has been published under separate cover.



FINDINGS AND RECOMMENDATIONS

In a Democratic society, justice must be swift, impartial, rational and yet tempered with mercy and understanding. Our law enforcement, criminal justice and correctional operations require the fullest support and confidence of all citizens. Inadequacies in the structure and performance of these operations diminish public confidence in them and threaten the stability of our society as a whole.

In the course of its inquiry into these operations in the State of New Jersey, particularly at the county and local level, the Commission has found evidence that our institutions of criminal justice have not kept pace with contemporary scientific and technological advancement. The rate of development of our criminal justice system lags behind the progress which characterizes other agencies of government, community organization and social growth.

The functions and proceedings of our criminal justice system are, by their very nature, at least partially isolated from the direct view of the public and, therefore, the relative effectiveness or ineffectiveness of this system has not received adequate public attention. In addition, the deficiencies in our criminal justice system as a whole are not obvious even to those most directly involved in and responsible for its operation, for various phases of the criminal justice process function virtually independently in compartmentalized and fragmented sections which have only peripheral contact with each other and with other agencies of government and the general public.

It is therefore the major recommendation of the Commission that the State of New Jersey must move without delay toward the modernization of systems of law enforcement and the administration of justice, taking advantage of the latest discoveries and technological advantages of the physical and social sciences. In this highly urban and industrialized State, failure to provide the effort and the financial support necessary for such change can only result in serious damage to and eventual destruction of the very foundations of our complex society.

## THE POLICE

### RECRUITMENT

Police Departments are understaffed to an even greater degree than that generally understood by the public. Vacancies exist on the vast majority of police forces which, even if fully staffed, are often not adequate in size to effectively carry out their grave responsibilities for the maintenance of law and order in the community. Recruitment is hampered by the provision of inadequate salaries, which also contributes to a high turnover among younger officers, and by geographic limitations. In addition, the normal age limits of 21 to 35 years and standard height and weight requirements unnecessarily limit the available pool of candidates. Recruitment of personnel to serve in specialty and supervisory positions on police departments is restricted by legislation and Civil Service regulations which, among other things, prohibit lateral transfers from one department to another.

Although the duties of a police officer require knowledge and understanding of principles of law and the social sciences, as well as the ability to act calmly and rationally even in situations of extreme stress, present regulations permit the recruitment of police officers who may lack education beyond the tenth grade level and require only limited screening of candidates for emotional stability.

The Commission, therefore, recommends:

1. Geographic limitations on the recruitment of police personnel should be abolished. Restrictions on residences of police officers should be liberalized wherever possible without jeopardizing the efficiency of the police force.
2. Existing salary scales should be substantially upgraded in line with the professional standards and responsibilities which police officers are expected to meet. Provision should be made for special increments to recruits with pre-service college backgrounds, and the age limits for candidates should be reduced to twenty years for men with two years of post-high school police science training.
3. Height and weight requirements for police personnel should be broadened in order to expand the pool of available candidates.

4. Existing legislation and Civil Service regulations should be modified so as to encourage the limited lateral entry and transfer of trained officers in specialty and supervisory positions from one police department to another.
5. The completion of at least a four-year high school education should be mandatory for all police candidates, and candidates who successfully meet physical, criminal record and general information requirements also should be thoroughly screened for emotional stability.
6. Pilot projects should be established in the development of police cadet programs wherein young men assist police officers while undergoing on-the-job training which can eventually lead to their becoming full members of the police force.
7. Special efforts should be made in police recruitment among newly-discharged members of the armed forces.

#### TRAINING

Present regulations require police personnel to complete mandatory police training and instruction programs within one year of joining the police force but permit recruits to begin their law enforcement duties before they have undergone or completed such training. The probationary period for police recruits is so short that it is possible for them to qualify for tenure appointment after only 64 working days. Thousands of special police and, in some cases, regular police are hired outside of the Statewide Civil Service requirements, and special police are not required to undergo mandatory in-service training.

The Commission, therefore, recommends:

1. Completion of in-service training and instruction programs, particularly in the use of firearms, should be required before the assumption of police duties. In addition, training programs should be broadened to include field work with experienced police officers as well as classroom instruction.
2. Standards of recruitment and of training should be mandatory for all police, including special police who are to perform law enforcement duties.
3. The probationary period for entering police officers for the acquisition of tenure should be extended to 18 months.

## INVESTIGATION

Police patrols may provide an effective deterrent to criminal activity. The expansion of police forces would permit increases in the number of patrols, thereby augmenting their effectiveness.

However, current crime records show that most arrests are made subsequent to the commission of a crime as the result of investigation after the act. The number of police officers on nearly all police forces assigned to investigative and detective duties is inadequate to meet the demand upon them. Experiments show that team policing, combining patrol and detective personnel, may be of considerable effectiveness in the reduction of crime, but, in nearly all cases, little use is made of cooperative assignments of patrol and detective officers. Detective forces, as a general rule, spend up to 60 percent of their time on duty engaged in record keeping and routine clerical detail, rather than in investigative functions. To a lesser degree, this is also true of other members of the police force.

The Commission, therefore, recommends:

1. The proportion of detectives to uniform police in municipal police departments, particularly in larger urban areas, should be significantly increased.
2. Pilot programs should be conducted in selected jurisdictions to explore the effectiveness of team policing by patrol and detective personnel.
3. Sufficient civilian personnel should be employed by each police force to relieve detectives and other police personnel of routine clerical duties.

## POLICE COMMUNITY RELATIONS

Essential to effective crime prevention and control efforts is a respect on the part of the general public for the policeman and his work. The citizen must feel confident that the police department is there to protect him, and must, as a result of this confidence, have no hesitation in cooperating with and assisting law enforcement officers. Yet, there is substantial evidence that the policeman is distrusted and even disdained by many. In general, present efforts to alleviate this intolerable situation consist almost entirely of programs which are virtually separated from the routine work of the police force and which directly involve only

a few members of the force, rather than the police department as a whole. Policemen undergo brief classroom instruction in community relations functions, and many police departments have established community relations sections, usually made up of one or two officers. In addition, the average police department, particularly in urban areas, utilizes some form of public relations in an attempt to create a favorable image and may also rely on the provision of such extra police services as recreational programs and speaking and visitation programs wherein certain officers attempt to develop a dialogue with citizen groups. All of these programs are worthwhile, but any one or number of them, or even all of them in concert, is inadequate to solve the grave problem which exists.

The Commission, therefore, recommends:

1. There must be a realization on the part of all police administrations that it is primarily the day-by-day routine behavior of each and every individual policeman which determines public reaction to the police and that all members of the police force and all police work must operate in ways which will encourage citizen respect and cooperation. There must be continual review on a municipal and even neighborhood basis of all police operations and the work of all police officers and improvement therein to achieve this end.
2. In-service police training in community relations must be expanded so that the individual police officer gains thorough understanding of the ways in which his day-by-day performance of his tasks effects the public and of the techniques which he should utilize to gain a healthy citizen response.
3. There must be constant and thorough interpretation to the public of the work of the police, including descriptions of ways in which the public can assist law enforcement officers. This educational program should make full use of all news media and should incorporate in a large way the resources of schools, service organizations, churches, and all other citizen groups. The entire police force should be involved. Particular emphasis should be placed upon police visitation and lecture programs at the earliest possible educational level in the schools.
4. The development of effective police-community relations programs must stress the creation and maintenance of an open dialogue between the police and residents of the community. A citizens' advisory committee, broadly representational of the population, which would meet regularly with police officials in an effort to solve mutual problems and alleviate conflicts, could be a successful police-community liaison.

5. The recruitment of better educated and more highly trained police officers is, in the long run, the most effective way to achieve improvement in mutual respect between police and the public, and the development of a truly professional law enforcement force should be the continuing goal of all police departments.

#### EXTRA-POLICE SERVICES

Police departments receive and respond to requests for a wide range of services, many of which lie outside of specific law enforcement responsibilities. Included are: bank escorts, ambulance service, searching for or picking up lost or strayed animals, assisting persons who have been accidentally locked out of their own homes or automobiles, putting out brush fires, providing directions for motorists and pedestrians, and many others. In many cases, particularly in those municipalities where other agencies exist which are designed to provide such services, such tasks may severely take away from the time available to the police for specific law enforcement activities. However, the performance of such tasks can also contribute to the development of public respect for and appreciation of the police as a body which is designed to serve the public well-being.

The Commission, therefore, recommends:

1. Since the relative benefits and liabilities for the police force of the provision of such services depends largely upon factors which differ from municipality to municipality, there should be studies in each locality by county and municipal officials as to whether such services should continue by the police or be referred to more appropriate governmental and private agencies. Where it is determined that they should continue, immediate steps should be taken to insure that the performance of such tasks will be of maximum effectiveness in engendering public respect for the police.

2. Whether or not extra-police services are to be performed by law enforcement officers or representatives of other agencies, there should be available to all citizens the use of a single telephone number for emergency calls. At this number, a trained switchboard operator would be available to receive and route all emergency calls to the office or individual most specifically equipped to respond to them. Plans were recently announced at the national level for the creation of a single emergency number which would serve the entire United States in this way. These plans should be put into effect as soon as possible, and, in the meantime, temporary emergency numbers should be established on a county-wide basis in New Jersey.

## INTERDEPARTMENTAL COORDINATION AND CONSOLIDATION

The fragmentation of police administration among the 567 municipalities in New Jersey contributes significantly to the high cost of law enforcement. Each separate municipality must provide for the capital costs of buildings devoted to law enforcement, criminal justice and correctional functions, as well as expenditures for salaries of various levels of personnel and purchase and maintenance of specialized technical equipment. Therefore, in a geographic area covering several municipalities, where law enforcement equipment, operations and specialized personnel are duplicated in each municipality, the cost per capita of law enforcement could be greatly reduced through a pooling or consolidation of skilled manpower and, particularly, technical equipment. In addition, the financial resources available for law enforcement operations in any given municipality cannot possibly be adequate to provide as high a quality of service as could be made available through such sharing or consolidation.

At present, there is no standardized system for formal communication among the various municipal police departments and their personnel. What communication does exist has been developed on an informal and individual basis and is inadequate to deal effectively with criminal activities which so often cross municipal boundary lines.

The Commission, therefore, recommends:

1. The New Jersey Police Training Commission should be directed to review the existing structure and administrative costs of police service in New Jersey in order to develop a plan for the sharing or consolidation of police activities, personnel and equipment, particularly in the field of communications, in areas of the State where such actions are desired and will provide for more efficient and more economical law enforcement. Special attention should be paid in this review to the results of experiments undertaken by certain municipalities in the pooling of their police resources and services.
2. A standardized network of direct, formal communications and cooperative arrangements should be developed and implemented for use by and among all police departments.
3. The New Jersey Police Training Commission should be empowered to establish and implement a program of systems analysis of police administrations and establish uniform standards of police operations. Sufficient funds should be appropriated to the Commission to enable them to carry out these new responsibilities.

## THE COURTS

### THE MUNICIPAL COURTS

The majority of all criminal cases in New Jersey are handled in municipal courts. Such courts not only handle cases involving vagrants, narcotics addicts and drunk and disorderly persons and prostitutes, but also deal with cases involving citizens charged with violations of local ordinances, domestic relations problems, major and minor offenses involving youths over 18, and first hearings in the cases of adults charged with serious crimes. It is this court with which the public has by far the greatest contact and which, therefore, determines in large measure the average citizen's attitude toward judicial institutions. Many municipal courts operate under highly unsatisfactory physical conditions. There is usually but a single judge who must preside over the vast number of cases on the municipal court calendar. In addition, there is most often no professional staff, i.e. full-time prosecutor, full-time court clerk or regular local probation staff, no quick access to fingerprint files or criminal records of defendants. There is no permanent record of the testimony heard before municipal courts, despite the fact that many serious crimes receive their first hearings here and that all disorderly persons charges, including those which have been downgraded from more serious offense, are heard only here. Some municipal courts meet only in day-time sessions, others only at night, and others in some combination of times. Some courts meet daily, others meet only weekly so that there are often long delays before an individual case may be tried, or an individual trial may be extended over an inordinate length of time.

The Commission, therefore, recommends:

Municipal courts should be integrated within the existing court system, with judges to be appointed by the Governor with the advice and consent of the Senate. Each court should be provided with a full-time court clerk, attendants, stenographic services, and probation staff, with access to modern criminal identification files and case background data. There should be a permanent court record of all hearings. The county prosecutor or municipal attorney, as the case may be, should prosecute all cases and handle all appeals.



## INEQUITIES OF JUSTICE

Under present law, the provision of defense counsel at public expense for legally indigent persons is mandatory only in cases of indictable offenses. Therefore, individuals charged as disorderly persons or with other lesser offenses who lack the financial means to acquire legal counsel may be denied representation. There is insufficient use of the summons procedure in place of formal arrest and of release on own recognizance in place of bail, particularly concerning residents of the jurisdiction. As a result, legal indigents are often incarcerated to await trial on minor charges because they cannot afford bail. In some cases involving lesser offenses, persons are fined and, at the same time, committed to county jail with sentence suspended upon payment of the fine. Legal indigents who cannot pay such fines must then often spend much longer periods in jail than are warranted. Thus, they are punished for being indigent as well as for being guilty.

The Commission, therefore, recommends:

1. Defense counsel should be made available by law to all legal indigents charged with lesser offenses punishable with jail sentences, as well as to those charged with indictable offenses as at present. This service should be provided by the State Public Defender and his staff, and sufficient monies should be made available to enlarge the Office of Public Defender to enable it to perform this function.
2. There should be further use of the summons procedure in lieu of arrest and pre-trial incarceration in cases involving lesser offenses where the defendant is a resident in the area where he is charged. In addition, there should be more extensive use of release on own recognizance instead of upon bail, under the same conditions.
3. A workable standardized system of installment payment of fines by sentenced persons should be developed, subject to probation supervision during period of payment.
4. A committee should be appointed by the Supreme Court to conduct a review and analysis of criminal penalties, and reform subsequently instituted so that no discrimination is brought to bear on the less economically fortunate.

## ALCOHOLISM

A considerable number of persons who come before lower court judges charged with drunk and disorderly offenses and who are in most cases repeated offenders, may be, in actuality, chronic alcoholics. At present, there are no public non-punitive facilities to which the court may refer such persons for medical treatment under court order of what is essentially a medical problem. As the President's Commission on Law Enforcement and Administration of Justice stated in its Report, "Drunkness should not in itself be a criminal offense. Disorderly and other criminal conduct accompanied by drunkness should remain punishable as separate crimes. (This)...requires the development of adequate civil detoxification procedures."

The Commission, therefore, recommends:

Public hospital facilities should be established for the reception of alcoholics under court order, and clinics for follow-up treatment should be developed. Judges should have the power to order the use of such facilities as part of a court rehabilitation program for alcoholics.

## OPERATIONS OF THE COUNTY PROSECUTOR

At the county court level, convictions in a majority of cases are obtained by negotiated pleas of guilty rather than in trial in open court. Negotiation of pleas is a process which results in an agreement between the county prosecutor and the defendant and defense counsel for a downgrading of the charges against the defendant in return for a plea of guilty. This can be a practical and just procedure, but the fact that negotiations are conducted in secrecy and there is no open court statement of the terms of the agreement permit the possibility of serious abuses of justice. Dangerous offenders may manipulate the system to obtain unjustifiably lenient treatment, and others may be pressured into pleas of guilty by threats of severe sentences.

The Commission, therefore, recommends:

Plea negotiations should be publicly recognized as an acceptable and normal aspect of the judicial process, and negotiation procedures should be formalized. In concurrence with the recommendation of the President's Commission on Law Enforcement and Administration of Justice, county prosecutors should be required to state fully in open court the terms of agreements leading to pleas of guilty, and, in serious cases, to submit such statements in writing, unless a demonstration is made to the court, in chambers, that the interests of justice are best served by non-disclosure.

## COURT ADMINISTRATION

In many municipal and county court districts, court sessions are scheduled only in the day-time hours. This means that complainants, defendants, witnesses and jurors may be required to lose normal work time and, consequently, pay for every day that they must appear in court. Although provision is made by law for the payment of witnesses and jurors, such payments are grossly inadequate - in some cases, as low as \$.50 per day.

Police officers whose testimony is required at court hearings at present are frequently required to spend many hours waiting to be called to testify and, later, remaining available should need for subsequent testimony arise. This results in a substantial loss of valuable time which could otherwise be spent in law enforcement activities.

The Commission, therefore, recommends:

There should be a thorough study of the feasibility of scheduling sessions in courts of limited jurisdiction during evening hours and on weekends. In addition, a more equitable system of compensation for jurors and witnesses in court cases should be developed and implemented. The courts should also give increased attention to reducing, to the fullest extent possible, the time police officers must spend in court through receiving police testimony at the earliest moment in the trial and excusing the officer upon completion of testimony.

## SENTENCING DISPARITY

The President's Commission on Law Enforcement and Administration of Justice found in its Report: "That different judges sentence differently, is and always has been, a major and justified complaint against the courts... 'It is obviously repugnant to one's sense of justice that the judgment meted out to an offender should depend in large part on a purely fortuitous circumstance; namely, the personality of the particular judge before whom the case happens to come for disposition.'" In the course of its investigation, the New Jersey Commission was repeatedly informed by numerous officials that there is a serious need for more uniformity in sentencing, particularly at the level of the county courts. However, little data is available to substantiate this finding.

The Commission, therefore, recommends:

There should be a thorough review and analysis of the degree to which sentence disparity exists in New Jersey, with emphasis upon the compilation of documentary evidence to define the problem. The opinion of the New Jersey Court System should be invited and given weighted consideration in the subsequent development of a means to achieve greater uniformity in sentencing.

### FAMILY COURT SERVICES

At present, various issues which affect the maintenance of family life, such as the complaints of family cruelty and desertion, divorce proceedings, neglect and improper guardianship of children, filiation, questions of child custody and domicile, and juvenile delinquency, are divided among the jurisdiction of several courts -- in particular, domestic relations and juvenile courts. This results in inefficient use of the legal services of the State and in confusion and contradictions of policy in the handling of the affairs of a single family.

A wide range of individual and family problems may be directly involved in the vast majority of cases which come before domestic relations courts. The judge who presides over such a court, however, has at his disposal little or no diagnostic facilities for the discovery and evaluation of such problems. In addition, the only remedies available to him are essentially punitive, when the well-being of a defendant, his family, and society as a whole might better be served through the prescription of social or psychiatric services. Conciliation services could be of immeasurable benefit to couples involved in legal separation and divorce proceedings, but such assistance is generally not now available to the domestic relations court.

Many cases of juvenile delinquency are directly or indirectly related to family problems. In such cases, counselling and treatment services, in many cases involving the entire family, would provide the most constructive means of assisting the young person to become a contributing member of society. Yet, due to a lack of diagnostic and rehabilitative services and facilities, the primary remedies available to judges of juvenile courts are punitive rather than rehabilitative in nature. Juvenile Conference Committees, consisting of voluntary groups in municipalities to which young people charged with minor offenses may be referred by the juvenile court, are handicapped in their effectiveness by a lack of professional advice and guidance. Many juvenile complaints are handled entirely

by the police, without reference to any other agency and without referral to the courts. In most municipalities, there is no rehabilitative counselling and treatment agency to which police can refer juveniles, and, even in those municipalities where such agencies may exist, most cases are handled directly by juvenile police officers and dismissed or referred directly to the juvenile court.

The Commission, therefore, recommends:

1. A separate and unified family court, replacing the existing domestic relations and juvenile court, should be established to deal with all issues which affect the maintenance of family life. These family courts should be equipped with professionally trained consultation services to whom the court could refer individuals and families who cannot afford private consultation.
2. Trained professional case workers should be made available as consultants to each Juvenile Conference Committee. Such individuals would advise the committees and would serve as liaisons between the committees and the police, educational authorities, the courts, diagnostic clinics and social agencies.
3. As recommended by the President's Commission on Law Enforcement and Administration of Justice, police should either release juveniles or refer them to a competent investigative authority or, in those cases involving serious criminal conduct or repeated serious misconduct, to the courts; they should neither hold hearings nor invoke sanctions.
4. As also recommended by the President's Commission, Youth Service Bureaus should be established in large cities with high delinquency rates. In suburban and rural areas with lower delinquency rates, a professionally trained social worker should be appointed to serve the same function. The Youth Service Bureau or social worker would coordinate the use of available diagnostic, educational, counselling and remedial services and would provide services not otherwise available. Juveniles, both delinquent and non-delinquent, would be referred to the Bureaus or social workers by the police, juvenile or family courts, parents, schools and other sources.

#### PROBATION

The probation services in the county courts are inadequate. Salaries are so low that it is often impossible to attract personnel with the qualifications and training required by professional probation work; chronic underpayment also contributes to an extremely high turnover among probation officers. Caseloads borne by most

probation officers are so high that they seriously inhibit the officer's ability to perform his tasks and tend to restrict probation staff activity largely to the conduct of pre-sentence investigations rather than supervision. Inordinate caseloads are also a factor in the high rate of personnel turnover which is evidenced by probation offices around the State.

At present, probation services are administered at the county level, which results in wide discrepancies in salaries and recruitment standards and restricts recruitment to limited geographical areas. Pre-disposition probation services are shared by both the existing juvenile court and the county criminal court. This not only contributes to an exceedingly heavy caseload, but results in the assignment of juvenile and adult probation duties, which differ in many fundamental ways, to one staff and, in many cases, the same individual probation officers.

The Commission, therefore, recommends:

1. The administration of probation, now functioning on the county level, should be reassigned to a single State-level professionally directed administrative service within the judicial branch.
2. Minimum qualifications for probation officers should be raised to one year of graduate social work training or the equivalent, such as in police training and practice, with a salary increment for a second year of training, and the salary scale should be made competitive with jobs in other professional fields carrying comparable educational requirements.
3. The number of probation officers in the State should be increased considerably so as to reduce caseloads to a workable volume.
4. Juvenile probation duties should be under the supervision of and handled by specialized personnel, apart from adult criminal probation services. Both adult and juvenile probation operations, however, would be incorporated under the proposed new Statewide probation administration.
5. Sufficient funds should be appropriated to affect these changes. There can be no better and more economic use of tax dollars than this, for the expansion and improvement of probation services results in a substantial savings to taxpayers as well as in a significant strengthening of the safety of society. At present, the average per capita cost of probation in New Jersey is \$75.13 per year. On a national average, probation costs approximately \$340.00 per capita yearly. On the other hand, the average cost to the taxpayers of incarceration in a New Jersey correctional facility is now \$2,450.00 per capita per year.

## CORRECTIONS

The greatest proportion of individuals sentenced to confinement in New Jersey are incarcerated in county jails, workhouses and penitentiaries. These institutions are administered solely by county governments under the Sheriff's office. The State of New Jersey has authority to inspect county penal facilities, but has no power to enforce recommendations made by State jail inspectors. The majority of prisoners in these institutions are among the underprivileged and culturally handicapped, including racial and ethnic minorities, who have been convicted of such offenses as drunkenness, vagrancy and prostitution. Many serve numerous sentences for repetitions of the same offense. The same institutions also serve as detention centers for prisoners awaiting trial who have been denied bail or are unable to pay for it. Perhaps because the crimes of these prisoners are considered relatively petty and the sentences they serve are short, the operation of local correctional institutions receives far less attention from both the general public and experts in penology than do federal and State prison systems and their inmates, who are considered more dangerous to society. In general, these local institutions are operated primarily as custodial facilities, and little emphasis is given to the rehabilitation of prisoners. Without a productive program of rehabilitation in the county correctional institution, offenders can remain life-long criminals who pose significant danger to and are a major burden upon society.

Although New Jersey State-level correctional agencies are making positive strides toward effective rehabilitation programs and some State correctional programs have received complimentary attention from such distinguished bodies as the President's Commission on Law Enforcement and Administration of Justice, testimony heard in private hearings has indicated that progress in this regard continues to be hampered by insufficient legislative appropriation of funds which would support such activities as community residence programs, pre-parole vocational training and work release programs and post-release specialized clinical treatment for persons with emotional disorders. For the same reason, there is little provision made for financial maintenance of discharged persons prior to finding employment, and salary schedules for professional correctional personnel frequently rank far below those of competitive job market classifications, contributing to high staff turnover and vacancies in budgeted positions.

The Commission, therefore, recommends:

1. The present system of county correctional institutions should be integrated with the State system, under the administration of the New Jersey Department of Institutions and Agencies. Programs of rehabilitation, including work release retraining programs such

as those of the Rural Manpower Development Program, vocational education, organized recreation, counselling and social case work, as well as post-release follow-up, should be instituted at the county level. Expert supervision and consultation from the State Department of Institutions and Agencies and the Federal Bureau of Prisons program should be required in physical and program planning for new institutions.

2. Provision should be made for the establishment at the State-level of community residence programs, pre-parole work release programs for vocational training of inmates in State penal institutions, specialized clinical treatment centers for discharged offenders, and other programs recognized to play effective roles in modern criminal rehabilitation. Legal steps should be taken to qualify discharged offenders for public assistance until gainfully employed.

3. Salary schedules for professional correctional personnel should be made competitive with those of comparable employment opportunities.

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## SCIENCE AND TECHNOLOGY

### STATISTICS AND RECORDS

The standard measure of crime in the United States is based on the activity of the police, i.e. complaints to the police and arrests. New Jersey has recently modernized its system of police statistics under the Uniform Crime Reporting System, in order to compile, by 1968, Statewide reports, by counties and municipalities, of complaints, arrests and dispositions. However, crimes reported to the police are only a fraction of the actual crimes committed and the police as a rule receive complaints concerning only that fraction of offenses known as common crimes. Complaints are also received by many other agencies -- prosecutors, regulatory agencies, attorneys general; such complaints deal with, for example, frauds, corruption, organized crime and monopolistic practices. In its Task Force Report, Assessment of Crime, the President's Commission on Law Enforcement and Administration of Justice states that statistics concerning such complaints should also be compiled and reported in order to develop a full measure of crime in the State and in the nation.

In addition, police record keeping systems, especially at the municipal level, are not uniform and may vary considerably from municipality to municipality.

There is at present no standardized system of recording comprehensive case files for individual offenders from the arrest through final judicial disposition. The development of comprehensive case files, which would detail each offender's experiences through the entire process of law enforcement and criminal justice under a uniform standardized system, would be a significant contribution to the efficiency of the operations of both the police and the courts and would also facilitate scientific and sociological research. The Commission has found that the New Jersey State Police and the Administrative Office of the Courts are engaged in a cooperative effort to develop such a recording system.

Court records, particularly of the lower courts, are frequently haphazardly compiled and may be incomplete. The police are, in many cases, not presently notified by the courts of the dispositions of all cases, and the courts may often fail to obtain vital records and other information from the police.

The Commission, therefore, recommends:

1. A standardized system should be developed and implemented for the collection and publication of all criminal statistics, including but not limited to police statistics.
2. A standardized system of internal police record keeping should be developed and made mandatory for use by all municipal police departments in the State.
3. Plans for a complete and systematic recording process of the total law enforcement and judicial procedure for each individual offender should be completed and implemented as rapidly as possible.
4. The present court recording system should be thoroughly studied and revised under modern systems analysis procedures.

#### NATIONAL INFORMATION BANK

Background information on persons in contact with the law, presently maintained in confidential records and case files of numerous private and public agencies, would, under proposed federal plans, be synthesized in a massive computer system at the local, State and national levels. Much of this information may be hearsay, and much is obtained in confidence. Its synthesis and indiscriminate distribution could jeopardize the practice and violate the ethical standards of social case work and medicine. It could also, in unscrupulous hands, lead to blackmail. And it preserves for a life-time the indiscretions of youth, making no allowances for the possibility of redemption. On the other hand, with the imposition of stringent and comprehensive safeguards, the establishment of such a unified information bank could be of great practical benefit.

The Commission, therefore, recommends:

The State of New Jersey should take all possible steps to insure that rigorous safeguards are imposed on both the contribution of confidential records to such a national criminal information bank and on the retrieval of information from the bank and its use.

## A STRATEGY FOR CRIME CONTROL

The President's Commission on Law Enforcement and Administration of Justice stated on Page 280 of its report: "A state's or a city's actions against crime should be planned together by a single body. The police, the courts, the correctional system and the non-criminal agencies of the community must plan their actions against crime jointly if they are to make real headway."

Although there are more than 600 agencies of government directly or indirectly involved in activities associated with law enforcement and criminal justice in New Jersey, there has been until now no formal machinery available to coordinate their activities, to eliminate duplication, overlapping and competition, to define Statewide policies, to set training and personnel standards, to allocate manpower, to equalize pay and set priorities, to provide centralized services, to encourage cooperation, to stimulate planning, research and experimentation, to foster the exchange of information, to provide liaison with federal, military and out-of-State law enforcement and criminal justice agencies and with other branches of New Jersey government, to impose sanctions if desirable objectives are not accomplished, to analyze and evaluate the effect on law enforcement and criminal justice of proposed legislation and departmental regulations, to present coordinated legislative programs in appropriate areas, to establish and maintain a code of ethical conduct for law enforcement and criminal justice personnel, and to advise the Governor and his Cabinet on all matters related to crime causes, prevention, suppression and control, problems of public order and safety, the proper court handling and correction of offenders and their return to society.

The Commission has long believed strongly that the establishment of a permanent body of State government to fulfill these functions is essential to the effective control and reduction of crime in New Jersey and would also enable the State to take fullest advantage of the monetary and other assistance to be made available through federal programs.

The Commission, therefore, applauds the recent creation, by Executive Order of Governor Richard J. Hughes, of the New Jersey Council Against Crime, and recommends that, as one of its first priorities of business, the Council should develop the procedures necessary to achieve central planning of crime control operations in the State of New Jersey.

## APPENDIX 1.

LAWS ESTABLISHING AND RECONSTITUTING  
THE COMMISSION

Chapter 84, Laws of N.J. 1966 (Approved 6/14/66)

(Senate, No. 386 Introduced May 9, 1966 by Senators Musto,  
Kelly, Guarini, Parsekian, Stamler and Hughes)

Referred to Committee on Law and Public Safety

An Act creating a commission to make a study of the causes and prevention of crime in New Jersey, and making an appropriation therefor.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. There is hereby created a commission to be known as the Commission to Study the Causes and Prevention of Crime in New Jersey, consisting of 15 members to be appointed as follows: 5 by the Governor, 5 by the President of the Senate and 5 by the Speaker of the General Assembly. All such appointees shall be appointed from among the public at large and no more than 3 of each group of 5 appointees shall be of the same political party. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman and a vice-chairman from among its members. The commission also may appoint an executive secretary, a legal counsel, and such other staff members as may be necessary to assist the commission in the performance of its duties. Such staff members may be compensated within the limits of the appropriation hereinafter provided.

3. The commission shall:

(a) Make a comprehensive study of the causes of crime and juvenile delinquency, including but not limited to those environmental, psychological and sociological factors which tend to encourage disrespect for law and disregard of the social order;

## APPENDIX 1. (continued)

(b) Develop standards and make recommendations for actions which can be taken by the State, county and municipal governments, and by private persons and organizations, to prevent criminal behavior and to increase respect for law, including, but not limited to, improvements in correction and rehabilitation of convicted offenders and juvenile delinquents; promotion of better understanding between law enforcement and correction officials and other members of the community; and development of community action programs to encourage lawful behavior by all members of the community.

4. All State, county and municipal departments and agencies shall cooperate with the commission and shall furnish it such information, assistance and services, not inconsistent with law, as it may require in the performance of its duties. The commission shall consult, as it deems appropriate, with Federal, State and local law enforcement officials and members of the judiciary concerning matters of common interest.

5. The commission shall have all the powers of a joint committee of the Legislature under the provisions of chapter 13 of Title 52 of the Revised Statutes and may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature. The commission shall make its report to the Governor and the Legislature on January 1, 1968, and its report may include recommendations and specific changes or additions to the statutory law relating to the prevention and reduction of crime in New Jersey.

6. There is hereby appropriated from the General Treasury the sum of \* \$50,000.00 \* \*\$25,000.00\* to enable the commission to carry out its duties under this act.

7. This act shall take effect immediately.

## APPENDIX 1.

LAWS ESTABLISHING AND RECONSTITUTING  
THE COMMISSION

(Senate Concurrent Resolution No. 18, introduced March 6, 1967 by Senators Waddington, Kiefer, Goldman, Musto, Guarini, Hiering, Bigley, O'Connor, Parsekian, Ridolfi, Feldman and Forsythe).

(Without Reference)

A CONCURRENT RESOLUTION to authorize the Commission to Study the Causes and Prevention of Crime in New Jersey to study ways and means of implementing the recommendations of the President's Commission on Law Enforcement and Administration of Justice.

WHEREAS, The causes and prevention of crime is a matter of concern to all citizens of New Jersey and of the United States; and

WHEREAS, The President's Commission on Law Enforcement and Administration of Justice has recently published a comprehensive report entitled "Challenge of Crime in a Free Society;" and

WHEREAS, The report of the President's Commission on Law Enforcement and Administration of Justice makes specific recommendations as to ways and means of preventing crime; and

WHEREAS, Chapter 84 of the Laws of 1966 creates a Commission to Study the Causes and Prevention of Crime in New Jersey; now, therefore,

BE IT RESOLVED by the Senate of New Jersey (the General Assembly concurring):

1. That the Commission to Study the Causes and Prevention of Crime in New Jersey is directed to study the report of the President's Commission on Law Enforcement and Administration of Justice and is further directed to report to the Legislature as to ways and means of implementing the recommendations set forth in said report.

2. This concurrent resolution shall take effect immediately.

## APPENDIX 1.

LAWS ESTABLISHING AND RECONSTITUTING  
THE COMMISSION

Chapter 140, Laws of N.J. 1967 (Approved 7/7/67)

(Senate, No. 405, introduced March 20, 1967 by Senators Musto, Kelly and Guarini)

Referred to Committee on Judiciary

AN ACT to amend "An Act creating a commission to make a study of the causes and prevention of crime in New Jersey, and making an appropriation therefor," approved June 14, 1966 (P.L. 1966, c. 84).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 5 of the act of which this act is amendatory is amended to read as follows:

5. The commission shall have all the powers of a joint committee of the Legislature under the provisions of chapter 13 of Title 52 of the Revised Statutes and may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature. The commission shall make [its] a preliminary report to the Governor and the Legislature on or before January 1, 1968, and [its] a final report to the Governor and the Legislature on January 1, 1969, either of which such [report] reports may include recommendations and specific changes or additions to the statutory law relating to the prevention and reduction of crime in New Jersey.

2. This act shall take effect immediately.

## APPENDIX 2.

## PRIVATE HEARINGS

Private hearings dealing with law enforcement and the police, prosecution and the courts, and correction and rehabilitation, were held on November 21, November 28, and December 14, 1967, in the State House, Trenton, in the Assembly Lounge and the Senate Lounge. These were attended by invited guests representing governmental agencies, educational institutions and private agencies concerned with crime control policies. The hearings were chaired by members of the Commission with Professor Shulman, Executive Secretary, acting as counsel.

Hearing I - Law Enforcement and the Police This hearing dealt with police organization and management; recruitment, promotion and in-service training; field operations; police community relations, including the recruitment of minority group police personnel and citizen grievances; and regionalization and consolidation of law enforcement services. The witnesses were Miss Joyce Barrett, Executive Director, Trenton Council on Human Relations; Donald Cogsville, Executive Director, United Progress Incorporated, Trenton; Leo A. Culloo, Executive Secretary, New Jersey Police Training Commission; Professor Donald Halstead, Graduate School of Education, Rutgers -- The State University; Captain Thomas M. Keegan, Hamilton Township (Mercer County) Police Department; Captain Joseph Schnorbus, Trenton Police Department; and Henry diSuvero, Executive Director, American Civil Liberties Union of New Jersey. Representatives of the New Jersey Department of Community Affairs, the New Jersey State Police and of the Department of Civil Service also testified.

Hearing II - Prosecution and the Courts This hearing dealt primarily with the operations of the municipal courts. Among the topics on which there was testimony were the prosecutor role; bail bonding; court case scheduling and management; sentencing; and court reorganization. Those testifying were James Del Mauro, Presiding Judge, Municipal Court of Newark; John H. Gibbons, President, New Jersey Bar Association; Edward B. McConnell, Administrative Director of the New Jersey courts; Peter Murray, Public Defender, State of New Jersey; Michael J. O'Connor, Assistant chief clerk, Municipal Court of Newark; Alphonse Pezzuti, Chief Probation Officer, Passaic County; Edwin P. Rubenstein, Vice President, Stuyvesant Insurance Company of Newark; Gerald A. Tracey, Chief Probation Officer, Union County; A. R. Vaccaro, government representative, IBM Corporation, Cranford.



Hearing III - Correction and Rehabilitation This hearing dealt primarily with detention, correction and rehabilitation, both at the county and State levels. Among the topics on which witnesses testified were: the recruitment of correctional personnel; probation and parole; correctional decision-making, including provisions for the rights of the offender; and development in the rehabilitation process. Those testifying were: Miss Sarah Curtis, Project Administrator, Morrow Association for Correction, New Jersey; Thomas Davies, Regional Director, Rural Manpower Development Program of the Department of Community Affairs, Freehold; Albert Elias, Superintendent, New Jersey Youth Reception and Correction Center, Yardville; Professor Jackson Toby, College of Arts and Science, Rutgers -- The State University, New Brunswick; Warden Paul Underhill, Morris County Jail; and Albert C. Wagner, Director, Division of Correction and Parole, New Jersey Department of Institutions and Agencies.