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OPPORTUNITY
FOR
URBAN
EXCELLENCE-)

REPORT OF THE ATLANTA COMMISSION ON CRIME AND JUVENILE DELINQUENCY

FEBRUARY 1966

Table of Contents

Introduction	1
Summary of Findings and Recommendations	7
1. What the City Can Do	7
2. What the Counties Can Do	15
3. What the State Can Do	18
4. What the Federal Government Can Do	20
5. What Private Agencies Can Do	21
6. What the Citizens Can Do	21
Juvenile Delinquency	23
1. The Causes of Juvenile Delinquency	24
2. Delinquency Prevention—A Primary Need	28
3. Our Local Juvenile Courts	42
4. The Correction and Rehabilitation of Delinquent Youth	45
5. Conclusion	51
Crime and Poverty	55
1. Statistical Study	55
2. Special Studies	62
3. Economic Opportunity Atlanta, Inc.	101
4. Conclusion	103
Crime and Health	105
1. General Crime and the Mentally Ill and Mentally Retarded	105

2. Sex Crimes and Mental Illness and Mental Retardation	115
3. Crime and the Alcoholic	121
4. Crime and Drug and Narcotics Use and Addiction	131
5. Conclusion	135
Rehabilitation	139
1. Crime Prevention and the Parolee	139
2. Crime Prevention and the Prisoner	145
3. Crime Prevention and the Dischargee	151
4. Crime Prevention and the Probationer	156
5. Crime Prevention and Sentencing	159
6. Conclusion	167
Law and Order	171
1. Crime in Atlanta	172
2. The Atlanta Police Department	175
3. The Judicial System	184
4. Recommendations	188
Organized Crime	191
1. Specific Organized Activities	195
2. Vigilance	203
3. New Legislation	204
4. Conclusion	205
Conclusion	207
Acknowledgements	211
Appendices	1-129

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Introduction

The Atlanta Commission on Crime and Juvenile Delinquency was created by a Resolution adopted by the Board of Aldermen on June 21, 1965, and approved by the Mayor on June 23, 1965.¹

Mayor Allen immediately appointed Judge Griffin B. Bell chairman, Augustus H. Sterne vice chairman, and 21 members. The membership of the Commission reflects virtually every major segment of Atlanta's life, including individuals having direct contact with and firsthand knowledge of problems investigated by the Commission.

Judge Bell and Mr. Sterne appointed a General Counsel, Francis Shackelford, an Associate General Counsel, Hugh Peterson, Jr., and seven counsel to act as the staff for the Commission. Judge Bell then divided the Commission into six Committees and assigned a counsel to each. The seventh counsel, William H. Alexander, assisted in coordinating the work of the committees. It was

¹ See copy of resolution, attached as Appendix I-1.

The Board of Aldermen authorized the expenditure of \$22,500 by the Commission and through December 31, 1965 it had spent \$9,335.17. It is estimated that additional expenses, including the printing of the complete final Report and its distribution, will cost approximately \$12,000, leaving over \$1,500 of the appropriation unspent. This rock-bottom cost is possible only because the Chairman, Vice Chairman, 21 other members of the Commission, the General Counsel, 7 of the 8 staff attorneys, numerous other attorneys and many businessmen are giving to Atlanta their services without compensation which, it is estimated, will total in value between \$200,000 and \$225,000 by the end of the one-year life of the Commission.

each counsel's job to organize and, for the most part, perform the day-to-day work of the Committee to which he was assigned. These Committees are:

Juvenile Delinquency

Rev. William Holmes Borders, Chairman

Dr. Edwin D. Harrison

Rev. John McDonough

Mrs. Rhodes L. Perdue

Michael H. Trotter, Counsel

Rehabilitation

John J. McDonough, Chairman

Wiley H. Montague

Dr. Cleveland Dennard

Jeremiah Luxemburger, Counsel

Crime and Health

Dr. Bernard Holland, Chairman

Mrs. Leonard Haas

William C. Wardlaw

Harry L. Griffin, Jr., Counsel

Crime and Poverty

Boisfeuillet Jones, Chairman

Dr. William Cannon

Joseph Haas

Clayton R. Yates

Clay C. Long, Counsel

Law and Order

F. M. Bird, Chairman

David H. Gambrell

Donald L. Hollowell

L. E. Oliver

Emmet J. Bondurant, Counsel

Organized Crime

Allen Lockerman, Chairman

Richard A. Denny

Herbert A. Ringel

F. Tread Davis, Jr., Counsel

Members of each Committee were chosen on the basis

of their knowledge of the subject matter with which their Committee was concerned. In addition, the counsel to the Committees were selected with an eye to their past experience in the field. The result was that each Committee was able to get at the heart of the matter with which it was involved quickly and accurately.

The Commission first met on July 16, 1965, at City Hall, and for the next several months counsel and their Committees devoted themselves to the task of inquiry and investigation. The Associate General Counsel established an office at City Hall and coordinated the efforts of each of the Committees, making sure that there was as little overlap as possible and that all major areas of concern were covered.

The life of the Commission was to be for one year. Judge Bell, Mr. Sterne and Mr. Shackelford decided early to complete research and reporting in the first six months and to devote the second six months to implementation of the recommendations of the Commission. To bring the work of the Commission to the public most effectively, the Committee Reports were released successively and not all at the same time. The result was more careful attention by the Commission and the public to each report.

Judge Bell held weekly meetings of the counsel in his chambers to review the progress of the work. The general counsel presided at these meetings and assigned tasks as the occasion demanded. By the end of September, most of the desired data had been gathered and draft reports were in process.

The Commission investigated the problem of crime and delinquency in depth. It believed that its most valuable service would be to identify the root causes of crime in the city and to recommend ways they could be eradicated. It wanted practical, fundamental solutions. It was quickly clear that bringing our police force and our courts to peak efficiency was an essential step

but that this action alone would not eliminate the root causes of crime in our city. The Commission went further to analyze and seek out those conditions and situations which cause criminal activity in Atlanta. This was no simple task as they were numerous, and often difficult to isolate; and once isolated the cure was not immediately obvious. Nonetheless, the Commission addressed itself to this task.

The Commission actively sought the help of city, county, state, federal, and private officials and agencies whose responsibilities coincided with the various aspects of the Commission's work. All were told that the Commission did not seek to criticize for criticism's sake but that it would make constructive recommendations designed to curtail crime in Atlanta. Governmental and private agencies at all levels have cooperated with it in its work.

The fact-finding work of the Committees was detailed, thorough, and extensive. Each counsel devoted a considerable portion of his time to factual investigation, usually going to the source to get the facts. Often he had the able help of other lawyers and of employees of various Atlanta businesses without cost to the commission. At least thirty-six separate studies, surveys, or investigations were made from the grass-roots to the highest levels of government. The specific fact-finding work of each Committee is set forth in that portion of the report dealing with the respective Committee.

In addition to the activities of the Committees, the Commission as a whole through its General Counsel, Associate General Counsel, and various counsel and Committee members visited the Attorney General of the United States and crime commissions in Boston, Chicago and New York to compare Atlanta's efforts with those in other areas. It also corresponded with other commis-

sions in the United States. Much helpful information and guidance were acquired from these various sources.

It will be apparent from the reports which follow that unorganized crime and delinquency do not exist in a vacuum. They are closely related to poverty and lack of education. This fact was established beyond question by relating the incidence of crime and delinquency to census tracts in Atlanta, and the census tracts, in turn, to types of housing and socio-economic classifications. As a result, a substantial amount of the work of the Commission has been in the general area of problems stemming from rapid urbanization and mass education as these phenomena are related to crime and delinquency.

This same situation is not true as to organized crime. It is a business and must be viewed and attacked on a separate basis. It presented a separate area of study and necessitated a different approach.

The Police Department was considered in relation to both organized and unorganized crime and delinquency. One of the principal purposes for the existence of local government is to maintain order to the extent that citizens may be safe in their homes and on the streets and their property secure. The adequacy of the Atlanta Police Department was considered from this standpoint, and with an eye to its capacity to deter, if not eradicate, organized crime.

This composite Report of the Commission brings these objectives and such problems as were discovered into perspective for consideration and action by the responsible governmental authorities.

Summary of Findings and Recommendations

The findings and recommendations of the Commission range from broad, long-term programs to proposals for immediate action. Those which the Commission considers to be most important are summarized here as a program to improve the prevention and control of crime in Atlanta. The recommendations have been set forth on the basis of the governmental unit which has the responsibilities for the action recommended.

1

What The City Can Do

As a creature of the city government, this Commission has a primary responsibility to the City of Atlanta which we urge to take the lead in bringing about needed reforms. We strongly feel that present facilities and services of the City should be utilized more fully. In addition, there are matters which will require a new or increased effort on the part of the City.

a. The Atlanta Youth Council.

There is a serious need to focus the city's resources on the problem of preventing and controlling juvenile delinquency. We therefore recommend that the Atlanta

Youth Council be created as an official city agency for this purpose. Membership would include the Superintendent of the Atlanta Public Schools, the head of the Parks Department, the Chief of Police, a full-time executive director, a lay chairman, and six lay members, for a total membership of eleven. The heads of pertinent city departments are needed on the Council to furnish information and to provide, where practical, the resources of the city. Officials of the counties and State, particularly the local Juvenile Court Judges, would serve in an advisory capacity.

The primary responsibility of this Council would be to formulate and implement a community program of delinquency prevention and control and to be certain that all available public and private resources are fully used in such a program. It would also work with the public, private and religious agencies devoted in whole or in part to delinquency prevention and coordinate the activities of these agencies to the extent desirable. Finally it would collect, correlate and disseminate information, statistics and data on the subject of juvenile delinquency and make this information available to all agencies which might benefit from it.

b. Day Care.

Day care services must be provided on a much more extensive basis by the city or some other governmental agency. Delinquents come in a large measure from children who have not received proper supervision and discipline at home during their formative years, usually because both parents are working or the parent of a broken home is working. Every effort should be made to encourage private agencies and churches to operate day care centers in poverty areas. The Youth Council should address itself at once to this problem.

c. The Family Unit.

The principal cause of delinquency is the improper rearing of children. Lack of family cohesiveness and affection, improper discipline and improper supervision combine to produce children who very probably will become delinquent. As a result all possible efforts should be made to correct this condition. Marriage and economic counseling should be an integral part of high school education and more marriage counseling clinics should be established in the city to help strengthen families and to prevent them from breaking up. This, too, should be a concern of the Youth Council.

d. Police Department.

(1) Manpower and Pay

The manpower and pay of the Atlanta Police Department are both presently at a dangerously low level. In order to attain the required manpower and pay levels the budget of the Police Department must be substantially increased. This would allow pay to be raised another increment and the number of policemen to be increased greatly. The Commission does not agree with the philosophy that the pay of policemen should not be increased without a similar increase in pay of all other city employees. Few city employees work as hard as policemen. Few have the awesome responsibility that is imposed upon the police and none faces the continual danger which policemen face. There is a crying need to have on the police force only men of the highest caliber, unquestionably honest and thoroughly dedicated to their work. The only way to get and keep such men is to pay them well, give them the modern facilities necessary to do their job and to let them know the city is supporting them in every possible way. Atlanta has presently short-changed itself and the police by not doing any of these

fully. The Commission does not object to increasing the pay of other city employees, but the Police Department should have first priority if there is a shortage of available funds.

(2) Advancement

Policemen must be made secure in their jobs by an appropriate type of merit system. There must be reasonable hope for advancement for any competent man on the force with commensurate rewards. A cadet school for qualified high school graduates should be created and there should be continued police training for recruit and veteran alike.

(3) Modernization

The Police Department itself needs considerable modernization. The department should use all modern developments and law enforcement techniques, including such crime-fighting equipment as computers, which are fast growing in use.

(4) Police Department Study

The Police Department should be studied thoroughly by an independent professional agency to determine its present capabilities and its needs for the immediate future. This study should evaluate and estimate Atlanta's police requirements; it should appraise its organizational structure, personnel, equipment, and promotion system. On the basis of this study, there should be proposed a detailed plan of improvement to give the city and its citizens a modern police organization second to none.

(5) Police in Low-income Areas

There is a serious lack of understanding between residents of low income areas and the police. All available means should be utilized to inform every citizen of the

fact that the police serve not only to arrest and punish the law breaker, but also to protect the average citizen in his day-to-day life. The Atlanta Police Department should send police counsellors into problem areas to hold meetings and generally to inform the public of the protective role of the police. Neighborhood committees, comprised of a policeman trained in social problems and local leaders, should be formed to discuss the community problems and assist the work of the police in problem areas. Existing independent neighborhood civic associations should also be utilized and a police counsellor stationed in each Economic Opportunity Atlanta neighborhood center.

e. Parks.

One of Atlanta's most serious problems with regard to juvenile delinquency and crime is that the most congested areas of the city have the least recreation facilities. Atlanta is not giving proper attention to supplying such facilities for its residents. The citizens of Atlanta do not need to be entertained but they do need badly to have the facilities to properly entertain themselves. Children need places to play other than the streets. In addition, supervised play and recreation are valuable means of teaching children self-discipline and self-control.

The Parks Department, though presently ably led, is in serious need of great financial assistance. The present capital budget of the Parks Department should be at least doubled to \$600,000.00 a year. The pay of Parks Department personnel should be raised to a reasonable level. Parks should be built in congested high crime areas of the city. Trained supervisory personnel must be provided. Equipment should be modern. School gymnasiums should be available for use by more children. If they are not, additional gymnasiums should be built by the Parks Department. More park police should be

provided so that Atlanta's people can enjoy their parks. Community centers should be kept open longer during the week and on week-ends, particularly during the summer.

Open land is quickly disappearing in the heart of the city as well as elsewhere, and if moves are not made now, opportunities to establish parks in congested areas will be forever lost. In addition, present facilities should be more efficiently and fully used. The value of existing facilities is greatly impaired by the lack of trained supervisory personnel in the various parks and recreation facilities. Without such personnel children frequently do not know how to use existing facilities constructively.

f. Atlanta Municipal Court.

Most of Atlanta's residents who come into contact with the courts do so in the Municipal Court. This contact should be such that they develop a healthy respect for the courts and for the local government. The Commission is disturbed by indications that the Municipal Court is taking upon itself the responsibility of disposing of many cases which actually involve serious offenses not within that court's jurisdiction. The result is that many serious violations of the law are not receiving the punishment which they warrant. The Municipal Court should be thoroughly studied to make sure it is doing a proper job. This study should be conducted by a competent independent agency such as the Atlanta Bar Association. It would delve into the criticisms now being made, determine their validity, and offer steps to correct them if necessary.

Health problems, including alcoholism, sex offenses, drug addiction and mental illness frequently come to the attention of the Municipal Court. The court should have at its disposal a court clinic properly staffed so that persons with all kinds of health problems may be

properly evaluated and a proper disposition made of their cases.

g. Care of the Alcoholic.

Approximately 50% of the arrests made by the Atlanta Police Department involve alcoholic offenders. These people should be identified and a concerted effort should be made to remedy their addiction, thus eliminating the expense of their continued apprehension by the police, their imprisonment and their trial before the Municipal Court. In this connection we endorse the current joint effort by Economic Opportunity Atlanta, Inc., Emory Medical School, Grady Hospital, the Salvation Army, and others, in this direction.

Alcoholics impose a disproportionate burden on all branches of law enforcement in the City of Atlanta. This is an area where preventive activity is sorely needed. However, at the present time there is a severe lack of any such activity. Consequently, the city and county continue to carry a burden which could be eased by treatment of alcoholics. It is essential that the city and county clearly and promptly delineate their areas of responsibility and that the problem be attacked from a preventive point of view. The punishment and treatment of alcoholic offenders are so closely related that they should both be the responsibility of the same governmental authority. The Commission feels that this responsibility should belong to the City of Atlanta.

h. Atlanta Public Schools.

The Atlanta Public School System is the agency of the city which has the closest contact with the greatest number of children. Aside from the family, the schools have the greatest opportunity to mold young lives in a useful and law-abiding pattern. The schools must be given the assets with which to do this job. In

addition, they need to use the resources presently available to the greatest extent possible. There is an urgent need for more remedial education. A large percentage of the children who become juvenile delinquents are substantially retarded in their academic achievement. The same conditions which breed delinquency tend to prevent proper academic achievement and in due course the inability to read or perform other intellectual tasks contributes to delinquency. Individuals who are unable to get a job must either survive on relief or turn to a life of crime.

The Atlanta Public Schools are educating most poorly those children in greatest need of education. The average eighth grade student attending schools located in high delinquency areas is reading at a fourth grade level. Nine of the eleven Atlanta elementary schools in Fulton County on double session in the fall of 1965 were in poverty areas of our city. These areas can least afford to have children attending schools only half a day.

A crash program of remedial education is badly needed. There must be special programs designed to get all children off to a good start in school and to keep them moving forward at the proper rate. The school program must be adapted to the area of the city being served and the program of each school must be flexible enough to deal with the needs of individual children. For example, chronic absenteeism among unsupervised children in low-income areas must receive immediate attention. If the school cannot meet these needs, the Welfare Department and the Police Department must assume an increased burden.

The school system should also increase its vocational education program, and add a job placement service for all the students who do not finish high school or who are not going on to college. In addition the schools can provide a valuable service in identifying at an early age children with delinquent tendencies and make a con-

certed effort to straighten them out. Finally, adequate attention must be devoted to emotionally disturbed and mentally retarded children.

i. Organized Crime.

The Commission has found that organized crime exists in Atlanta on a local basis. It is particularly prevalent in illegal liquor and gambling. Narcotics pose a dangerous threat and a growing one. More members of the Atlanta Police Department should be trained to deal with the problems of organized crime. All law enforcement agencies in the Atlanta area must constantly be on the alert for encroachments of organized crime on a local or national basis. It is vital that the citizenry itself take a stand against illegal gambling and other illegal activities which lead to organized crime. If it does not, all governmental efforts in this area will be unsuccessful.

j. Community Associations.

Local independent community associations are a healthy development. The city should encourage these organizations by making available to them facilities for meeting places and perhaps some educational facilities whenever needed. These associations are stabilizing institutions which help to revitalize neighborhoods. They should be encouraged in every possible way.

2.

What the Counties Can Do

The solution to many of Atlanta's problems is the responsibility of Fulton County, and DeKalb County in which a portion of the City of Atlanta is located. In addition, all counties in the metropolitan area have a direct interest in what happens in and to Atlanta.

a. Juvenile Court.

The juvenile courts of Fulton and DeKalb Counties are presently our most effective agencies for dealing with juvenile delinquency in the Atlanta area. These courts are in great need of additional personnel in order to discharge their responsibilities properly. In particular, additional administrative personnel is needed to relieve the juvenile court judges of many of the burdens of the day-to-day administration of the courts and the detention centers, so that they can devote more attention to their judicial responsibilities.

In addition, the probation services of the juvenile courts in both counties must be improved and this can be done only by increasing the number of probation officers and by developing a good program of in-service training. Probation officers must be paid more if the county is to attract and keep competent personnel.

b. Juvenile Home.

A juvenile home is badly needed in the Atlanta area to handle the many delinquents coming before the juvenile courts who should not be released on probation and for whom there is no room in the state training schools. Many of these delinquents need correction and rehabilitation of a sort that is not presently available at the state training schools. Such a home would take care of the 75% of juvenile offenders whose crimes do not justify their being sent to a detention center but which are too serious to permit their going completely free. In many cases, the offender's main problem could be corrected by temporary removal from an impossible home situation. As a result the Commission feels that a juvenile home designed to give institutional care to delinquents should be conveniently located in the Atlanta area.

c. Fulton County Criminal Court and Fulton County Superior Court.

Both of these courts are badly in need of court clinics in order to provide diagnostic services for the courts in connection with alcoholics, sex offenders, drug addicts, the mentally ill and other individuals with health problems who appear before these courts.

d. Fulton County Adult Probation Service.

At the present time the Fulton County Probation Department is operating separately from the State probation department and receives no State support. Only six counties in the state have elected this independent course of action. The Fulton County Probation Department should phase out its operation over a period of several years and have the state assume the responsibility. In this phase-out program the State should add at least ten additional probation officers to the number now serving Fulton County.

e. Health Problems.

(1) The Alcoholic

Since the county presently has responsibility for health matters in the Atlanta area, it should devote considerable attention to the alcoholic. It should keep more complete records on alcoholic offenders. The County, unless the City assumes the responsibility, should undertake a program of alcoholic rehabilitation. A rehabilitation center for alcoholics should be established. A good location for this center would be the old federal honor farm at Panthersville. In addition, Grady Hospital should provide more complete facilities for treatment of acute alcoholics. The present treatment of alcoholics brought to Grady Hospital offends reasonable standards.

(2) Birth Control

County Health clinics should provide greater information and assistance in the area of birth control. This should be on a voluntary basis in order not to offend the conscience or religious principles of any individuals.

(3) Areas of Responsibility

Finally, there is a great need for the city and the county to delineate more clearly their areas of responsibility and authority, particularly in the field of health. The present confusion has had the unfortunate result that most alcoholics are not receiving any attention whatsoever other than imprisonment. This is only one of the numerous gaps which could be filled by a coordination of efforts.

3.

What The State Can Do

a. Criminal Sentencing.

The State of Georgia badly needs a modern set of laws regulating the punishment of criminals. The present system under which a jury passes sentence on an individual without the benefit of his past criminal record is archaic, unsound, and often painfully unjust. The laws should be changed immediately to provide that judges impose the sentence in criminal cases and that they have before them the past record of the convicted criminal before doing so. The law should further provide that in cases of serious offenses, there must be a pre-sentence investigation of the accused's background so that the judge can properly determine the proper sentence under the circumstances. Hardened criminals who commit crimes on a regular basis should be dealt with by an effective law that would permit judges in appropriate cases to place such criminals in prison for an extended period of time.

b. First Offender Law.

A first offender law is also needed to give judges discretion to place first offenders on probation without entering their conviction on the criminal record unless they should violate their probation or later commit another crime. Many first offenders who are not seasoned criminals now become hardened convicts through imprisonment in the Georgia State prison system. Even when probated, the criminal record of their conviction makes it difficult, if not impossible, to enter the military service or to obtain a job with numerous employers.

c. New Conspiracy Law.

There should be a new statute making it a specific crime to conspire to violate state gambling laws.

d. Rehabilitation in State Prisons.

The state should attempt to rehabilitate criminals incarcerated in the prison system. Prisoners should be classified and separated so that dangerous felons do not serve side by side with those who have committed lesser crimes and so that sex offenders, narcotic addicts, and other disturbed persons are not mixed with prisoners not yet cursed with these problems. The program of prison industry should be expanded along with the vocational training program so that those prisoners who have been unable to support themselves other than by a life of crime may learn a useful trade while in prison and obtain an honest job upon release.

e. Rehabilitation Counseling for Released Prisoners and Parole.

The State Board of Pardons and Parole should establish a rehabilitation counseling service which would help ex-convicts get adjusted to life upon their release from

prison and to help them find jobs and otherwise adjust to society. The Commission believes that this would substantially reduce the number of individuals who return to a life of crime or release from prison. Initially such a project should be set up in the Atlanta area where the need is the greatest. In addition, the policy of the parole board toward Atlanta should be changed so that fewer prisoners are released here without supervision. Six more parole officers are needed to handle properly the duties of that office.

f. State Financial Aid.

State aid is badly needed for certain projects which would be the operating responsibility of the City of Atlanta or of Fulton County. Among these would be the juvenile home for the Atlanta area and the rehabilitation center for alcoholics. Such facilities would help to relieve the financial burdens presently upon the state and it is only appropriate that the state make a contribution to them.

4.

What The Federal Government Can Do

The Federal Government could help Atlanta most through providing funds for numerous of the projects listed above. This is already being done in the area of Visiting Teachers and remedial education. The same should be done for vocational training at the high school level. The Poverty Program is developing programs which should help in the area of legal aid, job training, day care, and other related fields. Metropoli is presently exploring the possibility of getting funds under the Federal Law Enforcement Assistance Act. These avenues and any others available should be explored thoroughly.

20

5.

What Private Agencies Can Do

The multitude of private agencies in the Atlanta area provide a generous reservoir of facilities which can be used to meet numerous needs described in this report. Private agencies working with youth and recreation can take action by cooperating with the Atlanta Youth Council. In another field, the Atlanta Bar Association is the natural vehicle for providing legal assistance and service. Job training, day care, and mental health are other areas where private agencies can and do help. As some of our other recommendations are put into effect, more and more opportunities for service will develop. The churches are providing much needed assistance in many of these fields. We feel that even more could be done by them, particularly to help educate, care for, and rehabilitate the poor in the deprived areas of the city. Every church should concern itself with the problems of the entire city.

6.

What The Citizens Can Do

An informed, law-abiding citizenry is the real key to reducing crime. Atlanta's citizens should educate themselves to the problems and conditions in their city. All should remain constantly alert to any manifestation of crime or juvenile delinquency, and should help stamp these out wherever they appear. One should not hesitate to report irregularities to police. Public apathy will destroy the best system of crime prevention.

A permanent independent metropolitan citizens' crime commission should be established to help make this urban area as crime free as possible. Such a Commission

21

has been established with great success in other cities, notably Chicago. It would have as its membership highly qualified citizens of the community serving for staggered terms of three years. It would be supported by private funds. It should be area-wide, because Atlanta's crime problems are not limited by its City Limits. This Commission could serve a valuable watchdog function. Being independent, it would be free to take unpopular stands, to make investigations without fear of reprisal, and to check on any level of government. In other cities such commissions have provided court observers, have kept a wary eye on organized crime, and have successfully sponsored much necessary legislation. The same could be done in Atlanta.

Juvenile Delinquency

The report of the Juvenile Delinquency Committee, as was true of all other Committee reports, was made to the full Commission. The Commission carefully considered each report and generally adopted the findings and recommendations with few modifications. These reports have thus become reports of the full Commission and are incorporated as such in this document.

Juvenile delinquency in the City of Atlanta is a serious problem, and it grows more serious with each passing year. During 1960 there were 4009 delinquency cases processed or pending completion in the Fulton County Juvenile Court. During 1964, some 5277 delinquency cases were processed or pending completion in the same court.¹ This represents an increase in the rate of delinquency from 7.2 delinquents per thousand residents of Fulton County to 9 per thousand. Many other cases were processed by the DeKalb County Juvenile Court which has jurisdiction over that portion of the City of Atlanta in DeKalb County.

Another indication of the rising rate of juvenile delinquency in Atlanta is the increase in juvenile arrests by the Atlanta Police Department. From January 1 through September 30, 1964, the Atlanta Police arrested 3530 children below 17 years of age. Between the same dates of 1965, the police arrested 4562 such children. A substantial number of these cases involved serious offenses such as automobile stealing and burglary. During 1965 about forty-three percent of all people ar-

¹ 1964 Annual Report of the Fulton County Juvenile Court

rested for major crimes in Atlanta were below 17 years of age.²

The Juvenile Delinquency Committee has given careful consideration to the problem of juvenile delinquency in Atlanta. The Committee has concentrated its efforts in three basic areas: (1) delinquency prevention, (2) the operation of our local juvenile courts, and (3) the correction and rehabilitation of juvenile delinquents. In order to reach meaningful conclusions the Committee has given consideration to the basic causes of delinquent conduct. This report will first deal with these causes and then will outline a program which the Committee believes will substantially reduce juvenile delinquency.

1.

The Causes of Juvenile Delinquency

The main cause of juvenile delinquency is the failure of parents to supervise and discipline their children and their failure to provide a stable and cohesive family life. While such failures can occur in any family — rich or poor — they are far more prevalent in the poverty areas of Atlanta.

It is inescapable that juvenile delinquency is directly related to conditions bred by poverty. If the Fulton County census tracts were divided into five groups on the basis of the economic and educational status of their residents, we would find that 57% of Fulton County's juvenile delinquents during 1964 were residents of the lowest group which consists of the principal poverty areas of the City of Atlanta. Only 24% of the residents of the county lived within these tracts. The next lowest group of census tracts produced 18% of the delinquents, the middle group 13%, the next highest group 7% and the highest group only 4%. The figures and classi-

² Reports of the Atlanta Police Department

fications upon which these statistics are based are set forth in detail in Appendix A-1 to this report.

It is not surprising that there is such a strong relationship between delinquency and the conditions bred by poverty. The life of a typical slum child leads toward delinquency from the day he is born. A typical slum child has no legitimate father and he lives in a single room crowded with other relatives. His mother works and the child is supervised poorly, if at all, by his older brothers and sisters, or by his aged relatives. The child's needs are ignored and he fails to develop a stable or affectionate relationship within his family. As he grows older his mind receives no intellectual stimulation, his conduct is not supervised and he is not disciplined. As an unsupervised child he never learns the need for self-control; he is free to act as impulse dictates. Because the typical slum child has never dealt with authority he does not recognize it or understand it.

Unless a child is supervised he cannot be disciplined. When a typical slum child does receive discipline, it is frequently of two extreme types which are equally ineffective. Neither lax discipline nor overstrict discipline give a child proper guidance as to the propriety of his conduct. Erratic discipline confuses him. Proper supervision, and the discipline that is a part of it, instructs a child in what he can do and cannot do. He must have such supervision from an early age until maturity.

In addition to a lack of self-discipline and self-control the typical slum child has serious defects in his basic education. The chances are good that no one has taught him how to talk, or how to behave in a normal manner in our society. He may not even know how to use a fork or spoon. If he has learned to talk at all, it is by very imperfect example. His mind is dull because no one has ever bothered to stimulate it. When a child with such an upbringing enters the first grade, he is not prepared to respond to the customary first grade curriculum. Most

children have received five years of encouragement, example and training in the use of language and in the use of their minds before they reach the first grade. Many a slum child has none. Years behind at the start, he has little hope of learning and soon falls further and further behind. It is not surprising that such a child has little interest in school. It is even less surprising that he is a discipline problem as well.

Another deficiency in the basic pre-school education of many a slum child is the failure to teach him to work through frustration. When such a child breaks the point of his pencil while attempting to write, he may not know how to overcome this minor obstacle. Some children learn to work through such frustration without encouragement or training, but most do not. The ability to work through frustration, like so much else that the educated take for granted, must be taught.

Deficient in self discipline and self control, lacking the basic education normally acquired during the pre-school years at home, many a slum child is simply unable to make anything meaningful out of his life. He performs poorly in school. In due course, he drops out of school and roams the streets. He is unable to get a job to support himself and his family is seldom able to provide for him. Eventually he gets into trouble with the law.

The academic deficiencies of such children are obvious. The average boy sent to the State Training School at Milledgeville is 3.4 years below the proper level of academic skill for boys of his age.³ Of the children who were tested by the Fulton County Juvenile Court during the last year, 40% were five or more years below the proper level. Another 40% were three or more years behind.⁴

³ Figures supplied by the Division of Children and Youth of the State Department of Family and Children Services

⁴ Figures supplied by the Fulton County Juvenile Court

The inability of these children to support themselves, coupled with the inability or unwillingness of their parents to support them, accounts for one of the striking facts about delinquency. Juvenile delinquency predominantly involves crimes against property rather than crimes against the person. Of the 4283 completed cases considered by the Fulton County Juvenile Court during 1964, 7% involved auto theft, 15.5% involved burglary or unlawful entry, 1% involved hold-ups and 27.5% involved other stealing. The total of these cases approximates 51% of the cases handled by the Court during the year. If 931 cases, involving offenses which would not be crimes if committed by an adult, were disregarded, 66% of the remaining cases heard by the Fulton Juvenile Court involved the unlawful taking of property belonging to another. If the 659 acts of malicious mischief or vandalism are added to the list of crimes against property, 85% of the "criminal" cases completed by the Fulton Juvenile Court during 1964 involved crimes against property.⁵

In most cases juvenile delinquency is a direct result of the failure of parents to raise their children properly. While this Report has emphasized the plight of the slum child, the circumstances which cause delinquency in poverty areas can and frequently do exist in other parts of the City. Although most delinquents do not get into trouble with the law until their early teens they are well on their way to delinquency at the age of six or before. Prof. Sheldon Glueck of the Harvard Law School has developed prediction tables which make it possible to identify future delinquents with more than 85% accuracy at the age of six.⁶ Based on these tables

⁵ 1964 Annual Report of the Fulton County Juvenile Court

⁶ Glueck, S. and E. (1950) *Unraveling Juvenile Delinquency*. New York: The Commonwealth Fund, Cambridge, Mass. Harvard University Press.

Glueck, S. and E. (1952) *Delinquents in the Making*. New York: Harper Bros.

the typical slum child described in this report and any other child similarly neglected has better than an 85% chance of becoming a delinquent. The validity of such predictions has been established by tests conducted in New York City and Washington, D. C.⁷ With such certainty as to the causes of juvenile delinquency there can be no excuse for not doing something about it. We know where the problems are; we should do something about them.

2.

Delinquency Prevention — A Primary Need

The matter of greatest concern to the Committee was the prevention of juvenile delinquency. It was convinced that much could and must be done to prevent delinquency before it occurs. There is, at the present time, a substantial effort by many organizations to deal with the delinquency problem. At least 27 private agencies operate programs designed to eliminate or regulate conditions causing delinquency in the Atlanta area. There are numerous church and religious groups which conduct programs for young people. In addition, the public schools, the public welfare agencies, the parks and recreation department, and the police department are all vitally involved in the job of delinquency prevention. Economic Opportunity Atlanta, Inc., Atlanta's agency to wage the federally sponsored war on poverty, has recently entered the field on a significant scale.

⁷ Ten Years' Experience with the Glueck Social Prediction Table, Maude M. Craig and Selma J. Glick, "Crime and Juvenile Delinquency," July, 1963.

Identifying Delinquency-Prone Children, Nina B. Trevvett, "Crime and Juvenile Delinquency," April, 1965.

However, most of these agencies do not have as their principal object delinquency prevention. The goals of such agencies are more narrowly focused. Their effect on juvenile delinquency is often indirect, and they may not see their services within the broad context of a prevention effort. There has been very little communication among these agencies. Frequently information in the possession of one would be of great use to another, but there are no established channels for such an exchange.

Although the prevention of delinquency is widely accepted as a desirable goal, there is no organized community effort to do anything about it. This is a basic defect in the present situation in Atlanta. There must be a community program designed to control and eliminate juvenile delinquency, and to coordinate the present efforts against it. Unless there is a well conceived and well organized program, Atlanta cannot hope to solve its delinquency problem.

Atlanta badly needs a public agency with the primary responsibility for the development and implementation of a prevention program. Such agencies exist in other cities and have proved of great value. We need one here.

a. The Atlanta Youth Council

The Committee proposes that the Mayor and Board of Aldermen create as an official city agency the "Atlanta Youth Council" composed of eleven members. The membership of the Council would include the Superintendent of the Atlanta Public Schools, the Chief of Police, the Director of the Atlanta Parks and Recreation Department and the Executive Director of the Council. The remaining seven members would be interested and knowledgeable citizens appointed by the Mayor and Board of Aldermen. The Chairman of the Council should be a dynamic citizen concerned with the problems of

youth. The judges of the Juvenile Courts of Fulton and DeKalb Counties should be advisory members. The Directors of the Fulton County and DeKalb County Departments of Family and Children Services should also be advisory members. Other advisory members would be added to utilize the knowledge and skill of all public officials who could contribute to the Council's operation and would be willing to serve. The advisory members would not vote on decisions made by the Council.

The Council must have a full-time Executive Director who would be responsible for its day to day operations. The Executive Director would be responsible for the implementation of the Council's prevention program and would be a major factor in the preparation of such a program. The Executive Director and the Chairman of the Council would be the most important members of the Council and their selection should receive the most careful consideration. The expenses of the Council would be paid by the City of Atlanta. The principal cost of operation would be the salary of the Executive Director and of his staff.

The Council would be charged with the following duties: (1) To develop a community program designed to prevent and control juvenile delinquency with the help of all public, private and religious agencies now or hereafter working in the field; (2) To coordinate the activities of public, private and religious agencies devoted in whole or in part to the welfare of youth and the prevention of delinquency; (3) To implement the prevention program through all of the means available to City Departments and private agencies; (4) To collect, correlate and disseminate information, statistics and data on the subject of juvenile delinquency and to conduct research about the causes of delinquency, the results of which would be available to all agencies which might benefit from it.

Public agencies similar to the proposed Atlanta Youth

Council have been very effective in other cities. The biggest and best known program of such an agency is that of the New York City Youth Board. The Board, which began operation in 1947, is given credit for the elimination of gang wars in the New York streets among its many accomplishments. Similar agencies have been organized in Detroit and New Haven. The need for a public agency such as the Atlanta Youth Council was recognized by the Atlanta Crime Commission which preceded the present Commission. It is now urgent that we meet this long standing problem directly.

It is anticipated that the Atlanta Youth Council will be appointed immediately and begin to develop a delinquency prevention program. Although the Committee did not have the resources necessary to develop such a program itself, it was able to reach certain conclusions as to where the Council might begin its efforts. The following areas of concern illustrate both the need for the Youth Council and the type of activity it should undertake.

(1) The Necessity of Supervision.

As emphasized by the portion of this report dealing with delinquency causation, all children need supervision from the day they are born. Discipline is a part of adequate supervision. Many families which should know better do not properly supervise their children. Many others are financially unable to provide proper supervision because the parent or parents must work and cannot supply adequate care in their absence. Others are emotionally or intellectually unsuited or unable to give their children the supervision they need.

The need for supervision is not limited to day care situations. Many children do not have proper attention after school or at night or during the summer when school is not in session. Atlanta needs a major campaign

to emphasize the necessity of adequate day, night and summer care for all children.

(a) Day Care

The Committee was concerned about those families who need, but do not have the financial means to pay for adequate day care for their children. There is a significant lack of day care facilities in high delinquency areas. We believe that a major effort must be made to provide adequate day care service to the residents of these high delinquency areas through publicly or privately operated centers which fully conform to the reasonable standards of the Division of Children and Youth.

Miss Nancy Edwards, Day Care Consultant of the Division for Children and Youth, pointed out that an adequate day care center must do more than merely feed, house and clean a child. Each center must have some sort of an educational program. Children must have experiences and learn to talk about them. They must learn to be purposefully engaged in activities. Such things do not happen accidentally; they must be carefully planned.

Churches and other volunteer agencies may be able to operate day care centers at little cost to the users. However, each center should have a corps of well trained and experienced personnel. Most centers could benefit from the assistance of college students, especially male students.

(b) After School Supervision

Too many children in all parts of the City are going home after school unsupervised. No child should be a free agent, day after day, at any age below seventeen. In New York City many of the schools are kept open from 3:00 P.M. until 10:00 P.M. with an adequate staff to meet this need. Atlanta needs centers open to children both for recreational and academic pursuits dur-

ing the afternoons and evenings. This is especially true for poverty areas. Many children living in such areas do not have an adequate place to study or to play.

(c) Summer Supervision

A final area of major concern should be day camps during the summer months. Such camps can supply the supervision needed by many children who will not otherwise receive it during these months. They can also serve to broaden the children's horizons.

The Atlanta Youth Council should provide valuable services in connection with these problems. It should canvass the city's available day care, night care and summer day camp facilities. It should determine the extent to which such services are available in the high delinquency areas. It should encourage and assist private agencies in supplying these services where needed. It should assist other groups in securing information and personnel necessary to operate such centers. There is a great deal that it should do.

(2) Public Education—Problems and Solutions

A second major area of need involves deficiencies in the Atlanta Public Schools. In part, these deficiencies result from a severe shortage of funds which cause shortages of space for conventional and vocational classrooms, lack of sufficient trained personnel and lack of needed special services. Other deficiencies exist because of the great difficulty of meeting them. But it is critical that they be met if Atlanta is to solve its delinquency problem.

One of the principal problems of the Atlanta Public School System is its inability to serve adequately the children from the poverty and high delinquency areas. A very high percentage of the children having diffi-

culty with the law are academically retarded. These children are not mentally retarded. As previously mentioned in this report, the boys at the State Training School in Milledgeville are on the average 3.4 years below their proper grade level. Of the 150 children tested by the Fulton County Juvenile Court during a recent twelve month period, 40% were 3 to 5 years behind in their reading ability and an additional 40% were more than 5 years behind. The school system is not meeting the needs of these children.

In addition the Committee has given serious attention to the results of reading achievement tests (the "Metropolitan Achievement Tests") given by the public school system to all eighth grade students in the Atlanta Schools in October of 1964.⁸ Even without reference to the relationship between delinquency and educational achievement the figures are shocking because they indicate that the bottom quarter of the eighth grade students in the Atlanta Public Schools are reading below a 4th grade level.

These examinations indicate clearly that there is a significant relationship between delinquency and educational achievement. In addition, there is a significant relationship between educational achievement and the conditions bred by poverty. The reading ability of the average eighth grade student living in a high delinquency area is 4.5 to 7 years below that of the average eighth grade student living in a low delinquency area. At one of the schools serving a high delinquency area the top quarter of the eighth grade class is reading at or above a 4.2 grade level while the bottom quarter of the eighth grade class is reading at or below a 3rd grade level. In contrast, at a high school serving the lowest delinquency area of Atlanta the top quarter of

⁸ Figures supplied by the Guidance and Testing Services of the Atlanta Public Schools.

the eighth grade class is reading at or above a tenth grade level and the bottom quarter of that class is reading at or below an 8.3 grade level.

Results of tests at the Georgia Industrial Institute at Alto, a division of the State Board of Corrections housing boys between the ages of 16 and 20, bear out the Atlanta figures and show again the high correlation between criminal tendencies and low educational attainment. Of a group of 300 inmates tested there, the average grade level for reading comprehension was 6.3, for reading vocabulary was 6.1.⁹ This was for boys over 16 years old. At the Georgia State Prison at Reidsville the average educational level reported by inmates was the seventh grade; however, actual S. A. T. results on these men averaged 4.9.¹⁰

The low educational attainment in the high delinquency areas is all the more significant because of the large numbers of children from these areas who drop out of school before they have been exposed to twelve years of education. In addition, it is obvious that students reading at a fifth grade level, much less those reading at a third grade level, cannot hope to study successfully any sort of sophisticated subject matter such as algebra, geometry, physics, or chemistry. It is difficult to see how such students could receive training other than the most elementary sort.

The same parallel that exists between the reading level attained by the average eighth grade student at a particular school and the delinquency rate of the area served by the same school is repeated in the relationship between low reading skill and poverty. The lowest reading levels are found at the schools serving the poor-

⁹ Letter of December 7, 1965, from J. H. Scarbrough, Project Supervisor, Georgia Industrial Institute.

¹⁰ Letter of January 5, 1966, from L. E. Walters, Assistant Director, Training and Development, Georgia State Board of Corrections.

est areas of Atlanta and the highest reading levels at the schools serving the richest areas. See Appendix A-2.

This report has already discussed the cultural and intellectual deprivation of many slum children which is largely responsible for their academic retardation. Such children simply cannot adapt to the standard first grade curriculum designed for children who have received an adequate pre-school education at home. It is imperative that the community give to these children the pre-school education they have not received. It is equally important that the School System stop its practice of social promotions and find a satisfactory alternative for it.

The problem of academic retardation among juvenile delinquents was forcefully brought to the attention of the Committee by the Judges of the Juvenile Courts of Fulton, DeKalb and Cobb Counties. Each of these courts conducts a school for delinquents while they are in detention. Each has been encouraged by the success of their school program. The Committee has been disturbed by the way the school systems have handled the children upon their release. For example, if a child assigned to the tenth grade in school appears before the juvenile court on a delinquency charge he may be tested and will attend school at the detention center. If he is reading at a fifth grade level he will receive remedial education at that level and perhaps will increase his skill by one or two grade levels. However, upon his release and return to the public schools he will be placed in the same tenth grade class he was in before his detention.

Another example of the School System's failure to meet the needs of children from poverty areas is found in the distribution of schools on double session in the system. In the fall of 1964, there were eighteen city elementary schools within Fulton County on double sessions. Of these ten were in census tracts with the lowest economic and educational classification. An additional

three were in census tracts with the next lowest classification.

Of the eleven city elementary schools in Fulton County on double session as of October 4, 1965, seven were in census tracts with the lowest economic and educational classification. Two others were in census tracts with the next lowest classification. Each of the census tracts served by these schools is a high delinquency area. Obviously, these are the areas in which Atlanta can least afford to have double sessions.

There are some hopeful signs that the situation will improve. The Atlanta School System has recently received a federal grant of \$2,300,287 under the Elementary and Secondary Education Act of 1965. These funds will be used during the current school year to provide additional personnel, facilities, books and instruction for children in need of remedial reading. These federal funds will enable the Atlanta School System to make a badly needed beginning in improving the education of its culturally deprived children. The magnitude of the program illustrates Atlanta's great need in this area. But these federal funds will only give the City a start.

The School System remains in desperate need of funds in order to maintain the status quo of many existing programs. For example, in order to house adequately all of the students who will be attending the Atlanta Public Schools by 1969, the System must have \$80,000,000 for new construction.¹¹ Only by increased local and state support can the problem be met. Also, there is no certainty that federal funds will continue to be available to finance special programs. Even with federal funds these special programs are not sufficient to meet the existing need much less the anticipated future need.

¹¹ Report of Superintendent of Atlanta Public Schools to Board of Education dated Feb. 8, 1965 at page 72.

The failure of the citizens of Atlanta to provide funds to maintain a first rate school system is economy of the most foolish sort. The entire City benefits when one of its children grows up to lead a productive life. Each child leading a productive life becomes a taxpayer and a contributor to a better community life rather than a tax user and a possible juvenile delinquent. Juvenile delinquency makes us increase our police force, increase the size and cost of our juvenile court services, and causes loss and destruction of property. If the delinquent grows up to be an adult criminal, as many do, the cost to the people of Atlanta is much greater. It is greater yet when the adult delinquent gives birth to a family of children locked in the same vicious circle.

The Atlanta School System must forcefully come to grips with the problem of cultural deprivation, academic retardation and social promotion. In order to make it possible for the School System to solve these problems, the people of Atlanta must give to the System the financial support that it badly needs. There must be a special program on a wide scale to get all children off to a good start in school and to keep them moving forward at the proper rate. The school program must be adapted to the area it serves and the program of each school must be flexible enough to deal with the needs of individual children. If one school does not have enough academically retarded or culturally deprived children to justify special classes for them, they should be assigned to a school where such classes are held. If a child falls behind his age group after successfully completing several grades, he should not be "socially" promoted but should be placed in a remedial class and brought up to his age group before rejoining it. There are a sufficient number of academically retarded children to justify special classes for them and to allow groupings by age and ability.

The Atlanta Youth Council could contribute significantly to a solution to certain of the school problems. The Atlanta Schools have expressed interest in the statistics developed by the Committee relating to the rate of delinquency in various sections of the City. This information will be helpful in the development of curriculum and the assignment of personnel. The Atlanta Youth Council could supply additional information of this sort and serve as a clearing house for information about delinquency. It would keep the School System informed about developments in all parts of the City and the programs of other agencies. For instance, the Council might find that a significant number of children in one area could benefit from the maintenance of a study center at a school library. The Council could pass this information along to the school authorities and assist in working up a program and providing personnel to operate the center.

The Council could assist in finding jobs for high school graduates and drop-outs. When one considers the efforts which colleges and graduate schools must and do go to in order to place their graduates in good jobs, it is obvious that more efforts of a similar sort must be made on the high school level. For those children whose academic career will terminate with high school there ought to be adequate assistance in planning their school program for the job possibilities available and in finding a job. This should be tied in closely with an improved program of vocational education.

There are many other things which the Council might do in the area of public education. Whatever it may contribute will be only a part of the badly needed effort to improve and upgrade public education in Atlanta.

The Report of the Crime and Poverty Committee deals with the problem of truancy in poverty areas as well as other problems of poverty related to juvenile crime.

(3) An Expanded Program of Vocational Education

Another badly neglected aspect of our Atlanta Public School educational program is vocational education. When the School System adopted a community high school program in 1947, the vocational and technical training provided at Tech High School was lost in the shuffle. Since that time the constant pressure of population growth has absorbed funds and prevented the system from developing an adequate vocational program. As a result, Atlanta has one of the most limited vocational education programs of any city its size in the United States.¹² The vocational program needs to be expanded so that there will be greater variety of training available and so that more students can participate. Bids have recently been taken on a new five and one-half million dollar Vocational-Technical School, but its program is designed for adults and will not meet the needs of high school students.

Because of the technical nature of our society, special training is needed in order to prepare people to maintain and repair machinery and to fill other technical jobs. Many children are not suited because of inclination or intellectual ability for academic programs and should have the alternative of a full vocational education program. On the other hand, it must be emphasized that vocational training is no substitute for an adequate primary education acquired in the elementary schools. Automobile mechanics and office machinery repairmen must be able to read and understand technical repair manuals and instructions. They must be able to use com-

¹² Conference with Dr. John W. Letson, Superintendent, Atlanta Public Schools, and staff, July 28, 1965.

plex tools and equipment. We cannot put children into vocational classes at the age of 13 and expect them to learn if they cannot read and write.

In short, there is a great need to expand the vocational education program of the Atlanta School System and an adequate educational foundation must be laid for participation in this expanded program by improving the quality of primary education available, especially in the high delinquency areas.

(4) Recreational Facilities

Another area of major concern is the lack of adequate recreational facilities in these areas of our city which need them most. Many of the well known high delinquency areas of Atlanta do not have public parks sufficiently close to be used by the residents of the areas. Yet these are the most crowded parts of our city where public recreational facilities are most badly needed. One possible source of such facilities, the playgrounds of the public schools, are not always used after school hours and during the summers because some of the grounds must be locked to protect the buildings.

Providing a place to play is only part of the problem. It is also necessary to supply supervision of the playground — whether it be located at a school or elsewhere. The need for and significance of supervision has already been discussed.

The Crime and Poverty Committee deals with the need for recreational facilities in poverty areas in its Report.

b. Prevention Summary

Atlanta does not have any community program of delinquency prevention. Such a program must be developed and implemented. The Atlanta Youth Council should be established at once in order to assume this responsibility.

The Committee recommends that the prevention program developed by the Council be concentrated in those areas of highest delinquency identified by the Committee's research. We further recommend that the Atlanta Youth Council carefully consider what can be done to improve day care, night care and summer care facilities for all children but especially in high delinquency areas, and that it work closely with the School System in meeting the problems of academic retardation and vocational education. Finally, we recommend that efforts be made to improve supervised recreational facilities in high delinquency areas.

3.

Our Local Juvenile Courts

The Committee devoted considerable attention to the operations of the Fulton County and DeKalb County Juvenile Courts. These courts are blessed with able and dedicated judges who are discharging their responsibilities well. We are, however, concerned with the very heavy work load imposed upon these judges. In addition to the delinquency jurisdiction of these courts they are also responsible for dependent and neglected children and frequently have responsibilities in custody disputes. They also handle a large number of cases involving juvenile traffic offenses.

In most of our criminal courts, a judge's primary responsibility is trying cases. In many of these he does not determine the verdict or sentence. There are other county officials responsible for operating the jail, prosecuting the cases, keeping the court's records and supervising persons on probation or parole. However, the juvenile court judge has responsibility for all of these functions in regard to juvenile delinquents. He must supervise the operations of the juvenile detention center, he must handle a large volume of cases, he must see

that each charge is investigated and reported, he must determine the best form of correction and rehabilitation, he must supervise the probation staff and he is responsible for the supervision of all other court or detention center employees.

The Fulton County Juvenile Court has a full-time referee who serves as an assistant judge. He hears all traffic cases, supervises certain volunteer probation officers and assists the Judge in the Court's many responsibilities. Nevertheless, the Judge of the Court is required to do too much. In addition to his many official responsibilities he has extensive unofficial public responsibilities which include serving as the principal community spokesman on the problems of juvenile delinquency.

In order to relieve some of the heavy burden on the Judge of the Fulton County Juvenile Court, that Court has urgently requested two new assistants, one of whom would serve as director of court services and the other as superintendent of the detention facility. The director of court services would assist the Judge in the general operation of the Court and in the supervision of the Intake Department, the Probation Department, the Detention Department and the clerical staff. He would coordinate the activities of these departments and serve as a liaison between the Court and the departments of government, the public schools, the Emory University School of Medicine and various civic, church and other groups who assist the Court in the performance of its duties.

A superintendent is needed for the detention center who will be responsible for the discipline and management of the 125 to 150 children who are normally held in the detention facility. He would be responsible for making work schedules for the 30 persons who work in the facility and would make certain that an adequate staff is available seven days a week, 24 hours a day.

In evaluating the need for a Director of Court Serv-

ices and a Superintendent for the detention center, the Committee has carefully considered the reports of 15 juvenile courts located in counties of a similar size to Fulton. We found that many of these courts have both a director of court services and a superintendent of their detention facility. There is no question that these administrative aides are badly needed by the Fulton County Juvenile Court. The fact that several other counties similar in size to Fulton have recognized a similar need supports this conclusion. During 1964 the Fulton Court handled 8545 cases relating to delinquency, traffic offenses, neglect and custody. This is an average of 23 cases a day, 7 days a week.¹³ There simply isn't enough time in the day for the Judge to handle these cases, even with the help of the Referee, and to do all the other things required of him. He must have additional help.

The Committee strongly recommends to the County Commissioners of Fulton County the employment of the Director of Court Services and the Detention Center Superintendent needed by the Fulton Juvenile Court. Even with the addition of these needed assistants, the work load of the Judge of the Court is so heavy that it may be necessary to provide an additional Juvenile Court Judge for Fulton County. The Committee felt that the possibility of providing an additional judge should be reconsidered at a later date after the Court has been able to adjust its work load to include the Director of Court Services and the Detention Center Superintendent.

In addition to the need for two major administrative aides, the Fulton County Juvenile Court also needs nine other new employees. The most important of these is a part-time psychiatrist to supervise the operation of the Court's Psychiatric Staff which is made up of part-time

¹³ 1964 Annual Report of Fulton County Juvenile Court

psychiatrists serving their residency at the Emory University Medical School. These doctors have not had specialized training in the field of delinquency and need the guidance of a specialist in the field. In addition, the Psychiatric Staff was able to test only 150 out of the thousands of children brought before the Court during the past twelve months. The addition of another psychiatrist would make possible a desirable expansion of the testing program.

The Court also needs a probation intake supervisor, a bailiff-clerk for its traffic division, two child care attendants, a child care aide, a clerk-stenographer, a cook and a custodial worker. Each of these new employees requested by the Court are badly needed. The increase in the load of the Court has placed a heavy burden on its staff. The Committee strongly supports the Court's request for additional personnel and urges the County Commissioners to act favorably on it.

Although the Committee was not able to give as careful consideration to the needs of the DeKalb County Juvenile Court, it is also understaffed and is in need of additional trained personnel. Many of the juvenile delinquents handled by this Court live in that portion of the City of Atlanta located in DeKalb County, and its ability to deal adequately with its problems affects delinquency in Atlanta. We also urge that the DeKalb Juvenile Court receive the assistance it needs.

4.

The Correction and Rehabilitation Of Delinquent Youth

The fourth major area of the Committee's concern was the correction and rehabilitation of juvenile delinquents. It felt strongly that much could and should be done to improve the correction and rehabilitation of delinquent

children once they have come to the attention of the juvenile courts.

Judge Elmo Holt, Judge of the Fulton County Juvenile Court, has stated that in as many as 75% of the cases which come before him, he cannot make a disposition of the case in the best interest of the child and the community because of the absence of a sufficient variety of rehabilitation facilities. At the present time the Juvenile Court has two principal alternatives in dealing with juvenile offenders. It can place a child on probation subject to the supervision of its probation staff or it can commit the child to the Division for Children and Youth which administers the State training schools. While one or the other of these alternatives may be satisfactory for many children, they do not now meet the needs of a substantial number of the children who come before the Court. The Committee believes that the Fulton County Juvenile Court and the DeKalb County Juvenile Court could discharge their responsibility to correct and rehabilitate juvenile delinquents much more successfully if the quantity and quality of their probation services were improved, and if a juvenile home for the City of Atlanta were established. The juvenile home would provide types of institutional correction and rehabilitation not presently available at the State training schools.

a. Probation and Parole Services.

Mr. Thomas M. Parham, Jr., Director of the Division for Children and Youth of the State Department of Family and Children Services, believes that much could be done to close the 75% gap between adequate rehabilitation services and the present services by improving the quality of the probation services of the Juvenile Courts.¹⁴ Unfortunately, at the present time, the pro-

¹⁴ Conference with Mr. Parham on Aug. 2, 1963

bation staffs of the Fulton County and DeKalb County Juvenile Courts are not adequate in numbers to meet the responsibilities placed upon them. In addition, many of their members could benefit from additional professional training. The average Fulton County and DeKalb County Juvenile Court Probation Officer is responsible for supervising 40 to 60 delinquents in addition to his investigation responsibilities. He must make investigations of the many charges referred to the Court and must make investigations for the purpose of determining the best disposition to make in each case before the Court. Frequently probation officers must work with a child's family as well as with the child. In addition to these responsibilities the probation officers make investigations in regard to neglected and dependent children. The case load of the DeKalb County Juvenile Court Probation Officers is even heavier because that Court does not have an intake department.

The National Probation and Parole Association recommends that no juvenile court probation officer be expected to supervise more than 35 probationers and to conduct more than 3 investigations during any one month.¹⁵ The load of the Courts' probation staffs is much higher than this recommended and realistic load. It is obvious that a Fulton County or DeKalb County Probation Officer cannot give individualized attention to each child assigned to him. We should not expect this sort of probation to do anything constructive for a child subject to it.

Not only are these probation officers overloaded but they are also underpaid. According to a report of the National Council on Crime and Delinquency the maximum salary for a Fulton Juvenile Court Probation Of-

¹⁵ "Caseloads", by Hugh P. Reed, Midwestern Director, National Probation and Parole Association.

ficer is \$5,832 a year.¹⁶ A well trained probation officer is expected to have two years of graduate school education in addition to four years of college. A maximum salary of \$5,832 is not sufficient to attract such qualified personnel and is inadequate compensation for the education and effort required to meet these standards. The maximum compensation of \$6,300 a year payable to DeKalb County Juvenile Court Probation Officers is better but still inadequate.

The maximum salary for probation officers in Charlotte, North Carolina is \$6,840 a year. The maximum salary in Minneapolis, Minnesota is \$9,600, and in New York City is \$10,300.¹⁷ It is apparent that Fulton and DeKalb Counties are not paying juvenile court probation officers a salary which is in keeping with the educational standards expected of them or with the pay scales of many other counties in this country.

It is misguided economy for counties such as Fulton and DeKalb not to provide first rate probation service. Probation supervision is by far the most inexpensive method of correcting and rehabilitating delinquents. In order to provide facilities for one delinquent at the state training schools, the State must make a capital investment of \$8,000. Maintenance and personnel costs run the figure much higher. If juvenile court probation officers were paid \$7,000 and carried the recommended load of 35 case supervisions and 3 investigations per month, the cost for each child supervised, with transportation expenses included, would not be much in excess of \$200 per year. In addition first rate probation is in many cases not only the least expensive form of rehabilitation but also the most effective. The Counties cannot afford to provide less than first rate probation service.

¹⁶ 1965-66 Report, "Salaries of Probation and Parole Officers and Juvenile Detention Staff in the United States", National Council on Crime and Delinquency.

¹⁷ Ibid.

b. A Juvenile Home for the City of Atlanta.

At the present time the training schools for delinquents maintained by the State of Georgia are unable to handle all of the delinquents in need of institutional care. Of the 304 delinquents committed to the training schools by the Fulton County Juvenile Court in 1964, only 196 were accepted during the year.¹⁸ There are many other children who Judge Holt feels should have institutional care but who could not benefit from the sort of institutional care available at the State Training Schools. The Fulton County Juvenile Court sends only its most difficult offenders to the training schools.

There are large numbers of children who could better respond to correction and treatment if they were removed temporarily from an unhealthy family or residential environment, but who should not be placed with the hardened group sent to the training schools. Other children require concentrated attention or supervision which they cannot get through probation, but for the same reasons should not be sent to the training schools.

The Committee strongly recommends that Fulton and DeKalb Counties, with State or Federal help if possible, establish a juvenile home located within the Atlanta Metropolitan area.¹⁹ It would be necessary to coordinate the program of a juvenile home with the local juvenile courts which retain the responsibility for the correction and rehabilitation of delinquents under Georgia law. In addition, probation officers from the local juvenile courts would be a vital part of any rehabilitation program started at the home because they would work with the child while he is resident at the home and would supervise the child's return to his school or home upon release.

¹⁸ 1964 Annual report of Fulton County Juvenile Court.

¹⁹ Sufficient funds would be available for this purpose if Fulton and DeKalb counties would turn over their independent probation departments to the State probation department.

This home should consist of small residential units and it should be fully equipped for remedial education, psychological treatment and for athletic and recreational activities. We also recommend that the home operate an extensive garden, to provide the children with a constructive and healthy occupation. In addition the children should provide most of the minor maintenance services for the same reason. The Cobb County Juvenile Court has been operating a small facility on this basis and it has been very successful.

This home should be financed through the joint efforts of Fulton and DeKalb Counties and the State of Georgia. The home will relieve some of the burden now carried by the Juvenile Courts of Fulton and DeKalb Counties and the training schools of the State of Georgia. As a result it is proper that the Counties and the State share this financial burden.

Such a home located in the Atlanta area would have many advantages. It would be possible to work children back into their home, school and neighborhood on a controlled basis. The child might be allowed to spend part of each week in his home under the supervision of a probation officer. He could return to his public school before he returned to his home on a regular basis. He could continue to receive remedial education and psychological treatment at the Juvenile Home while living at his own home.

The Cobb County Juvenile Court has used its home to discipline children who get into trouble with the law but do not have the characteristics of a chronic offender. Such children have been required to spend one or more Saturdays working in the home's garden rather than simply admonishing them to behave. A similar program might make good use of such a home in Atlanta.

The Fulton County Juvenile Court is attempting to meet the need for such a facility through the creative use of its present detention center. However, the center

at the Juvenile Court is located in an urban setting (next to the Atlanta Stadium) and simply cannot serve as a long-term treatment and correction center. It has space for only 160 children. During the course of a single week-end the police may bring in as many as 60 delinquents for detention. Also the center has very limited recreational and educational facilities. At the present time its small in-door athletic facilities are being used as classrooms.

A juvenile home for the City of Atlanta would go a long way toward filling the need for adequate rehabilitation facilities noted by Judge Holt. It would deal with less serious problems than the state training schools and would not require removing delinquents entirely from the environment in which they must learn to live. It has great possibilities. We urge that such a juvenile home be established.

C. Correction and Rehabilitation Conclusion

The Committee felt that a major effort must be made to upgrade both the quality and quantity of the probation services offered by our local juvenile courts. The case load must be reduced and a well planned program of in-service training must be developed. In order to employ better trained probation officers it will be necessary to increase the salaries available to them.

The juvenile home should be constructed and operated in the Atlanta area. The home should provide a full range of correctional and rehabilitational services and give the local juvenile courts an alternative between probation and the state training schools.

5.

Conclusion

Atlanta has a serious and growing delinquency problem. The Committee was convinced that the implemen-

tation of the program recommended by this report is necessary to control and reduce juvenile delinquency in the City of Atlanta. Only by controlling and reducing juvenile delinquency can we hope to control and reduce adult crime. The juvenile delinquent of today is all too frequently the adult criminal of tomorrow. Atlanta cannot afford to ignore the serious problems discussed by this Report or fail to take the action necessary to solve them.

A summary of the recommendations of the Committee, as endorsed by the Commission, is as follows:

a. The immediate creation of the Atlanta Youth Council as an official city agency charged with the development and implementation of a juvenile delinquency prevention program for the City of Atlanta.

b. The organization and implementation by the Atlanta Youth Council of an extensive "day care for children" campaign stressing the need for adequate supervision of all children in the City of Atlanta.

c. The improvement of the program of the Atlanta Public School System for culturally deprived and academically retarded children.

d. An improved program of counseling about employment preparation and job opportunities for high school students who are not going on to college.

e. The improvement of the vocational education program of the Atlanta Public Schools.

f. The expansion of the administrative staff of the Fulton County Juvenile Court and of the DeKalb County Juvenile Court in order to free the judges for the counseling and correction of children and parents.

g. The improvement of the probation and parole services of the Fulton County Juvenile Court and of the DeKalb County Juvenile Court by increasing the number of probation officers and by developing a good program of in-service training.

h. The establishment of a juvenile home to be oper-

ated in the Atlanta area to provide part-time or full-time institutional care for children who need something more than probation supervision but who cannot benefit sufficiently from the program of the State Training Schools.

Crime and Poverty

Investigation and studies of this Committee indicated a high correlation between crime and poverty in Atlanta. All efforts to reduce poverty, and thus indirectly to reduce crime, need the full support of the City and its citizens. This committee found that certain existing situations and conditions closely associated with poverty and crime require immediate improvement.

1.

Statistical Study

The first effort of the Committee was to develop greatly needed statistical data on the relationship between crime and poverty in Atlanta. None existed when we began our work, and it was concluded that two aspects of the relationship between crime and income should be explored—first, the general income characteristics of the areas in which crimes are committed, and second, the general characteristics of areas in which persons commit crimes.

a. Study of Police

and high crime rates was stronger for location of offenders' residence than for location of the crimes themselves. This resulted from the fact that crimes against property were reasonably high in high income areas, though still less than in lower income areas.

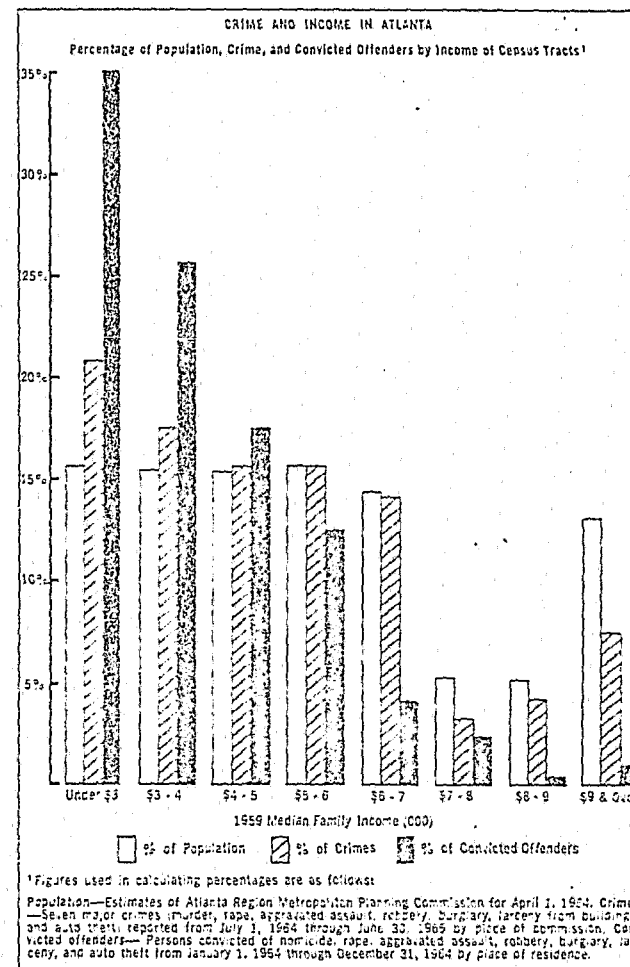
Crime rates by place committed were over twice as high on average in the lowest income areas (32.1 crimes per 1,000 residents) as in the highest income areas (14.4 crimes per 1,000 residents). The figures indicate that a person living in the lowest income areas was over twenty times as likely to be a convicted offender as a person living in the highest income areas (ratios per 1,000 residents of 1.93 and 0.09 respectively).

The chart on the following page summarizes our findings pictorially. The chart shows for areas with various ranges of median family income: (1) the percentage of the City of Atlanta's population in each area, (2) the percentage of Atlanta's crimes committed in each area, and (3) the percentage of Atlanta's offenders with place of residence in each area. For example, it is readily apparent that areas with 1959 incomes under \$5,000 account for larger shares of both crimes and offenders than of population.

b. Procedures and Sources for Collecting Data

Basically, the work of the Committee consisted of obtaining, compiling and analyzing information for each census tract in the City of Atlanta relating to (1) its population, (2) its income levels, (3) the number of crimes committed in that tract, and (4) the number of persons committing crimes who had resided in that tract. Estimates of population as of April 1, 1964 were used in calculating ratios of crime and of criminals per 1,000 residents. These were the latest published estimates of the Atlanta Region Metropolitan Planning Commission at the time this report was prepared.

The 1959 median family income of each census tract as



reported in the 1960 Census was used as a measure of relative income. These also were the latest figures available. While incomes have risen considerably since 1959 (Georgia's per capita personal income increased 23.6% from 1959 to 1964), relative rankings of tracts have certainly changed much less.

In determining the areas in which crimes were committed, addresses at which major crimes were reported to have been committed between July 1, 1964 and June 30, 1965 were taken from the Atlanta Police Department files and were then located and recorded by census tract. One hundred per cent samples were taken of murder, rape, aggravated assault, and robbery reported in this twelve month period. Because of the large number of reported cases, less than 100% samples were taken of the following crimes: 10% for auto theft, 33 1/3% for larceny from buildings, and 44% for burglary.

In determining the areas in which persons committing crime resided, information was again obtained from Atlanta Police Department files. In this case, however, addresses of persons actually convicted were used, and the number of cases of convicted persons was understandably much smaller than that of crimes reported. The period used was January 1, 1964 through December 31, 1964, and 100% samples of homicide, rape, aggravated assault, robbery, burglary, larceny and auto thefts were taken.

c. Crimes by Income of Area in Which Committed

Summary data on crimes reported, classified by ranges of median family income of the tract in which committed, is shown in Table I. This table condenses and makes one modification in the more complete Appendix B-1. A graphical presentation showing the same information but with data on each census tract plotted separately is also appended. (Appendix B-3, Charts I and II).

Of the five tracts with less than \$2,000 median income, three were the downtown tracts of F-19, 27, and 35. These three tracts had exceptionally (but partly understandably) high rates of crime due to characteristics other than family income. Hence, they are treated on a separate basis.

Table I
CRIMES BY INCOME OF AREA IN WHICH COMMITTED¹

1959 Median Family Income of Area	Number of Reported Crimes			Crimes per 1,000 Residents		
	Against the Person ²	Against Property ³	Total	Against the Person ²	Against Property ³	Total
Under \$3,000	470	2,112	2,582	5.8	25.2	31.0
\$3,000 - 3,999	351	1,771	2,122	4.6	22.7	27.3
4,000 - 4,999	156	1,669	1,825	2.5	21.6	24.1
5,000 - 5,999	153	1,721	1,874	2.4	21.4	23.8
6,000 - 6,999	90	1,609	1,701	1.3	22.2	23.4
7,000 - 7,999	24	436	460	0.6	15.3	15.9
8,000 - 8,999	21	609	630	0.8	18.7	19.4
9,000 and Over	45	918	963	0.7	13.7	14.4
Sub-Total	1,402	10,765	12,167	2.7	21.0	23.7
Tracts F-19, 27, 35 ⁴	55	1,182	1,237	22.8	313.0	335.8
Total	1,456	11,947	13,403	2.9	23.1	26.0

¹Crimes reported, July 1, 1964 - June 30, 1965

²Murder, rape, aggravated assault, and robbery

³Burglary, larceny from buildings, and auto theft

⁴Shown separately for reasons given in the text above

Neglecting tracts F-19, 27, and 35, the figures in Table I show that 33% of all crimes against the person were committed in areas with 1959 median family incomes below \$3,000 and 59% in areas of less than \$4,000 income. Looking at the ratios for crimes against the person, a sharp drop will be observed once the \$4,000 group is reached and smaller declines as the \$6,000 and \$7,000 levels are reached. Virtually no change in the ratios occurred after \$7,000 median income. (This relationship is represented graphically in Chart I by a curve which declines sharply at first and then levels off.) All income groups with over \$4,000 income had an average ratio for crimes against the person below the average for the City as a whole. ("Average" is italicized because a number of individual tracts had crime ratios well above or below

the average for all tracts in their income range. These deviations may reflect the comparatively short period of time covered by our data or they may indicate the influence of factors other than income.)

A somewhat different picture is observed for crimes against property. It is true that even here the highest ratio occurs in the lowest income area and the ratio tends to fall as higher income areas are reached. However, the ratio for crimes against property in the "Under \$3,000" class is less than twice the ratio in the "\$9,000 and Over" group. The ratio for crimes against the person was over 8 times as high for the lowest income class as for the highest.

This difference between the occurrence of crimes against the person and crimes against property conforms with common sense and probably with public opinion. It is not surprising to find fairly large numbers of thefts in areas in which more valuable property is located. Nor do these findings contradict the popular view that low income areas are more often areas of violence.

d. Crimes by Income of Area in Which Offender Resided

Table II summarizes data on convicted persons by income of the offender's place of residence. The reader is referred to Appendix B-2 for a breakdown of individual crimes and to Appendix B-3, Charts III and IV for graphical presentations of crime ratios for individual census tracts.

It was not believed necessary to treat the downtown census tracts separately in this section of the report. The factors which led to separate treatment in the preceding section, such as large concentrations of business property and an influx of nonresident persons to downtown areas, were not significant in dealing with crimes by the area in which the offender resided.

Table II
CRIMES BY INCOME OF AREA IN WHICH OFFENDER RESIDED*

1955 Median Family Income of Area	Number of Offenders		Offenders per 1,000 Residents		Total
	Crimes Against the Person [†]	Crimes Against Property [‡]	Crimes Against the Person [†]	Crimes Against Property [‡]	
Under \$3,000	43	104	167	0.51	1.47
\$3,000 - \$3,999	31	91	122	0.42	1.47
\$4,000 - \$4,999	19	74	83	0.31	1.15
\$5,000 - \$5,999	18	43	59	0.20	0.73
\$6,000 - \$6,999	2	18	20	0.03	0.23
\$7,000 - \$7,999	1	11	12	0.04	0.42
\$8,000 - \$8,999	2	2	4	0.07	0.15
\$9,000 and Over	0	6	6	0.09	0.09
Total	104	399	473	0.23	0.71

*Convicted offenders, January 1, 1964-December 31, 1964

[†]Homicide, rape, aggravated assault, and robbery

[‡]Burglary, larceny, and auto theft

The concentration of convicted offenders from low income areas was more striking than the concentration of crimes by place committed. Over 41% of persons convicted of crimes against the person lived in census tracts with 1959 median incomes less than \$3,000 and 71% in tracts with less than \$4,000. In contrast these areas accounted for only 16% and 31%, respectively, of Atlanta's 1964 population. The ratio for crimes against the person was above the city average of 0.20 only in areas of less than \$4,000 income.

Persons convicted of crimes against property showed somewhat less of a tendency to come from the lowest income areas. The crime ratio was above the city average of 0.71 in the \$4,000 - \$4,999 income group as well as in the two lower income brackets, and extremely low crime rates were not observed until the \$8,000 income level was reached. However, too much should not be made of this slight contrast between the two categories of crime. Nearly 34% and over 58% of persons convicted of crimes against property were from the below \$3,000 and below \$4,000 areas, respectively, and the tendency for the ratio of crimes against property to decline with income is quite evident.

The conclusion that persons from the lowest income

areas are much more apt to be convicted offenders is not surprising. However, it should be noted that the crime rate was high in what would be regarded commonly as middle income areas. The rate for total crimes (1.06 per 1,000 residents) was above the city average in tracts with 1959 median incomes of \$4,000 - \$4,999. The present median income of these areas is probably in the \$5,000 - \$6,500 range. This suggests that the popular measure of poverty income as below \$3,000 or so has considerably more validity in the area of crimes against the person than in the area of crimes against property, since the property crimes largely account for the relatively high rate of total crimes in the tracts with the 1959 median income of \$4,000 to \$4,999.

e. Juvenile Delinquency

While this Committee did not itself develop data on juvenile delinquency, it should be noted that the Committee on Juvenile Delinquency disclosed that 57% of the juvenile delinquents during 1964 were residents of Fulton County census tracts located in the lowest of five groups of tracts ranked on the basis of economic and educational status of the residents, whereas only 24% of the population was located in these tracts. The highest of these five groups of tracts produced only 4% of the delinquents during 1964.

2.

Special Studies

The strong correlation which we found in our statistical study between low income and high crime rates does not prove that poverty causes crime. Correlation and causation are not the same thing. Nevertheless, these statistics and our common experience made it fairly safe to conclude that many of the aspects of poverty must also

be closely related to crime rates — low educational levels, high population densities, broken homes, truancy, poor use of leisure time, lack of respect for and trust in the law, etc. In studying crime and poverty in Atlanta and particularly in interviewing large numbers of people — teachers, policemen, ministers, welfare workers, etc. —, we became convinced that the basic effort must be to reduce poverty itself, to create opportunities for those on the bottom levels of our society to become responsible, participating members. Innumerable public and private agencies are already concerned with this task, and they all need the full support of the City and its citizens. This Committee has sought to investigate certain specific conditions and situations closely associated with both poverty and crime and to make some specific recommendations with regard to these particular problems. Each of the sections which follow deals with a different aspect of poverty. We have tried generally to deal with the problems most directly related to crime. Our studies are by no means exhaustive. In some ways they only illustrate. But, we believe that the implementation of our recommendations, coupled with continued concern for the peculiar problems of substandard areas, will significantly reduce crime rates in Atlanta.

a. Relationship of Poverty Area Residents with Police

Interviews and surveys of established leaders in substandard neighborhoods and communities in the Atlanta area indicated considerable concern about the deteriorated relationship between the Atlanta police and residents of these low income areas. Fear, distrust, and resentment of the police were reported to be general and

¹ Thirteen such individuals were interviewed. They were carefully selected to obtain several viewpoints regarding various problem areas of the City. In addition, the Community Council of the Atlanta Area, Inc., and Economic Opportunity Atlanta both contributed a wealth of knowledge.

widespread. It became clear to members of the Committee that in many communities there is a general lack of understanding and effective communications between the police and the citizenry, particularly at the lower levels.

For most of the residents in such areas, the only contacts with policemen are unpleasant ones, arising out of their own "scrapes with the Law" or those of their family or neighbors. Their own lack of education and general distrust for authority in many instances prevent them from relating in any positive manner to law enforcement officials. They often regard the police as outsiders who have no knowledge or appreciation of their problems. General apathy and dislike of involvement contribute further to reducing voluntary cooperation with the police force or even reliance on the police for protection and maintenance of the peace. The "poverty" citizen often has a complete absence of any understanding of his own vital role in the task of law enforcement, or even more serious, an inability or unwillingness to accept the responsibilities of that role.

On the other side, it seems reasonable to conclude that most policemen deal primarily with the disruptive and law-breaking members of society and that it would be difficult for them to refrain from developing a somewhat negative attitude toward high crime areas. This would appear to be particularly likely in areas where the police have very little cooperation.

This is not a new problem. Nor is it a problem which has been completely ignored. Commendable steps from time to time have been taken by the Atlanta Police Department and other organizations to seek to deal with it, such as, for example, the recent organization by Police Chief Jenkins of a group of leading citizens to meet with him and discuss the crime situation.

In line with existing efforts and as an outgrowth of our study of this problem, we recommend the following:

- (1) That a neighborhood committee for each high-

crime, low-income area be established, the membership of which will be (a) policemen actually working in that community, (b) community leaders living and working in the community, and (c) representatives from other agencies, public or private, who work with the problems of the poor. The function of such a committee would be to meet periodically to study and discuss in general the problems of crime prevention and law enforcement in the community and to consider and work on specific problems that arise from time to time. Its success would be wholly dependent on the interest and concern of its members.

We have been informed that similar committees in Atlanta have been organized periodically in the past with good results. Meetings of such committees would provide a valuable forum at the operating level for the exchange of information relevant to the maintenance of law and order and for the discussion and resolution of problems giving rise to differences of opinion among the members of the committee, and thus, among the groups they represent. Members of the committee who live and work in these areas could use the knowledge obtained through these meetings and through the closer relationships that would grow out of them to dispel wrongly held notions about the police and their activities, to relate and explain how legitimate grievances of the community are being handled, and in general to develop in the citizenry a more sympathetic appreciation of the tasks and problems of the police. Meetings of neighborhood committees would furnish a direct channel through which community leaders and workers, such as the workers in neighborhood centers established by Economic Opportunity Atlanta, Inc. (E.O.A.), Atlanta's poverty program, could channel to the police information relating to the background and personal situations of particular individuals. Such information could be invaluable to the police in identifying and dealing with the hardened criminal as opposed to those

less serious offenders. The police would become more involved in the general problems of the community and would obtain better knowledge and understanding of this community.

(2) That the Police Department undertake the responsibility for holding a series of small public meetings in high-crime, low-income areas for the purpose of (a) educating residents of these areas in their responsibilities as citizens in law enforcement, (b) encouraging and exhorting them to accept these responsibilities, and (c) increasing the citizens' understanding of the police officers' job and the problems involved in it.

It is believed that such meetings would not only provide an increased amount of positive contact for private citizens with policemen, but, more importantly, they would give the Police Department an opportunity of laying a foundation for, and of actively seeking, increased community cooperation and support in these areas.

We have been told that such meetings have been held on occasion with some success, and we have been assured by one of the Directors at a Neighborhood Center set up by E.O.A. that he would have no problem securing appropriate audiences for such meetings in his area. Other community leaders have given similar assurances.

(3) That a policeman, specially trained to counsel and work with people residing in low-income areas, be assigned by the Police Department to each Neighborhood Center established by the E.O.A. The function of such policeman-counselor would be in the crime prevention area — to detect individual situations where future criminal activity seems likely, to counsel and assist persons "on the brink" of crime, and to organize general activities, programs and functions helpful in crime prevention.

The committee from its own observation and experiences and from talking with others is convinced that the Neighborhood Centers set up in various poverty areas by the E.O.A. have established with the residents of

these areas a rapport and a line of communication that did not exist before. We are impressed with the programs of these Neighborhood Centers and commend them for their efforts.

The Committee, however, feels that a more direct concern for crime prevention and control would also be appropriate. The suggested policeman-counselor, who would have this responsibility, by his location at and association with the Neighborhood Centers, would be able to take direct advantage of the Centers' existing contacts, relationship, and avenues of communication. He could work effectively with the Centers' Aides, who themselves are average residents of these areas.

By involving the police more in the area of prevention of crime, we believe that their job of law enforcement would be well served. And it seems particularly appropriate to us that the Police Department be the agency to provide these counselors. This demonstration of their concern for the problems of the poor should help place the police force as a whole in a more favorable and sympathetic light. It would give the police a better knowledge of the areas where they work.

We have been informally told by some individuals connected with the E.O.A. that they would be in favor of this recommendation and would think that it could be worked into the existing Neighborhood Center Program without difficulty. Some have questioned whether the policeman should be in uniform or have the power of arrest. While resolution of these matters may be extremely important, we do not think they affect the validity of our recommendation, and we prefer to leave such questions to those who would be involved in this effort — the Police Department and the E.O.A. officials."

¹⁰ The Commission is pleased to note that steps were taken by the Atlanta Police Department in early January 1966 to place counselors in E.O.A. centers, in accordance with this recommendation.

These recommendations deal with problems whose roots grow deep. They cannot be effective over night; they are long-range efforts aimed at recreating and reshaping a basic problem of human and social relationships. Moreover, in some areas, the timing of carrying out these recommendations might be crucial — for example, placing a policeman-counselor in a particular neighborhood may need to precede for some months the holding of meetings and formation of committees there.

b. Consumer Problems in Poverty Areas

The Committee was convinced that one of the explanations for the high correlation it found between crime and poverty lies in the often unbearable pressure factors which complicate and frustrate the daily existence of a poor person. One of the pressure factors is the fairly constant harassment by eager sellers and lenders who profit in large part from the ignorance of the poor in economic and consumer matters. The activities of such sellers and lenders are sometimes fraudulent and therefore criminal, which is of concern to the Commission. Other activities are presently sanctioned by law, but, to the extent that the law is inadequate to protect the ignorant and the poor in a reasonable manner, the law itself becomes an oppressive factor operating to keep the poverty person in this syndrome which often leads, or at least contributes, to eventual criminal behavior. This also concerns the Commission.

(1) Installment Purchasing and Borrowing

By far the greatest consumer problem facing poverty-stricken people is credit. Credit itself is a boon to the low-income individual or family, for without it there would be no way for them to tide themselves over until the next irregular paycheck. Usurpation of credit devices by sellers and lenders creates the problem, and a lack of basic

knowledge about installment buying, lending, interest, and other "charges" compounds the difficulties of the destitute. While this section of the report outlines the evils of the finance industry, it is not intended as blanket criticism. There is much self-policing among reputable lending firms and their "trade" associations.

The following lending areas seem to deserve special consideration:

- (a) Debt consolidation and second mortgages
- (b) Automobile and other personal property financing
- (c) Small loans

Second mortgages and debt consolidation are relatively new lending devices which appeal to the over-extended borrower who may have saved and scrimped for several years in order to acquire ownership of a home in a low income area. He is exposed constantly to the lure of pooling his indebtedness with only one payment per month that will take care of all of his creditors. For this, he agrees to give a second mortgage on his home, and further agrees to pay back over a period of five or so years, the amount paid to his creditors by the lending institution plus interest, plus other "charges".

What the borrower does not know will in this case hurt him, for although the lender is limited by the usury laws to a relatively low rate of interest, this interest is normally "added in" or the loan is "discounted", two techniques which silently have the propensity of almost doubling yearly the statutory rate of interest. In addition, all or a good portion of the following borrowing charges will normally be tacked on: "loan placement" fee, "brokerage" fee, investigation costs, recording costs, attorneys' fees, title searches, appraisals, credit life and health insurance, credit reports, and so on. When all of these are finally added together, the borrower is agreeing to pay back a sum which is usually at least twice the amount of money he thought he was borrowing.

The notion of *caveat emptor*, buyer beware, needs re-

examination in relation to the low income people to whom we are referring. First, almost by definition, the poverty-stricken individual (characterized by little or no education, pitifully little "business" experience, and devoid of appreciation for the subtleties of finance) is far below the level of the consumer for whom *caveat emptor* is reasonably fair. Second, the buyer cannot beware because generally he is not given sufficient facts to make an intelligent decision. Full disclosure is seldom made, the various charges are lumped together, and the "added in" or "discount" features are not explained. No attempt is made to convert figures to simple interest rates (a requirement of the much talked about "Truth in Lending" Bill proposed to Congress several years ago), so that the unsophisticated borrower can know the real cost of the loan. Third, the borrowers characteristically have their backs to the wall, and are so concerned about immediate funds that they can be incapable of a rational decision on whether or not to take the loan. Fourth, the borrower may often find out little or nothing about the charges until the closing, by which time he is assured that everything is all right and that the monthly payment is as stated. Borrowers often do not sign what they think they are signing. Fifth, the commercial paper is often immediately negotiated to an "innocent" third party financier who is often not subject to the defenses which the borrower may have against the original lender, often leaving the borrower without any remedies, even if he later gets help from some source.

Automobile financing, and the financing of other personal property, may be equally hazardous to the poor and uninformed living in Atlanta. Although automobile financing amounts to approximately one-half of all credit extended in Georgia, it, like the second mortgage business, is entirely unregulated by the State. Though the industry itself is attempting to educate the public and encourage standards among its members, identical prob-

lems of lack of full disclosure, sharp practices, "padding" charges, etc. may confront the consumer.

A particular device in this financial area concerns the "automobile pack", whereby in determining the total financing cost to the customer, the finance company will kick back a certain sum to the dealer in order to induce the dealer to sell the finance company the chattel paper. The purchaser bears this cost, along with added costs for finance charges and insurance. The fact that this excessive indebtedness is scheduled for payment over thirty-six months does not ameliorate the injustice perpetrated on the poor consumer.

Although Atlanta retailers have set out standards for the sale and financing of consumer goods, consumers of non-automobile personal property face severe problems. "Carrying charges", "finance charges", and "service charges" accompanied by a high retail price for credit, can result in the poor consumer paying an outrageous "interest rate" for buying on credit. Congressman Charles Weltner, speaking before the House of Representatives, has stated that installment debtors have the lowest incomes in the Country, citing as an example the fact that only 3% of consumer-financed loans are made to professional and semi-professional people. Disclosure is a problem because of the difficulty of understanding the revolving credit plan established in retail stores. As with other financing industries, unduly high true "interest" rates are being charged, regardless of what they are called.

Specialized "drifters" invade the poor neighborhoods selling consumer goods and home improvement equipment (including installation). A problem in Atlanta among low income families who are fortunate enough to own their "home" exists with some drifting home improvement contractors. The contractor will represent himself as an agent of the City of Atlanta to a homeowner in a slum

area destined for urban renewal. He will inform the homeowner that the home is in need of necessary repairs, that it will be condemned if these repairs are not made within "x" number of days, and then will introduce the homeowner to his "friend," the contractor. Alarmed, the homeowner agrees to the improvements, gives a second mortgage on the home to cover the indebtedness, and ends up with a poor improvement or none at all. The financing documents will have been negotiated to an innocent purchaser for value, leaving the homeowner with the burden of catching up with the fraudulent seller. To the credit of most Atlanta lending institutions (the banks in particular), these drifters are not able to discount their paper locally.

While the Georgia Legislature has acted to minimize the referral sales "lottery",¹¹ it has conspicuously neglected to deal with the other problems of consumer finance, thereby placing the entire burden on the Solicitor's Office. Unfortunately, he cannot perform adequately in the areas of economic crime because of the lack of economic criminal laws on the books.

One would expect that the small loan area would be less problematical, since it is the only form of financing which is regulated by the State of Georgia — under the State Industrial Loan Act. While this is generally true, there are two basic difficulties of monumental proportion affecting low income individuals and families:

- (a) the problem of the "hip-pocket" lender;
- (b) the problem of "overloading".

"Hip-pocket" lending is unique to residents of low income sections. The "hip-pocket" lender is the corner grocer, the neighborhood filling station operator, the neighborhood restaurateur, or the corner druggist. This type of lender prospers on poverty. Lacking in transportation

¹¹ Ga. Laws 1965, p. 247.

to shop at the supermarket selling better products, and "chained" to the neighborhood because of his poverty status, the individual has no choice but to deal with the neighborhood sellers who act unofficially as lenders. A loan may be as small as \$5.00, for repayment of \$6.00 at the end of the week; on other occasions, the borrower may get goods and pay the seller "x" per week perpetually, being assured that this sum is interest, and that one day the money will apply to reduce the principal.

Unfortunately, this area of consumer fraud is not only unregulated, but it would be very difficult ever to regulate. The Comptroller General's Office has indicated that it would require at least one hundred extra men to do the job properly. Consumer education is the only solution.

An equally severe problem is that of overloading the consumer with small loans. Although small loan companies have facilities for exchanging credit information and for determining the number of loans a particular person has outstanding at the time he applies for an additional loan, in practice many loan companies disregard this information. An individual may have outstanding five or ten loans from different companies, the totality of which far exceeds his income. Bankruptcy is not a satisfactory solution.

The State Comptroller General recently clamped a fifteen month moratorium on new loan licenses and stated that he intends to deny any further applications through his current term (ending in January, 1967). Atlanta has 275 loan companies, prompting this remark made by the Comptroller General: "There are only so many potential small loan customers. Too many companies in one area is a virtual temptation to some people to borrow more money than they can ever repay." Unfortunately, "People who patronize small loan companies are often those least able to protect themselves if they are victimized. One major concern must be with the protection of these people."

As the Comptroller General pointed out, the pressure is on the managers of the many small loan companies to produce a certain number of loans per month, or face losing his job. So pressured, the manager is less likely to use the credit information available to him to keep from overloading the borrower, even though this is the whole purpose of the "credit exchange". There are other offshoots to this problem, such as the pressure tactics in some cases to collect overdue loans. "When you find vicious and harassing collection tactics, it's usually because a customer has too many debts and can't repay his loan."

(2) Recommendations

(a) *Consumer Education*

Salvation for the resident of the poverty area lies in learning more about business affairs. While efforts have been made by the Greater Atlanta Better Business Bureau, the Georgia Consumer Finance Association, and the Consumer Credit Counselling Service of Greater Atlanta, Inc. to educate the public about business affairs, very little of this information has disseminated to the low income families of Atlanta. There is no organized program in the schools, nor is there an organized program of adult education for the consumer.

It is recommended that the City of Atlanta School System establish a course in consumer education somewhat equivalent to the course in home economics given in high school. The importance of reaching people at this age level is poignantly illustrated by the fact that a great number of economic wrongs are perpetrated upon the young married, who are least able to adjust to consumption and finance problems.

Adult education classes should be established on a regular basis so that working people may be exposed to these problems. The Comptroller General's Office of the State of Georgia is presently making efforts to get E.O.A. to

use poverty program funds for setting up budgetary courses for adults, to the end that those who are not on the verge of bankruptcy, but are subject to debts, will learn the basics of business transactions, and will be better able to fend for themselves.

The Office of Economic Opportunity ought to consider requiring people to take these courses as a prerequisite to acquiring other aid. Courses could be taught in the neighborhood centers; alternatively, the City of Atlanta could make its schools available for night courses which could be staffed and sponsored by either the Office of Economic Opportunity or the City.

The City of Atlanta should consider cooperating with the Better Business Bureau toward mass dissemination of the excellent pamphlets which that organization has to offer. Many poor people are acquainted with the Better Business Bureau and contact them when they feel they are unfairly treated. This effort could be fostered by having one week or one month set aside as "Consumer Education Week" in which an intensive effort would be made toward educating and exposing poor people to consumer problems. When you consider that many of the uneducated do not even know how to open a bank account, write a check or purchase a life insurance policy, this would be a substantial gain.

There are private aids for consumer counselling, but they are normally limited to helping debtors who are already over-extended. For instance, approximately one year ago, the Consumer Credit Counsellor Society of Greater Atlanta, Inc., a non-profit organization, was formed. Banks, small loan companies, and leading merchants sponsor this service, whereby those whose debts have outstripped their income may come for debt counselling at no cost to themselves. The Service advises them, sets up a budget for them to follow, gets in touch with their creditors to spread payments if necessary, etc. The organization, only the second of its kind in the

United States, estimates that it has saved at least three hundred people from bankruptcy since its inception. Few people know about this organization, however, and the need is for more organizations such as this, or for expanded service by this organization in an attempt to ward off either bankruptcy or the falling into the hands of the less reputable in the industry.

(b) Legislation

We recommend that the Governor appoint a Credit and Finance Law Revision Committee, charged with the task of achieving legislative changes to protect the consumer.

Action must be taken in the second mortgage area, looking toward the requirement of either full disclosure of all additional charges made in excess of the statutory rate of interest, or limiting all other charges to a certain percentage in excess of the statutory rate. A model to follow might be North Carolina's new law regulating second mortgages, which prohibits any lender from taking or receiving for a loan on residential real estate "a rate of charge . . . which in the aggregate is greater than 10% of the principal indebtedness."

It would be unfortunate to pass laws regulating second mortgage lenders and not to regulate others in the finance industry. What is necessary is a "re-thinking" of the whole area of consumer finance, taking into consideration modern finance problems and determining what laws are necessary. It is conceded that the finance industry plays a vital role in Georgia. However, it is necessary that existing inequities be removed from the law.

c. Law and Poverty

Of the many problems faced by residents of poverty areas, that of securing adequate and timely legal representation in both criminal and civil matters appeared to the Committee to be one of the most troublesome. The

importance of such representation is fairly obvious: in criminal matters, Government stands as accuser, and guilt or innocence is determined in adversary proceedings in which a proper defense for the accused, whether he be rich or poor, is a vital element of the system; in civil matters, while physical freedom of the individual is not at stake, adequate legal representation and advice are often essential for the protection of the ignorant and poor, as indicated by some of the matters discussed in the preceding sections. Legal representation is vital not only to the individual involved but also to an orderly and just society.

The importance of legal counsel in the area of crime prevention and rehabilitation of criminals may be less obvious, but we believe that confidence and trust in our basic legal institutions and in the legal processes by which they operate are important in developing law abiding, responsible citizens in all segments of the population. Conversely, where individuals are suspicious of the legal process, bewildered by the court systems and procedures, skeptical of governmental and judicial officials and attorneys, and in general unable to obtain the assistance they need to secure their rights, they, or persons associated with them such as their children, are much more likely to end up participating in some form of criminal activity. At the very least, residents of poverty areas with such attitudes and views cannot be effective restraining influences in the areas in which they live.

People in poverty are generally crisis oriented, particularly in legal matters. They seek representation after garnishment proceedings have been instituted against them, seek to restore welfare aid after a decision of eligibility is adversely made or termination of welfare benefits has occurred, request guidance after a domestic conflict is irreparable and destructive forces have split the family unit apart, try to avoid eviction when the dispossessory warrant is already issued. At the present time the Atlanta Legal Aid Society, a private organiza-

tion supported in large part by the Community Chest, must necessarily address itself to the particular crisis presented and cannot assist the person in an area of representation which might be called pre-crisis. For example, personal bankruptcy may hide family budgeting or employment difficulties. Garnishments may indicate economic credit abuses and predatory retail practices. Unhealthy housing conditions, excessive rentals, neglect and abuse by social welfare agencies, arbitrary conduct by agencies dispensing public benefits, illiteracy, and emotional instability all may enter into the picture when a person comes to the Legal Aid Society and asks for help in solving his latest crisis.

Such problems have not generally been effectively dealt with by lawyers participating in legal aid programs. It seems fairly clear, however, that legal services must be integrated into the total program of social services available to indigents in our city. Without such integration, legal assistance will continue to be a crisis oriented, stop-gap type of aid. With such integration, legal aid in criminal and civil matters can become an effective part of the total program designed to improve the lives and conditions of the poor, to insure fair treatment and ample opportunity for them, and to make them constructive members of our society.

Recognizing the difficulties and problems of existing programs, the Community Council of the Atlanta Area, Inc. some time ago undertook the task of developing a long-range comprehensive program of legal assistance for indigents. The impetus for the effort grew out of the Council's experience with the West End Center, the precursor of Economic Opportunity Atlanta, Inc.'s concept of neighborhood centers. In September 1965, E.O.A. itself assumed primary responsibility for continuing the Council's study in an effort to develop a legal assistance program for submission to the Office of Economic Oppor-

tunity in Washington, where Federal funds are available to help finance such community action programs.

The Committee was advised that the Atlanta Legal Aid Society has indicated that it is prepared to be the sponsoring agency for the comprehensive legal assistance program and that it will undertake to put the program into effect after approval by the Office of Economic Opportunity. Interim programs are already being carried out at four of E.O.A.'s neighborhood centers.

The Committee was pleased to find substantial efforts being made to deal with this difficult problem. We hope that the Community Council, the E.O.A., the Legal Aid Society and the persons working with them will continue to develop this program. It is our understanding that approval by E.O.A. would be for one year, and we recommend that the Crime Commission keep informed of the developments in this area so as to determine whether this program is successfully meeting the needs it is designed to meet, and to lend its influence and assistance in keeping any successful program alive.

d. Recreation

The importance of constructive play for children, guided and directed by adequate trained personnel, can hardly be overstated. Similarly, with adults the constructive use of leisure time provides an outlet essential to sound personal adjustment. Idleness and lack of interest are known contributors to both juvenile delinquency and adult crime, and it is essential that the City of Atlanta provide reasonable facilities and appropriate supervision for the play activities of its people. Persons interviewed by the Committee pointed repeatedly to the lack of adequate recreation facilities in many of the known poverty, high crime areas in Atlanta and to the lack of sufficient equipment and trained supervision.

The Department of Parks of the City of Atlanta presently owns and maintains 47 major parks ranging in size

from an acre to several hundred acres. The facilities vary considerably and include such things as football fields, baseball and softball diamonds, tennis courts, playground equipment for younger children, picnic areas and grills, etc. Many of these parks have buildings which may be used as Community Recreation Centers. In addition, there are some Community Centers not located in parks. The centers, of which there are a total of about 20, are typically 4,000 to 5,000 square feet in size, consisting of one large room, a smaller room, a small office, and rest room facilities. All of the centers have planned, supervised programs for both adults and youth. The programs vary from center to center, both in nature and in quality, depending on the needs and desires of the users, the particular skills of the personnel, and the types of activities to which the facilities are suited. Illustrative programs are football, baseball, cheerleading clinics, crafts, square dance classes, volley ball, table tennis, etc. The centers are generally open from about 11:00 a.m. to 6:00 p.m. Monday through Friday (1:30 p.m. to 8:30 p.m. in the summer), though special programs scheduled for particular times may not permit their use by those not participating in the programs. Some centers are open a few nights a week for special programs.

In addition, the Parks Department operates organized programs for children at about 20 school playground areas. Here the programs are similar, but are more closely connected with normal school activities. Also, of course, there are swimming pools (only 14), golf courses, the zoo, the Cyclorama, etc. The Parks Department also has responsibility for about 115 small parks and parkways, the cemetery, the greenhouses, and the forestry division.

It was the conclusion of this Committee that the Parks Department is doing an extremely fine job with the facilities, personnel and money presently available to it. The able and energetic young Director, Jack Delius, seems to have brought a flurry of healthy activity in his approxi-

mately 18 month tenure, and his plans (and hopes) are ambitious and sound. We were impressed with his abilities and only hope he gets the necessary support. It is also clear, however, that this Department's problems are staggering, and the present situation is serious. The major percentage of the problems seems directly traceable to money.

(1) Physical Facilities

As suggested by many interviewees, we found that many of the high crime, low income areas were not being adequately served. Blue Heaven, a highly congested, low income area, has one park. The Department of Planning and the Recreation Department agree that another is badly needed, and the need for a community building and a full scale program is indisputable. Cabbage Town, a similar nearby area, has no public recreation facilities, and there is no existing plan to remedy the situation. On the other side of town, adjacent to the Perry Homes Area, the Department has recently acquired the large Gun Club Park site and has allocated \$79,000 to its development. This will take care only of first stage development — roads, sewerage and playing fields, but there is a strong need now for a fully developed Park site with a swimming pool and a community building at the least. The needs of Perry Homes were emphasized time and time again, in particular by police officers. In the Rockdale Area, the Department will obtain a site from the Housing Authority in the near future, and this must be developed immediately. About \$75,000 has been set aside for initial stage development, but again this will only be a beginning. The Department has land in the University Homes area for a neighborhood park and development will begin shortly, but there are no immediate plans for a community center. In Peopletown, the Daniel Stanton Park site is ready for development, but funds are available only for initial stages. In the West End area of Atlan-

ta, \$30,000 has been allocated for initial development of a yet undetermined site, but again this will not begin to provide the physical facilities urgently needed now in the transition area. A park site of 3.3 acres has been acquired in the Grady Homes Area and \$75,000 will be spent soon for a ball field, playground, and initial development. There are no funds for a community building. In the slum area to the immediate west of the stadium, where a new school is located, efforts are being made to get the City to buy adjacent property for a playground area to fill a clear need of this community, and high priority has been assigned to this project. The City Planning Department has also recommended that two park sites be purchased in Vine City, one in Summer Hill, one near Howard High, and one in Brown Town. These areas are all badly in need of public recreation facilities.

The Parks Department presently receives about \$300,000 a year for Park Development and approximately the same amount for the zoo ($\frac{1}{2}$ mill tax, with $\frac{1}{4}$ going to the zoo through 1965). It was expected that the \$300,000 allocated annually to the zoo through 1965 would be available for general development thereafter, but the General Assembly in 1964 authorized the Mayor and the Aldermen to divert this money to pay for construction of the new stadium, and it is generally believed that this will be required to help pay off the bonds. Consequently, the development budget will probably stay roughly around \$300,000 a year with a slight annual increase due to rises in the tax digest.

These funds are what is available for the developments set out above, which are urgently needed to serve neglected poverty areas now. And we have said nothing about the needs of the rest of the City — the medium and high income areas whose residents are seriously clamoring for facilities themselves. For example, in the Shady Valley area, the Parks Department has undeveloped land which the residents rightly feel rather strongly about

having developed soon. Moreover, renovation, reconstruction and expansion of existing facilities must be met with these same funds, and here the needs are also staggering. Many of the existing community buildings are simply inadequate to permit more than one type of activity at a time; most are not conducive to dramatics, music, photography, gymnastics, body building, skating, etc. Others are purely and simply worn out. For example, the community building in Anderson Park needs to be completely renovated and rebuilt.

Finally the Parks Department, and this Committee as well, feels rather strongly about the need for gymnasiums. The City has six gymnasiums. It constructed one fine gymnasium at Pittman Park, and acquired five from Fulton County in the Plan of Improvement. These five are all in extremely poor condition and are in need of replacement. It is the present policy of the City not to build gymnasiums because of the cost and the availability of school gyms. Cost is an important factor, but it is probably not true that school gyms are generally available, because they are used during the winter season for varsity basketball practice.

To illustrate something of the problem in the existing situation during the winter season, one recreational supervisor was supervising 143 youth basketball teams, ranging from ages 10 and under to 17 and under. Four of the gymnasiums were available to service these 143 teams, so that from 4:00 p.m. to 10:00 p.m. every day, these facilities were used exclusively for successive basketball games. These same four gyms also serve as Community Centers, and this meant that they were completely unavailable from 4:00 p.m. to 10:00 p.m. for other normal activities.

First class gyms in large community buildings with other facilities are expensive — about \$750,000 — and it is clear that the City cannot and should not construct such facilities in every neighborhood. However, unless

school gymnasiums are made available in all major areas of the city, additional gyms should be built to serve areas that need them. Such gymnasiums would be ideal for body building, gymnastics, volley ball, table tennis, dances, teen centers, educational and entertaining movies and larger meetings. These are the types of facilities which have had tremendous success in other cities, and our own experience with the Pittman Park gym bears this out.

The Commission recommends that the Parks Department continue its policy of acquiring and fully developing park sites, and further recommends that first and immediate priority be given to the congested areas set out above, not simply for initial development but also at least to the point of constructing community buildings for these areas. As an interim measure, we approve the plan to obtain funds from E.O.A. with which to establish a mobile team to provide immediate relief in poverty areas, and we recommend that this program be continued until these areas are adequately served by permanent installations.

We strongly recommend a drastic increase in the budget for development of park sites. While Federal assistance is available, it is clear that the $\frac{1}{4}$ mill tax (assuming the other $\frac{1}{4}$ goes to pay off the stadium bonds) will not be sufficient to provide for the needs. A minimum of \$600,000 a year would seem to be required.

Finally, we recommend that the Parks Department and the Atlanta School officials make a thorough investigation into the possibilities of making school gymnasiums available for organized programs for larger numbers of youth and for the community at large.

(2) Personnel

The operating budget for the Parks Department, which comes from the General Fund, will have to be substantially increased. The development of new facilities as

already planned (not to mention the new development that ought to be done) requires additional personnel, one to three persons per center at present standards. The problems created by constructing new facilities without increasing personnel can be illustrated by the Joseph E. Brown Center. After that center was completed, it stood vacant for three months because of lack of funds to staff and operate it. By the time it was properly staffed, it had to be extensively repaired due to vandalism. In addition, there are specific and serious deficiencies in present programs which we recommend for immediate correction, all of which require more personnel:

(a) The Community Centers should be kept open for organized, supervised activity for longer hours, at least in the low income areas. The present 11:00 a.m. to 6:00 p.m. in fall, winter and spring and 1:00 p.m. to 8:30 p.m. in the summer are inadequate. There should be a full program every evening at every center, and all age groups should be covered. The centers should be open in the mornings during the summer. (By centers, we mean to include outside playgrounds as well, since these would be the most used in the hot summer months). In low income areas, the home is generally not a desirable place to play. Open areas or roaming the streets are the alternatives. Supervised, public facilities available for all free hours of the day are important.

(b) Centers should be open on the weekends, particularly on Saturday and Sunday nights, in low income areas. These are known times of idleness, delinquency, and crime. Constructive, supervised play can do a great deal to occupy persons who might otherwise drift into criminal activity.

(c) Supervised, organized recreation programs are needed at the parks which have no community buildings. In general, there presently is none. It would be fairly inexpensive to construct a small office out of which the staff could operate until community buildings are con-

structed. This has been tried on a couple of occasions with clear success. While it is no more than a stop-gap measure, it ought to be done immediately at every such park.

(d) Existing recreation programs at almost every center could and should be expanded with additional personnel. At least this ought to be done in the poverty areas immediately to increase the attractiveness of the program and the involvement of the residents. Even more importantly, present manpower permits center recreation leaders to do very little solicitation in the community — organizing community groups, finding out needs and desires of the community and becoming involved generally with the community to increase the use of the facilities. Poverty area children are often initially hostile and nonreceptive to organized activity by "do-gooders" and often substantial cultivation is necessary to involve them. This is a must for poverty areas, and it will require more personnel.

(e) At the present time, a vast majority of the professional field personnel are women, due in large part to the salary scale. Students at various colleges are used to supply most of the male recreation leaders, and there is a large turnover here. More professional male staff is needed, particularly in the rougher poverty areas, but it is doubtful that this can be achieved at present salary levels.

(f) The Parks Department presently has eight park policemen and one supervisor. All of the policemen are on duty at night to try to protect the parks from vandalism and to help out with evening programs. These men have the responsibility of policing the 47 major parks and the 115 or so smaller parks and parkways. Several instances were cited where picnics or outings of church and other groups have been broken up by an hour or so's harassment by groups of intoxicated youths with no policemen stopping by to help out. The Parks

Department estimates that it needs at least sixteen additional park policemen, and we accept that estimate. Such additional policemen, for example, would make the keeping open of centers in poverty areas on Saturday night much more feasible. It also should be mentioned that park policemen are paid less than regular City of Atlanta policemen, a situation which certainly needs correction.

(g) The general salary levels of Parks Department personnel are woefully inadequate. Of course, this is a grave problem throughout City Government, but it nevertheless should be pointed out that in large part the Parks Department serves simply as a training ground for private agencies, the State Department of Recreation, and Recreation Departments in other Georgia towns who pay higher salaries for similar work. As shown in the chart attached as Appendix B-4, the maximum pay for Atlanta recreation employees in every classification is well below the median of the salaries paid by other cities in our population bracket.

(3) Equipment

Similar problems exist in the area of equipment, both for playground equipment and supplies and for maintenance equipment. In many instances, swings, slides and playground equipment are antiquated and almost unusable. The 1966 budget has approximately \$35,000 for playground supplies for a program that reaches an estimated 1,500,000 people. Regardless of the number of teams organized at a center, only two baseballs are issued at the beginning of the season. There is one football at each center, again regardless of the number of teams. The City furnishes no uniforms for any sport, a small matter which can give the important glamour and attraction to many organized sports. In many instances, the community recreation leader ends up digging into his

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1 OF 4

own pockets to meet these needs, or sometimes fortunately persuades local residents to raise the money.

Maintenance equipment is in a similar condition. The 1966 general budget request for field maintenance equipment was \$164,000. The amount tentatively allocated was \$60,000. There is one small carpenter crew for the entire system, and only two painters. An example of the maintenance problem is that the Department has had on hand for over a year the material necessary to replace the ceiling at Knight Recreation Center, but other even more serious problems have prevented the job from being accomplished.

We strongly recommend increases in the budget for supplies and equipment. These needs will become greater and greater with the necessary increases in the size of the program.

e. School Absenteeism

Truancy is conventionally thought of as an absence from school unexcused by either parents or the school. Initial inquiry into truancy quickly showed that a very small percentage of the students absent from school were truants in this sense, but that the biggest problem in poverty areas is absenteeism with parental knowledge or consent.

(1) Relationships: Causes, Effects, Symptoms

Figures compiled by the Atlanta Board of Education show conclusively the correlation between school absenteeism and poverty. The schools which are lowest in attendance are in the areas of extreme economic deprivation. In fact, of the thirty-nine schools in the Atlanta system with the lowest percentage of attendance, twenty-four of them are among the thirty-nine schools in which there are concentrations of economic deprivation. These twenty-four schools have from 82.1% of attendance to 89.6%. The thirty-nine schools having the highest percentage of attendance include only two schools in the

areas of concentrated economic deprivation. These "top" schools in attendance range from 93.6% to 96.3%. Interviews with several visiting counsellors of the City of Atlanta school system confirm the fact that their greatest attendance and truancy problems are in the low income areas.

Glueck has studied the problem of truancy in terms of predictability of becoming delinquent, and has discovered that those who are truant in elementary school are more likely to become delinquent than those who engage in their first acts of truancy in the post-puberty, high school period. Truancy in its initial stages lays the ground work for later crime which is to be committed. The Committee also believes that large scale absenteeism, resulting in people hanging around on street corners, in meetings in undesirable places of those who are idle, and in gangs, creates a social situation in a neighborhood which has adverse effects on the whole community and creates an atmosphere in which unlawful activity is likely. The director of visiting teachers for the City of Atlanta schools reported that the truancy problem is greater in the spring of the year, when students generally congregate in parks or other vacant areas, roam the streets and shoplift. The director stated that the work load at the Juvenile Court increases greatly at this time, and that stealing and petty theft are also greater at this time.

Because truancy is viewed as symptomatic of a disturbing factor in a child's orientation, and is at least initially nothing "hard-core", something can be done to solve the child's problem before he becomes a delinquent. This is the role of the visiting counsellor, the modern prototype of the truant officer. The visiting counsellor, also known as the "school social worker" or the "visiting teacher", is more than just an enforcer of Georgia's Compulsory Attendance Law, but acts as a social worker and a family counsellor to root out the causes of the child's difficulty. While attendance cases are only one of several

types of cases which are referred to visiting counsellors, of the 3,125 total active cases referred to City of Atlanta visiting counsellors in the 1964-1965 school year, 2,395 of these cases were referred because of poor attendance by the student. Other reasons for referral were personality, academic, health and economic problems.

(2) School Absenteeism: Its Nature and Its Causes

Interviewees stated the causes of absenteeism in different ways: the child is withdrawing or escaping from either a home or a school problem; he is disturbed, characteristically is not doing well in school, and might have a health, economic, inadequate housing or clothing problem; he has not generally an adequate place to study; he may be getting even with a hostile parent, or simply seeking attention.

Sickness is a particular factor in absenteeism in the winter and when "epidemics" occur. In the schools with the highest rate of absenteeism in Atlanta, one characteristic of the children often occurring is that they have revolved between different schools in a relatively short period of time. It is reported that in Atlanta alone, there are 1,000 children per week moving between the system's schools, a fact directly tied to poverty.

Looking at the student from his pre-school environment, it is easy to see why truancy or chronic absenteeism occurs. A concrete example of this is the 2,309 children enrolled in the Project Headstart Program, conducted under the auspices of eight visiting counsellors of the Atlanta School System. The program revealed an extreme knowledge gap in pre-school children. The average pre-school child from these poverty areas had no conception of Atlanta, of a community or a family life with warmth and humor, of zoos, motion pictures, sports, etc.

These children require an inordinate amount of time in the first and second grades to learn even the fundamentals, so that they are often either pushed into a position

of being "behind" the class, or of using devious means such as truancy to avoid confronting the achievement problem in school. A report put out by the State Department of Education in conjunction with its visiting teacher program, concentrating on data accumulated during the school term of 1961-62, shows conclusively that in over half of the cases referred to visiting teachers because of attendance problems, under-achievement at school was the major contributing factor causing the child's problem.

The school absentee or truant is generally a very poor reader, again a factor attributable to his pre-school environment. He is not taught to listen, to concentrate or to pay attention in his pre-school years, thus aggravating the adaptability problem in school.

While lack of clothing has often been used as an excuse for school inattendance, the Committee found this not to be valid, most schools providing clothing for the child if the teacher observed him in need, or the parent came to the school with the problem. A more difficult problem is the parental preoccupation with his job. All of the visiting counsellors interviewed expressed the belief that the truancy pattern often begins with the parent requiring the child to stay in the home. For instance, there are innumerable cases where a low income family with five or six children would require a child to remain home one or two days a week in order to baby-sit while the mother went out and worked.

Additionally, the teacher cannot always cope with the problems of disturbed children. There were actual cases (the frequency of which are unknown) where the teacher actually encouraged truancy by berating the child upon his return after an absence of one, two or three days, stating, "You are messing up my records," or "What are you doing here? It is too late for you to catch up anyway." It was stated more than once that the student needs to be shown that the school administration is concerned

about attendance. An effectively planned program of dealing with attendance problems has been shown to be fruitful, and probably accounts for the fact that a school in a very low income area may have a relatively high percentage of attendance at all times.

The interviewees felt that concentrated community efforts along many different lines would be necessary to solve the attendance problem in our schools.

(3) What is Being Done

Visiting counsellors are attempting to enforce Georgia's Compulsory Attendance Law, which makes it a misdemeanor for those in control of a child to allow the child to remain outside of school, and essentially puts the obligation on the parents to control the child's whereabouts during school hours. But the Courts are faced with an unusual dilemma in deciding whether or not to enforce the law. If the parents are put in jail or fined, then they will not be working, or will not be able to provide enough of the necessities of life to care for the children. It appears, nevertheless, that the Juvenile Court, and particularly Judge Holt, is doing a fine job of impressing upon parents the need to control their children and keep them in school.

The City of Atlanta schools have never been able to employ enough visiting counsellors to deal effectively with the problem. As of September 15, 1965, the City of Atlanta had only eleven visiting counsellors for 104,062 elementary and high school students or an average of one visiting counsellor per 9,460 students. Breaking down the existing visiting counsellor student ratio into areas, Area One fared better (it being a poverty area with a high incidence of crime), having one visiting counsellor for every 6,216 students.

The salvation of the visiting counsellor program is in the form of the "Elementary and Secondary Education Act of 1965", recently passed by Congress. Atlanta Pub-

lic Schools anticipated the passage of this Act and are well ahead of most other cities in establishing a program in order to gain the benefits of the Act. Title One of the Education Act authorized approximately one billion sixty million dollars "to help local school districts broaden and strengthen public school programs where there are concentrations of educationally disadvantaged children." One key factor in how much each school system would get is the number of school age children in the district from families with an annual income of less than \$2,000.

Much autonomy is left for the local school system to decide on how these funds shall be allocated. Under the Atlanta Board of Education definition of "areas of concentration of economic deprivation," thirty-nine elementary schools serve such areas. This advance planning by the Board of Education assures that \$2,300,000 per year for the next three years will be put into services for thirty-nine elementary schools in the City of Atlanta whose students are from families living in dire poverty.

There are no plans for using any of the money for construction of new schools. The emphasis will be on services, toward the goal of putting to work every available resource for improving the lot of the students from the educationally, socially and culturally deprived families.

Consistent with this goal, the Board of Education plans a massive assault on the problem of school absenteeism by employing additional visiting counsellors. There will be one visiting counsellor for approximately every 1,000 students attending these thirty-nine schools until the percentage of attendance becomes approximately 95% in a particular school, and thereafter, one for approximately every 1,500 pupils. This is the "saturation" or "bombardment" of the problem which is necessary to rooting out the complex factors in school absenteeism.

The money coming from Title One of the Education Act will be used partly to coordinate the visiting coun-

sellors' activities with the activities of the Headstart Program, in an attempt to abolish the preconditions of school absenteeism which embed themselves in the pre-school, formative years.

Grant Park and Ware Schools, two of the schools in the Atlanta system with low percentages of attendance and high percentages of students from economically deprived families, are presently conducting a pilot project of having a resident visiting counsellor on the premises of each school. This project is financed by Federal funds, and it is estimated that the existence of a "resident" visiting counsellor at these elementary schools will increase the percentage of attendance from the mid 80's into the 90% range in short order.

Some schools have instituted rigid programs for dealing with attendance problems, and Kirkwood School should be singled out particularly in this regard. At Kirkwood, the principal is bent upon improving attendance and after the roll is taken each morning, the principal immediately contacts the home. In the event that the child does not arrive at school on the second day, the visiting counsellor is summoned and goes directly to the child's home. Each time a child is late, he must go to the principal and account for his tardiness. The principal has also met with many parents in an effort to quell absenteeism. Kirkwood School has risen in attendance from 92.8% (better than average anyway) to 96.4% presently (the highest of any school in the school system).

(4) Recommendations

Interviews with visiting counsellors illustrated that there are presently many gaps in dealing with the problems of inattendance. There is a lack of coordination between the different administrative agencies and courts in dealing with the problems of a particular student. For instance, the visiting counsellors will more quickly bring a child to the Juvenile Court than to one or another agen-

cy who might be able to help him because the visiting counsellor knows that the Juvenile Court will be more prompt in dealing with the individual's problems and more interested in his problems than might be another agency. We recommend that the Youth Council, recommended by the Juvenile Delinquency Committee, consider this problem as one of its early projects.

There is a need for more volunteer community action against school absenteeism. One Negro visiting counsellor estimated that there are some 500 Negro women's organizations in the City of Atlanta, and few if any of them deal with school problems such as attendance. The P.T.A.'s have been very active in providing clothing and other physical supplies for children in need, but have not turned themselves directly to the truancy problem. P.T.A.'s would be unique organizations to deal with the problem of truancy, since they normally attract only responsible parents and those capable of reasoning with parents of the truant or chronic absentee. This would help to overcome the communication problem which presently exists between visiting counsellors, who are considered by many parents to be outsiders, and the parents. If other parents in the neighborhood spoke with parents of truants about the problem, they would more easily be able to communicate with them than if an outsider, the visiting counsellor, "interfered". This volunteer program would have the added value of getting to an absence problem before it became grave enough to refer to a visiting counsellor, therefore eliminating a percentage of cases which would eventually arise and have to be dealt with by the visiting counsellor. Your Committee recommends that steps be taken by the City Schools and the visiting counsellors to involve the P.T.A., or some other similar organization, in efforts to supplement the visiting counsellor program.

We recommend also that City of Atlanta authorities consider restructuring the visiting counsellor program to

separate the enforcement aspects from the "social worker" aspects. A visiting counsellor now has to be all things to all people, and his effectiveness as an enforcer and as a social worker probably are hampered because of this. One visiting counsellor described the system in the New York schools, where the enforcement wing is separated from the social work aspect, providing much better results. In fact, it was stated that in New York City schools, if a student is absent for an illegitimate reason, there are "enforcers" which go around to the neighborhoods, pick up the students and forcibly bring them to school. This may sound harsh, but it does show that there is more than one approach to the problem, and that there might be utility in separating enforcer from social worker.

Finally, it is suggested that the City of Atlanta Schools implement a planned program of encouraging attendance based upon the "success" schools in Atlanta which did have severe attendance problems and do not have them presently.

f. Community Associations

Most of the recommendations of this Commission generally call for action by local or state governments. This is appropriate, since the community at large through its governments is best fitted to solve many of the problems related to the higher incidence of crime in poverty areas. Your Committee, however, believes that much can be done and should be done by the individual residing in low income neighborhoods, particularly by acting in concert with others in his area, to eliminate the preconditions of crime. Specifically, the Committee is of the opinion that Community Associations are excellent vehicles for channeling individual efforts toward the improvement of low income neighborhoods and the situations of those individuals and families living in such neighborhoods. The importance of a stable, concerned

neighborhood in combating and reducing crime is probably exceeded only by the importance of a strong and healthy family situation. Rejuvenation of the poverty neighborhoods as a basic form of social organization would strike at the heart of many of the conditions conducive to crime.

Most of the existing civic associations in low income areas concentrate primarily on getting governmental and quasi-governmental agencies to render specific improvements and services for the neighborhoods in which they work. Such an informed neighborhood citizenry is essential to a responsive government, one which is aware of and seeks to meet the needs of the people it serves. To a lesser extent but of equal importance, some of the existing civic associations have gone beyond the petitioning of government and have sought themselves to deal with the problems of their own community.

To illustrate some of the things presently being done, there are two organizations active in Vine City, two programs beginning in Mechanicsville and Buttermilk Bottom, and numerous organizations, such as tenants' associations, which are formed for day care, voter registration, etc. The Vine City Council, one of the two organizations working in the Vine City area, meets weekly to discuss community problems. It operates a thrift shop, publishes a newspaper, loans money when possible, and refers people to other organizations or agencies for aid. This neighborhood group concentrates its efforts on making people aware of their own problems and assisting them in dealing with those problems.

The Vine City Improvement Association, another organization operating in Vine City, has established a community center, in which there is a small library. It has cleared and developed a small playground, and has established a Youth Council and a Kiddie Klub. An effort is also being made to work out a community credit union. Perhaps the highest hopes of the Vine City Improve-

ment Association lie in its Citizen's Assistance Bureau, which it is seeking to set up with the Human Relations Council of Greater Atlanta. This is a volunteer project designed to help residents of this community find the aid they need from the complex of social welfare and other services available to them.

Another particularly interesting association is the Mechanicsville project. This project was begun under the auspices of the Federal Home and Housing Administration and is being carried out pursuant to the Urban Renewal Program for the Mechanicsville area. The Federal Government contracted with the Community Council to have it deal with some of the social aspects and problems arising out of and existing in connection with the Urban Renewal Program. The Community Council immediately set out to determine how urban renewal would affect the individuals living in these areas and how it could help solve some of the individual's problems.

The Community Council sought out initially the known leaders of the Mechanicsville area community and got these leaders together to discuss the problems faced by the community and to set up a priority of problems on which to work. The Community Council has operated as a coordinating and priming agency, and through its efforts and the efforts of those working with it, a neighborhood group of individuals has been created for the purpose of working with all of the residents of the community. The association hopes to be able to involve all of the people in the community, so that once the Urban Renewal project is executed, these people will not be creators of a new slum elsewhere.

Perhaps the most interesting aspects of the Mechanicsville project is that it appears to offer an excellent example of cooperation between different levels of government and private endeavors. The Urban Renewal Agency initially provided for the overall program and the financing of the program; the Community Council, a non-

profit service organization, planned the particular programs for the area and organized the initial committee of community leaders; the leaders of the community, forming their own private association, began to deal with the problems and are seeking to involve all of the individuals in the community for the betterment of the individual and the community as a whole.

There are reports of other civic associations dealing with neighborhood problems in an effective manner, such as the Egan Homes Tenant Association, the East Point Block Association, and the ministerial group coordinating "Operation Breadbasket", a job-procuring organization. In many instances, however, those interviewed suggested that there may be a lack of true cohesiveness in some of the existing community groups and that more direction, organization, and funds would be necessary to permit such organizations to continue long enough to achieve positive, lasting results for the neighborhood communities.

The types of projects that can be undertaken by such civic associations in the self-improvement area are limitless. Some of the things presently being done are illustrative. The Committee believes that one of the most important areas in which these civic associations can work is that of disseminating information needed by the residents of low-income areas. The Citizens Assistance Bureau, set up in each community, would fill a real gap by assisting needy individuals in finding the help that is actually already available. Activities in the field of practical education for families in low-income areas, such as how to keep a clean and attractive home and how to cook with surplus and inexpensive foods, could be invaluable. Assistance and support to residents of the community in dealing with their landlords, creditors, employers and others to whom they are responsible is a possibility. Educational, cultural and recreational activities can never be overemphasized. Another significant area is that of

locating and providing volunteer workers for governmental and private programs, such as day-care, aimed at helping low-income citizens.

Many of the efforts of these community associations will have a direct, and significant indirect, effect on the crime rates in the neighborhoods in which they operate. Some of the projects are and will continue to be aimed at the solution of personal and social problems whose existence is directly associated with crime — unemployment, ignorance, neighborhood gangs, lack of play facilities for children and adults, school nonattendance, absence of day-care centers, etc. Perhaps even more significantly, the very effort of the residents of low-income areas to face up to and try to solve their own problems, to better their neighborhoods and their living conditions through organized community efforts, provides a cohesive, stabilizing force which can go a long way toward destroying the type of neighborhood in which crime flourishes.

Involvement, concern, and pride are important, but the personal problems of many of the residents of poverty areas are so enormous that they can find no time for civic betterment. Community Associations often can focus on the fact that many of the problems are common ones and that only by working together can they be effectively dealt with.

The major difficulties in increasing the number and effectiveness of Community Associations are stimulating sufficient interest, obtaining effective organization, planning and direction, and securing adequate financing. While these are serious problems, your Committee is of the opinion that the load in organizing and assisting Community Associations cannot and should not be taken by the City Government. By their very nature, Community Associations are private, self-help organizations, and this is what makes them effective social forces. At the same time, we strongly feel that these Associations should be

encouraged and supported by all forms of Government. Economic Opportunity Atlanta has already cooperated by contributions of play-centers, and in other ways. We recommend that the Mayor and the Board of Aldermen take sufficient steps to ensure that all departments of the City Government cooperate with the Associations in every possible way. There is much the City can do in keeping open lines of communication for requests and complaints, in making physical facilities available for meetings and programs, in working with local residents on joint recreational and educational programs, and in rendering advice and consultation on the planning and execution of community projects.

3.

Economic Opportunity Atlanta, Inc.

Already we have said several times in this report that efforts to reduce or eradicate poverty by rendering direct assistance to the poor is likely to be the most effective means of preventing crime in Atlanta. We have sought to deal with certain aspects of poverty life which seem to be more directly related to crime and we have not sought to study and examine generally the existing governmental and private programs engaged in efforts to aid the poor. We do feel, however, that the most recent — the war on poverty — deserves some comment.

Atlanta was one of the first urban areas in the United States to receive a grant under the Economic Opportunity Act of 1964. While national legislation was still pending, Atlanta and Fulton County officials established the Atlanta-Fulton County Economic Opportunity Authority, now incorporated as Economic Opportunity Atlanta, Inc., to apply for government funds and implement a program mobilizing and utilizing all public and private resources

to combat poverty. As a result, in November of 1964 Atlanta received \$1,080,000 in Federal funds, matched by \$120,000 in local funds, to finance a Community Action Program. The Federal grant for the 1965-66 budget period is \$4,325,011.

The heart of Atlanta's Community Action Program under the Economic Opportunity Act of 1964 is its Neighborhood Services Organization, designed to coordinate the efforts of all community service agencies, both public and private, which are cooperating with Economic Opportunity Atlanta, Inc. to provide disadvantaged individuals with realistic opportunities for self-improvement. As the problems of poverty — problems such as illiteracy, unemployment, poor health and dilapidated housing — are complex and inter-related, E.O.A.'s plan to make opportunities available to those in poverty is comprehensive. The Neighborhood Services program is designed to bring employment, education, recreation, and social services to needy citizens through Neighborhood Service Centers, located in 12 poverty areas. Five centers are presently in operation, four will shortly be operative, and three more centers are planned for 1966.

In providing services through its Neighborhood Centers and in developing other supporting programs, of which there are many, E.O.A. has had the cooperation of numerous other agencies, among them the Visiting Nurses Association, the Fulton County Department of Public Health, Quaker House, Georgia State Employment Service, Atlanta and Fulton County Boards of Education, the Fulton County Department of Family and Children Services, the Gate City Day Care Association, and the Children's Center of Metropolitan Atlanta.

The availability of these vast financial, physical, and human resources working through and with existing agencies provides an almost fantastic opportunity for Atlanta to make really significant progress with its poverty problems. If our general beliefs are well founded, these

efforts will also produce significant results in the area of crime prevention. While we feel strongly that the areas we have touched on are fairly directly related to crime and thus deserve special consideration, it is clear to us that the assault on poverty and on crime must be coordinated and total, and we strongly urge all of the citizens of Atlanta to participate as fully as their time and resources will permit in this great effort. In the final analysis, we are likely to have the kind of city we want; all of our recommendations, and anyone else's, will come to nothing without full community support.

4.

Conclusion

A summary of the Committee's recommendations, as endorsed by the Commission, is as follows:

a. Relationship of Poverty Area Residents with Police

We recommend (a) that neighborhood committees composed of policemen, residents, and others be formed in poverty areas to study and discuss local problems of crime prevention and law enforcement, (b) that the Police Department conduct small meetings in poverty areas to educate residents on their responsibilities in law enforcement, and (c) that a policeman-counselor be assigned to each Neighborhood Center established by Economic Opportunity Atlanta, Inc.

b. Consumer Problems

We recommend (a) that specific methods of consumer education be employed on a large scale basis, and (b) that a Credit and Finance Law Revision Committee be appointed to achieve legislative changes to protect the consumer.

c. Law and Poverty

We recommend that the Crime Commission support current efforts to establish a comprehensive legal aid program.

d. Recreation

We recommend (a) that specific steps be taken by the City to increase the public recreational facilities available to the poor, (b) that efforts be made to provide more gymnasiums for organized recreation programs, either by cooperation with schools or by construction, and (c) that the operating budget of the Parks Department be substantially increased to permit the accomplishment of certain specific recommendations relating to the quality and coverage of the City recreation program.

e. School Absenteeism

We recommend (1) that the Youth Council study problems of coordination between agencies dealing with students' problems, (2) that the schools organize volunteer community action to supplement the Visiting Teacher Program, (3) that the Visiting Teacher Program be restructured to separate the "enforcer" aspects from the "social worker" aspects, and (4) that special programs emphasizing attendance be implemented in the problem schools.

f. Community Associations

We recommend full support and cooperation by the City with private Community Associations formed in poverty neighborhoods.

Crime and Health

The Committee on Crime and Health has concentrated on investigating three problem areas of special concern: (1) Mental illness and mental retardation, (2) alcoholism, (3) drug and narcotic use and addiction. It was felt by members of the Committee that the interrelation of crime and health was especially pronounced in these problem areas and that after sufficient investigation into each, the Committee might make positive recommendations as to how headway might be made in reducing the incidence of crime with respect to the mentally retarded or mentally ill, the alcoholic, and the user of drugs or narcotics.

1.

General Crime and the Mentally Ill and Mentally Retarded

a. Extent of the Problem

By general crime we refer to criminal homicide, assault, burglary, theft, larceny, forgery, embezzlement, and the like. The precise number of these crimes in the Atlanta area will be discussed by other Committees, but the FBI reports that these serious crimes tend to increase every year.

b. The Relationship of General Crime to Mental Illness and Mental Retardation

General crimes such as those listed above are so serious that they attack the very foundation of our society. Because of the anxiety that they create, the general public has asked many specialists in human behavior why people committing these crimes behave this way and what can be done about it. Unfortunately, in the past we have devoted more effort to control of this behavior than we have to an effort to try to understand it. The purpose of this discussion is not to justify, not to excuse, not to coddle the criminal, but to help the public understand him and his activity. If we understand better his predatory activities, perhaps we may be better able to protect ourselves against his crimes and perhaps in the long run, prevent the development of this type of individual.

Among criminals often are found men who are called psychopaths. These men cheat, steal and swindle with seemingly little feeling of guilt. If they are caught and punished, they seem to learn little from their punishment and often repeat their criminal offenses. Often their criminal careers develop early. In grammar school their delinquency is not uncommon. The Glucks at Harvard have developed prediction tables which permit identification of future delinquents with more than 85% accuracy at the age of six.

Why? These people fail to develop a system of motivation which normal mentally healthy people have. Normal people have an emotional need for the approval of others. Because we need the approval of others, we keep our impulses in check. As children we inhibit our impulses to get the love of our parents. The conscience is built upon the need for parental approval and later for the need of approval of others.

Why does this system of motivation fail to develop? The usual reason is parental deprivation. Some children

are deprived of both parents. Others are deprived of a father through death, divorce or desertion. Occasionally a criminal comes from an intact home. Often one or the other parent has criminal tendencies himself. These parents are blind to moral issues and allow the child to lie, cheat or steal. The age and degree of paternal and maternal deprivation relate somewhat to the type of criminal that ultimately develops. The earlier (6 months to 3 years) and more severe the degree of deprivation, the more likely the planning of a crime will be crude and disorganized, e.g., simple assault and robbery. If the deprivation is later in childhood, the criminal is capable of planning a more complex crime, such as swindling or embezzlement.

Crimes have also been associated with poverty. Because it is difficult to sustain a marriage on a poor economic base, broken homes are more common in the poverty stricken. If the father is absent by divorce or desertion, often the mother must work. Maternal deprivation is often the result. Slums are associated with poverty. In slum neighborhoods, when the mother is at work, children often associate with peers and older children who are already developing delinquent patterns of behavior.

As adults, criminals see all other adults as parents who are bigger, who deprive and frustrate them. Their goal in life is to evade and outwit. They have little guilt and much anger, particularly if frustrated. To make their behavior more complex, they soon learn the rules of society and may profess piety and conformity. Often they are charming. The purpose of this behavior is to maneuver another adult into the position where he can be cheated and swindled.

Our society relies on internal motivation for control of behavior. Some societies, China, e.g., rely on external control. The prison system relies on external controls. These men may do well under rigidly structured and

well regulated systems, such as a prison or while on duty in the Army.

Treatment of a criminal by psychiatric means is often very difficult. Usually the criminal has no wish to change his mode of behavior. Psychiatrists and others who often are overburdened with other patients are reluctant to take a patient into treatment who is poorly motivated and whose prognosis is so poor. There have been criminals who have been treated successfully, but statistically this is a very small group. Perhaps one of the best ways to control these men, once they have completed their sentence, is to place them under well organized, well structured parole systems. Prevention of the criminal type of personality is easier than the cure. Perhaps society should devote more effort to keeping homes intact so parental deprivation will not occur.

The general public, lawyers, judges and psychiatrists have, at times, been unclear as to when a man is to be held responsible for his crime and when he is to be excused for his crime because of mental illness. Part of this confusion is the result of the undeveloped science of human behavior. Common sense, law and psychiatry are beginning to have clear agreement on principles that can be used to determine criminal responsibility. These principles may be summarized as follows:

1. A crime that is carefully planned, whether it be murder or embezzlement, is the result of an intellectual act. For this behavior the individual is fully responsible and is held accountable both by courts and by society.

2. There are a few crimes that are products of mental illness. A man who has a delusion that the FBI or the Russians are after him is absolutely convinced in his own mind that they are plotting his death any day, and may mistakenly identify a stranger who comes to the door of his house as a Russian or an agent of the FBI. Since he assumes they have come to kill him, he

may kill the stranger without any warning. A crime has been committed and if it is proved that the patient is mentally ill, that he is delusional and that the crime is a product of his mental illness, he is usually tried in court but is not held responsible for his crime because of mental illness.

3. The responsibility for the third type of crime is more difficult to determine. A man in a bar drinking gets in an argument. A fight ensues and in his anger he kills a man. This man is acting under strong emotional impulse which he finds difficult to control, particularly after drinking. Some juries will find this man guilty but may give him a lesser sentence because of extenuating circumstances. The psychiatrist is no better judge in this case than is the jury. If a man discovers his wife in bed with another man and in a rage kills this man, this is sometimes called an irresistible impulse. A man murders under the force of very strong emotion. Most juries would acquit such a man.

No precise figures are available on the number of mentally ill and mentally retarded persons in the Atlanta area. The Committee learns, however, from the Vital Statistics Department of the State Department of Health that of a statewide total of 6,692 adults admitted to Milledgeville State Hospital for mental disorders in 1964, 1,305 of this total were from Fulton and DeKalb counties. A large number of Milledgeville patients are released each year to return to their home communities without proper follow-up care or continuing psychiatric attention.

There is no way to learn with certainty the relationship of crime and mental illness and mental retardation. In fact, a recent study completed in New York State indicates that the crime rate of the mentally ill is much less than the general public thinks. This study revealed that the arrest rate among the general population was twelve times as high as the arrest rate for ex-mental pa-

tients who had not had an arrest record prior to their commitment. Ex-mental patients with an arrest record had an arrest rate comparable to that of the general population.¹

The incidence of crime among the mentally retarded, however, does appear to be surprisingly high. The Psychiatry Department of Emory University recently conducted a series of tests on inmates of Reidsville Prison to determine the extent of mental retardation of Reidsville's prison population. It was determined that 53% of the Caucasian prisoners and 84% of the Negro prisoners were mentally retarded. The Reidsville experience is similar to results obtained at other prisons.² The mental retardation rate in the general population is 3%. We would expect on a statistical basis alone, therefore, the mental retardation rate in Reidsville's prison population to be 3%.

The question arises, "Why do so many mentally retarded persons end up in prison?" Mental retardation is not suggested as the sole or even prime reason for criminal activity. It may be that the criminal of average or even above average intelligence is not as easily apprehended as his less gifted cohort. Nevertheless, the Committee was concerned with the high percentage of mental retardation at Georgia's largest prison and felt that ways should be explored to provide the mentally retarded prisoner with vocational skills geared to his abilities while in prison to enable him to successfully find employment and avoid returning to a life of crime upon release. The Committee felt it even more important to discover Georgia's mentally retarded children and pro-

¹ Brill & Malzburg, *Statistical Report Based on Arrest Record of 5,354 Male Ex-patients Released from New York State Mental Hospitals during the Period 1946-1948* (1953).

² Figures obtained from the Georgia Industrial Institute at Alto, Georgia, a branch of the Georgia Prison system, reveal that the average I.Q. of inmates there is 79.5.

vide them with the necessary tools to lead productive non-criminal lives and avoid entering into criminal activities in the first instance. The most effective way to prevent criminal activity by the mentally-retarded adult is to deter the mentally retarded child by providing him with alternatives.

c. Authority and Responsibility

The existing authority and responsibility for the care and treatment of Atlanta's mentally ill and mentally retarded is unclear. The Fulton-DeKalb Hospital Authority assumes some responsibility for the acute psychiatrically ill, if Grady Hospital financial eligibility requirements are satisfied, but assumes no responsibility for the care and treatment of the chronic mentally ill. The State Department of Health assumes authority and responsibility for the care and custody of the chronic mentally ill, but only after local treatment efforts have been exhausted. Ways and means must be found to provide care and treatment for all of Atlanta's mentally ill and mentally retarded as the need arises.

Encouragingly, steps are being taken to meet the problem of Atlanta's mentally retarded and emotionally disturbed children through cooperation between local and state agencies.

The state assumes authority and responsibility for the custodial care of those mentally retarded children deemed non-educable, i.e., those children with I.Q.'s below 55. Further, the State Vocational Rehabilitation Department assumes responsibility, as far as funds and personnel permit, for providing vocational training for educable mentally retarded children, i.e., those children with I.Q.'s between 55 and 85, once they have reached age 14. The city, through its public school system, however, has the responsibility and duty to provide pre-vocational academic training geared to the abilities of these children.

Toward fulfilling its obligations, the Atlanta Board of Education has begun providing special classes for the city's educable mentally retarded children. The teachers assigned to these children currently number 85 and are scattered throughout the city's schools. The philosophy of the Atlanta Board of Education is that these mentally retarded children should have all possible contact with normal children and, therefore, should be integrated into regular school life as far as possible. The educational objectives for educable mentally retarded children are the same as for all children. These children should be provided with academic, social, and motor skills to enable them to become partially or totally independent when they reach adulthood. The curriculum is geared accordingly. For the first time, many of these children are succeeding in mastering tasks assigned to them and are gaining a sense of confidence in their abilities.

An especially promising development is the establishment of the A. Pope Jarrell Center, located at 1090 Sylvan Road, in Atlanta, under the auspices of the State Vocational Rehabilitation Department. Because of limited resources, the Center is able to accept only a limited enrollment. Educable mentally retarded children, 14 years of age and over, who are enrolled in the program, continue their academic training in the special city school classrooms and are released after school to receive vocational training at the Center. At the Center, children are given training in commercial food preparation, domestic work and family care, service station operations, and shop work. Children are also released from the Center to receive on-the-job training in private industry. A recent graduating class of 24 all received employment upon completing training at the Center.

Academic and vocational training now being provided for Atlanta's educable mentally retarded children is a step in the right direction. Atlanta public school of-

ficials estimate that there are in the neighborhood of 3,000 educable mentally retarded children in the Atlanta school age population, but that only about 1,500 are now placed in special classes and that only a handful of the 1,500 are, in addition, receiving vocational training. The practical problems involved in reaching these additional 1,500 children are enormous. Interested and qualified teachers are difficult to come by. Moreover, special classes must have a reduced enrollment in order to be effective, and as was explained, it is hard to justify employing a teacher to teach 8 to 13 children and utilize a classroom for the task when finding teachers and adequate space for normal school children are such pressing and constant problems. The State Vocational Rehabilitation Department presently has neither the funds nor personnel to provide vocational training for all educable mentally retarded children who might benefit from such a program.

Atlanta also has made a beginning in helping the emotionally disturbed child. There are currently eight classes for emotionally disturbed children in the Atlanta school system. In addition, there is a Fulton County Child Guidance Clinic. Children who are suspected of having emotional problems are referred to the Clinic by their teachers. However, because of the lack of personnel, very little treatment can be offered and the emotionally disturbed child, although diagnosed as such, is all too often sent back to his regular class without receiving proper attention. The Clinic has not as yet been a significant factor in discovering and treating Atlanta's emotionally disturbed children.

d. Recommendations

1. Since the mentally ill, for example, the sex offender, do commit crimes and, therefore, pose a very real threat to the community, the Committee endorses the current efforts of the Metropolitan Atlanta Mental

Health Association, Inc. in planning for the establishment and implementation of a Community Mental Health Board to provide mental health clinics for the citizenry of Greater Atlanta. To do the required job effectively, the Board must receive adequate revenues and have authority to co-ordinate all local mental health activities. The city should take the necessary steps to insure the success of the program and to provide early preventative measures in meeting the problems of mental illness posed to the individual and community.

2. Crime is associated with large numbers of children in the family. Since a large number of children further impoverish the family and decrease the amount of maternal care that is available to each child, the Committee recommends that all health clinics in Fulton, DeKalb and surrounding counties be operated both day and evening for the convenience of the citizenry. These Health Clinics should provide contraceptive information and contraceptive devices to families who wish to control their number of children and the conscience of whom will not be offended by family planning. To encourage poverty-stricken mothers to seek advice in these clinics, financial eligibility policies should and must be liberalized. Additionally, since marriage, family life, and maternal care flourish best with a good economic base, we recommend that all programs, such as Economic Opportunity Atlanta, Inc., that attack the poverty problem in Atlanta, be supported vigorously by the city.

3. Since it is difficult to treat the common criminal psychiatrically, we endorse the recommendations relating to strengthening the parole system made by the Rehabilitation Committee.

4. A system of vocational training should be instituted in Georgia prisons so as to provide prisoners with marketable job skills upon their release from prison and return to society.

5. The city should continue to conduct special classes for educable mentally retarded and additional teachers and classrooms should be made available so as to bring the remaining educable mentally retarded children into this system.

6. The State should expand the current program of vocational training for educable mentally retarded children, including vocational training for the handicapped young offenders at the Georgia Industrial Institute in Alto, Georgia.

7. The Atlanta Board of Education needs to study in depth the special problems and needs of the emotionally disturbed child. It should be determined, for instance, whether or not the emotionally disturbed child is likely to commit criminal acts and, if so, what preventative psychiatric treatment and academic training may be furnished by the city. One possible approach would be to set up a special school for emotionally disturbed children, staffed with teachers, psychologists, psychiatrists, and occupational therapists to more fully meet the special requirements of this child. In the interim, the staff and facilities of the Fulton County Child Guidance Center should be substantially increased.

2.

Sex Crimes and Mental Illness and Mental Retardation

a. Extent of the Problem

The types of sex crimes which are referred to in this section are rape, assault to rape, bestiality, incest, child molestation and inveigling, and homosexuality. Unfortunately, the exact number of sex crimes is not known because adequate statistics detailing sex crimes by the specific nature of the offense are not kept. All too often, sex crimes are buried in official statistics as "miscellaneous

crimes." Although the number of these crimes reported is not large, there is evidence that sex offenses are increasing, especially homosexuality. Sex crimes, as reflected in indictments by the Fulton County Grand Jury, have increased substantially over the last year. Total sex crime indictments for 1965 were 108, compared with 67 during 1964 — an increase of over 62%.³ FBI reports bear out that Atlanta's experience is typical of cities nationwide. Since these offenses are highly disturbing to the entire community, they must be taken seriously even though the number of these sex crimes is not nearly as great as that of public drunkenness.

b. Relationship of Sex Crimes to Mental Illness and Mental Retardation

Most sex crimes are committed by mentally disturbed people. Healthy, normal sex behavior is learned from parents, other adults, from peers and in school. In many studies of sex crimes, it has been found that the sex offender has been exposed to homes broken by separation, divorce, or death. These studies further indicate that the sex offender was often exposed to inadequate or highly deviant sex behavior at home. As offensive as these facts may be to many citizens, there are fathers who commit incest with their daughters; there are mothers who encourage their daughters to go into prostitution; and there are children who learn from their parents that sex is an act of violence and often associate violence and damage with any sexual act.

c. Authority and Responsibility

One of the most pressing problems in current Georgia criminal practice and procedure involves the proper disposition to be made of the sex offender. Under cur-

³ Information obtained from the Office of Fulton County Solicitor General Lewis Slaton.

rent practice, all persons arrested for sex crimes in Atlanta are brought before the municipal court for a commitment hearing. The municipal judge upon finding probable cause, either binds the offender over to the superior court grand jury (in felony cases) or binds the offender over to the criminal court (in misdemeanor cases). Upon indictment by the superior court grand jury or accusation in the criminal court, the sex offender is tried, sentenced, and made to serve time as an ordinary criminal. At no point is there a psychiatric examination or treatment before or after sentencing. The sex offender serves time as an ordinary criminal and, after release, is free to prey once more on the public without ever having had his condition treated. Further, there is very little systematic follow up on parolees and none whatsoever on persons unconditionally released at the end of their prison terms. Because of lasting damage a sex crime record can inflict on a man's life and livelihood, judges often suspend sentence and probate the first offender. Often, however, the man is arrested again for the same sex crime. Judge Luther Alverson of the Superior Court of the Atlanta Judicial Circuit related several instances to the Committee in which he had probated a first offender in a sex crime on condition that the man receive psychiatric treatment, only to have the man arrested almost immediately thereafter on identical charges. Psychiatric treatment is expensive and, moreover, there is no current mandatory treatment which may be imposed.

Other states have acted to provide treatment rather than mere incarceration for the sex offender. Approximately half of the states have special legislation dealing with the sex offender resulting from the present-day idea that criminal sexual behavior is a form of mental disorder and that present-day medicine, particularly psychiatry, can treat and rehabilitate sex offenders in some instances. As early as 1911, Massachusetts passed

legislation which recognized defective delinquents as a separate, distinct class allowing indefinite commitment for those whose delinquency in the court's opinion "is or may become a menace to the public." The first legislation specifically dealing with sex offenders was passed in 1938, by the Illinois legislature. Numerous states have followed suit.

Several of the states which have enacted special sex offender legislation have done so only after a detailed study of the sex offender problem by special committees. The reports coming out of these special committees have been published and are collected in the New York Library of the National Committee on Crime and Delinquency. A great deal of literature is available, therefore, on which Georgia may call in formulating new approaches in dealing with the sex offender. Encouragingly, Georgia is beginning to take positive steps in dealing with this most serious problem.

The Georgia Legislature has recently commissioned a Joint House and Senate Committee to study Sex Crimes and Sex Offenders. The Joint Committee is currently receiving testimony on the need for revising existing Georgia laws and procedures relating to sex crimes and sex offenders. From discussion with staff officials of the Joint Committee, judges, psychiatrists and law enforcement officials, the Committee is convinced that new approaches need to be undertaken in providing rehabilitative treatment rather than mere incarceration for sex offenders, both for the good of the individual offender and society at large. The Committee is in accord with the views expressed by Judge Luther Alverson in a letter to the Committee:

"The traditional approach to the convicted sex offender has been probation, a fine or imprisonment for a term of days, months or years, apparently on the theory that punishment would deter criminal action by those punished and by potential offenders or perhaps because early legislators could think of no other

solution. That fines and ordinary imprisonment do not deal adequately with the problem of the convicted sex offender is obvious. In fact, for several decades, it has been recognized that the punishment approach was not a suitable one for the psychotic or feeble minded sex offenders, and those persons have been treated, not as punishable criminals, but as patients for mental institutions. At the same time, there has been a growth of research and knowledge in the area of mental disorders of persons who are not psychotic in the usual sense of the term, and yet are not normal in the sense that they have unusual drives toward behavior not acceptable by society's general standards. Many have begun to recognize that while punishment for sex offenders may have some effect in some cases, it is not sufficient in most cases even to deter deviated practices, to say nothing of effecting a cure.

Physicians, psychologists, psychiatrists, criminologists, and more recently, members of the legal profession, have reached the conclusion that imprisonment alone is not a satisfactory solution to the problem of even the non-psychotic sex offender. These groups emphasize the value of applying medical, psychological and psychiatric techniques to the convicted sex offender for his protection and well-being, and at the same time, to protect society as long as the dangerous condition lasts."

d. Recommendations

1. The Committee recommends that the Atlanta Police Department establish a detailed classification system for sex crimes and maintain a careful record of all sex crimes.

2. Because there is currently no pre-trial investigation and psychiatric evaluation of sex offenders, it is impossible for courts to determine the correct disposition to be made of arrested sex offenders. In selected cases, a probated sentence may be in order where the family and simple local social control would be sufficient treatment. In order to obtain this needed information, the Committee recommends the establishment

of court clinics in the various courts of the state, staffed by competent and trained personnel, that will provide needed psychiatric investigation and evaluation of selected cases. The need for psychiatric investigation and evaluation extends beyond sex offender cases, however, and should be provided in all cases in which the court feels the need for such assistance. Massachusetts has established such a court clinic program which utilizes the services of 28 psychiatrists and 7 social workers. It has been particularly successful in providing psychiatric pre-trial evaluation and post trial care of juvenile offenders in conjunction with probation officers. Georgia should take immediate steps to institute a similar court clinic program. A logical starting point, because of the medical resources available in the area, would be the establishment of a court clinic program in Fulton County. In the interim, we recommend that all Atlanta superior court judges utilize the psychiatric facilities available at Grady Hospital in obtaining a psychiatric evaluation of all sex offenders. A blueprint for such a court clinic is attached as Appendix C-1.

3. The Committee urges that the Georgia House and Senate Joint Committee to study Sex Crimes and Sex Offenders consider the feasibility of recommending the passage of new legislation relating to sex offenders. At a minimum, such new legislation should provide the following:

(a) Utilization of pre-trial psychiatric investigation and evaluation of sex offenders.

(b) Indeterminate sentences to be provided for convicted sex offenders by the trial judge.

(c) Establishment of special facilities devoted to the treatment of convicted sex offenders to be set up near large medical centers so that a consulting psychiatric staff and other competent personnel could be provided.

(d) Periodic physical and psychiatric review of inmates at these special facilities and release upon a show-

ing that a particular sex offender has been sufficiently benefited by rehabilitative treatment so as to be deemed a good risk upon release.

(e) Continued research in problems of criminal behavior and sexual deviation.

4. The long range prevention of sex crimes must depend on strengthening the home and exposing children to models of behavior in their parents that are healthy. In its ideal form, this means that children are exposed to a mother and father who have a stable home and normal sex practices. To some extent, the failures in the home can be corrected in school by courses in normal human biology, but the school cannot expect to do the entire job. For long range prevention of sex crimes, it is recommended that the city make an effort to strengthen the homes.

3.

Crime and the Alcoholic

a. Extent of the Problem

Atlanta's alcoholic problem is only a part of the massive alcoholic problem existing in the United States. The United States Public Health Service has deemed alcoholism the country's fourth most serious health problem, after heart disease, cancer and mental illness. Significantly, the problem is becoming more acute, for according to recent World Health Organization statistics, the United States has just moved ahead of France as the nation with the world's highest incidence of alcoholism. The European Institute on the Prevention and Treatment of Alcoholism has indicated that every 15th American drinker of alcoholic beverages is an alcoholic, that a total of 75,000,000 Americans drink alcoholic beverages, and that 2,000,000 American alcoholics on the payrolls of business and industry cost their managements

more than \$2,000,000,000 every year through absenteeism.⁴

Focusing on alcoholism and the crime of public intoxication in Atlanta, we learn from the latest annual report of the Atlanta Police Department that over half of the arrests made for non-traffic offenses in 1965 involved public intoxication.

According to a study by the Emory University Department of Psychiatry on the alcoholic prisoner in Atlanta, done in 1963, arrests of the alcoholic utilized 40% of the municipal court time, utilized 60% of police time, the alcoholic occupied 60% of the space in the city jail and composed 95% of the stockade inmates.⁵ To this must be added the additional financial loss to the Atlanta business community stemming from absenteeism.

b. Relationship of Alcoholism to Physical Illness, Mental Illness and Mental Retardation

In a study of Atlanta's hard core alcoholics it has been found that 14% of the Negroes in this group and 25% of the Caucasians have some type of physical illness and that 50% of the Negroes and 30% of the Caucasians are mentally retarded. Most have serious character disorders or psychoneuroses. A few have overt psychosis. The social handicaps of this group are also great. Many cannot read or write; most have less than a grammar school education.⁶

c. Authority and Responsibility

The alcoholic remains one of the forgotten men in our community, with no governmental body, local, state, or

⁴ Christian Science Monitor, Mar. 25, 1965, p. B-9, col. 2.

⁵ Report on the Alcohol Project of the Emory University Department of Psychiatry (1963).

⁶ *Id.* at pp. 1-23.

federal taking adequate responsibility for his care and rehabilitation.

Under the Reorganization Plan of 1951, health functions were made the responsibility of Fulton and DeKalb counties; police functions were made the responsibility of the city of Atlanta. The city of Atlanta is in a paradoxical position. City police can arrest an alcoholic for public drunkenness, but the city cannot spend tax money to rehabilitate him, since rehabilitation is a health function. The Fulton-DeKalb County Hospital Authority says alcoholism is a chronic illness and it assumes no responsibility for the chronically ill. The Fulton and DeKalb County Health Departments have no outpatient clinics for the alcoholic. The State Health Department feels that it has no responsibility for the alcoholic until reasonable rehabilitative measures have been made at the local level.

In the treatment and prevention of the "crime" of public intoxication there are many controversial theories. In the Puritan tradition, many moralists, many ministers feel that the alcoholic can control his drinking and failure to do so is largely a moral problem. The medical profession, also a product of the Puritan ethic, often troubled by failure in the treatment of the alcoholic, has had two attitudes. The American Medical Association has declared alcoholic addiction, like narcotic addiction, to be a disease. Other physicians feel that alcoholism is largely a moral problem. Legislators and penologists have treated public drunkenness as a crime. The system of increasing fines, increasing prison sentences, and the previous practice of one to two year sentences in the State Prison is based on the theory of deterrence by increasingly severe punishment. It has become clear that neither fines nor imprisonment rehabilitates these men.

The Committee found the following practices existing with respect to the alcoholic offender:

1. Arrest

In general, the city police are both efficient and humane in dealing with the alcoholics. However, all persons who "stagger" are not drunk; all persons who are unconscious are not drunk. Special training in the care and handling of the alcoholic is not a part of police training.

2. Management of the Arrested Alcoholic

Some alcoholics who are acutely intoxicated are carried to Grady Memorial Hospital and lie on the stretchers in the Emergency Clinic for 1 to 3 hours. Alcoholics with delirium tremens are carried to Grady Memorial Hospital for brief outpatient treatment, but are usually not admitted. The other alcoholics go to jail for 4 or more hours or overnight to recover from their acute intoxication. The jail accommodations are very uncomfortable and overcrowded. While these men are still intoxicated there is no medical supervision.

3. Pre-trial Evaluation

There is presently no pre-trial evaluation of the arrested alcoholic. There is no fingerprinting. Many times the arrested alcoholic gives a fictitious name. Without a thorough check of the records it is not possible for the judge to know the individual's past record. There is no physical or psychiatric examination given. A more intelligent disposition of each case could be made if the judges had a complete record on each offender.

4. Court Procedure

There appear to be two schools of thought among the municipal court judges with respect to sanctions to be imposed on alcoholics. One school subscribes to the viewpoint that since any person arrested for public intoxication can "pay out" upon being booked at Police Headquarters by putting up and forfeiting a \$15.00 appear-

ance bond and avoiding any jail sentence whatsoever, it is unfair to require a higher fine than \$15.00 or, in lieu thereof, to impose a longer sentence than the minimum 30 days. The other judges do impose higher fines and longer sentences for chronic offenders. Certainly much is to be said for not penalizing the man who lacks sufficient money to buy his way out of jail. Fair play demands that a man without bond money be treated no differently from the man who has bond money.

5. City Prison (The Stockade)

In the City Prison there is very little medical and no psychiatric or work evaluation. While there the prisoner gets three meals a day and a bunk to sleep on. He may do a small amount of work on the streets of Atlanta and is usually discharged within 30 days. In a recent study by the International Association of Chiefs of Police, it was recommended that the number and qualifications of the City Prison personnel be increased. It was also recommended that better quarters be found. To date, these recommendations go largely unfulfilled.

6. Rehabilitation

Several agencies currently are concerned with attempting to rehabilitate the alcoholic. St. Jude's Center, under the auspices of St. Luke's and All Saints Episcopal Churches, and under the direction of the Atlanta Municipal Court, offers a half-way house where the alcoholic seeking rehabilitation may be fed and housed. In addition, other agencies concerned with alcoholic rehabilitation are: *state agencies*: the Georgia Department of Vocational Rehabilitation; the Georgian Clinic Alcoholic Rehabilitation Center; the Georgia Department of Labor; *local government agencies*: the Atlanta Municipal Court; *private agencies*: Fulton County Medical Society; Travelers Aid Society; Atlanta Union Mission; Butler Street Y.M.C.A.; Alcoholics Anonymous;

Georgia Hospital Association; and the Salvation Army.

One of the most promising developments, however, has been a pilot project by the Emory University Department of Psychiatry. In 1962, the City of Atlanta, Fulton County, and a group of businessmen in Atlanta provided funds to support a study done by the Emory University Department of Psychiatry. The goal of the study was to see if the Department of Psychiatry could devise a method by which the number of alcoholics who appear in court could be substantially reduced.

Analysis was made of police department records of drunk arrests. This was aided by use of Computer Center facilities at Emory University. Preliminary studies showed that 6,000 alcoholics accounted for 30,000 of the arrests in the city of Atlanta. A 10% sampling of this group was done by means of a questionnaire, psychological tests, and physical examination. Chest X-rays were done on 1,050 individuals who appeared in court. Studies were made on the arrest procedure, the geographical distribution of the place of arrest, the cost for the arrest, trial and detention of the alcoholic to the city of Atlanta and an estimate of the cost of alcoholism to industry in Atlanta because of loss of work.

The following findings were made:⁷

(a) Physical Illness

Twenty-five per cent of the Caucasian and 14% of the Negro alcoholics were sufficiently ill physically that it seriously affected their capacity for work. It was found in the chest X-rays that the rate of tuberculosis in this group was ten times that of the rate for the general population.

(b) Educational Status

The majority had less than a grammar school education.

⁷ Report, *supra* fn. 5, pp. 1-23.

(c) Economic Status

Thirty per cent were financially not self-supporting.

(d) Psychological Status

Fifty per cent of the Negro and 30% of the Caucasian alcoholics were found to be mentally retarded.

In January 1963, a Pilot Project was started. The following procedures were used:

(i) A client was boarded at St. Jude's Center while he received diagnostic studies and a rehabilitation team was searching for ways and means to help this man find employment.

(ii) Clients visited the rehabilitation team at the Out-patient Clinic at Grady Memorial Hospital whenever they needed to do so.

(iii) If indicated, some clients were placed on antabuse so they could not drink. They were maintained on antabuse either as outpatients or inpatients.

From July 1963, to the present, the rehabilitation team has consisted of five people, a psychiatrist half-time, two social workers full-time and two case aides half-time. This team continues to see 295 old cases each month and 32 new cases each month. This team is able to see less than 10% of the alcoholics in the City Prison who are seeking help. In a one-month sample, clients who were seen by the rehabilitation team were carefully followed and evaluated. The arrest rate in those who were seen by the rehabilitation team was reduced by 60%. Despite the very limited group which the rehabilitation team is able to see, the arrest rate in Atlanta, up until 1965, continued to fall, as shown by the following tables from Police Department statistics:

Year	Total Non-Traffic Arrests	Arrests Involving Drunkenness (Drunk & Drunk and Disorderly)
1957	66,330	40,621
1958	65,410	40,021
1959	73,098	46,110
1960	82,217	53,180
1961	84,610	49,867
1962	83,360	49,471
1963	77,560	45,191
1964	73,301	42,727
1965	82,899	48,783

Although there appears to be a slight upward trend in arrests involving drunkenness in 1965, the arrest rate is still down from the peak years of 1960 through 1962. Thus, a successful start has been made in studying the alcoholic problem and proving that successful rehabilitative methods can be utilized effectively. It must be emphasized, however, that it is just that — a start, and not an effective and continuing program of treatment and rehabilitation.

d. Recommendations

1. Officials of the city of Atlanta should negotiate with county and state officials to establish clear lines of responsibility for the alcoholic. Without a clear division of authority and responsibility, there will be continuing shifting of responsibility from one governmental body to the other. Specifically, the Committee recommends the following as a beginning:

(a) The city must have authority to spend funds for local alcoholic rehabilitative measures. Under the Reorganization Plan of 1951, passed by the Georgia General Assembly, the city's health functions were to be assumed by the governing bodies of Fulton and DeKalb Counties, whereas law enforcement functions were to be assumed by the Atlanta Municipal Government. Such a

division of responsibility induces more effective governmental services, but prevents the city from contributing directly to alcoholic rehabilitation. Alcoholic rehabilitation is a necessary and direct concern of the Atlanta Municipal Court with jurisdiction over the alcoholic offender, however, and special legislation should be introduced in the General Assembly, which would permit city funds to be spent to effectuate the proper functioning of the Municipal Court through an alcoholic rehabilitation service. The city should then join with the appropriate government agencies to establish a four point alcoholic rehabilitation service along the following lines:

(1) Adequate arrangements should be made with Grady Memorial Hospital for the care of the acutely intoxicated alcoholic and the alcoholic with delirium tremens and the alcoholic with other complicating medical illnesses.

(2) An Alcoholic Outpatient Clinic should be established at or near Grady Memorial Hospital to be operated by the Emory University Department of Psychiatry under contract with Economic Opportunity Atlanta, Inc. Application for financing of an Outpatient Clinic by federal funds administered by Economic Opportunity Atlanta, Inc., has been made. It is hoped that this application will receive top priority and that the Outpatient Clinic may be established immediately.

(3) The city and state should work out a mutually satisfactory relationship for the use of some of the buildings and land at the Honor Farm at Panthersville for the rehabilitation of alcoholics. Such a rehabilitation center would keep alcoholics one to four months to teach them a new trade or skill to help them become re-established in society.

(4) After an alcoholic has had from one to three years of treatment by the city and had adequate trial at rehabilitation and after it has been demonstrated that an alcoholic is chronically and permanently disabled, this

alcoholic should be turned over to the state for chronic custodial care.

(b) In the past the Fulton and DeKalb County Health Departments have been very active in keeping accurate statistics on the incidence and prevalence of infectious diseases, such as syphilis and tuberculosis. The Fulton and DeKalb Health Departments should be charged with responsibility for keeping accurate statistics on alcoholics and facilities available for rehabilitation.

(c) While the Mental Health Division of the State Health Department assumes responsibility for the chronic incurable alcoholic, clear guidelines should be established to determine for how long a period of time local rehabilitative efforts should be attempted before a determination is made that a man is a chronic incurable alcoholic.

(d) All police officers should be trained in the handling of the acute alcoholic. Police officers must be made aware that all people who stagger are not drunk and that all people who are unconscious are not drunk. The police need to be taught that delirium tremens is a serious illness and that many men who have "shakes" are beginning to have delirium tremens and many of these men die. The police should be taught that many alcoholics can be rehabilitated and that rehabilitation starts with arrest and detention of the alcoholic.

(e) Those who care for the acute alcoholic while he is in jail should be given training so that they can recognize medical problems when they arise in the alcoholic. Further, there should be close cooperation between the Grady Memorial Hospital staff and the jail staff in the management and treatment of the acute alcoholic.

(f) Many of the recommendations of the recent study of the operation of the prison stockade by the International Association of Chiefs of Police should be implemented. This includes:

i. Upgrading of personnel. All staff members

should be trained in alcoholic rehabilitation.

ii. Increased medical care.

iii. Establishing an atmosphere of rehabilitation in the stockade.

iv. Providing regular work for all prisoners.

(g) The functioning of the Atlanta Municipal Court could be improved by utilization of a Court Clinic system. The Committee recommends that the municipal court establish a Court Clinic that would be staffed with social workers, psychiatrists and attorneys. Many people who appear in the municipal court come from multiple problem families. They need an adequate evaluation before they appear before the court. The Court Clinic could make recommendations to the judge. The Court Clinic could refer troubled families to proper agencies after they leave the court.

A foundation might support such a clinic on a demonstration basis to see to what extent a Court Clinic would be effective in helping the court and the clientele of the court with their problems. A pilot project should be begun immediately with financing to be obtained through a grant by a private foundation.

4.

Crime and Drug and Narcotic Use and Addiction

a. *Extent of the Problem*

The Committee investigated the problem of narcotic and dangerous drug distribution and use in Atlanta. Narcotics (opium, morphine, heroin, marijuana) are addicting drugs with withdrawal symptoms consistently resulting when their use is suddenly discontinued. Dangerous drugs (barbiturates, amphetamines and other drugs), while not addictive, have a potential for abuse

because of their depressant or stimulant effect on the central nervous system, or because of their hallucinatory effects."

While Atlanta Vice Squad detectives assigned to the narcotics section, and Federal Treasury agents assigned to the Bureau of Narcotics indicate that narcotic addiction is not a major problem in Atlanta, these officials express the view that dangerous drug use is of great concern in the state at large and in the city. The Food and Drug Administration has estimated that over 9 billion barbiturate and amphetamine capsules and tablets are manufactured annually in the United States and about half of them are sold illegally.⁹ There is no reason to suspect that Atlanta has less of a problem in this respect than other cities of comparable size.

b. Relationship of Drug Use and Addiction to Mental Health and Mental Retardation

The type of people who use narcotics and other drugs vary considerably. It is not possible to describe one personality type or one personality problem that is associated with drug use and addiction. The use of morphine and its derivatives has been found among all social classes. It is very prevalent in large cities, particularly coastal cities. Narcotic addiction has been associated with extreme poverty. In New York City and Los Angeles, the increased usage has frequently been among minority groups. The over-use of pep pills and sedatives is extremely common among all social groups in America. There are many persons who are tense, irritable and anxious who use narcotics each night to sleep and use pep pills each morning to wake up. Many begin by feeling that this is normal behavior and will not lead to difficulty. Through the years many become habituated

⁸ *Non-Narcotic Drug Abuse International Narcotic Enforcement Officers Association, Inc.* 8 (1964).

⁹ Food and Drug Administration Fact Sheet 2 (1964).

to these drugs and cannot sleep or wake up without them. Many persons, particularly truck drivers who must drive long distances, use pep pills to stay awake. Mescaline, LSD, peyote, marijuana are drugs which some groups, particularly teen-agers and beatniks, have recently used for kicks. Many people who have serious mental illness take these drugs in an attempt to get pleasure.

c. Authority and Responsibility

The United States Treasury Department, Bureau of Narcotics, is charged with enforcing federal statutes regulating narcotics. In order to achieve uniformity in the regulation and control of narcotics, the Georgia Code, Chapter 42-8, "Uniform Narcotic Drug Act," provides a statutory scheme to harmonize with federal law. Under Georgia Code § 42-820, the Georgia State Board of Pharmacy and all law enforcement officers are charged with enforcing the provisions of the Act.

The Georgia Code, Chapter 42-7, "Dangerous Drug Act," regulates dangerous drugs. To date, there has not been adequate federal legislation relating to the regulation and control of dangerous drugs, paralleling federal narcotic legislation, and local law enforcement officials have expressed the need for such federal legislation in this area.

Recently passed congressional legislation will help control the illegal distribution and use of dangerous drugs. Drug Abuse Control Amendments, Public Law 89074, passed by the 89th Congress on July 15, 1965, are designed, in the language of the preamble, "to protect the public health and safety by amending the Federal Food, Drug and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs . . ." These amendments provide for stronger regulation of the manufacture, distribution, delivery and possession of depressant and stimulant drugs by requiring clear identification of drug manufacturers and close

record keeping to make it possible to account for every dangerous drug that is manufactured, down to the ultimate consumer. According to local law enforcement officials, this new legislation will fill a long felt need in protecting the public and the individual from dangerous drugs.

The Committee has reason to suspect, however, that the use of narcotics and dangerous drugs is rather widespread in and among Georgia's prison population. A number of ex-prisoners now residing in Fulton County were interviewed by professional social workers who volunteered and assisted the Commission, and a substantial number of these ex-prisoners report that there is a brisk traffic in narcotics and dangerous drugs among the prisoners presently serving time in penal institutions throughout the state.¹⁰ The source of supply is allegedly prison guards who sell drugs (and alcohol) to inmates at vastly inflated prices. The Committee was unable to interview a sufficiently large number of prisoners to determine the extent of the problem. Nonetheless, the Committee is convinced that a problem does exist and immediate steps should be taken by responsible public officials to eradicate this disturbing situation.¹¹

d. Recommendations

(1) While narcotic addiction is not now a major problem in Atlanta, statistics confirm the fact that narcotic addiction is associated with large metropolitan areas. Thus, as Atlanta grows, so in all likelihood will the use of narcotics. The Committee, therefore, recommends a close and continuing check by law enforcement officials on narcotic offenders and continued cooperation with federal law enforcement agencies. The Committee rec-

¹⁰ See Appendix C-2.

¹¹ It was encouraging to learn recently of steps taken by Georgia prison officials to investigate and stamp out this problem.

ommends that the state and city evaluate the newly enacted federal legislation dealing with dangerous drugs after it has been in operation and enforced for a reasonable period of time and that the city and state consider at that time what additional local corrective measures need to be taken.

(2) As is the sex offender and alcoholic offender, the narcotic and dangerous drug offender often is a highly disturbed individual with emotional problems who should be screened by staff members of a Court Clinic prior to trial. The judge before whom the individual appears should have the recommendations of the staff available before sentencing.

(3) Vice Squad detectives of the Atlanta Police Department, assigned to the narcotics section and charged with enforcing state laws relating to narcotics and dangerous drugs, report that they are handicapped in their enforcement duties by the failure of the city to provide funds for them to buy dangerous drugs from suspected illegal distributors and to pay informer fees for needed information relating to narcotic and dangerous drug offenses. The Committee recommends that such funds be appropriated and, thereby, enable these law enforcement officials to obtain needed information and evidence necessary for conviction.

5.

Conclusion

a. General Recommendations

(1) Authority and Responsibility

Authority and responsibility for prevention, treatment and rehabilitation of the alcoholic, the common criminal, the sex offender and the user of drugs and narcotics is not clear. It is recommended that the officials of the City of Atlanta negotiate with county and state officials

to delineate clearly who has responsibility for the above-listed services. It is further recommended that each level of government be given tax resources to correspond with its responsibility.

(2) Intergovernmental Cooperation

Cooperation between municipal, county, state and federal governments in the area of crime prevention and treatment has not always been as thorough as it should be. It is recommended that the city, county, and state agencies meet periodically to coordinate their efforts.

b. Specific Recommendations

(1) Prevention

(a.) Crime is frequently associated with poverty and poverty is frequently associated with too many children in the family. We recommend that all the health clinics in Fulton, DeKalb and surrounding counties be operated both day and evening for the convenience of the citizenry. The purpose of these operations would be to provide contraceptive information and contraceptive devices to families who wish to control their number of children. We recommend that efforts be made to have poverty stricken mothers seek advice in these clinics and we also urge that the financial eligibility policies be liberalized. This service would be strictly voluntary so as not to offend the conscience of anyone opposed to family planning.

(b.) Many criminals are mentally retarded. We recommend that school systems seek out every educable mentally retarded child and see to it that this child will be prepared for a vocation so he will not have to turn to a life of crime. To accomplish this, a substantial increase in funds for schoolroom space and special teachers will be necessary.

(c.) Many couples enter marriage poorly prepared emotionally and economically. We recommend that schools, churches, and other agencies establish marriage counseling clinics for couples who are planning to get married. The emotional and financial aspects of marriage should be stressed.

(2) Treatment

(a.) Many people with economic, social, psychiatric and domestic problems appear in various courts of this state. We recommend that court clinics be established and that selected cases be referred to the court clinics for pre-trial evaluation and post trial treatment.

(b.) In the public schools there are many children who are emotionally disturbed. We recommend that the facilities of the Children's Clinic in the Fulton County Health Department be substantially increased. We also recommend that the Community Mental Health Board study further the need for clinical facilities for children in the metropolitan area.

(c.) Since our investigations reveal a correlation between crime and mental illness and mental retardation, we recommend that clinics for the mentally ill and the mentally retarded be established throughout the metropolitan area. This, too, should be planned by the Community Mental Health Board.

(3) Rehabilitation

Alcoholism accounts for the highest percentage of crimes committed in Atlanta. We recommend that a complete alcoholic rehabilitation program be established in cooperation with Economic Opportunity Atlanta, Inc., Grady Memorial Hospital, Fulton County, Emory University, and the State of Georgia, Department of Public Health. Steps already taken in this direction are encouraging.

Rehabilitation

The Rehabilitation Committee was charged with investigating the conditions faced by Atlanta residents after conviction of a crime and in making recommendations which will help prevent future crimes by these people.

The Committee's attitude in approaching its task is best stated by FBI Chief J. Edgar Hoover:

"From where [we] stand [rehabilitation efforts] are only a part of our machinery of criminal justice which exists for only one purpose — protection of society. This machinery fails when any part of it breaks down and leaves society unprotected."¹

The Committee surveyed the areas of parole, prisons, probation, conditions facing persons discharged from prison without parole, and sentencing.

1.

Crime Prevention and the Parolee

Parole is the release of a convicted person after imprisonment to the supervision of a trained officer. It is unlike probation because probation is a release to supervision without imprisonment.

Many people think of parole as being "time-off for good behavior." There is not much truth in this view of

¹ Quoted in *Guides for Parole Selection*, National Council on Crime and Delinquency, p. 27.

parole. Good time allowances are granted by law and not by parole authorities.²

Many people also think that long sentences are automatically shortened by parole. There is also not much truth in this view either. Only about one out of every ten persons convicted in Fulton County is paroled and certain types of crimes are seldom, if ever, paroled.³

A more accurate view of parole sees it as a supervised period of adjustment in which selected prisoners adjust to job and family after a substantial prison term.⁴ Ninety-eight percent of the people sent to prison eventually are released to the communities in which they were convicted.⁵ The parole authorities determine what percentage of these people will be released with the guidance and supervision of a trained officer.⁶

Parole in Georgia (including metropolitan Atlanta) is the responsibility of the State Board of Pardons and Paroles.

a. The Parole Board

In its dealings with the Board of Pardons and Paroles, the Committee was impressed with its knowledge of correctional processes, its interest in improving the quality of the department, and its forward-looking stance. In 1964, the Board took the initiative in having its operations evaluated by an outside source. The result was a helpful study by Frank K. Gibson, Associate Professor

² Ga. Code Ann. §77-320 provides good time allowances for State prisoners; §77-201 provides such allowances for County prisoners.

³ Unofficial figures, based on records for July 1, 1964 through June 30, 1965, of the State Board of Parole.

⁴ See Appendix D-1 for a copy of the Certificate of Parole. It contains the conditions under which parole is granted.

⁵ The remainder die in prison. Glaser, *The Effectiveness of a Prison and Parole System 3* (1964).

⁶ For the sake of completeness, Appendix D-2 contains a schedule of parole eligibility dates. The Committee wants to emphasize that candidates generally serve longer terms than required by the schedule. The minimum time served before consideration is established by law. Ga. Code Ann. §77-525.

of Political Science at the University of Georgia, titled "A General Overview of Parole, Probation and Penal Administration in Georgia."

Practically all of the recommendations in this evaluation of the board's operation by the University of Georgia have been implemented.

Also in 1964, the board successfully worked for the passage of legislation to reduce the number of minor offenders assigned to the Georgia Prison System and to eliminate indefinite sentences for criminal offenders. The Board supported its position by actual case histories taken from its files which showed the abuses prevalent under old law. From this example, and other information, the Committee gathered that the Board's relation with the state legislature was good.⁷

Also, in 1964, the Parole Board had a study done by the Institute of Law and Government titled "Success on Parole in Georgia." The Committee considered this study, prepared by Professor C. W. Bain of the Department of Political Science, Emory University, as another indication of the Parole Board's capacity for self-improvement and evaluation.⁸

The Board presented the Committee with the newest and most comprehensive text Rubin's, *The Law of Criminal Correction*, dealing with probation and parole.⁹ This and other circumstances strongly implied that the Board members were familiar with up-to-date correctional laws and methods.

⁷ Ga. Laws 1964, pp. 483, ff. known as the "Prison Reform Acts of 1964" made two major changes in the prison system. First, short-term prisoners are now the responsibility of the counties rather than the State Board of Corrections. Second, the indeterminate sentence (e.g., one to five years) is now replaced by a fixed sentence.

⁸ This was a data-gathering task and contained no critical analysis or evaluation. Because a period of five years is necessary to evaluate parole effectiveness, the Committee did not rely on this study to judge the effectiveness of present parole efforts.

⁹ (St. Paul: West Publishing Co., 1963). Mr. Rubin is General Counsel to the National Council on Crime and Delinquency, formerly the National Probation and Parole Association.

When asked what the Committee could do to help the Board, the Board had ready answers that included detailed suggestions for implementation.¹⁰

The general operation of the Board is efficient and the competence and dedication of those who run it is excellent. The Committee feels that the Board is aware of all of the problems it faces.

Without detracting from this judgment, the Committee wants to emphasize the need for judging the effectiveness of parole methods and personnel by the use of comparative studies of paroled and non-paroled persons. The Board had one survey of "Success on Parole in Georgia." The scope of that survey was limited by the fact that "Success on Parole" does not necessarily measure success of parole. Repeat offenses may occur after a successful parole. Also, the success of parole is not necessarily indicated by a low parole revocation rate. The rate is influenced by the extent to which parole is being utilized and a low revocation rate may mean that parole is not being utilized as fully as it should be.

The Committee suggests that a periodic program for follow-up studies on parolees and non-paroled persons should be undertaken by the Board in order to evaluate the standards used in granting paroles and in supervising parolees. If such studies are to be of value, there will be a need for a planned system of record keeping to be used in cooperation with other corrective and preventive agencies.

¹⁰ The members felt the work of the Parole Board would be more effective if there were 1) sound and well-utilized probation services on the local level (To this end, the Board felt the State should share the cost of independent systems such as Fulton County's,) and 2) effective representation of indigent defendants by a public defender system.

b. The Committee's use of the Study of the Institute of Law and Government of the University of Georgia

As to the evaluation of the Georgia parole system furnished by the University of Georgia, Institute of Law and Government, the Committee assumes the competence of Professor Gibson who prepared it and the impartiality of the Institute of Law and Government which provided it.¹¹

The Committee relied on the Gibson study in order to evaluate the organization of the Board and the adequacy of existing laws dealing with the powers given the Board. Based on the Gibson study, the Committee finds that the organization of the Parole Board is good and that existing laws are adequate.

c. Parole in Fulton County

The Committee investigated the effect of State Parole Board policies on metropolitan Atlanta. Those policies, as applied here, gave the Committee more concern than any other area of Parole Board activity. The Committee finds that the policy of the Parole Board with respect to metropolitan Atlanta is ultra-conservative. For example, of the people convicted in the United States generally, out of every 100 people who are released from prison, approximately 50 are released on parole; of the people convicted in Georgia generally, out of every 100 people who are released, approximately 25 are released on parole; of the people convicted in Fulton County, out of every 100 persons who are released from prison, only 13 are discharged on parole.¹²

¹¹ "A General Overview of Parole, Probation and Penal Administration in Georgia."

¹² Georgia and Atlanta figures are quoted from a letter report of the Parole Board to the Governor, General Assembly, and others, dated March 10, 1965. The national average and percentages for other states are found in National Prison Statistics Bulletin, No. 33, December, 1964.

In trying to account for this discrepancy between Fulton County and the State at large, the Committee recognized three factors. First, Fulton County contributes a higher percentage of certain crimes involving personal violence, such as robbery, than does the State at large.¹³

Second, Fulton County may probate more offenders than does the State at large. That is, the percentage of persons paroled in Georgia may be 25% because the Board is paroling persons who should not have been sent to prison in the first place, but who should have been placed on probation instead. Assuming Fulton County makes more use of probation than the rest of the State, its parole rate would therefore be lower.

Third, the Board may feel that if a parolee commits a crime in metropolitan Atlanta, the possibility of criticism from newspapers and television located here is more capable of harming its programs than might be true elsewhere in the State.

Taking these three factors into account, the Committee still believes that the ultra-conservative policy of the parole board with respect to metropolitan Atlanta does not help in preventing crimes by released prisoners. For example, some states believe so strongly in supervision that they parole all prisoners. Wisconsin paroles approximately 75% of its prisoners and Milwaukee had the lowest 1964 crime rate of any large U.S. city. Washington releases 99% of its prisoners on parole and Seattle had fewer major crimes than Atlanta for 1964.¹⁴

Both the City and the convicted person should have the benefit of supervision of the released prisoner that is a part of parole. The City should have it because of the conditions placed on the parolee to insure his rehabilitation. The released prisoner should have it be-

¹³ State Board of Corrections, Annual Report, 1964. Unofficial figures, Fulton County Solicitor General's Office.

¹⁴ See FBI Uniform Crime Reports—1964, and Glaser, *op.cit.*25.

cause of the help which a parole officer can give in employment and counseling.

The Committee is assured that one of the Board's goals is to increase the number of supervised persons who re-enter the metropolitan Atlanta area and to decrease the number of unsupervised ones. We feel that if this is done, the Board will be helping the City prevent crime by previously convicted persons.

d. Conclusion

The Parole Board should be checking the results of its judgment in granting parole as well as the performance of its parole officers in supervising parolees by periodic follow-up studies comparing the repeater rate among parolees and non-paroled persons.

The Parole Board must have a good working relationship with the press. The Committee recommends that the Board have annual educational conferences for Georgia news media in order that the practices and policies of the Board can be explained and working relationships established with reporters, editorial writers and commentators.

The Parole Board's ultra-conservative parole policy for metropolitan Atlanta does not help in preventing crime by released prisoners; the policy results in too many persons being discharged from prison into metropolitan Atlanta on an unsupervised basis.

2.

Crime Prevention and the Prisoner

The Committee has been fortunate to have available to it a thorough and expert survey of the Georgia prison system. This is the so-called "Ragen Report", of May, 1963. The Report is a blueprint for the State Board of Corrections to follow in order to implement prison reform in Georgia. The Ragen Report was contracted for

by the "Governor's Commission for Efficiency and Improvement in Government." After receiving the Ragen Report, the Governor's Commission issued its Report with specific recommendations.

a. Implementation of Recommendations of Governor's Commission

In its interview with the Director of the Board of Corrections, the Committee determined that, with some exceptions, the recommendations of the Governor's Commission are on their way to implementation. Examples of this are:

(1) Abolition of Rock Quarry Prison and Conversion to Misdemeanor Center — the Board of Corrections has discontinued the use of this facility as a prison for incorrigibles. Work is in progress to renovate it as a training center for youthful offenders between 18 and 21, as recommended.

(2) Reception, Classification and Diagnostic Center and Maximum Security Prison — This keystone in Georgia prison reform is to be built as but not where recommended. The Committee anticipates that the Department of Corrections will have more difficulty obtaining professional staff because of the choice of location.

(3) Prison Industries — the Board of Corrections recently hired A. L. Dutton, former director of South Carolina prison industries, to inaugurate an expanded program of prison industries. In December, 1965, Mr. Dutton was appointed warden of the Reidsville prison. Some progress has been made in constructing buildings to house the industries at Reidsville, but not enough.¹⁵

(4) County Camps — The County Camps still mix serious offenders and minor offenders in spite of the recommendations to the contrary by the Governor's Commission.¹⁶

¹⁵ Board of Corrections, Annual Report, 1964.

¹⁶ See Appendix D-3 for a schedule showing the mix of felons and misdemeanants in the county camps.

(5) Education and Training — Progress is being made here, as recommended.

(a) A basic literacy program has been started at Reidsville and at all prison branches. In addition, further academic training is available at all educational levels at Reidsville.¹⁷

(b) Vocational training programs in bricklaying, automotive repair, and other trades are available at Reidsville.¹⁸

(c) Vocational training and education programs are also in operation at Lee, Meriwether, Putnam, Lowndes-Troupeville, Decatur, Macon, Rock Quarry, Pulaski and Ware Prison Branches.¹⁹

(d) Pre-Release Program — such a program, which runs for thirty days prior to a man's release, has been operating since January, 1965 at Reidsville and has been recently started at Alto.²⁰

(6) Personnel Administration — employees of the Department of Corrections were placed under the State Merit System as of July 1, 1964 as recommended.²¹ Nevertheless, their hours are still long and their pay low.

(7) Minor Offenders — legislation was enacted making minor offenders (misdemeanants) the responsibility of the counties and taking them out of state custody, as recommended.²²

¹⁷ Statement of L. E. Walters, Department of Corrections.

¹⁸ Vocational training has not been provided in Fulton County Camps. See later sections of this report. The other trades include drafting, typewriter repair, sign shop training, and printing. Board of Corrections, Annual Report, 1964. For guidance in selecting vocational courses, the Committee recommends Georgia Skill Study (Ga. Dept. of Labor, 1963) which shows projected job needs to 1967.

¹⁹ Board of Corrections, Annual Report, 1964.

²⁰ These programs do not contain, as they should, information with respect to job and vocational opportunities under the Poverty Program.

²¹ Board of Corrections, Annual Report, 1964.

²² Ga. Code Ann. §27-2506, §77-309 and §77-312.

(8) Financial Requirements — appropriations for the Department of Corrections have reflected attention to the Georgia prison system, as follows.²³

7/1/63 - 6/30/64	\$3,280,000	
7/1/64 - 6/30/65	\$3,930,000	(Up \$650,000)
7/1/65 - 6/30/66	\$4,750,000	(Up \$820,000)
7/1/66 - 6/30/67	\$5,142,000	(Up \$392,000)

This is a 50% budget increase during the past four years.

The Committee finds that if there is any one attitude which has prevented vigorous interim implementation of the Ragen Report and which constantly threatens prison reform, it is the attitude that prisoners should be classified, assigned, and transported around the State to supply the labor skills needed by various public works projects.

The Committee can envision such a practice as interfering with education and training as both inmate instructors and pupils are transferred, nullifying classification as dangerous inmates are moved from place to place on account of work skills, and breeding criminality as hardened criminals continue to be mixed with young inexperienced ones. Prison labor should be used in prison industries so that the integrity of classification, education, and correction can be maintained.

b. Georgia Industrial Institute at Alto

Although the Committee decided that the Ragen Report relieved it of an extensive investigation of the Georgia prison system, the Committee did take special interest in the Industrial Institute at Alto. This is because:

²³ Ga. Laws, 1963, p. 230; Ga. Laws, 1964, p. 196; Ga. Laws, 1965, p. 52 a news release indicating that \$250,000 of the \$392,000 for 1966-67 would be allocated by the yet to be passed 1966 Supplemental Appropriations Act.

(1) The young men at Alto have their adult life before them and are in a position to make the most use of educational and vocational opportunities.²⁴

(2) Criminal activity is statistically more prevalent in young men between the ages of 18 and 22 than in any other category.²⁵

(3) Warden Ragen found that, in 1963, Alto was a "fertile crime breeding ground."²⁶

The Committee's staff visited Alto in order to see what had been done there since the Ragen Report. The Committee found what appeared to be a well-run school for academic instruction at all levels of educational attainment. There was also an established program of academic, personality and vocational tests which should lead to an effective classification and diagnostic process within the Institution.

In spite of the specific recommendation of the Governor's Commission, the Ragen Report, and the desires of the Alto authorities, the Committee did not find any formal vocational education at Alto. While it appeared that the Institution was attempting to use the young offenders in maintenance work incident to the operation of the Institution, and therefore giving them some work experience, this is no substitute for a formal vocational training program which would give work skills to the young offenders.

In recommending the establishment of formal vocational training at Alto, either as a separate school or as a part of the existing high school there, the Committee is reaffirming the recommendations of Warden Ragen in his report, the recommendations of the Governor's Commission for Efficiency and Improvement in Government in its report, and the recommendations of the Superintendent and the staff at the Institute at Alto.

²⁴ Alto inmates are between the ages of 16 and 20.

²⁵ Board of Corrections, Annual Report, 1964, pp. 62, 63.

²⁶ Ragen Report, p. 19.

Statistics on the I.Q. and educational attainment of the inmates attest to the need for more academic and vocational training. Of 310 boys who were tested in July of 1965 by clinical psychologists, a total of 171 were found to be functioning on a retarded level. Another group of 300 was tested by the institution's Rehabilitation Counselor and found to have an average I.Q. of 79.5. As for educational attainment, this group tested out at about the sixth grade level on the California Achievement Grade Placement Test.

c. Fulton County Work Camps

The Fulton County work camps are not considered as a part of the state prison system; they are facilities over which Fulton County has operating control.²⁷ The Committee devoted no time to the operation of these camps other than a brief visit to the Bellwood Camp and a talk with its Warden because of the favorable findings of Warden Ragen concerning them. The Committee notes, however, that the recommendations of Warden Ragen dealing with rehabilitation efforts at the County Camps have not been followed. In evaluating the Fulton County Camps, Warden Ragen recommended:

"... that an academic and vocational training program be established for inmates. The location of the Fulton County camps in the Atlanta area, I am sure will attract qualified teachers to supervise these programs. The inmates, I was advised, work eight hours so there is sufficient time remaining for education."²⁸

The Fulton County Camps appear to be meeting basic correctional needs; this is all the more reason why they can afford to be concerned with other aspects of crime prevention through rehabilitation.

As to academic training, there is a substantial number

²⁷ Ga. Code Ann. §77-312. Although work camps are considered as primarily for lesser offenders, the Fulton County Camps contain 75% major offenders, 25% minor ones. See Appendix D-3.

²⁸ Ragen Report, p. 27.

of prisoners whose stay at the work camp is for a long enough period to indicate that an academic program, as a regular part of the County school system, should be investigated more fully.²⁹

As to vocational training, the Committee talked with Mr. A. T. MacDonald, Director of the County Public Works Dept. Mr. MacDonald is most interested in establishing a training program for convicts under his present workday supervision. This program could include training in the use of road-building and other equipment. The Department's need for skilled workers is chronic, and it often finds itself in an inferior competitive position for hiring skilled blue collar workers because private industry pays higher wages across the board.

It appears that a cooperative effort in this area, if possible under existing work camp regulations, should be investigated further.

3.

Crime Prevention and the Dischargee

The Committee has devoted a major portion of its research to the problems faced by a person who is discharged from prison or a prison camp and who is not under the supervision of a parole officer. In correctional language this person is called a "dischargee."

a. The Plight of the Dischargee in Metropolitan Atlanta

The plight of these men can best be described as follows:³⁰ First, by the Chaplain at Reidsville:

²⁹ An average stay of 18 months according to Warden Mills. There are no statistics on the education level of prisoners in the County Camps. Of serious offenders in the penitentiary, at least 80% failed to finish high school.

³⁰ The Chaplain is Dan V. Joiner in Department of Corrections, Pre-Release Manual, "Preface"; the prisoner is unknown; his letter appeared in the Final Home Ed., Nov. 1, 1965, p. 24.

"In American correctional institutions, considerable attention has been given the parolee. In most cases, he is released to a job, a stable home, or to an institutional situation where he can go and live the balance of his sentence under parole supervision.

"Not much, however, has been done for the man who is discharged. He is frequently homeless and more frequently lacks assurance of employment. Accordingly, he is likely to become a repeater."

Next, by an inmate's letter to the Editors of the Atlanta Journal:

"The Editors: I just wonder if the taxpayers of this state know that while serving a sentence there is no way to earn money and the prisoner does not receive any necessities, like razor blades, tooth paste, writing paper, stamps, etc. And when he or she is released without even enough to buy a meal, do you wonder why there are so many repeaters?

"I believe the state prison director is trying to help but he needs help. I hope our lawmakers know this and help him.

"I am an inmate of the state prison system."

NAME WITHHELD

On the average, the men who return to Fulton County from the penitentiary at Reidsville have been away for a period of approximately two to three years.³¹ The men come out of a highly regimented prison society to their homes with a suit of clothes (which can cost no more than \$8.00) and a bus ticket.³² Some prisoners do not have homes and the sanctuary and concern of a family to help them in their process of getting started again. And for those who have families, there are family responsibilities facing them.

³¹ Estimate of R. H. Burson, Director, State Board of Corrections. Model Sentencing Act (National Council on Crime & Delinquency, 1963) p. 24 shows that in 1960 in Georgia, 77.1% of felony prisoners served less than 3 years. The Committee's own survey has shown that the average sentence in Fulton County for auto theft is approximately 2½ years and for burglary is approximately 4 years.

³² Ga. Code Ann. §77-317.

Fulton County welfare statistics, for example, show that 473 families receive welfare aid because the fathers are in prison. This welfare aid stops after the father is released from prison.³³

Job opportunities in metropolitan Atlanta are also limited for a released prisoner. To find out more about this, the Committee conducted a survey of all major employers in the Atlanta area. The survey covered businesses and government agencies which actually employ twenty per cent of Atlanta's blue collar workers. The Committee's survey indicated that a criminal record puts a man at the bottom of the labor barrel; only the lowest paid and least desirable jobs are available to him and these are his only when there is full employment.³⁴

The Committee found it understandable that these men are unsettled and afraid of the life which they will find awaiting them when they return.

In Fulton County there is no person or organization to which they can turn which is familiar with their particular problems. The problem is more acute here because, as we have previously noted, the policy of the Parole Board is so conservative that it prevents many of the discharges from having the help of a parole officer.

The Committee estimates the number of discharges coming into metropolitan Atlanta at about 500 to 700 persons per year.³⁵

³³ Fulton County Department of Family & Children's Services, "Who Are Our Clients", Issue No. 3, data applicable as of April 1, 1965. The welfare payment, taking account of the plight of a father who is released from prison, continues for 60 days after release, according to Welbern Ellis, Administrator of the Department.

³⁴ See Appendix D-7 for a full description of the survey.

³⁵ This estimate does not include the number of men who may be discharged from County custody as former inmates of the County work camps. For the most part, these are short-time offenders whose stay in the camps does not exceed seven months. The estimate is based on Unofficial Records, State Board of Pardons and State Board of Corrections.

b. The Repeater Rate and the Dischargee

The Committee is sure that the incidence of further crimes among these non-supervised persons is quite high. This is because the probation and parole processes have already put under supervision the individuals least likely to commit further crimes. For example:

First, of the persons convicted in Fulton County, put on probation and not sent to prison, about 17% of these men have their probation revoked and are then sent to prison either because they commit another crime or do not comply with the conditions of their probation.³⁶

Second, of these persons who go to prison, and are then paroled, about 7% are sent back to prison, either because they commit another crime or do not comply with the conditions of their parole.³⁷

The Committee believes that if the repeater rate is approximately 17% and 7%, respectively, for those who have been screened by probation and parole and who have the help of a trained officer for employment and adjustment, it will be appreciably higher for those not screened or assisted.³⁸

Ironically enough, although these persons need supervision more than the probated and paroled, they get none. The Committee estimates that the repeater rate among these "dischargees" is 33% or more.³⁹

³⁶ Annual Report, Fulton County Probation Department, Supervisory Division, December 31, 1964. The Report shows that 626 probations were revoked, 134 from the Superior Court, 442 from the Criminal Court. 3,683 persons were on probation as of December 31, 1964.

³⁷ Letter Report to Governor, and others, State Board of Paroles, March 10, 1965.

³⁸ Unofficial figures of the State Board of Corrections show that 61% of the commitments in fiscal 1965 from Fulton County had a previous minor or serious conviction.

³⁹ Glaser, *The Effectiveness of a Prison and Parole System* 24 (1964), on the basis of extensive evidence suggests that about 1/3 of the men released from prison are returned within two to five years. This percentage may be appreciably higher he says if probation is used extensively so that only the poorest risks go to prison.

c. A Crime Prevention Program for Dischargees

To prevent repeated crimes by former prisoners, the Committee recommends that two things be done in metropolitan Atlanta. First, the size of the group of persons who are discharged to Fulton County without supervision should be reduced by a wider utilization of parole processes. Second, the community should adopt an assistance program whereby dischargees can receive the help they need in re-entering the community.

The assistance program suggested by the Committee does not involve the creation of new projects and facilities. It only seeks to help the dischargee utilize existing resources in the community. The Committee has found that there are many programs which may be availed of by dischargees; the need is to provide people familiar with these programs who can help the dischargee utilize them.

This assistance person the Committee would name a "Rehabilitation Counselor." The Rehabilitation Counselor's job would include but be much broader than that of an employment officer. He would know all of the community programs devoted to training and placing people for work; he would visit the penitentiary periodically so that the men would know him by face and name; he would follow up on released prisoners in Fulton County in order to determine if they needed help but were not asking for it; he would act as a clearing house of job information so that all existing special contacts could be combined into a working bank of job opportunities.

Lastly, the Rehabilitation Counselor would be familiar enough with inmate thinking to be able to counsel both the dischargee and his family. A person with experience as a probation or parole officer would be ideally suited for this purpose.

The Committee suggests that the Rehabilitation Service it recommends begin as a pilot project in the Atlanta area under the operating control of the State Board of Parole. If this is not possible, a pilot community action program, under the sponsorship of some private agency, with War-on-Poverty funds, should be established.

In connection with this recommended program, the Chaplain of the penitentiary at Reidsville is willing to undertake a program of preparation for the families of discharged and paroled prisoners, to be carried on in Atlanta prior to the discharge of the prisoners. This kind of program should not only be encouraged, it should be a part of the program to provide employment, training and counseling services, as suggested above. Combining the two programs would make both of them more effective.

4.

Crime Prevention and the Probationer

Probation is the release by the court of a convicted person, without imprisonment, to the supervision of a trained officer.

A person whose sentence is probated is not required to serve any of it in prison unless his probation is revoked. Probation is therefore unlike parole, which occurs after a prison term. It is also unlike a suspended sentence, which is a release without imprisonment and without supervision.

Probation services in metropolitan Atlanta are provided primarily by the Fulton County Probation Department.⁴⁰

⁴⁰ Ga. Laws, 1919, pp. 112, 113. Ga. Code Ann. §27-2703 ff. This discussion of probation covers both the supervisory division and the support division of the Department.

a. Evaluation of Existing Services

To evaluate the operation of probation in Fulton County, the Committee called on the consulting services of the National Council on Crime and Delinquency which responded by providing us an administrative inspection by trained experts of Fulton County probation services, without charge.⁴¹

These men offered several suggestions for improvement in the Fulton County probation system. For example:⁴²

(1) They recommended more "outside" supervision of probationers. Almost all meetings between probation officer and the probationer occur in the courthouse at the probation office. The low rate of probations which are revoked may be due to this lack of intensive supervision.

(2) They also recommended that probation officers not be used to find and arrest probationers who have failed to report or violated the conditions of probation. This should be the responsibility of the Police Department. In this connection, some probation officers carry weapons. This practice should be discontinued.

(3) They recommended that more recognition be given to those who successfully complete their probation.

(4) They recommend that supervision and casework records be more uniform and complete.

Generally, however, the Committee's study found that the probation department made good use of its resources. The Committee was told by its consultants:

"An observable quality of [the Department's administration is the] ability to use a critically undermanned staff within the framework of modern correctional practice."

⁴¹ The experts: Stewart Werner of the Georgia Committee of the NCCD and Don Rodemacher of the NCCD, Austin, Texas office.

⁴² The full text of their report appears in the Appendix as D-4.

⁴³ Letter to Judge Bell, Commission Chairman, by Mr. Werner dated Oct. 5, 1965. This letter also appears in the Appendix as D-4.

It should be noted that inadequate probation services in Fulton County are the result of inadequate staff rather than inefficiency.

b. Inadequate Services

The Committee finds that the staff of the Probation Department is inadequate for the needs of the community. The lack of trained officers to supervise convicted persons threatens to make a mockery out of the probation process. For example, each officer in the department is responsible for no less than 238 cases. The optimum number of probationers for each officer is 50. Asking for proper supervision from the probation office where each officer supervises 238 people is like demanding good teaching from the School Board where each teacher has 95 pupils in the classroom.⁴¹

The Committee puts the minimum needs of the Department at ten additional fully-qualified officers for the supervisory division.⁴² Of course, the other division also needs officers.

c. Paying for Probation

State funds completely pay for probation services in 153 counties but do not pay any of this cost in Fulton County's Criminal and Superior Courts, DeKalb County, and four other high population counties, because they elected to continue their own separate probation depart-

⁴¹This case load figure is taken from Fulton County Grand Jury Presentments, July-August Term, 1965. This optimum is an NCCD figure. See Appendix D-4.

⁴²The addition of ten full qualified officers plus supporting personnel would reduce the case load to 150 cases per officer, the maximum case load recommended by the Grand Jury. The addition of \$100,000 to the salary appropriation would enable the Department to pay salaries to old and new officers in keeping with wages paid by competing agencies. The Committee notes the need for hiring additional Negro officers.

ments instead of merging with the State probation department when it was created in 1956. The practical remedy is for Fulton and DeKalb to join the other 153 counties served by the State.⁴³

State courts place offenders on probation according to the provisions of State statutes. Probation is in every sense a State function, as part of a cohesive, overall pattern of administration of justice. Probation should be used fully, and the facilities for this use should constantly be strengthened. State assumption of responsibility for probation in Fulton and DeKalb counties would be a move toward this end.

The existence of the Fulton County system saves the State \$1,000 for each man who is probated rather than imprisoned at State expense. If the 1,877 persons under probation in Fulton County as of December 31, 1964, were sent to prison for one year, the cost to the State would amount to almost two million dollars.⁴⁴ The State should assume the obligations as well as the benefits of this service.

5.

Crime Prevention and Sentencing

The Rehabilitation Committee is convinced that the Georgia laws do not effectively recognize that there is a hard core of repeaters who will not be reformed by ex-

⁴³The money for probation in Georgia is paid by State revenues, \$750,000 (55%); Fulton and DeKalb taxpayers, \$405,377 (30%); others, \$225,256 (15%). The number of probationers involved is: State system, 9,056; Fulton, 7,003; DeKalb, 3,153; Chatham, 1,203; Richmond, 769; Bibb, 1,150; Muscogee, 1,795. Source, 1964 figures, State Board of Probation. The 1966 tentative budget for Fulton County allocates \$218,740 to the Supervisory Division of its Probation Department.

⁴⁴These figures on the economy of probation are taken from the State Board of Probation's Letter Report to the Governor et. al., dated January 25, 1965.

isting correctional processes. It is also convinced that the Georgia Laws do not effectively recognize that there is a class of offender who is reformable once subjected to the process of trial and conviction, and who, if not too severely handicapped by his experience, will become a useful citizen.

The Committee finds that under the present Georgia system, neither the repeater nor the reformable is treated properly.

a The Present System and the Repeaters

The present system provides that all persons who plead guilty to a crime are sentenced by judges.⁴⁶ If a person pleads not guilty, he is usually tried by a judge and jury, in which case the jury fixes the penalty on conviction.⁴⁷

Whenever the judge sentences, he has before him the prior history of the accused, including a criminal record if the accused had one.⁴⁸ When the jury fixes the penalty, it does so without any information as to the prior history of the accused.⁴⁹ The judge can always reduce the penalty of the jury if it is too harsh but he cannot increase it.⁵⁰

The present system of jury sentencing in Georgia is a departure from the English common law of having the jury determine guilt but requiring the judge to pass sentence.

The system of sentencing by juries has been condemned by all of the commentators on criminal law. For example, Rubin says of it:

⁴⁶ Ga. Code Ann. §27-2502.

⁴⁷ Ga. Code Ann. §27-2502 (major offenders only).

⁴⁸ The police record is kept with the indictment in the Clerk's office.

⁴⁹ The law does not want evidence of any previous crimes to influence the jury as to the guilt or innocence of the defendant of the crime for which he is being tried.

⁵⁰ Ga. Code Ann. §27-2501; §27-2502.

"Whatever logic may once have justified its use, jury sentencing is now an anachronism. The conditions that created it no longer prevail; rather, present conditions call for its abandonment and for restoring judicial sentencing. In the face of modern sentencing potential, jury sentencing is an obstruction without any benefit whatsoever."⁵¹

Jury sentencing lingers on, in one form or another, in eleven states.⁵² The Committee's objection to it: it prevents the courts from dealing out individual justice. For example, a survey of Missouri judges, who work under jury sentencing, showed that a large majority of judges were against jury sentencing. The faults in the system which they listed reflect the comments that Fulton County judges had for the Committee. These are the faults of jury sentencing as listed by the Missouri judges:⁵³

"1. The court has at hand many more sources of information than does the jury, such as previous record, environment, and such factors which may not be pertinent to the question of guilt or innocence of the particular crime, but are certainly pertinent when considering the punishment to be meted out.

"2. The judge's experience and judgment result in the punishment being more commensurate with the offense, and, what is more important, with the offender.

"3. The jury too often fails to agree properly on a fair verdict, and the jury room may thus become a mere bargaining table, a 'place for compromise'. (In other words, a juror who doubts the defendant's guilt may bargain away his not guilty vote in exchange for a light sentence.)

"4. The Judge is less affected by emotions and prejudice either for or against a defendant. Sentimen-

⁵¹ Rubin, *The Law of Criminal Correction*, 123 (1963).

⁵² Arkansas, Georgia, Illinois, Indiana, Kentucky, Missouri, Montana, Oklahoma, Tennessee, Texas, and Virginia. "Note, Statutory Structures for Sentencing Felons to Prison" 60 Colum. L. Rev. 1134 (December, 1960). This Note is exhaustive of the subject.

⁵³ Quoted in Rubin, *op.cit.*, 125, 126, n. 70.

tality too often becomes a weighty factor in jury verdicts, as does the oratory and personality of an impressive counsel.

"5. Circuit courts which employ the Board of Probation and Parole have the advantage of a presentence investigation not available to the jury.

"6. By allowing the judge to assess the punishment, more uniformity in sentencing of analogous cases will result."

To these criticisms, your Committee would add:

7. Misconceptions about parole eligibility and policies influence the jurors to lengthen terms for reasons which are without foundation in fact.

The official records of the Fulton County Superior Court support each of these criticisms. A survey of those records showed that:⁵⁴

(1) Eighty per cent of the persons who elect jury sentencing are repeaters. Only fifty per cent of the persons who are sentenced by judges are repeaters.

(2) Sentences by juries aren't related to previous convictions.

(3) Juries' recommendations for leniency are not followed by judges.

(4) Judges, in order to avoid everyone electing a jury trial, sentence no greater than a jury is likely to sentence.

(5) Juries give longer sentences to Negroes than Whites. Judges treat both about equally.

(6) Juries imposed fines in only 2% of the cases.

(7) Judges seldom reduce jury sentences.

(8) Juries effectively prevented the prosecuting authorities from using the law designed to give repeaters long terms.

On the basis of its research, the Committee found that jury sentencing must go. This is the first step in dealing properly with the repeater. A statute to accomplish this is attached as Appendix D-11.

The second step in dealing adequately with the repeater is a law reform which is more flexible than the pres-

⁵⁴ For the complete survey, see Appendix D-6.

ent ineffective repeater law. The most promising reform is that found in the law proposed by the Advisory Council of Judges of the National Council on Crime and Delinquency. This law allows the judge to sentence certain "dangerous offenders," as described in the Act, for terms up to twenty years.

The Committee urges the adoption of the "dangerous offender law" so that the persons who cannot be effectively reformed will be removed as a danger to the public. The text of this law is set out in Appendix D-8.

b. The Present System and the Reformable

The present system of sentencing does have a place for the reformable, the convicted person who will mend his ways, and that place is found in the laws dealing with the grant of probation.⁵⁵

The Committee's survey of sentencing showed that approximately 33% of the persons convicted in Fulton County are probated. This is a good percentage, in keeping with recognized standards, and records of the probation department indicate that the recipients of probation are, generally, those who will benefit from the opportunity.⁵⁶

The Committee was dismayed to find, however, that much of the healthy effect of probation is eliminated by the stigma of criminal conviction.

The Committee's confidential survey of employers, described more fully in Appendix D-7, established three things:

(1) A conviction for crime, even though sentence is suspended or probated, cannot be concealed from employers.

(2) A conviction for a crime, even though sentence is

⁵⁵ The grant of probation is in the discretion of the sentencing judge. Ga. Code Ann. §27-2502. The operation of probation, once granted, is discussed earlier in this report.

⁵⁶ See Appendix D-6.

suspended or probated, is a severe handicap for employment.⁵⁰

(3) The employers considered the crime rather than the judge's appraisal of the proper punishment.

And the Committee, from time to time, found evidence of the frustration encountered by first offenders. For example, the following letter was received by Judge Alverson after his article "Let's Give First Offenders a Second Chance" appeared in the *Atlanta Journal-Constitution Magazine*.⁵¹

February 25, 1962

"Dear Judge Alverson:

I have good reason to agree that one time offenders deserve a second chance.

While in route to a movie one night my two sons encountered three acquaintances. The outcome was a stolen automobile, stripped of its parts and abandoned. The three boys whom they met are now serving prison sentences for second and third offences. Tom is my youngest son and was [tried as a juvenile,] he was given a twelve months probated sentence with a completely clear record if his probationary period was kept in good faith. It was, he finished high school, got a nice job and is now in his favorite branch of the service; he's happily married and the door is open for him to take advantage of any opportunity available to him.

Jim is a few months older than Tom, therefore, he was placed in the adult court. He received eighteen months probation, \$400.00 restitution and a millstone about his neck for the duration of his life. His probationary period was excellent and restitution was made to satisfaction but the millstone is still there draining the very life out of him.

When the incident occurred he was in the Naval Reserve, they immediately dropped him "until the matter was cleared up" . . . He went to the recruit-

⁵⁰ Every employer but one asked applicants about arrests or conviction. About 75% checked up on the answers.

⁵¹ Sunday, February 25, 1962; the letter is used with the permission of Judge Alverson.

ing station; they told him to wait six months and come back. After six months of trying to get settled on a job he went back — this time he was told to bring references from everyone he's ever known, the police stations from surrounding communities, teachers, jobs he's had, the probation officer, preachers and from any other source that might be helpful. He did this on two different occasions only to be rejected twice and told to try again. Several months ago he went back; he went through the same ordeal of references and thought he had made it; this time he even went to Macon for an interview with the Commander and was asked why he had not stayed on a job any longer. He was too embarrassed to tell us that he was rejected again.

It has been five years, the boy has grown into a man; he has not had the opportunity to learn a trade; when he applies for a better job being draft age with no military record stops it (to say nothing of the other record); of course, he wants a job to net more than \$33.00 a week. . . .

Is prison the only place for a person who made a foolish mistake and has tried in every way to amend it; is the prison door the only one open. A young man cannot continue to feel unwanted."

Respectfully yours,

A GEORGIA MOTHER

Because it finds that conviction results in stigma and economic handicap not only not intended by the law but also harmful to the reformable, the Committee has studied law reforms which would allow some offenders, who had not been convicted of any prior crimes to avoid a criminal record if a probated sentence was successfully served and if a conviction for a subsequent crime did not occur. In other words, this law reform would permit the reformable to be publicly tried, to be found guilty, and put on a period of probation, but, in the discretion of the judge, not convicted on the record unless he violates probation or commits another crime.⁵¹

This law reform is the so-called "first offender law." (Appendix D-9.) The Committee urges its adoption so that an economic burden will not be placed on the persons who, as experience has shown, are not repeaters but are reformable.⁶²

c. Pre-Sentence Reports

The Committee's attitude toward sentencing is that it should take into account the individual circumstances of the convicted person as well as take into account society's need for protection. Under the present system of jury sentencing, because the crime rather than the individual is sentenced, the sentencing authority needs no more than the facts of the particular case.

If the courts are to take seriously their sentencing responsibilities, however, they must have adequate knowledge of a convicted person's background and record. While it would be ideal to have this information on all convicted persons, requiring it on all as a matter of law would put too heavy a burden on the authorities who are charged with preparing these reports.⁶³ The Committee has concluded that pre-sentence investigation should be made on all persons who are convicted of:

(1) crimes for which the sentence may be more than five years,⁶⁴

⁶² The defendant must also consent to this procedure. The trial is held and guilt determined so that if a violation of the probation occurs at a later date, the conviction can then be entered. The entire procedure, unlike that for the juvenile court, is a public one.

⁶³ The text of the proposed law is found in the Appendix D-9.

⁶⁴ In Fulton County, the Adult Probation Department.

⁶⁵ That is, the following crimes, among others: voluntary manslaughter; assault — with intent to murder, with intent to rape; kidnapping; arson, counterfeiting, perjury, bribery, bestiality, sodomy, incest and adultery, burglary, robbery, larceny from house, possession of burglary tools, embezzlement and forgery.

(2) sex offenses.⁶⁵

The Committee recommends legislation requiring preparation and submission of these reports to the sentencing judge as a condition which must occur before sentencing. (Appendix D-10.) Investigation by the Committee shows that pre-sentence reports were voluntarily requested in only about 1% of the cases tried by the Fulton Superior Court in 1964.⁶⁶ If sentencing is to be predicated on the past history of the convicted person, the Committee wants to insure that complete information is available to the sentencing authority where the crimes involve heavy penalties and the exercise of judgment is required.⁶⁷

6.

Conclusion

The findings and recommendations of this Committee, as approved by the Commission, are summarized as follows:

a. The Parolee

The Parole Board should be checking the results of its judgment in granting parole as well as the performance of its parole officers in supervising parolees by periodic follow-up studies comparing the repeater rate among parolees and non-paroled persons.

The Parole Board must have good working relationships with the press. The Committee recommends that the Board have annual educational conferences for Geor-

⁶⁵ That is, the following crimes: rape, assault with intent to rape, sodomy, kidnapping a female by a male, incest, molesting children to gratify a sex urge. Ga. Code Ann. §77-539 makes examination of persons convicted of these crimes mandatory prior to parole. Certainly such persons should be examined prior to probation or confinement.

⁶⁶ Estimate from our survey of the Fulton County Probation Department. See Appendix D-10.

⁶⁷ The "dangerous offender law" makes such investigations mandatory before a person can be sentenced as a "dangerous offender."

gia news media in order that the practices and policies of the Board can be explained and working relationships established with reporters, editorial writers and commentators.

The Parole Board's ultra-conservative parole policy for metropolitan Atlanta does not help in preventing crime by released prisoners; the policy results in too many persons being discharged from prison into metropolitan Atlanta on an unsupervised basis.

b. The Prisoner

For the first time ever, the Georgia correctional system is moving toward programs which will actually help prisoners help themselves. However, several important recommendations of the Governor's Commission have not been followed:

(1) There is no effective classification of prisoners; serious and minor offenders are still mixed in the County Camps.

(2) Vocational training for the young men at Alto has not been provided for.

(3) An expanded program of prison industries has not been implemented.

(4) The Fulton County Camps do not offer either academic or vocational training.

The Committee recommends a continuing emphasis by the Board of Corrections on the need for these projects.

The Board should also discontinue the practice of arbitrarily assigning prisoners around the state to supply the labor skills needed by various public works projects. Such a practice interferes with education and training as both inmate instructors and pupils are transferred, nullifies classification as dangerous inmates are moved from place to place on account of work skills, and breeds criminality as hardened criminals continue to be mixed with young inexperienced ones. Prison labor should be

used in prison industries so that the integrity of classification, education, and correction can be maintained.

c. The Dischargee

The Committee finds that the problems of "dischargees" returning to Atlanta are unique enough and the possibility of further crimes by these persons serious enough to merit the Parole Board providing metropolitan Atlanta with a "Rehabilitation Counselor" to be used as a coordinator of community resources.

d. The Probationer

While the probation officials in Fulton County are doing the best they can with what they have, what they have is not enough. The County would be better off if it would transfer its probation service to the State, where this responsibility properly rests. Fulton, as well as DeKalb, could utilize funds thus saved to meet county responsibilities in the field of criminal justice, including the juvenile area.

e. Sentencing

The sentencing laws of Georgia do not deal adequately with the repeater or the reformable. In order to deal with sentencing of these persons properly, the Committee recommends that:

(1) a dangerous offender law be enacted which would insure long terms for hardened criminals.

(2) a first offender law be enacted which would prevent reformables from having a criminal record if they successfully complete probation and do not commit further crimes.

(3) a pre-sentence investigation law enacted to require such investigations of all persons convicted of sex offenses and offenses where the penalty may exceed five years.

(4) a judge sentencing law be enacted which would insure individual treatment for each offender.

Law and Order

The Committee on Law and Order was charged with the responsibility of investigating, evaluating and making recommendations with respect to the facilities available in the City of Atlanta for insuring the personal safety of all citizens and the security of their property from the criminal conduct of others. In short, the Committee considered the agencies, institutions, and methods of law enforcement.

Within this scope, are three major areas: (1) Police functions — deterrence, detection and apprehension; (2) Prosecution and adjudication — the courts and related agencies; (3) Punishment — laws and procedures related to punishment of persons convicted, who do not fall into special categories such as juveniles, the mentally ill, those entitled to probation.

The operation of these functions should be rapid, efficient, and certain within the limits of due process of law. The strengthening of our Police Department as a deterrent, its capacity to detect and apprehend criminals, and the efficiency of the statutes and courts as they relate to criminal justice, have been the principal area of investigation and study by the Committee.

A ten year statistical study of crime in the Atlanta area demonstrates that our crime rate has exceeded our growth in population by 15 times. This study, along with a geographical study of major crime areas within the city, provides an accurate indication of the scope of crime in our community.

The Committee has interviewed the Chief of Police and others in the Department and has visited the Police Departments in Chicago and Milwaukee in order to become more informed as to the operations, the methods and the capabilities of the Department. The reports and recommendations of prior studies of the Department have also been reviewed.

It appears that Atlanta's Police Department is performing well under present conditions and limitations. Our objective is to chart a program for development of the Department as the city grows, and as inevitable changes in City and Department personnel occur. Certain areas of weakness are obvious. These include inadequate manpower of the Atlanta Police Department, inadequate pay scales, the absence of any merit system for promotion and tenure, and the lack of the most modern police equipment.

The Committee has studied the operations of the Fulton Superior Court, the Criminal Court of Fulton County and the Atlanta Municipal Court, as well as the offices of the Solicitors of both courts, in order to assure that persons who are apprehended by the police are, in fact, prosecuted in an effective manner, and if found guilty, that they are given appropriate punishment. It appears that a large proportion of major crimes committed in our community are committed by repeaters. Measures are proposed, including legislation, which will minimize this problem. Of particular importance is the development of a program to reduce the large number of crimes committed by repeaters who have had the benefit of neither probation nor parole.

1.

Crime in Atlanta

Since 1955, the incidence of major crime in Atlanta and throughout the United States has increased at an

alarming rate. During the ten year period 1955-1964, major crime in Atlanta¹ increased by 141.9% — 15 times faster than population. The greatest increase occurred in crimes against property (auto theft, burglary, larceny and robbery) which increased an average of 185.86%. Crimes against person (aggravated assault, murder and rape) increased at a lesser but disturbing rate, 42.5%. The following chart is illustrative of this alarming increase in crime:

MAJOR CRIME IN ATLANTA ¹ 10 YEARS 1955-1964			
	1955	1964	Percentage Increase
Aggravated Assault	765	1066	39.3%
Auto Theft	1207	4213	249.6%
Burglary	2318	5578	137.5%
Larceny (Over \$50)	1323	4510	233.6%
Larceny (Under \$50)	4281	6082	42.5%
Murder	79	118	50.6%
Rape	52	105	101.9%
Robbery	180	541	200.6%
TOTAL	10,205	24,682	141.9%

In 1964, the crime rate of Atlanta was substantially higher in virtually every category of major offense than the average rates in cities of comparable size or even much larger cities.

The magnitude of major crime in the City of Atlanta in comparison to other areas is illustrated by the following chart:

COMPARATIVE CRIME RATE — 1964 ¹ (Per 100,000 inhabitants)						
	City of Atlanta	Metropolitan Atlanta	Cities 25,000-50,000	Cities 50,000-100,000	Cities 100,000-1,000,000	National Average
Aggravated Assault	211	119.8	115.3	161.4	243.5	66.6
Auto Theft	631	433.1	176.0	112.6	554.8	140.0
Burglary	1038	727.7	104.1	324.5	507.6	50.4
Larceny (Over \$50)	762	503.1	102.4	321.0	715.7	59.5
Larceny (Under \$50)	1735	1135	100.2	195.5	1745.1	100.0
Murder	21	11.2	4.5	1.4	8.7	4.8
Rape	21	14.6	15.0	16.8	23.2	10.7
Robbery	117	51.8	125.2	140.7	213.2	55.4

¹ "Atlanta" as used in this report, means city-limits Atlanta; as distinguished from the five-county area (DeKalb, Clayton, Cobb, Fulton and Gwinnett) which is defined as "Metropolitan Atlanta."

² Source: Atlanta Police Department. A detailed summary of these statistics is contained in Appendix E-1 to this report.

Thus, in seven of the eight major crimes, Atlanta's crime rate exceeded the average of the six cities whose population exceeds 1,000,000. The crime rate of the City of Atlanta was almost twice that of the metropolitan area.⁵ These statistics demonstrate clearly and without equivocation that crime is a major problem in the City of Atlanta which must be combated by a progressive mobilization of the full resources of the City.

For the first time in more than ten years, a significant reduction of 12.1% has occurred in major crime in the City of Atlanta in 1965, compared with 1964. In 1965, murder declined 5.7% and burglary declined 12.5% in comparison with 1964. The number of auto thefts has declined by 29.4%, aggravated assaults by 15.3%, and robberies by 29.4%. Only in the crime of rape does 1965 exceed 1964, by 9.5%.⁶ However, the reasons for the decline in crime are uncertain. Additional steps must be taken if this unprecedented trend is to continue.

The clearance or police-solution rate is considered to be a major index to police performance and activity and indicates that the Atlanta Police Department is making progress in combating crime under severe handicaps.⁷ In 1964, the Atlanta police-solution rate exceeded the national average in every category of major crime with one exception. Through November, 1965, the Department exceeded its 1964 performance, the national average, as well as the average clearance rate for cities in the United States in all categories with the exception of robbery. The following chart is illustrative:

⁵ FBI Uniform Crime Reports—1964, pages 49, 70, 92.

⁶ City of Atlanta figures were arrived at by applying crime figures from the Atlanta Police Department 1964 Annual Report to a 1964 population estimate from the Atlanta Region Metropolitan Planning Commission.

⁷ A detailed comparison of the crime rates in Metropolitan Atlanta to those in other cities is contained in Appendix E-2.

⁸ See Appendix E-3 for a detailed summary of the 1965 statistics.

⁹ FBI Report — 1964, pages 20, 21, 22.

PERCENTAGE OF CRIMES CLEARED BY ARREST⁸

	Atlanta 1964	1965 (10 months)	Cities 250,000- 500,000	Cities 500,000- 1,000,000	Cities Over 1,000,000	National Average
Aggravated Assault	84.0	80.0	73.4	73.4	73.6	74.3
Auto Theft	24.0	30.0	21.5	24.1	24.1	25.3
Burglary	24.0	31.6	22.3	29.6	27.6	25.1
Larceny	21.0	20.0	19.0	21.7	19.4	19.4
Murder	59.0	100.0	61.9	92.4	90.2	90.2
Rape	71.0	77.0	60.8	67.7	63.0	64.9
Robbery	50.0	48.3	51.7	37.5	42.8	37.0
TOTALS	26.5	28.9	22.7	27.2	27.3	24.5

No one whom the Committee has interviewed has been able to provide a satisfactory explanation for the reduction in major crime in Atlanta in 1965, or for the increase in the police-solution rate of the Atlanta Police Department. In view of the Department's seeming deficiencies in manpower, and the clearly inadequate nature of the compensation presently being provided policemen, it seems probable that the trend will be only temporary unless substantial additional support, both in terms of money and in terms of manpower, is given the Department.

In the area of minor crimes, complete statistics are not available. Such crimes by their very nature are not usually reported when they occur. Minor crimes include gambling, prostitution, liquor violations, and drunkenness. The only record is when someone is arrested, and that does not by any means necessarily cover all incidents. The records of the Atlanta Police Department show that total arrests in 1965 exceeded total arrests in 1964 by 13.1%. This figure is broken down by offense in Appendix E-9.

2.

The Atlanta Police Department

Primary responsibility for law enforcement in the City of Atlanta and the unincorporated areas of Fulton County

⁸ FBI Report — 1964, page 95. See Appendices E-1 and E-3 for percentages of crimes cleared by arrest in Atlanta for ten year period, 1955-64, and for 1965. Atlanta figures are from the Atlanta Police Department.

rests upon the Atlanta Police Department. Headed by Chief Herbert T. Jenkins, the Department is administered through three major divisions and three supporting divisions, each of which is headed by a Superintendent.⁹

ATLANTA POLICE DEPARTMENT
ORGANIZATION

Uniform Division	(328 Patrolmen)
Detective Division	(107 Detectives)
Traffic Division	(147 Patrolmen)
Training Division	
Detention Division	
Service Division	

In 1964, the budget of the Atlanta Police Department was \$5,063,954.91 — 14.2% of the total general fund expenditures of the City of Atlanta. Thus, police services cost each person residing in the City of Atlanta approximately \$10.00. Almost \$3,000,000 of this cost was offset by the fines produced as a direct result of the law enforcement activities of the Atlanta Police Department. In addition, the value of stolen property recovered by the Department exceeded \$4,310,000 in 1964.

In comparison to other cities, Atlanta's expenditures for police services are grossly inadequate. For example, in 1966 Milwaukee, which has an estimated population of 850,000, will spend more than \$17,000,000 for police protection, or approximately \$20.00 per citizen.

Chicago spends \$107,000,000 in providing police protection to its population of 3,500,000, or approximately \$30.00 per citizen. These cities pay for and have the kind of police force required to furnish modern police protection to a leading American city. Based upon what these and what other such cities are doing, we believe that Atlanta must greatly increase the annual financial support of its Police Department.

We recommend that an extensive study and evaluation of the Atlanta Department's organizational and manpower

⁹ A detailed organizational chart of the Atlanta Police Department is attached as Appendix E-4.

or needs be made by a recognized authority in the field of law enforcement in order that a detailed plan of improvement can be developed. In the following sections of this report, we will point out areas in which the Department can be improved.

a. Manpower

The Department is staffed by 999 personnel divided as follows:

ATLANTA POLICE DEPARTMENT PERSONNEL (August, 1965)	
Uniformed Police	623
Detectives	142
TOTAL Police & Detectives	765
Civilian Employees	123
School Traffic Policewomen	111
TOTAL	999

In 1965, the ratio of police and detectives to the population in Atlanta is 1.50 per thousand of population, almost 20% below the national average of 1.9. The ratio of police for all cities of a population of 250,000 is 2.6, more than 66% higher than that of Atlanta.¹⁰ Similar inadequacy is also apparent when the size of the Atlanta Police Department is compared to cities of comparable size.¹¹ These figures, coupled with the increasing crime rate, lend strong support to our belief that the Atlanta Police Force is inadequately manned.

b. Compensation

By far the most glaring deficiency found by the Committee with respect to the Atlanta Police Department relates to the salaries paid to its personnel. The following chart setting out base pay in various categories is illustrative:

¹⁰ See FBI Report — 1964, pages 37, 150-56.

¹¹ See Appendix E-5.

ATLANTA POLICE DEPARTMENT SALARIES ¹²		
Chief		\$14,924
Superintendents	(3)	9,438
Captains	(13)	7,932
Lieutenants	(29)	7,345
Sergeants	(34)	6,227
Detectives	(103)	5,567
Patrolmen	(537)	5,720 (Max.) \$4,641 (Min.)

Atlanta Police officers are required to work 44 hours each week — the third longest work week of the police forces in the nation's 50 largest cities. In addition, time spent in court by a policeman (which is often 10-15 hours per week) and time spent completing reports after each watch, is restricted to off-duty hours and, therefore, is not included.

It is generally recognized that it takes five years of training to produce a fully qualified patrolman. Such a patrolman in the City of Atlanta is paid \$5,720 annually. In October 1965, the salaries paid to patrolmen in Atlanta ranked 47th among the 50 largest cities in the nation. In 28 cities, the annual salary of a patrolman exceeded that in Atlanta by more than \$1,000.¹³ The following chart is illustrative:

	COMPARATIVE SALARIES ¹⁴				
	Atlanta 44 hours	Birmingham 40 hours	Cincinnati 40 hours	Houston 40 hours	Milwaukee 40 hours
Patrolman	\$5,720	\$5,496	\$6,428	\$5,751	\$6,810
Detective	5,567	6,456	7,015	6,432	7,755
Captain	7,932	8,263	9,651	8,256	10,573

Although it is difficult to draw any meaningful comparison between law enforcement and other occupations, Atlanta police salaries are woefully inadequate when compared to those paid by other employers in the City of Atlanta. Thus, while a patrolman after five years receives \$5,720, a security guard at Lockheed-Georgia is

¹² Source: 1965 Classification and Salary Schedule of the City of Atlanta. The 1966 budget of Atlanta includes a one increment increase for all city employees, including the Police.

¹³ Source: Fraternal Order of Police, Survey of 1964 Salaries of Police Departments in the United States. (See Appendix E-6).

¹⁴ See Appendix E-6 for a schedule of the salaries of the police forces in the 60 cities in the United States whose populations exceed 250,000.

paid \$6,500 and a guard at the Ford assembly plant receives \$7,800.

As a result of the inadequate compensation, the members of the Atlanta police force feel compelled in many cases to supplement their low incomes by off-duty employment ("moonlighting"). Although moonlighting by police officers is generally recognized as undesirable and is prohibited by many police departments, it is permitted by the Atlanta Department. The consent of the immediate superior is required and he must be advised of the place and nature of the employment, the hours of work and the amount of compensation. Moonlighting is restricted to a maximum of 18 hours during the six days on which an officer is on duty.

The records of the Department indicate that during the month of November, 1965, for example, 530 police officers worked on off duty extra jobs a total of 6,187 hours, and received pay totalling \$18,561.00 from their employers. This means that about seventy per cent of the force was moonlighting.

Although moonlighting under these circumstances evidences a great deal of commendable energy and determination on the part of the policemen involved, it is also symptomatic of the extreme financial strain placed upon dedicated police officers by the woefully inadequate compensation which they are paid. Many superior officers as well as lower ranking officers moonlight a substantial number of hours each week. Obviously, such off-duty employment, in addition to the long 44 hour work week noted above, places heavy physical demands on the policeman and upon his family. On occasion, off-duty employment may also conflict with the officer's performance of his duty — as when an officer is required to attend court during hours when he is expected to be at his second job. It is inevitable that the efficiency of the officers must, of necessity, be impaired as a result.

Another aspect of the problem of inadequate police

compensation is the inadequate amount by which salaries are increased as an officer earns a promotion, assumes added responsibilities or improves in experience and proficiency. An able young patrolman has little to look forward to from the standpoint of promotions. For example, an officer who has 25 years service and has worked his way through the ranks to the position of Superintendent of a major division, having the responsibility of the supervision of approximately 350 men, is paid only \$9,438.00 per year until he serves in that grade five years. His salary is then increased to \$9,841.00. Captains with 20 years service receive less than \$7,982 annually for the first five years they serve as Captain. The Department cannot maintain the present quality of its men with such limited financial rewards. Even more seriously, the present low level of pay puts economic pressures on policemen, to which they should not be subjected. An inadequately paid policeman would appear to be a prime target for pay-off and bribery attempts. It is unfair to put our police in this position.

c. Police Training

The Atlanta Police Department provides an intensive seven-week training program for all new recruits. While the program is probably the best available in the State, it is substantially shorter than the training programs of police departments in other cities. Thus, in both Chicago and Milwaukee, new police recruits receive 12-13 weeks of training. It is the recommendation of the Committee that the Atlanta Police Department be provided sufficient funds to permit an expansion of its training program. Such a program might be undertaken in cooperation with other police departments in the metropolitan area which are presently unable to provide adequate training programs on an individual basis. The program might also be conducted in cooperation with the State Police Academy which is now under construction.

A number of cities have also adopted police-cadet programs as a method of attracting capable young men into police careers. In Chicago, a police cadet must be physically fit and in the upper one-fourth of his high school class. From the time of his graduation from high school a cadet is employed in the administrative section of the Chicago Police Department at a salary of approximately \$5,000 per year. Although the cadets do not engage in direct law enforcement, they gain valuable experience by rotation throughout the department until they reach 21, when they are given an opportunity to qualify as patrolmen. The cadet programs have been highly successful in Chicago and Milwaukee and should be implemented by the Atlanta Department as soon as possible.

d. Promotion System

At the present time, all promotions in the Atlanta Police Department are made by the Chief, based on the recommendations of his superior officers. Such a promotion system is perhaps appropriate in a smaller department where the Chief can be personally informed as to the capabilities of each of his men. However, such a system, which is entirely dependent upon the subjective personal evaluation of an officer's performance, seems ill suited to a 1,000 man department and, of necessity, must have an adverse effect on its morale. The Committee has received a number of recommendations that the Atlanta Police Department adopt a merit system which will employ periodic competitive examinations of all candidates for promotion. Such systems are presently in use in other cities and appear to be working satisfactorily. The Committee recommends that a detailed study of the promotion systems employed in other cities be made by the Atlanta Police Department and that a competitive promotion system be adopted.

e. Modern Police Equipment

In the past few years, revolutionary steps have been taken to adapt the computer and similar equipment, which have become familiar in business and industry, to law enforcement. An increasing number of metropolitan police departments have begun to utilize this modern and highly sophisticated electronic equipment both for communications and data analysis. The use of this equipment has enabled these departments to supplement and increase greatly the effectiveness of their conventional police forces in combating crime. For example, in Chicago and New York, information concerning every stolen car in the area is made instantly available to the policeman on the beat. Thus, a patrol car upon seeing a suspicious automobile can request information concerning the car by radio and receive a reply within seconds! Computers are also being used in the analysis of modus operandi records, the preparation of daily crime situation reports as an aid to the proper allocation of police forces and to predict future outbreaks in crime.

The Chicago Department has installed the most modern and effective communications system in the United States. This system has greatly increased the effectiveness of the Chicago Department in responding to emergency calls and in mobilizing its forces in an emergency and might well be adopted for use in Atlanta on a smaller scale.

The Atlanta Police Department is aware of many of these revolutionary advances and has begun to plan for the use of a computer in the future. Steps are now under way to place information concerning the method of operation of criminals in punch card form for processing on existing equipment. However, much more needs to be done to keep pace with the advances made in the use of computers and in communications in order to assure that the Atlanta Police Department will always have at its

disposal the most modern equipment to combat crime. (See Appendix E-10).

Steps might be taken immediately to improve the handling of emergency calls in Atlanta. For example, all telephone calls to the Atlanta Police Department, routine as well as emergency, are routed through a single number 522-7263. Emergency calls should be assigned a separate number which should be simple and widely publicized as the emergency number. Such an emergency number in Atlanta could save valuable time in obtaining police assistance in an emergency. Feasible arrangements might be made for the assignment of an emergency number which could be easily dialed in the dark.

j. Review by the Police Committee

It has been represented to the Committee that some citizens feel that they may have grievances in connection with police activity but are unaware that the present system provides means to present such complaints to the Police Committee of the Board of Aldermen. The Committee is aware of the recent panel established by the Police Department to hear complaints against it. The Committee further considers it important to emphasize that it is the right (and possibly the duty) of any citizen having a complaint or grievance against the Atlanta Police Department to communicate such complaints or grievances to the Police Committee of the Board of Aldermen in order that they may be investigated fully, the facts determined, and remedial action taken, if appropriate.

g. Metropol

During 1965 police departments in the Atlanta metropolitan area got together and formed Metropol, under the sponsorship of the Atlanta Region Metropolitan Planning Commission. This group began operations on August 1. Its primary aim was to coordinate police op-

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2 OF 4

erations throughout the Atlanta Metropolitan area.

So far Metropol has organized several squads to combat types of crime which are area-wide. Various member departments have contributed men to these squads. Most noteworthy have been the Fugitive and Auto Theft squads, both of which appear to have good results.

One of Metropol's most valuable services will be to provide central information resources and uniform procedures for the entire area. Member departments have already installed a teletype system. Steps are being taken to set up a central information file, perhaps beginning with sex offenders.

Another function served by Metropol is training. It is able to provide both initial and advanced training to personnel of all member departments. Several training sessions have already been held. Efforts are presently being made to get additional funds for this purpose under the Law Enforcement Assistance Act of 1965, recently passed by Congress. Efforts have also been made to get state help in this regard.

3.

The Judicial System

a. The Atlanta Municipal Court

The Atlanta Municipal Court has jurisdiction to adjudicate only those cases which involve violations of municipal ordinances of the City of Atlanta. The Municipal Court also serves as a magistrates court to bind over offenses against State criminal statutes to the Criminal Court of Fulton County in misdemeanor cases or the Superior Court in felony cases upon finding of probable cause. In 1964, the three judges of the Municipal Court disposed of 73,319 cases as follows:

Convictions:

Fines	50,027	
Imprisonment	2,427	
Probation	245	
Suspension	9,884	62,583
Dismissals		4,372
Bound Over to Other Courts		6,384

The Municipal Court has no jurisdiction to try offenses against the criminal statutes of the State, including burglary, automobile larceny, gambling and illegal possession of narcotics. The Committee has received complaints that numbers of such offenses are being disposed of as minor city violations by fines in the Municipal Court, rather than being bound over for trial in the Criminal Court of Fulton County or in the Superior Court, as the law requires and that the Municipal Court is being used as a revenue producing agency. Although the Committee has not undertaken to verify these complaints by an investigation of individual cases, it has examined the records of the Municipal Court which would seem to lend support to these criticisms.

For example, of the 61 burglary cases brought before the Municipal Court during September of 1965, 37 were bound over for trial in higher courts, 18 were disposed of by probation and two were fined by the Municipal Court. During the same month, 70 gambling cases were disposed of by fine (30) or suspended sentences (40) in the Municipal Court, while 14 were bound over — 19 charges involving liquor law violations (excluding drunk and disorderly charges) were disposed of by fines in the Municipal Court, one case was suspended, while 27 were bound over for trial. The Municipal Court also imposed fines in 6 cases involving narcotics or dangerous drugs and bound over an additional 30 cases.¹⁵

¹⁵ A summary of dispositions by the Municipal Court of charges involving burglary, gambling, larceny, liquor offenses, narcotics and dangerous drugs, and prostitution and commercial vice is attached as Appendix E-7.

While the Committee recognizes that the propriety of these dispositions can be determined only by an investigation of each individual case, these records warrant further investigation by an appropriate agency.

The Committee has also received information as to a lack of coordination between the Municipal Court and the Criminal Court of Fulton County. There have also been indications of a need for the establishment of rules governing the assignment of cases for trial by the Judges of the Criminal Court and for more uniformity in sentencing. Although many of these areas are beyond the scope of the investigation of this Commission, it is the recommendation of this Committee that the City of Atlanta and Fulton County jointly finance and sponsor an extensive study and investigation of the Municipal Court and the Criminal Court of Fulton County by an authoritative independent agency. The object of such a study would be to evaluate the performance of these Courts in regard to the large number of cases and to assure that appropriate measures are being taken to protect the public interest in this vital area.

b. The Repeater Problem

In 1963, of the 92,869 offenders whose records were processed by the FBI, 76% had at least one prior arrest on some charge.¹⁶ The Atlanta Police Department estimates that approximately one half of the major crimes against property committed in the City of Atlanta are committed by some 150 professional criminals, all of whom have prior criminal records. For these criminals, crime is a way of life and the possibility of rehabilitation through probation or parole is remote. These persons upon conviction must be confined, permanently if necessary, if society is to be protected.

In an effort to combat the repeater or habitual offend-

¹⁶ FBI Report — 1964, page 27.

er, many states, including Georgia, have adopted habitual-offender statutes which subject the multiple offender to additional sentences from five years to life imprisonment upon conviction for a second, third or fourth major crime. See *Recidivism and Virginia's "Come-Back" Law*, 48 Va.L.Rev.597 (1962).

The Georgia statute has fallen into disuse because of the belief of the prosecuting authorities that many juries will acquit a guilty defendant rather than impose the maximum sentences required by the statute. In many cases, imprisonment of 20 years would be required, even though the second offense might be considered relatively minor.

The Georgia statute has serious deficiencies in other respects. Since a maximum sentence automatically results upon proof of a prior conviction, neither the judge nor the jury has any discretion to vary the punishment or to consider the other information concerning the defendant's background or his psychological condition.

The Committee has found disturbing evidence, based on records of the Atlanta Police Department, that a substantial number of criminals have received suspended or probationary sentences following their convictions, notwithstanding long prior criminal records for serious offenses and their general conduct. Not infrequently, such criminals have been given suspended sentences for major felonies committed while on probation for prior offenses. In many cases, habitual offender treatment would seem to have been more appropriate. In other instances, the suspension of the sentences imposed would appear to have been unjustified in view of the defendants' prior criminal records.

Although the Committee has obtained the records in more than 20 such cases, two will serve to illustrate the problem. In January of 1963, an individual was convicted of simple larceny in the Criminal Court of Fulton County and received a probationary sentence of 12 months. On

February 6, 1964, he was arrested for auto theft involving two cars and on April 22, 1964, was sentenced by the Superior Court to a term of 3-5 years, all of which was probated. Less than nine months later, while still on probation for his former offenses, the same individual was again arrested by the Atlanta Police Department for two counts of auto theft and on February 19, 1965, the Superior Court imposed a fine of \$250.00 and again probated his sentence! Less than two months later, the same individual was again arrested and has been bound over for trial on a charge of burglary.

In another case, an individual was brought before the Criminal Court of Fulton County for sentencing for larceny and for charges of violating the Georgia Dangerous Drug Act. Although his prior criminal record of eight pages extended to 1928 and included convictions for five cases of highway robbery, as well as rape, other robbery, larceny, numerous state and federal narcotics violations, he received a sentence of 12 months for the larceny, while the sentences for the narcotics violations were suspended! Although such cases are not typical, they have an adverse effect on law enforcement and every effort should be made to see that they are eliminated.

4.

Recommendations

The Committee on Law and Order made the following recommendations, as approved by the Commission:

a. Study of Police Department

That arrangements be made by the City of Atlanta to secure the services of nationally prominent independent professional experts of highest competence in police matters and law enforcement to evaluate and estimate

the police requirements of the City of Atlanta, and to make an objective study of the Atlanta Police Department and an appraisal of its organizational structure and its personnel and equipment needs to assure for Atlanta and its citizens a modern police administration second to none in the nation. Such study shall include findings, conclusions and recommendations in such form as will facilitate their implementation. Particular consideration should be given to clear statement of priorities and scheduling for changes that require a period of years because of the cost or of other reason. Such study and recommendation shall cover matters of organization and distribution of legal authority over the Police Department and shall recommend terms, tenure, manner and authority for naming personnel from the lowest to the highest positions.

The recommendations immediately following are deemed minimal and certain to be required by such a study if the example of highly regarded modernized police departments of other cities is to be followed:

b. Police Pay

(1) That the compensation of members of the Atlanta Police Department be increased to a level approximating that of other cities of comparable size.

(2) That, as an emergency measure, pending the study of the police organization referred to above, all members of the Atlanta Police Department be given an immediate interim increase in salary equivalent to two increments or steps under the present salary system.¹⁷

d. Increase Police Budget

That the budget of the Atlanta Police Department be substantially increased to a level approximating that of other cities of comparable size.

¹⁷ See footnote 12.

e. Police Merit System

That the Atlanta Police Department adopt an objective merit system of promotions similar to those in effect in many comparable cities.

f. Expand Police Recruiting

That the Atlanta Police Department continue and expand its recruiting program and its training for both new recruits and others and that it adopt a police cadet program.

Obviously, substantial cost is involved if the recommendations of this report are implemented. However, these costs will be more than offset many times by the resulting reduction in the millions of dollars which crime takes from Atlanta each year. Nor can the importance of insuring the safety of our citizens be underestimated in determining the cost of crime.

Atlanta, for too long, has been content to "get-by" with a Police Department which has been inadequately supported and financed. The Atlanta of 1966 and of the future cannot fulfill its destiny or keep apace of its record of attainment in other areas with a Police Department and law enforcement machinery which were designed for a small city and for an era that is long past. It is in this spirit that the Committee on Law and Order urges full implementation of its recommendations.

Organized Crime

Organized crime, for purposes of defining the scope of this Committee, includes any illegal activity carried on by a group of considerable size which participates in continuous criminal activity over a long period of time.¹

Organized crime is a type of crime which attacks the very foundations of our city and our society. It is not the random, impulsive, sudden act of a murderer or a petty thief. It is a result of many crime-producing factors, such as the failure of rehabilitation of previous offenders and juvenile delinquents, inadequate treatment of the mentally ill or alcoholics, disrespect for law and order, and the myriad of other causes which add to increasing crime in the United States. But it is more than this. Organized crime is a business. It is designed to take advantage of human weakness so as to reap maximum profits for the organizers. The bedrock of organized crime's success is public indifference and lack of knowledge concerning the evils of organized crime.²

Organized crime is a definite factor in American society, throughout the nation and in Atlanta. It has been estimated that illegal gambling grosses from 7 to 20 billion dollars annually in the United States.³ Narcotics

¹ See: Johnson, "Organized Crime: Challenge to the American Legal System," 55 J. of Crim. L. Criminology, and Police Science 339, 400 (1962).

² *Ibid* at 422.

³ U.S. House of Representatives, 87th Cong. 1st Sess., Hearings Before Subcommittee No. 5 of the Committee on the Judiciary, Ser. No. 16, p. 24 (1961).

traffic, which yields probably the highest rate of net profit, has been estimated to involve gross sales of 300 million dollars per year in the United States.⁴ Extortion and other racketeering probably grosses over one billion dollars a year for criminal organizations in the United States.⁵ A recent grand jury estimated that illegal gambling grosses approximately 18 million dollars per year in the Atlanta area.⁶ On one local high school football game, the Committee was told that \$80,000 was wagered.⁷ Atlanta has been called the moonshine capital of the world. In the month of October, 1965, federal agents seized 161,000 gallons of mash being used to make moonshine whiskey in north Georgia.⁸ More than sixty individuals have been listed by the Police Department as persons known to be engaged in either lottery or bookmaking operations in the Atlanta area.⁹ Despite the great success of the Metropolitan automobile squad, auto thefts in Atlanta alone reached a high of 4,210 in the year 1964, and represented a three million dollar loss to the public.¹⁰ These are all organized crime operations.

An investigation being presently conducted by the House Banking Committee of the United States Congress has determined that 22,000 citizens of Georgia and neighboring states have lost between 750 thousand and one million dollars to three money order rackets allegedly run by an Atlantan who is now under indictment in

⁴U.S. Sen. 84th Cong. 2d Sess., Subcommittee on Improvements in the Federal Criminal Code, Report, p. 36 (1956).

⁵Peterson, "Rackets in America", 49 J. Crim. L. Criminology and Police Science 583 (1959).

⁶See: Grand Jury of Fulton County, Presentment, October 29, 1965.

⁷See: State's Evidence in State v. Ellenburg et al No. 44496, Fulton County Criminal Court.

⁸"628 Stills Smashed in Dry-Up Drive", Atlanta Constitution, December 2, 1965, p. 8, c.4. See also: Gaines, "The Moonshine Whiskey Racket", Atlanta Journal, series beginning Oct. 19, 1965.

⁹Atlanta Police Department, Special Daily Bulletin, Oct. 22, 1965.

¹⁰Smith, "Car Thefts Costing Insurers \$2,000,000 May Raise Rates", Atlanta Constitution, January 23, 1965, p.1, c.3.

Fulton County on charges growing out of the operation of these three firms.¹¹

According to Fulton Criminal Court's Solicitor, William Spence, known criminal syndicate operators were believed to have installed a teletype machine in one of their business fronts in Atlanta in order to communicate with other big-league cities about professional football and baseball.¹²

According to a published report, there have been attempts in Atlanta recently, by gambling interests, to collect gambling debts through means of beatings and violence.¹³

The Committee believes that at the present time organized crime does exist in the Atlanta area on a local basis. It is particularly prevalent in the areas of the sale of non-tax paid whiskey and gambling. Only loose ties are presently maintained with out-of-state criminals. However, certain contacts are believed to have been made between local criminals engaged in organized crime and representatives of reported national organized crime syndicates. The existence of organized crime on a local level is, in the Committee's opinion, a situation which, if not immediately remedied, will lead to the affiliation of existing local organized criminal elements with national organized crime syndicates.

In short, there is no question but that Atlanta is like a ripened peach ready to be picked by national syndicates, when they decide to make a concerted effort to move in on organized criminal activities here. The same factors which make Atlanta's economy flourish make our city extremely attractive to organized crime elements.

The parallel to organized crime in Atlanta and that

¹¹Lippman, "Atlantans' Money Orders Held Vicious", Atlanta Constitution, October 12, 1965, p.1, c.2.

¹²Mansfield, "Crime's Hand Seen in League Sports", Atlanta Journal, July 9, 1965, p.2, c.1.

¹³Stephens, "Syndicate Linked to Beatings Here", Atlanta Times, August 31, 1965, p. 6-B, c.1.

reported by the Kefauver Committee to have existed in Miami is striking. The following excerpts from the Kefauver Report demonstrate the parallel situations:

"The principal activity of organized criminal groups in the Miami area at the time of the Committee hearings was gambling. . . .

"Bookmaking was largely in the hands of local residents with long experience in the field. . . .

"Testimony disclosed that the largest organized bookmaking in the Miami area was conducted by the S. and G. Syndicate, a group of five local bookmakers who, until 1944, had operated independently. In 1944, they agreed to eliminate competition among themselves and make the financing of other bookmakers their business. By 1948, this business, according to its own books, controlled concessions in 200 hotels and grossed over \$26,500,000 in bets. . . .

"In 1949, the S. and G. suddenly acquired a sixth partner, a Chicago resident, Harry Russell, whose connections with the Capone gang are clearly established."¹⁴

The Kefauver Report goes on to state that Russell, a representative of national criminal organizations, muscled into the local operation, and from that time on it became a branch of the Capone organization. This example (and there are other cities noted in the Kefauver Report which had similar experiences) demonstrates that successful local organized crime is extremely vulnerable to being taken over by the national syndicates. Unfortunately, Atlanta's present situation is much like that in Miami in the 1940's. Unless local organized crime is halted soon, national criminal affiliation is a clear danger for Atlanta.

¹⁴ U.S. Sen., Special Committee to Investigate Organized Crime in Interstate Commerce, the Kefauver Committee Report on Organized Crime, p. 11f (1951).

1.

Specific Organized Activities

a. Illegal Liquor

According to parties at local, state and federal levels, Atlanta is the chief center for the consumption of non-tax paid whiskey in the world. Such whiskey is reportedly sold in a more or less open fashion in certain parts of Atlanta for prices ranging upwards from \$.25 a drink.

Sales of moonshine whiskey in the Atlanta area total millions of dollars per year. According to federal officials, most of the moonshine whiskey is made outside of Fulton County and is brought in by truck and car to certain "distributors" in the Atlanta area. These distributors are apparently largely independent economically from their suppliers. The distributors then generally sell whiskey to independent retailers. These retailers then may cut the whiskey to reduce the proof and sell it either by the gallon, quart, pint, or drink.

On any given day in July, 1965, it was estimated that there were at least 650 moonshine stills in full operation in northern Georgia with a potential capacity of 50,000 gallons per week. Ninety per cent of this whiskey found its way into Atlanta. The cost per gallon to a manufacturer for distilling and hauling is about \$1.50. The wholesaler buys at \$4.50 to \$5.00 per gallon. The retailer purchases his moonshine for from \$8.00 to \$10.00 per gallon.

A recent article states that approximately fifty million gallons of illicit alcohol are produced in the southeastern United States annually. The article goes on to say:

"Much of this alcohol is fermented by small producers in ground stills using barrels, soldered pipes

and employing automobile radiators in multiple copper tube units. . . . As a result of the use of this equipment, there is a considerable quantity of lead in the distillate.

"The product of such a distillation process, euphemistically termed whiskey or 'white lightning', is actually a lethal compound in which the ethanol present merely serves as a vehicle for the poisonous lead . . . contained in the distillate. The producers are not interested in the manufacture of a potable product, but rather in the economic gains to be derived from its sale. . . . Sale of this liquor is usually handled through local distributors, both in metropolitan and rural areas, and finds its principal market in lower income groups and by those who, through cultural and environmental background, prefer 'moonshine'."¹⁵

The chief suppliers of moonshine whiskey to Atlanta have relatively large operations reportedly located in the hills of north Georgia. Large operators must either be wealthy individuals or must have the wealthy backers in order to be able to operate.

Conviction of moonshine operators is made very difficult in many Georgia counties because of the attitude of the local jurors, who too often reportedly feel that moonshining is not a serious crime. Judges often give very light or suspended sentences if there is a conviction, even to men with long moonshining records.

Furthermore, there seems to exist an uneasy but effective alliance between the non-tax paid whiskey manufacturers in certain counties, and those groups who want the counties to remain dry for religious or moral reasons.

The federal, state, and local law enforcement officials are to be commended for the current drive in north Georgia against moonshine operators. A similar drive was successfully conducted by the Alcohol Tax Division

¹⁵ Escrow et al., "Lead Poisoning Resulting from Illicit Alcohol Consumption", 6 J. of Forensic Sciences, 337 (1961).

of the Internal Revenue Service in South Carolina, and it is understood that this drive resulted in a sharp curtailment of moonshine sale and distribution throughout the state of South Carolina. "Operation Dry-up," as the current Georgia raids, spearheaded by the Treasury Department, are called, has resulted in 628 stills being destroyed and 356,215 gallons of mash being seized during the latter part of 1965. In October 1965, alone, according to a recent article,¹⁶ the seizure of mash in north Georgia represented almost half of the total amount of mash seized by the Treasury Department throughout the entire nation.

b. Gambling

"Gambling profits are the principal support of big-time racketeering and gangsterism. These profits provide the financial resources whereby ordinary criminals are converted into big-time racketeers. . . . Thus . . . the five-cent numbers players are not only suckers because they are gambling against hopeless odds, but they also provide the monies which enable underworld characters to undermine our institutions."

The Kefauver Report, p. 175 (1951)

Lottery and gambling operations are reportedly quite widespread in Atlanta.

The Committee is pleased to report that recently there have been increasing efforts at the enforcement of the gambling laws in the Atlanta area. On October 18, 1965, four men were indicted by the Fulton County grand jury on two counts connected with gambling. The first count was that of soliciting bets and the second was maintaining a gambling house. The indictments were returned against Robert Eli Stanley, John Lester Ellenberg, Jerry (Jug) Paschal, and Merrill Harris. Those in-

¹⁶ "628 Stills Smashed in Dry-Up Drive", Atlanta Constitution, December 2, 1965.

dictments arose from a September 25, 1965, raid on Apartment B-2 at 333 Peachtree Hills Avenue, N.E.

On October 22, 1965, the Atlanta Police Department issued a special daily bulletin which stated in part:

"Gambling activities continue to be a threat to good law enforcement.

"The Atlanta Police Department made 687 arrests in the first nine months of this year of individuals violating gambling laws.

"No person giving a City of Atlanta, Fulton County, address has been issued a federal gambling stamp or slot machine stamp, but there are many individuals living in other parts of the state who have purchased federal gambling stamps, and are believed to be active in Atlanta."

The bulletin listed the names of over sixty individuals believed to be engaged in gambling operations in the Atlanta area.

A source known to be reliable has stated that there are local bookmakers operating "sports book" and accepting bets up to \$5,000. The Solicitor General has been quoted as stating that information gathered during an investigation showed that bets placed on football, baseball, and basketball games are seldom less than \$50.00, whereas most lottery wagers are for less than \$1.00."

From the relatively small nature of the bet placed with lottery, it should not be assumed that the operations are necessarily small. Max Lerner in his classic study, *America as a Civilization*, makes the following observations:

"But the individual criminal dwindles in importance before 'rackets' and 'syndicates'. . . . These activities are not . . . marginal to American life. . . . One trait on which the rackets and syndicates build is the belief

¹⁷ Smith, "Gambling Here Free of Outsiders, Slaton Says, But Asks Vigilance," *Atlanta Constitution*, October 21, 1965, p. 13.

in luck, which is deeply ingrained in a culture that underlines the big prizes. . . . One of the surest forms of the belief in luck is the 'numbers' or 'policy', in which bets are placed on what numbers may turn up each day in officially published reports, such as Federal Reserve Bank statements. The crowds gathered around tabloids are probably more interested in getting the racing results and the 'numbers' pay-off than in the international news. . . . The income from 'policy' betting in Chicago alone . . . is estimated at \$50,000,000, most of it in nickels, dimes, and quarters. In such low income . . . areas 'policy' may mean destitution for thousands of families — and wealth for the few men who organize and run it as a big business. For the gambling industry as a whole, including bookmaking, legalized or pari-mutuel betting, the 'numbers' game, 'policy', slot machines, and lotteries, the annual business has been calculated at 15 billion dollars, involving an industry that ranks in gross sales with such major American industries as chemicals."¹⁸

There are approximately twelve known large lottery operations in the city, and countless independent operations. On October 14, 1965, government agents equipped with crowbars and sledge-hammers broke up what was estimated to be a \$2,000 a day lottery operation.¹⁹ Five persons were arrested in the raid and officials claimed to have caught the operation in full swing.

The raid was conducted by agents of the Internal Revenue Service assisted by Fulton and DeKalb investigators.

The general setup discovered in that case might be considered typical for large operations in the Atlanta area. One house was operated as headquarters and contained no telephone, but did contain adding machines and other paraphernalia used in keeping track of lottery bets. Two "branch offices" were established actually to re-

¹⁸ Lerner, *America as a Civilization: Life and Thought in the United States Today*, p. 660 (1957).

¹⁹ "Lottery Raiders Hit Three Homes, Arrest Five," *Atlanta Constitution*, October 15, 1965, p.1. c.3.

ceive bets. The Committee was told that code names or numbers are often used in bookmaking operations in Atlanta, records are kept on flash paper (which goes up in flames at the touch of a cigarette), and parties in the lower level of operations seldom know much about the chain of command. There were 637 federal gambling stamps issued in Georgia during the last fiscal year and 444 stamps from July 1 through September 30, 1965.²⁰

Gambling in Atlanta is big business. It operates on a huge scale and generates enormous profits. It is in this area that the Committee is especially concerned. There is no apparent direct control of Atlanta gambling operations now by outside syndicates but the handwriting is on the wall. Local gamblers who depend on Miami racketeers for the daily "line" of gambling odds and who have been visited by various national syndicate advance men recently cannot long hope to remain independent.

A major obstacle to the elimination of gambling in the Atlanta area is public attitude. Many of our citizens are not alarmed by the presence of locally organized gambling, overlooking the corruption of our institutions which inevitably follows in the wake of continued illegal gambling operations. This public attitude finds its expressions in the small number of gamblers who are sent to prison. Too often, when a gambler is arrested, a light fine is imposed in lieu of imprisonment. This amounts simply to licensing gambling and gamblers.

The tender treatment that gamblers have been receiving in Atlanta is indicated from the fact that of 776 persons arrested for gambling by the Atlanta Police in the first eleven months of 1965, only seven were sentenced to prison.

According to figures furnished the Committee by Solicitor William E. Spence's office, there were 129 persons

²⁰ "Webb Drafts Law to Curb Gambling", Atlanta Constitution, October 15, 1965, p.10, c.1.

convicted of lottery or gambling in Fulton County in 1965, out of 184 persons brought to trial. But, as noted above, of the 129 convicted, only seven were sentenced to any time in prison. Of these seven gamblers, the average sentence was less than eight months. Under present parole policies, only one-half of each sentence will probably be served. The other 122 convicted gamblers were given suspended sentences and fines. In addition to the 184 who were tried, 19 other accused gamblers were not tried because of insufficient evidence or other reasons.

c. Prostitution

Although the Committee concentrated its investigation on gambling and moonshine operations in the Atlanta area, a source of known reliability has stated that as of October, 1964, prostitution existed in Atlanta on a "wide scale basis" and "houses of prostitution are alleged to exist on an open basis." This allegation would seem to be confirmed by the arrests made by the Atlanta Police Department in November, 1965, of approximately forty prostitutes under a statute making a prostitute's presence on a public street a crime. Since the ordinance itself²¹ requires that the woman arrested be a known prostitute or woman of "notoriously lewd character," it must be assumed that at least forty prostitutes were known to the Atlanta Police Department at or before the time of these arrests.

A source of known reliability has told the Committee that as of October, 1964, there were at least four madams operating houses of prostitution and that one of these madams had at least ten prostitutes working from a West Peachtree Street address. The same informant stated that at least six nightclubs in Atlanta had "a very permissive attitude with regard to prostitution activity,"

²¹ The Code of Ordinances of the City of Atlanta, Georgia (1965), Sec. 20-35.

and that there were at least five hotels where "prostitution is flagrantly practiced. Bellboys in these hotels are considered excellent contacts." Fifteen hotels in the Atlanta area are reportedly considered excellent "husling" places by prostitutes.

d. Narcotics and Dangerous Drugs

The distribution of morphine and related drugs on a large scale continuing basis does not appear to exist in Atlanta at this time. As shown by the study of the Crime and Health Committee, such drugs have recently been available in state and local prisons. This has been confirmed by reports of investigations conducted by state prison officials.

Atlanta can expect a growing narcotics problem. In the whole of 1964, only 30 indictments for narcotics offenses were returned against 40 defendants by the Fulton County Grand Jury. Through December 20, 1965, 80 indictments were returned against 102 defendants. Though the numbers are still small, this is a disturbing increase.

As stated above, the Committee has concentrated primarily on the gambling and moonshine problems of Atlanta. However, the distribution of amphetamines (pep pills) and barbiturates ("goof balls") does seem to exist in Atlanta. A sample of a barbiturate was readily obtained and upon analysis, appeared to be of high potency but of low chemical quality as compared with drugs legitimately available. The Committee does not at this time have sufficient information upon which to base an opinion as to the extent of organization of the distribution of dangerous drugs and narcotics in Atlanta.

There are at the present time only two members of the Atlanta Police Department trained specifically in the enforcement of drug and narcotics laws. The Committee hopes that in the future more adequate provision will be made within the Atlanta Police Department for

training of persons in this specialized field of law enforcement. Training is available at the Bureau of Narcotics' school in Washington, D.C., which offers a two-week course in such subjects as recognition of the addict, identification of narcotic drugs, surveillance of the drug trafficker and the addict, signs of organized crime, techniques of undercover work, and treatment of addiction.

2.

Vigilance

Constant vigilance on the part of the Police Department and citizens of Atlanta will be the price of deterring organized crime in Atlanta. A continuing body of citizens would seem to be the best method of assuring vigilance. Such bodies have had success elsewhere. The form of any such committee should be tailored to Atlanta's peculiar needs. Consideration might be given to a committee formed along the lines of the Chicago Crime Commission. The Chicago Crime Commission is a non-partisan, volunteer citizens' organization. It is not supported by taxes and is not affiliated with any agency of the government, nor is it financially supported by any of the civic or social agencies. The basic purpose of the Chicago Commission is to act as an independent investigative "watchdog" representative of the public interest.

The Chicago Commission maintains a trained, experienced staff of investigators, observers, statisticians and other personnel. It is ably led by Mr. Virgil W. Peterson, a former FBI agent, and it issues periodic reports on crime, criminals, and the effectiveness of law enforcement agencies in the Chicago area. Such a Commission in Atlanta might have undercover investigators who could expose rackets, vice and gambling. Observers would attend criminal courts and report on the conduct

of criminal prosecutions and the activities of judges assigned to the criminal courts. The proposed Committee would be able to render invaluable assistance to law enforcement agencies in the Atlanta area and throughout Georgia.

Fulton County Solicitor General Lewis Slaton is especially to be commended for his excellent use of recent grand juries to combat organized crime and to deter citizen participation in gambling. But despite the many accomplishments of local grand juries, the present grand jury system has serious defects. Chief among these in the Committee's opinion is the fact that a grand jury sits for only two months and is then disbanded. In many areas, this is a severe disadvantage. In the investigation of organized crime, this is a fatal defect. The Committee feels that if special grand juries in Georgia were formed and allowed to sit for longer periods of time than the regular grand jury, that more thorough and more fruitful investigations of organized crime would be possible.

3.

New Legislation

The Committee suggests legislation which would make conspiracy to violate a gambling law a specific crime. This new law grows out of the difficulties inherent in proving gambling crimes. The methods used by modern bookmakers and "numbers" operators are quite sophisticated. Quite often the men at the top of a particular organization are well insulated from the men who actually handle the bets and numbers slips. If conspiracy to violate the various gambling laws were made a specific crime, the Committee believes that the task of combating organized gambling would be made much easier. Such a law has been proposed by Solicitor Lewis Slaton and introduced in the Georgia Legislature. The Com-

mittee recommends that such a bill be enacted. See Appendix F-1.

Solicitor Slaton has also proposed a bill regarding search and seizure procedures which should be of great help to law enforcement officials in combating organized crime, especially gambling. The bill would specify situations in which there could be a search without warrant, provide (as does present federal law) for an inventory of things seized, specify grounds for a search warrant, detail procedures for issuing search warrants, and generally update Georgia's law of search and seizure to conform to current constitutional requirements. The Committee recommends that the 1966 Georgia Legislature enact such a bill. See Appendix F-2.

4.

Conclusion

The Committee concluded that Atlanta at the present time is a center of locally organized criminal groups. Representatives of national criminal organizations have made contacts in our city with the apparent intention of bringing local organizations under national control.

It is also concluded that Atlanta is at the crossroads. If the present course is continued, it seems probable that national organized crime syndicates will move into Atlanta from other states, attracted by the same factors which make Atlanta so desirable for legitimate business. If a determined effort is made by the police and citizens of Atlanta to root out and to destroy the existing organized crime in Atlanta, and if a continuing program of vigilance is followed after the housecleaning, then organized crime cannot survive for long in our city.

Conclusion

Atlanta today is on the threshold of greatness as a result of efficient government, strategic location, dramatic growth, expanding commerce and industry, civil rights leadership, and the unique participation of business in the government and civic life of the community. But Atlanta cannot cross that threshold until it takes the bold and imaginative steps to raise itself from an average city to the heights of a great city in effectively fighting crime and juvenile delinquency. We must reverse, not for a year but permanently, a crime rate that has increased almost ten times faster than the population of the city during the 11-year period from 1955 through 1965¹. We must not be content with a crime rate that in 1964 exceeded by 21.2% the average major crime rate in cities between 250,000 and 500,000, and by 20.5% the average in cities between 500,000 and one million.

Urbanization has blurred the old, clear-cut lines between urban and rural populations in Georgia and shaken the stability such a division gave Atlanta two generations ago. The population of Atlanta has doubled and that of Metropolitan Atlanta almost trebled since 1925. The continued use of out-dated and now inadequate methods to cope with the new, complex problems of a big city is serious and dangerous when applied to crime and juvenile delinquency. All of the recommendations pointed

¹ Before the decrease in crime in 1965, the growth of crime had exceeded population growth even more.

up by this Commission are centered on the need to re-evaluate, reorganize and, if necessary, create new means to meet the present situation. In such areas as the Courts, the Police Department, Education, Recreation, Day Care, Probation and Parole, and Organized Crime, our proposals are all to this end.

We need better education, more parks, more day care, and more supervised recreational activities in the areas of Fulton County that have only 24% of the population but whose residents commit 57% of Fulton County's juvenile offenses and in the areas of Atlanta that have 31% of the population but whose residents commit 61% of the City's adult crimes.

We need a Youth Council to utilize efficiently the resources of the city and of public and private agencies to prevent delinquency. We need a Juvenile Home to take care of the 75% of juvenile offenders who cannot be adequately corrected or rehabilitated at the State training schools but who should not be returned to a chaotic situation in their own homes.

We need court clinics and greatly expanded psychiatric care to help those sick from alcohol, narcotics and mental illness and to reduce the heavy burdens placed by these people on the Police Department, Municipal Court, jails and ultimately on the other residents of the City.

We need a police force second to none in adequate numbers and quality of personnel, in training, in its use of modern equipment and in its merit promotional system.

We need to assign to judges the responsibility of sentencing convicted criminals instead of letting juries, which are both inexperienced and untrained, impose the sentences. We need more probation and more parole officers and a system of law which provides the necessary flexibility to give a first offender the encouragement and opportunity to correct his conduct and an habitual offender punishment severe enough to protect society.

Organized crime, now local in character, must be

stamped out and kept out of Atlanta. This will require not just an alert and aggressive Police Department but particularly the vigorous support of the citizens. If they are apathetic toward gambling, illegal alcohol, prostitution and narcotics, organized crime in Atlanta will grow and flourish and will develop permanent ties with national crime syndicates.

To serve constantly as a watchdog, a permanent independent, Metropolitan-wide Citizens Crime Commission, privately financed and self-perpetuating, must be established to continue without any loss of time the work of this Commission.

Some of the things which need to be done will cost nothing. Others will cost a substantial sum. This Commission stands ready to assist the proper officials in raising the money needed to implement its recommendations.

If Atlanta fails to take the action which our present problems require, it will stay on the wrong side of the threshold of greatness. Worse yet, its present and future generations will suffer from an increasing wave of crimes that could have been avoided. Tragically, the cost of these crimes to Atlanta would far exceed the cost of taking now the steps recommended in this Report which would prevent many of these crimes.

If we do not act now, instead of reducing the local seed beds of crime, they will be multiplied. Instead of repelling unorganized and organized criminals, they will be drawn here. Instead of making Atlanta the most crime free city, it will become a crime-ridden city. We therefore must act. We have an Opportunity for Urban Excellence.

Acknowledgements

The hallmark of this Commission's work has been its voluntary nature. The Associate General Counsel and his secretary were the only paid staff members until at the very end when another part-time secretary was hired to help get out the final report. All other persons who worked for the Commission did so without pay.

The Commission members, all busy people, devoted much of their time to this effort. Counsel spent fully half of their working hours during the late summer and entire fall on this project. This, of course, amounted to a great sacrifice by their law firms in the public interest.

Aside from the Commission members and counsel, numerous persons, firms, agencies, and businesses contributed time and effort. To begin with, several counsel had assistant counsel who helped them from time to time on their various projects. Clay Long of the Crime and Poverty Committee was assisted during the summer months by Bennett Kight, a law student at Emory University working with Mr. Long's law firm during the summer. Later, Gerald A. Friedlander, associated with the firm of Nail, Miller, Cadenhead, and Dennis, spent several months working with Mr. Long on truancy, consumer fraud, and other sections of the Crime and Poverty Report. Emmet Bondurant of the Law and Order Committee was assisted by William G. Vance, associated with the firm of Kilpatrick, Cody, Rogers, McClatchey & Regenstein. While Michael Trotter was on vacation,

John Train of Alston, Miller & Gaines, assisted the Juvenile Delinquency Committee.

Virtually every major law firm in the City contributed additional men and women to help in various aspects of the Commission's work. These individuals conducted the survey of employers, of representatives of poverty areas, of the Fulton County Courts and their sentencing, and performed other tasks. Each gave the Commission fully forty hours of his or her time. They were:

Charles C. Benedict
Bryan, Carter, Ansley & Smith
A. Orville Bracey
Candler, Cox, McClain & Andrews
Michael W. Broadbear
Huie, Etheridge & Harland
Donald O. Clark
Candler, Cox, McClain & Andrews
Ronald L. Davis
Woodruff, Savell, Lane & Williams
W. Wray Eckl
Gambrell, Harlan, Russell
& Moye
Gary C. Furin
Wilson, Branch, Barwick
& Vandiver

Ronald W. Hartley
Smith, Ringel, Martin & Lowe
Benjamin H. Oehlert III
Edenfield, Helman & Sizemore
Robert W. Patrick
Powell, Goldstein, Frazer
& Murphy
R. Wayne Pressley
Nall, Miller, Cadenhead & Dennis
Edgar H. Sims, Jr.
Fisher & Phillips
Gerald Thurmond
Troutman, Sans, Schroder
& Lockerman
Miss Beverly Whatley
Hollowell, Ward, Moore
& Alexander

All work of the Commission of a statistical nature came under the close scrutiny of Bethel Minter, of the Trust Company of Georgia. Mr. Minter attended most of the counsel's meetings in Judge Bell's chambers and spent countless hours consulting with various counsel in the course of their research. For example, he worked closely with Mr. Luxemburger in his survey of employers and with Mr. Long in his survey of poverty areas. He and Mr. Long together worked up the charts showing the relationship between crime and poverty. Mr. Minter also worked with Mr. Trotter on his statistics on delinquency, education and poverty, and with Mr. Bondurant in obtaining a sound representative sampling of the Police Department records to show the high crime areas in the

City. Without Mr. Minter's professional help, this report would not possess its present statistical soundness.

The Community Council of the Atlanta Area, Inc. contributed in many ways. Mr. Duane W. Beck, the Executive Director, consulted with Judge Bell and other Commission representatives from the beginning. Mr. Jack B. Schmitt, Associate Director, was consulted prior to every survey conducted and lent invaluable assistance, particularly with regard to the techniques of surveying. He also provided counsel with information about specific areas of the City where problems existed. The Community Council contributed further in a general way by making available information it had already obtained on Atlanta and in sponsoring tours of the poverty areas in Atlanta in which Commission members participated.

Numerous businesses contributed personnel in the course of the Commission's work. The Trust Company of Georgia and the Citizens and Southern National Bank both made available considerable numbers of people for long periods of time. Southern Bell Telephone and Telegraph Company lent the Commission at one point the services of its statistical staff. The Georgia Power Company on several occasions responded to calls for manpower. For example, one of its employees completely reviewed and organized the sentencing survey.

Southern Bell Telephone and Telegraph Company and Sears, Roebuck & Company reproduced free of charge several of the Committee Reports, each averaging fifty pages in length.

The advertising firm of Liller, Neal, Battle & Lindsey made its services available at no charge and provided art work at cost in helping the Commission take its message to the public through panel discussion programs, crime-prevention tips, and general suggestions. Merrell Calhoun of that firm gave the Commission imaginative, resourceful advice along these lines.

The Atlanta Region Metropolitan Planning Commis-

sion was consulted often for data on population, income, and related matters pertaining to the Atlanta area. They were of tremendous help.

Economic Opportunity Atlanta, Inc. assisted the Commission in many ways. Mr. Charles O. Emmerich, Mr. David R. Beecher, Miss Virginia Hannon and many others all gave much of their time and resources. Mr. Walter G. Anderson conducted the survey of ex-convicts. In addition, E.O.A. conducted several tours of neighborhood centers in which members of the Commission participated.

All agencies of the City of Atlanta, including the Atlanta Police Department, the Parks Department, and the Atlanta Public School System, cooperated freely and fully. The metropolitan area counties likewise contributed in every way, particularly the Juvenile Courts of Fulton, DeKalb and Cobb Counties. All relevant State agencies, including the State Board of Pardons and Paroles, the State Board of Corrections, the Georgia State Patrol, the State Board of Education, the State Department of Family and Children's Services, and the Governor's office provided much help.

At the Federal level, the Attorney General of the United States and his associates, the Federal Bureau of Investigation, and the Treasury Department all helped. Contact was made early with these groups and their cooperation was given throughout.

Police departments in Chicago and Milwaukee and crime commissions in Chicago, Boston, New York and Washington, D. C., and the New England Crime Commission, were all visited and provided much useful information. Other crime commissions across the country were contacted by mail and many responded with helpful information. Juvenile Courts in cities of comparable size were likewise reached by mail and were most helpful in their replies.

Appendices

APPENDIX I-1

Resolution Creating The Atlanta Commission on Crime and Juvenile Delinquency

(Adopted by Aldermen June 21, 1965; approved by
Mayor June 23, 1965)

Resolution

WHEREAS, the City of Atlanta continues to increase in population at an unprecedented rate of growth, and

WHEREAS, increased population has usually in other metropolitan areas resulted in an increased rate of incidence of crime, and

WHEREAS, it is the desire of the Mayor and Board of Aldermen of the City of Atlanta to take every reasonable step not only to avoid an increase in crime rate but further to reduce the existing crime rate in our city, and

WHEREAS, Atlanta has always had an interested and cooperative citizenry in dealing with the problems of the community and area, and

WHEREAS, much good can come from study and advice from outstanding and qualified citizens of our community who have special knowledge, understanding and training in the handling of human problems,

NOW, THEREFORE, be it, and it is hereby resolved by the Mayor and Board of Aldermen of the City of Atlanta that:

(1) There is hereby established an agency of the City of Atlanta to be known as

THE ATLANTA COMMISSION ON CRIME AND JUVENILE DELINQUENCY

(2) The membership of the commission shall consist of twenty-three persons all of whom shall be appointed by the Mayor and approved by the Board of Aldermen of the City of Atlanta.

(3) The commission shall be made up of the following:

- a) A chairman designated by the Mayor.
- b) A vice-chairman designated by the Mayor.
- c) Four members from the legal profession (one of these shall be designated by the President of the Atlanta Bar Association).
- d) Four members from the general business community (one of these shall be designated by the president of the Atlanta Chamber of Commerce).
- e) Four members from professional and civic organizations.
- f) Three members from the field of education.
- g) Three members from the field of social and youth organizations.
- h) Three members from religious organizations.

(4) The duties and functions of the Commission shall be:

a) To conduct as promptly as possible a study and comprehensive assessment, analysis and evaluation of the total crime and juvenile delinquency situation in the City of Atlanta, including the relationship to the Atlanta situation of the condition and attitudes of surrounding political areas and subdivisions; and further to revise and keep current the studies so made.

b) To prepare and submit to the Mayor and Board of Aldermen of the City of Atlanta a detailed report of all studies made together with a detailed recommendation of a suggested program designed to meet the existing crime situation and to prevent crime.

c) To make continuing recommendations at least annually covering suggested programs designed to prevent crime and juvenile delinquency including programs for active liaison with other agencies, including suggested time-tables and positive implementation steps.

d) To prepare detailed plans and suggested programs of encouragement on a metropolitan area basis for community programs aimed at the determination of the existence of crime and the elimination and prevention of crime and juvenile delinquency throughout the entire Atlanta metropolitan area.

(5) All members of the commission shall be elected for a period of one year or until their successors are named. Vacancies on the commission shall be filled by appointment by the Mayor with approval of the Board of Aldermen.

(6) The Commission shall hold its meeting at such times and at such place or places as it shall determine. If desired it shall have made available to it an appropriate meeting place in the City Hall of the City of Atlanta at times when its meetings do not conflict with other meetings.

(7) The commission shall have the right to employ such agents, employees and clerical personnel as may be approved from time to time by the Mayor and Board of Aldermen. Such persons shall be paid by funds made available by the Mayor and Board of Aldermen but such persons shall not be considered to be employees of the City of Atlanta. They may be employed on such basis as the Commission may determine to be proper.

(8) The commission shall have the right to conduct hearings, to carry on investigations and to do any and all other acts necessary to effectuate its purposes. All employees of the City of Atlanta elected or appointed shall furnish to the Commission all reasonable aid in the carrying on of the work of the commission.

APPENDIX A-1

Incidence of Delinquency In Fulton County During 1964 and the Relationship to Socio-Economic and Housing Factors

This report is based on the 1964 delinquency figures supplied by the Fulton County Juvenile Court and the 1964 population estimates of the Atlanta Region Metropolitan Planning Commission. The negro and white delinquents living within each census tract are given separately and in total number. The socio-economic and housing classifications were prepared by the Community Council of the Atlanta Area, Inc. based on 1960 census figures. The lowest socio-economic classification is represented by the Roman numeral I and the highest by V. The lowest housing classification is represented by A and the highest by E. The percentage of children under 15 years of age and the percentage between the ages of 15 and 19 years of age are based on 1960 census figures.

Delinquents per 1,000 Residents	Socio- Economic and Housing Classification	Census Tract	Delinquents Living in Tract			Total Population	% Under 15		% 15-19
			N	W	T				
26.85	I-A	35	14	15	29	1,080	23.1	14.8	
26.16	I-A	55-A	177	9	186	7,111	36.4	7.0	
23.09	I-A	45	83	1	84	2,339	40.6	6.4	
21.95	I-A	56	172	4	176	8,019	39.0	7.2	
21.00	I-A	47	74	14	88	4,191	36.9	7.1	
20.35	I-A	87	169	10	209	10,269	51.3	8.2	
19.34	I-A	33	92		92	4,756	33.6	8.4	
18.71	I-A	46	74	1	75	4,009	37.6	7.4	
18.70	I-A	26	102		102	5,453	32.4	6.7	
18.24	I-A	41	82	2	84	4,606	36.6	6.1	
17.22	II-A	59	1	23	24	1,394	24.0	7.4	
17.18	I-A	36	35		35	2,037	28.5	6.3	
16.92	I-A	18	158	2	160	9,459	30.9	5.8	
16.39	I-A	9	10	29	39	2,373	31.8	7.2	
16.15	I-A	29	71		71	4,395	27.7	5.9	
16.13	I-A	22	81		81	5,022	40.2	7.7	
15.83	I-B	21	3	41	44	2,786	34.3	7.7	
14.77	I-A	49	1	49	50	3,386	29.0	8.6	
14.68	I-A	32	11	36	47	3,202	33.4	9.5	
13.29	I-A	57	45	3	48	3,613	36.1	6.2	
12.97	I-A	25	96		96	7,401	32.6	7.9	
12.46	I-A	8	54	12	66	5,295	33.2	8.4	
12.18	I-A	31	40	6	46	3,778	35.6	7.9	
11.66	I-A	43	37		37	3,120	34.4	9.7	
11.67	I-B	20		14	14	1,290	21.4	6.2	
11.39	I-A	42	8	33	41	3,559	35.0	7.3	
11.04	II-B	50	6	27	33	2,988	24.8	7.6	
10.92	III-B	41	5	35	40	3,652	22.5	7.5	
10.77	I-A	28	26		26	2,413	25.3	4.8	
10.72	II-B	86	39	47	86	8,025	35.5	8.3	
10.41	I-B	17	72	2	74	7,110	26.9	9.1	
10.09	I-A	55-B	67	1	68	6,737	50.7	7.3	
9.68	II-B	71	15	7	22	2,272	43.1	7.2	
9.59	III-D	85	41	13	54	5,581	28.6	7.5	
9.32	II-C	83	95		95	10,192	33.9	7.2	
8.76	II-B	23	55	4	59	6,732	32.8	6.2	
8.23	II-B	53	11	28	39	4,740	25.9	7.9	
8.19	I-A	48	11	12	23	2,807	41.8	7.8	
7.96	III-B	13	18	28	46	5,777	18.3	8.2	
7.88	II-B	6	4	20	24	3,044	27.1	8.2	
7.80	II-B	62	11	10	21	2,892	26.4	6.2	
7.58	I-A	27	6	1	7	924	2.6	11.8	
7.27	III-D	82	55	6	61	8,386	36.9	6.0	
7.09	I-A	63	40		40	5,642	25.3	7.8	
6.70		Metro							
6.54	III-D	49	18	9	27	4,130	25.3	7.6	
6.44	IV-B	16	8	12	18	2,796	19.6	6.3	
6.31	I-A	37	12		12	1,902	38.5	7.4	
6.26	III-C	66	6	25	31	4,851	25.0	8.0	
6.04	II-A	30	5	19	24	3,974	23.1	6.9	
5.93	III-D	74	15	15		2,530	33.7	6.6	
5.89	IV-C	14		13	13	2,207	10.9	7.5	
5.73	II-A	38	29		29	5,021	22.9	13.0	
5.46	II-B	67	18	30	48	6,789	35.0	7.3	
5.42	III-C	89	17	22	39	7,197	30.6	6.6	
5.38	III-C	78	45	13	58	10,780	35.1	8.4	

6

Delinquents per 1,000 Residents	Socio- Economic and Housing Classification	Census Tract	Delinquents Living in Tract			Total Population	% Under 15		% 15-19
			N	W	T				
5.32	II-C	24	30	1	31	5,831	20.1	6.9	
5.08	II-A	19	2		2	7,772	10.4	14.8	
5.04	II-A	110	26	11	37	7,345	40.5	6.9	
4.77	III-C	84	29	1	30	6,183	32.1	6.9	
4.54	IV-C	112	4	57	61	13,453	39.4	7.1	
4.52	IV-D	65	2	22	24	5,306	23.3	7.0	
4.51	III-C	107	7	19	26	5,769	27.4	7.8	
4.45	II-C	116	6	19	25	5,653	32.5	8.9	
4.40	II-B	39	12	5	17	3,861	31.7	6.4	
4.02	III-C	58		9	9	2,240	20.6	6.9	
3.66	II-C	88	5	12	17	4,615	29.5	8.4	
3.66	III-D	61	16	4	20	5,466	54.4	7.0	
3.65	II-A	109		29	29	2,456	31.2	8.1	
3.63	II-C	114	3	22	25	6,883	32.8	7.6	
3.50	IV-D	70		27	27	8,213	34.3	6.2	
3.49	IV-E	61	14	3	17	4,843	26.8	6.6	
3.34	III-C	84		5	5	1,797	28.6	7.4	
3.33	II-B	72	10	14	24	7,213	43.3	6.3	
3.28	III-D	69		12	12	3,951	31.3	7.1	
3.15	IV-D	75	1	14	15	4,756	26.8	5.8	
3.05	III-B	52	1	13	14	4,588	24.4	7.4	
3.04	I-B	7	6	1	7	2,300	27.6	6.7	
2.72	IV-D	108	1	27	28	10,281	50.8	8.4	
2.70	IV-E	111	1	10	11	4,079	27.5	6.8	
2.55	III-C	106	14	16	30	12,753	34.6	7.7	
2.44	V-C	94	1	13	14	5,739	51.7	6.2	
2.38	IV-C	15		12	12	5,450	9.3	6.5	
2.30	V-D	5		8	8	3,480	16.6	6.6	
2.30	II-B	103	2	10	12	6,226	36.2	6.4	
2.17	IV-D	77	9	8	17	2,843	35.9	5.9	
2.17	IV-E	11		6	6	2,769	7.8	8.9	
2.15	IV-B	60	2	7	9	4,180	12.4	6.1	
2.09	IV-B	12		9	9	4,484	4.3	5.6	
1.88	V-E	90	3	4	7	3,714	29.2	5.9	
1.84	V-C	95		13	13	9,218	16.4	5.4	
1.84	V-D	80	1	11	12	6,525	28.8	6.5	
1.79	V-D	2		11	11	7,146	14.9	5.7	
1.69	V-E	76	2	11	13	7,766	27.6	7.5	
1.62	V-E	79		7	7	4,039	32.2	6.4	
1.60	V-E	1		15	15	4,994	16.8	6.4	
1.51	V-E	101		18	18	5,921	36.7	6.1	
1.47	III-B	105	5	10	15	12,887	35.2	8.2	
1.40	IV-B	104		5	5	3,873	33.4	9.7	
1.39	IV-D	73		5	5	3,803	27.8	6.3	
1.36	V-E	55	2	6	8	5,878	25.4	6.2	
1.22	V-E	97		4	4	3,281	35.6	7.4	
1.08	II-C	115	1	2	3	1,735	30.1	8.3	
1.04	V-E	102	2	10	12	11,822	24.4	7.5	
1.03	IV-B	16	2	3	5	4,866	7.9	31.6	
1.01	V-E	100	1	6	7	6,933	29.5	5.8	
0.93	V-E	113	2	10	11	11,779	37.4	5.6	
0.71	V-E	98	1	3	4	5,856	33.2	8.4	
0.68	V-C	4	1	1	2	2,920	6.3	6.8	
0.66	V-D	91	1	3	4	6,039	12.3	4.7	
0.63	V-D	92	1	2	3	4,760	27.5	5.2	
0.26	V-E	99	1	1	1	3,863	29.9	8.2	
0.18	V-D	53		1	1	5,604	19.8	5.0	

7

APPENDIX A-2

Delinquency and Academic Achievement

The following chart shows the delinquency rate and the economic classification of each census tract in Atlanta and median reading attainment of the eighth grade students residing in each census tract. In the system of socio-economic classification, an "I" census tract is the lowest socio-economic area and a "V" census tract is the highest. It has not been possible to ascertain with complete accuracy the school attended by all children living within a certain census tract. However, the statistics are sufficiently accurate to give a full and fair estimate of the situation in the Public Schools today.

BY CENSUS TRACT		
Rate of Delinquency	Socio-Economic Classification	Median Reading Level of Eighth Grade Students
26.65	I	3.8
26.16	I	4.0
23.09	I	3.8
21.95	I	3.8
21.00	I	3.8
20.35	I	3.8
19.34	I	3.8
18.71	I	3.8
18.70	I	3.8
18.24	I	3.8
17.22	III	6.3
17.18	I	3.8
16.92	I	3.8
16.39	I	6.8
16.15	I	3.8
16.13	I	6.8
15.83	I	6.8
14.77	I	3.8
14.68	I	5.5
13.29	I	6.3
12.97	I	3.8
12.46	I	6.8
12.16	I	7.1
11.86	I	3.8
11.67	I	6.8
11.39	I	3.8
11.04	II	5.5
10.92	III	6.3
10.77	I	3.8
10.72	II	5.1
10.41	I	3.8
10.09	I	3.8
9.68	II	6.3
9.50	III	4.9
9.32	II	4.2
8.76	II	6.8
8.23	II	5.5
8.19	I	3.8
7.96	III	8.7
7.96	II	6.8
7.80	II	6.3
7.58	I	3.8
7.27	III	5.0
7.09	I	3.8
6.54	III	3.8
6.44	IV	7.1
6.31	I	3.8
6.26	III	7.1

Rate of Delinquency	Socio-Economic Classification	Median Reading Level of Eighth Grade Students
6.04	II	3.5
5.93	III	7.1
5.89	IV	7.1
5.73	II	3.8
5.46	II	3.8
5.42	III	6.8
5.38	II	3.8
5.05	II	6.8
4.77	III	4.2
4.52	IV	7.1
4.40	II	3.8
4.02	III	6.3
3.66	II	4.2
3.65	III	8.7
3.50	IV	6.3
3.40	IV	6.3
3.34	III	3.8
3.33	II	6.8
3.29	III	5.5
3.15	IV	7.1
3.05	III	5.5
3.04	I	6.8
2.44	V	9.2
2.38	IV	7.1
2.30	V	8.7
2.17	IV	6.5
2.17	IV	6.5
2.13	IV	6.3
2.00	IV	6.8
1.88	V	9.2
1.84	V	9.2
1.84	V	8.7
1.79	V	8.7
1.69	V	6.5
1.52	V	8.7
1.60	V	8.7
1.39	IV	5.7
1.36	V	9.2
1.22	V	9.2
1.03	IV	6.8
1.01	V	10.0
0.71	V	9.2
0.68	V	5.7
0.65	V	9.2
0.63	V	5.7
0.25	V	10.0
0.18	V	9.2

(The above is limited to Fulton County Census tracts within Atlanta City Limits)

APPENDIX A-3

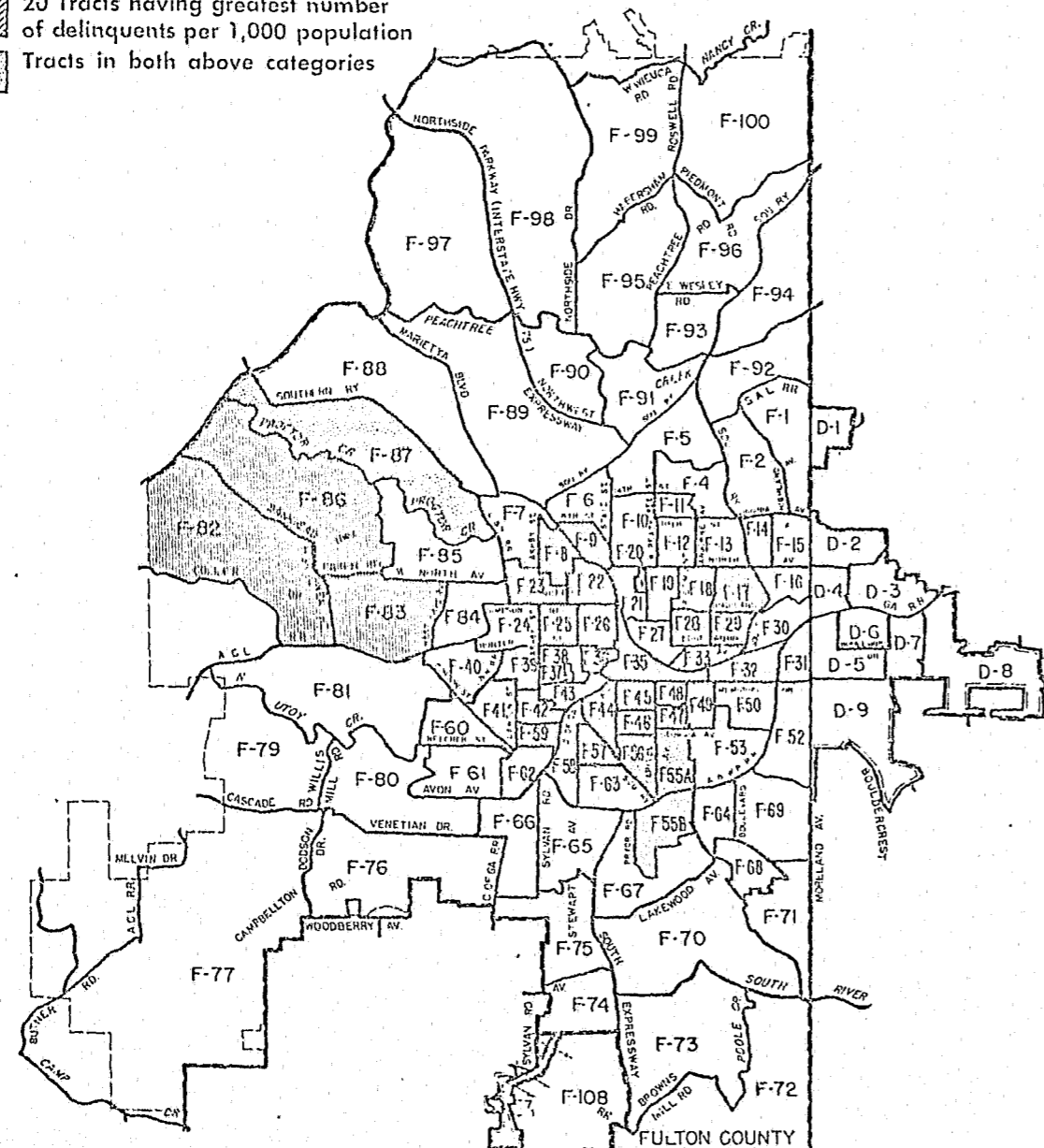
Juvenile Delinquency In Atlanta

The following map shows the twenty Atlanta census tracts which had the highest rate of delinquents per 1,000 during 1964, according to Fulton County Juvenile Court figures. It also shows the twenty census tracts which had the highest number of delinquents.

This map does not reflect delinquency in that portion of Atlanta located in DeKalb County because this study was limited to figures of Fulton County Juvenile Court.

JUVENILE DELINQUENCY IN ATLANTA

- 20 Tracts having greatest raw number of delinquents
- 20 Tracts having greatest number of delinquents per 1,000 population
- Tracts in both above categories



CRIMES BY INCOME OF AREA IN WHICH COMMITTED
(July 1, 1964 - June 30, 1965)

1959 Median Family Income	No. of Tracts	Population 4-1-64	Crimes Against the Person					Crimes Against Property				Total Grand Total
			Murder	Rape	Assault	Robbery	Total	Burglary	Larceny ²	Auto Theft	Total	
Under \$2,000	5	6,878	0	1	42	44	87	281	471	450	1,202	1,289
\$2,000 - 2,999	16	77,399	30	36	302	101	469	1,063	489	540	2,092	2,561
3,000 - 3,999	16	77,974	23	14	248	76	361	924	327	520	1,771	2,132
4,000 - 4,999	15	78,331	9	11	86	90	196	882	387	420	1,689	1,885
5,000 - 5,999	16	80,412	18	24	81	70	193	881	330	510	1,721	1,914
6,000 - 6,999	15	72,582	4	8	41	39	92	600	339	670	1,609	1,701
7,000 - 7,999	6	28,515	1	2	9	12	24	181	105	150	436	460
8,000 - 8,999	5	27,291	1	1	8	11	21	213	136	160	509	530
9,000 and Over	12	67,049	0	3	14	28	45	328	350	240	918	963
Total ¹	106	510,431	86	100	831	471	1,488	5,353	2,934	3,660	11,947	13,435

15

NUMBER OF CRIMES PER 1,000 RESIDENTS¹

	Murder	Rape	Assault	Robbery	Total	Burglary	Larceny ²	Auto Theft	Total
Under \$2,000	0.0	0.15	6.1	6.3	12.6	40.8	68.5	65.4	174.8
\$2,000 - 2,999	0.38	0.47	3.9	1.3	6.1	13.7	6.3	7.0	27.0
3,000 - 3,999	0.29	0.18	3.2	1.0	4.6	11.9	4.2	6.7	22.7
4,000 - 4,999	0.11	0.14	1.1	1.1	2.5	11.3	4.9	5.4	21.6
5,000 - 5,999	0.22	0.30	1.0	0.9	2.4	11.0	4.1	6.3	21.4
6,000 - 6,999	0.06	0.11	0.6	0.5	1.3	8.3	4.7	9.2	22.2
7,000 - 7,999	0.04	0.07	0.3	0.4	0.8	6.3	3.7	5.3	15.3
8,000 - 8,999	0.04	0.04	0.3	0.4	0.8	7.8	5.0	5.9	18.7
9,000 and Over	0.0	0.01	0.2	0.4	0.7	4.9	5.2	3.6	13.7
Total	0.17	0.19	1.6	0.9	2.9	10.4	5.7	7.1	23.1

¹ Includes all census tracts wholly or partially within the City of Atlanta except F-68, F-101 and F-103

² From a building

³ Totals differ slightly from totals published by the Atlanta Police Department primarily because of lack of information on the location of certain crimes

⁴ Totals may not add because of rounding.

CHART I

CRIME AND INCOME

Crimes Against the Person
By Median Family Income of Census Tract in Which Crime Committed

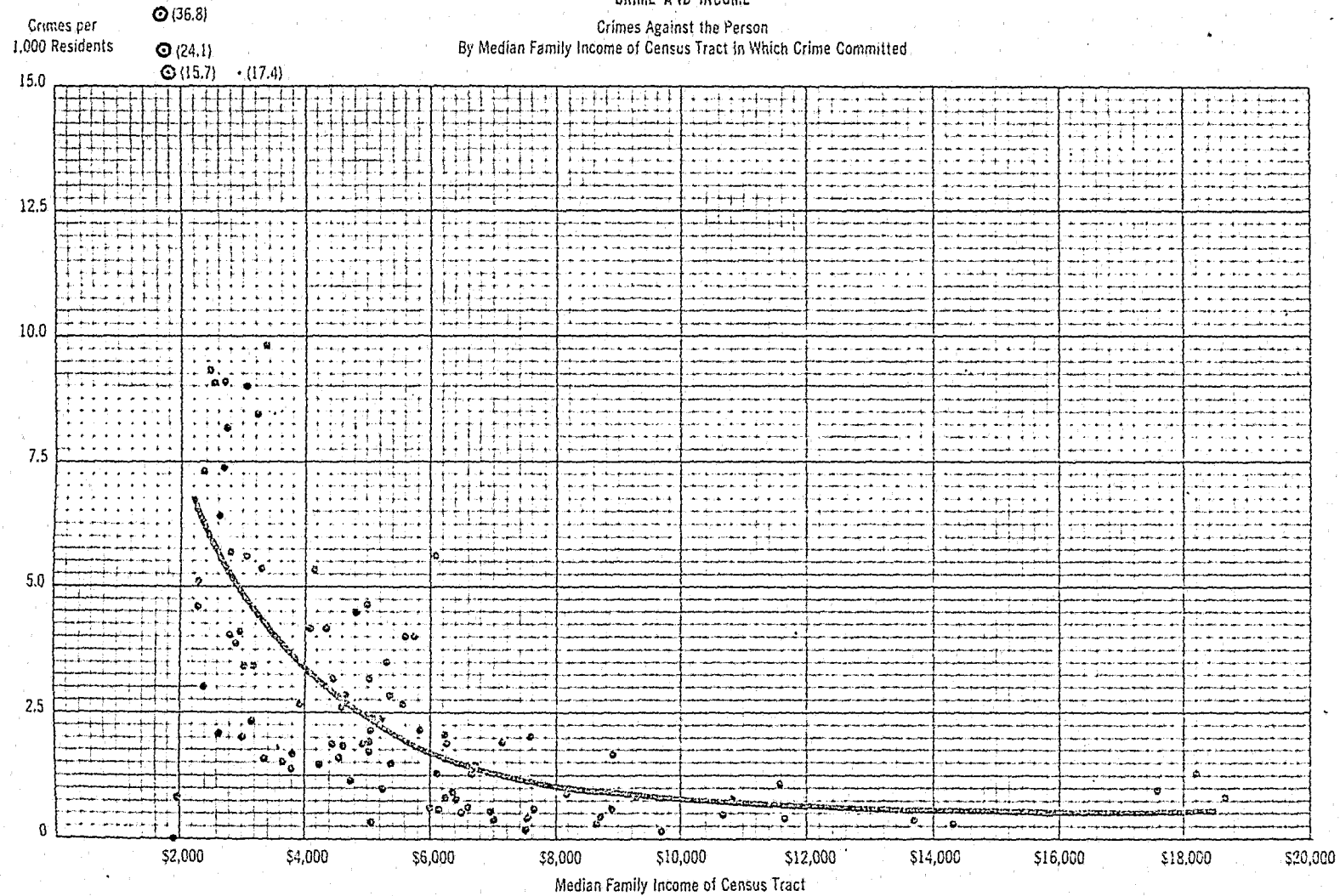
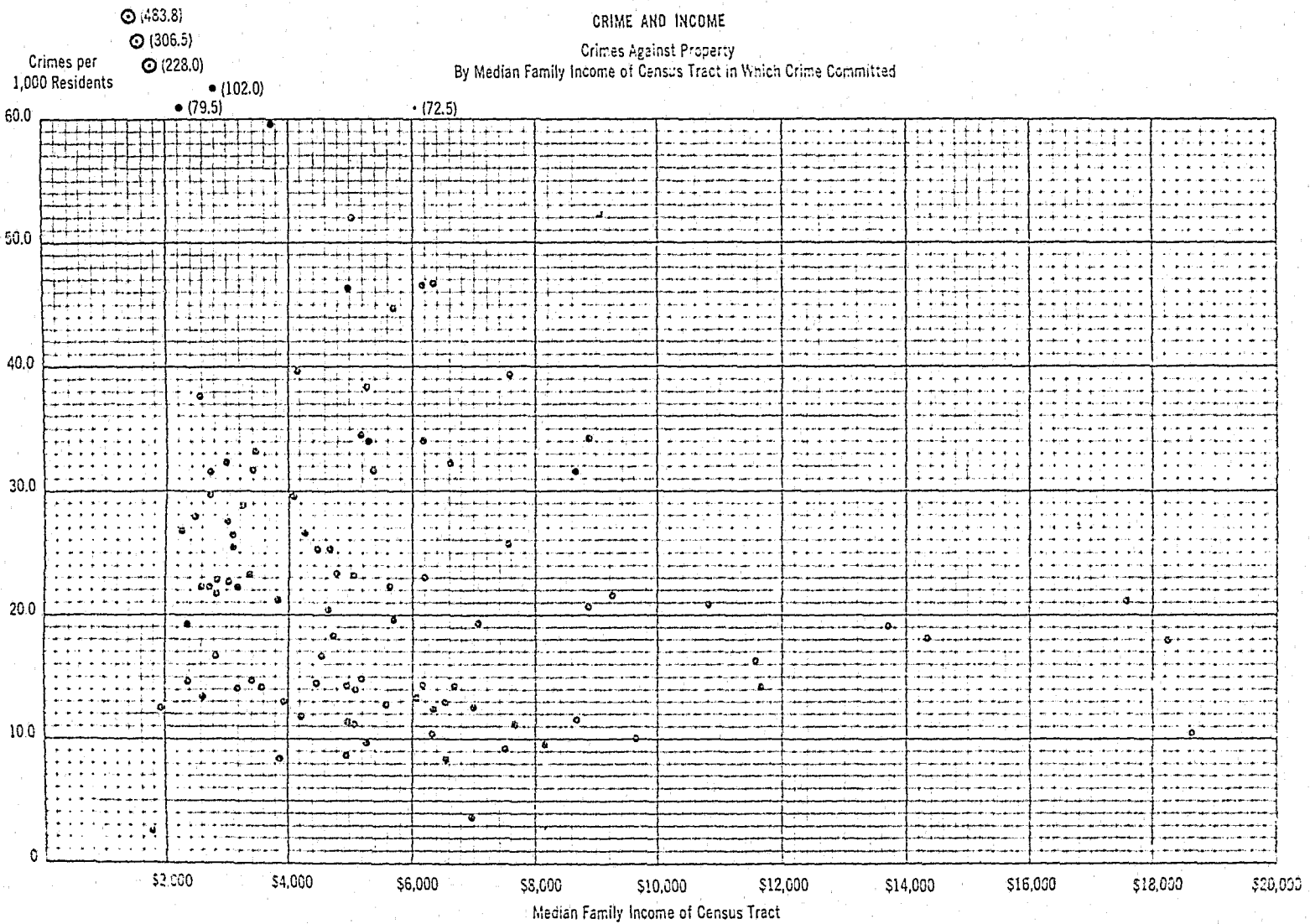


CHART II CRIME AND INCOME



Source: Census Tract (F-19-27.35)

Convicted Offenders
per 1,000 Residents

CHART III
CRIME AND INCOME
Crimes Against the Person
By Median Family Income of Census Tract in Which Offender Resided

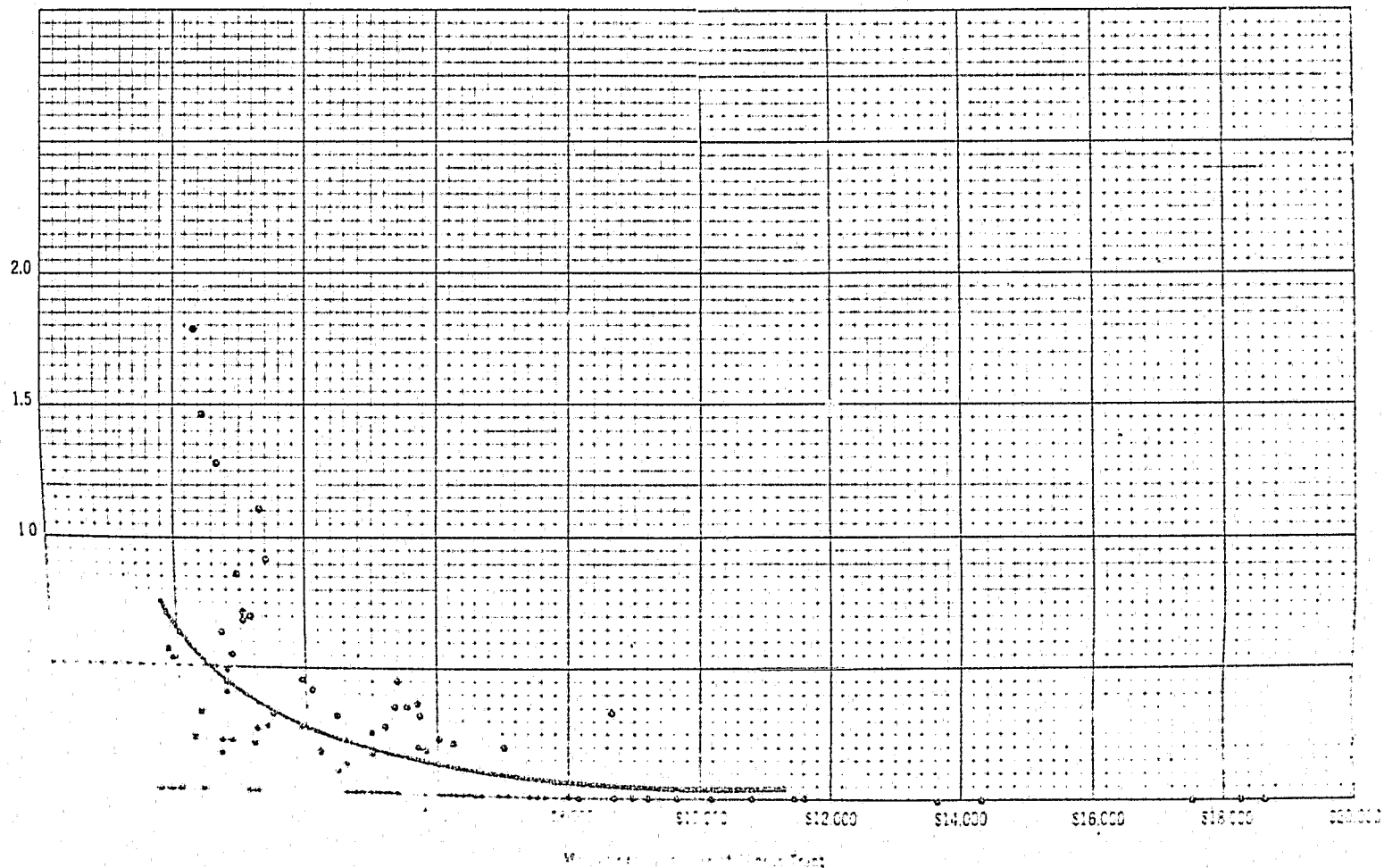
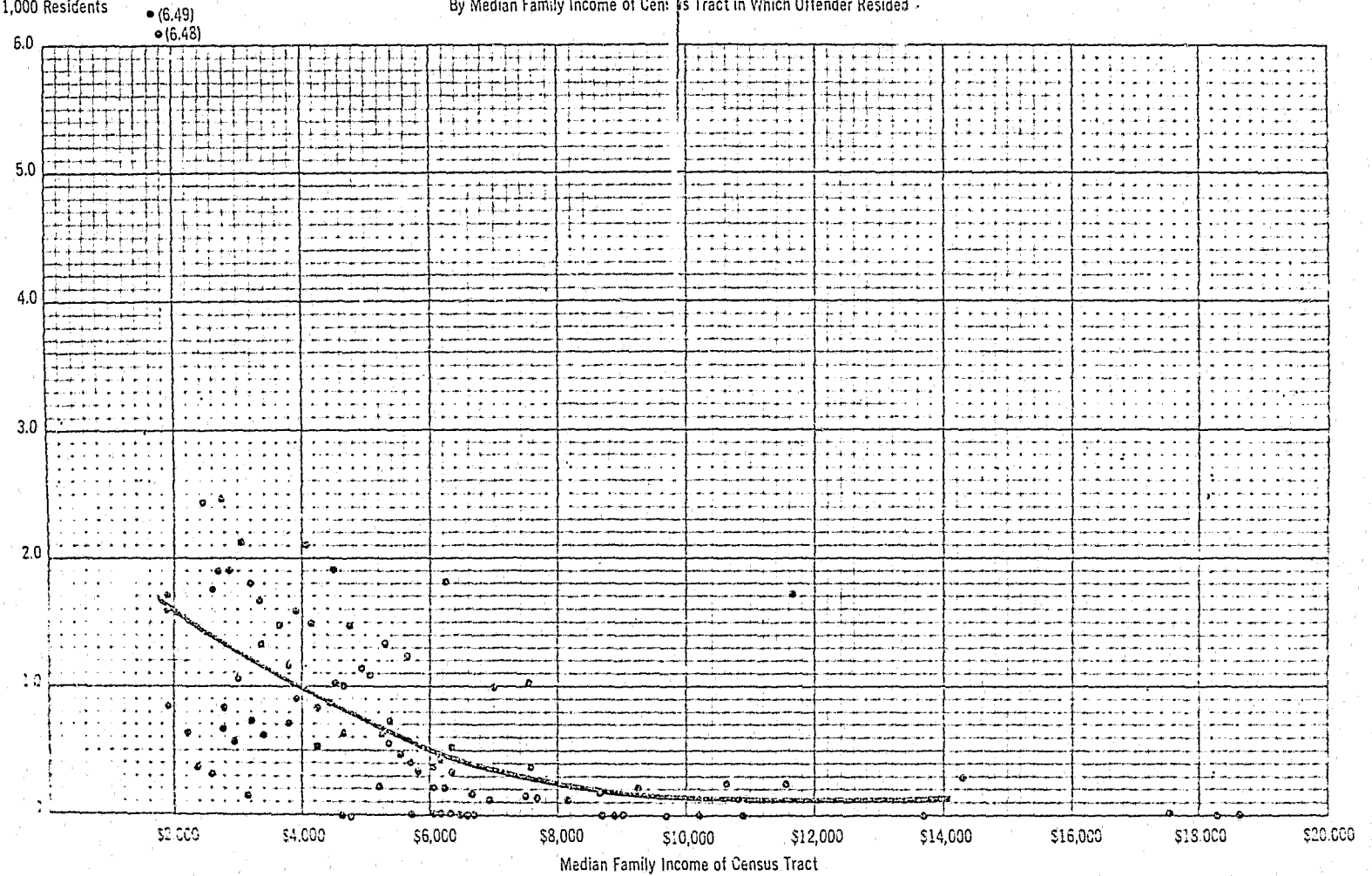


CHART IV

CRIME AND INCOME

Crimes Against Property
By Median Family Income of Census Tract in Which Offender Resided

Convicted Offenders
per 1,000 Residents



21

SALARIES OF RECREATION DEPARTMENT WORKERS: A COMPARISON OF ATLANTA'S PRESENT SALARIES WITH 1962 MEDIAN SALARIES OF OTHER CITIES OF OVER 500,000 POPULATION ¹				
Position	Departments Reporting	1962 Median	Atlanta	Difference
Recreation Executives	31	\$13,800	\$7,345 - 3,480	\$6,455 - 4,320
Assistant Executives	26	9,816	5,265 - 6,422	4,551 - 3,394
General Supervisors	26	6,950	4,641 - 5,720	2,309 - 1,230
Special Supervisors	13	6,400	4,641 - 5,720	1,759 - 680
Center Directors	22	7,194	3,601 - 4,446	3,593 - 2,748
Leaders	23	5,270	2,938 - 3,601	2,332 - 1,669

¹ Figures used herein are based on a study published by the National Recreation Association entitled "Salary and Wage Administration: 1962."

APPENDIX B-4

22

APPENDIX C-1

Blueprint For Court Clinics

The Committee on Crime and Health, through discussions with judges and law enforcement officials in the Atlanta area, became convinced of the need for a Court Clinic program. Such a program could be instituted as a pilot project in the Atlanta Municipal Court, and if demonstrated to be successful, could be expanded to meet the needs of other court systems.

The Municipal Court

Because of the varied problems which will be encountered in dealing with offenders appearing in the Municipal Court, staff members should be drawn from several disciplines. A full-time psychiatrist, a full-time attorney, and several full-time social workers could form the nu-

23

cleus for the Court Clinic staff. Additionally, Emory University Law School students and Medical School psychiatry residents could supplement the full-time staff to provide part-time assistance in meeting the needs of the Clinic's clients. The judges of the Municipal Court have expressed the need for such a clinic and have indicated their desire to cooperate.

Many persons who are arrested for violations of city ordinances and who are brought to trial in the Atlanta Municipal Court are from multiple problem families. Often, the actual crime is merely symptomatic of one or several of these problems — for instance, often the man arrested for public intoxication has as the root of his crime an unhappy home situation, or is unemployed and unable to find or keep a job because of limited vocational skills or inadequate motivation. Being convicted and serving time at the City prison will do nothing to eliminate the underlying cause of his anti-social behavior. A new approach is needed to get at and eliminate this underlying cause and prevent repetition of his criminal activity. This, of course, is the goal of a Court Clinic program.

All cases in the Municipal Court should be screened by the staff director of the Court Clinic. It would be his function to interview the arrested offender prior to trial to determine if he could be benefited by the services of the Clinic. Thus, if an interview revealed that a man arrested for public intoxication was experiencing marital difficulties which led to his anti-social behavior, he might be referred to a clinic psychiatrist who could then discuss the problem with the offender and make recommendations to the trial judge. A suspended sentence might be imposed with conferences arranged with the clinic psychiatrist. Both the offender and his wife could then see the clinic psychiatrist in an attempt to work out their marital difficulties.

Another possible use for the Court Clinic would be to see that the family of the man serving time was not put

to undue hardship. The City Welfare Department could be contacted to provide for the economic needs of the man doing time in the City prison.

In another instance, it might be determined that a man who had served time and was then released on parole might be benefited by the services of Court Clinic. Staff members of the Court Clinic could consult with the judge and probation officer to determine what service was in order and then put the parolee in touch with the proper governmental agency. For instance, the State Vocational Rehabilitation Department or Economic Opportunity Atlanta, Inc. might be of invaluable assistance in helping the parolee obtain vocational skills and find proper employment.

Private foundations have indicated an interest in financing a pilot Court Clinic in the Municipal Court. Thus, it is likely that initial financing could be provided by a private grant. Thereafter, the City would have responsibility for permanent financing of the Court Clinic through additional appropriations to the Municipal Court.

The Criminal and Superior Courts

Quite obviously, offenders appearing before these courts have problems of even greater magnitude than those appearing before the Municipal Court. If the Municipal Court Clinic is demonstrated to meet with significant success, such services could be expanded to fill the needs of the Criminal and Superior Courts.

The sexual deviate is an obvious example of an offender who should be screened by a psychiatrist and with recommendations made by the psychiatrist to the trial judge before whom the offender appears. If psychiatric services are made available by the Court Clinic, a first offender exhibitionist may be given a suspended sentence and probated upon condition that he avail himself

of treatment by clinic psychiatrists. The dangerous drug offender might be dealt with in similar fashion.

The whole point of the Court Clinic program is that it is an attempt to formulate new approaches in criminology. Some offenses, e.g., rape, are of such gravity that incarceration may be the only acceptable solution. Other offenses, of less gravity, may be dealt with in other ways and through proper treatment, the offender may be given treatment and rehabilitation so that he can be deterred from repeating his criminal acts. Key to any success that the program might have would be the full cooperation of the judges and probation officers involved. The clinic staff would have to be in constant contact with these officials to plan together what services are called for in each individual case.

Financing for a Court Clinic program in the Criminal and Superior Courts would have to come through state funds. The necessary funds would have to be obtained through appropriations by the Georgia Legislature. The Court Clinic program, as an integrated part of the court system, should be financed by appropriations made to the state judiciary. Again, Fulton County Criminal and Superior Courts, having the heaviest criminal docket and being near a university system on which a Court Clinic could draw for personnel, might serve as pilot projects prior to state-wide adoption.

APPENDIX C-2

Ex-Convict Survey

The ex-prisoner who has been released unconditionally from a Georgia prison is little more than a statistic in official files. The State Board of Pardons and Paroles maintains contact with and has continuing information on the ex-prisoner on parole, but there is almost no information on the ex-prisoner who has been released unconditionally from prison. As a condition of parole, a parolee must have a job awaiting him upon release from prison and will be under official supervision. The same, of course, is not true of the ex-prisoner who has been unconditionally released. This ex-prisoner must make his own way and create his own opportunities upon re-entering society.

To learn something of the attitude and the success or lack of success of the unconditionally released ex-prisoner in adjusting to society, the Subcommittee elicited the aid of personnel of Economic Opportunity Atlanta, Inc. Mr. Walter G. Anderson interviewed a number of ex-prisoners who had been unconditionally released in 1964 and 1965 and the results of these interviews were compiled by Miss Virginia R. Hannon. It was impossible to interview a large number of these people — few were at the last known address furnished by the State Board of Corrections; fewer still were willing to discuss their experiences. Eight persons were located and interviewed in depth, however, and these eight persons furnished in-

teresting, and disturbing information about their background, prison experience, and post prison experience.

The identity of the eight persons interviewed was not divulged — each is listed merely as a letter A through H. The response of each (where applicable) is given immediately following each question asked. Typically, the ex-prisoner came from a large and poor family, had a limited education (only one of the eight was a high school graduate) had previously appeared before a juvenile court and held a negative attitude toward the police. He reported that drugs and alcohol had been sold at prison through prison guards and that homosexual activities were engaged in by prison inmates. These practices were known by prison authorities with little done to eliminate them. Physical abuse of prisoners was common. The prison food was substandard and recreational and medical facilities poor. Nothing was done at prison to provide him with vocational training and no assistance was given in helping him to find a job upon release. He wanted some service developed by the community to aid him in finding a job upon being released from prison. The overall impression gained through these interviews was that the prognosis for not returning to criminal activities and leading a useful and productive life upon release from prison was poor.

While eight ex-prisoners cannot provide a full picture of the problems faced during and after prison, nonetheless, these eight ex-prisoners raise disturbing issues which the community and State must face. The traffic in drugs and alcohol must be eliminated. Moreover, the community and State must provide vocational training during prison and create job opportunities for the ex-prisoner upon release—the alternative is to condemn him to returning to a life of crime.

The Subcommittee is indebted to Mr. Walter G. Anderson and Miss Virginia R. Hannon of Economic Opportunity Atlanta, Inc., in obtaining the following results:

1. Where did you serve your sentence?

- A - Alto
- B - Reidsville
- C - Reidsville
- D - Reidsville
- E - Reidsville
- F - Reidsville
- G - Fulton County Work Camp
- H - Fulton County Work Camp

2. Where were you born and raised?

- A - Atlanta
- B - Atlanta
- C - Atlanta
- D - Atlanta
- E - Atlanta
- F - Atlanta
- G - Atlanta
- H - Woodburn

3. Where did you live when the crime was committed?

- A - Atlanta
- B - Atlanta
- C - Atlanta
- D - Atlanta
- E - Atlanta
- F - Atlanta
- G - Atlanta
- H - Atlanta

4. How many sisters and brothers in your family?

- A - 1 brother - 2 sisters
- B - 4 brothers - 2 sisters
- C - 4 brothers - 1 sister
- D - 1 brother
- E - 5 brothers - 3 sisters
- F - 1 brother - 3 sisters
- G - 1 sister
- H - 4 sisters

5. Were parents together?

- A - No
- B - Yes
- C - Yes
- D - No
- E - Yes
- F - Yes
- G - No
- H - No

6. What was source of the income in your family when you grew up?

- A - Social Security
- B - Veterans Administration Check
- C - \$60 Week
- D - Social Security
- E - Unknown
- F - Unknown
- G - Unknown
- H - Social Security

7. What work did your father do?

- A - Deceased
- B - Retired Veteran
- C - Truck Loader
- D - Deceased
- E - Truck Driver
- F - Unknown
- G - Unknown
- H - Deceased

8. Describe your educational background.

- A - 9th Grade
- B - 10th Grade
- C - 9th Grade
- D - 10th Grade
- E - 11th Grade
- F - 11th Grade

G - 12th Grade - Graduate

H - 5th Grade

9. What was your attitude toward the police prior to your arrest and conviction?

- A - Negative
- B - Negative
- C - Negative
- D - Negative
- E - Negative
- F - Negative
- G - Negative
- H - Negative

10. Have you at any time been required to appear before a juvenile court in a proceeding involving delinquency, neglect or support?

- A - Yes
- B - Yes
- C - Yes
- D - Yes
- E - No
- F - No
- G - Yes
- H - No

11. If you did appear before a juvenile court, what was the basis of your appearance?

- A - Shoplifting
- B - Auto Larceny
- C - Breaking in Cigarette Machine
- D - Shooting Birds
- E - —
- F - —
- G - Larceny
- H - —

12. What disposition was made of your case by the juvenile court?

- A - 32 mo., jail
- B - Dismissed
- C - 9 days and probation
- D - Warning
- E - —
- F - —
- G - 15 mo.
- H - —

13. Had the juvenile court handled your case in a different way, do you believe it would have prevented your subsequent criminal conduct?

- A - Yes
- B - No
- C - No
- D - No
- E - —
- F - —
- G - Yes
- H - —

14. Any of your siblings ever in juvenile court?

- A - No
- B - No
- C - No
- D - No
- E - —
- F - —
- G - No
- H - —

15. Were you employed at the time the crime was committed?

- A - No
- B - Yes
- C - Yes
- D - Yes
- E - Yes

- F - Yes
- G - Yes
- H - Yes

16. Were you married when you got in trouble?

- A - No
- B - No
- C - Yes
- D - Yes
- E - No
- F - Yes
- G - No
- H - No

17. When you were convicted of your offense, did you plead guilty or were you tried by a jury?

- A - Guilty
- B - Guilty
- C - Not Guilty, tried by a jury
- D - Guilty
- E - Guilty
- F - Guilty
- G - Guilty
- H - Guilty

18. Describe the nature of your offense.

- A - Shoplifting
- B - Cheating at Cards
- C - Robbery, in dice game
- D - Transporting liquor
- E - Stole Truck and its Load
- F - Robbery
- G - Larceny of Store
- H - Fighting

19. Why did you commit the crime?

- A - Needed money
- B - Needed money

- C - Needed money
- D - Needed money
- E - Needed money
- F - Needed money
- G - Needed money
- H - Drunk

20. Anybody in it with you?

- A - Yes
- B - Yes
- C - Yes
- D - Yes
- E - Yes
- F - Yes
- G - No
- H - Yes

21. Were they caught and convicted?

- A - Yes
- B - Yes
- C - Yes
- D - No
- E - No
- F - Yes
- G - —
- H - Yes

22. Were you represented by a lawyer?

- A - Yes
- B - No
- C - Yes
- D - No
- E - Yes
- F - No
- G - No
- H - No

23. Did you know that juries in Georgia sentence a person without the benefit of the person's past criminal record?

- A - Yes
- B - Yes
- C - No
- D - No
- E - No
- F - Yes
- G - Yes
- H - Yes

24. Do you think this is a good thing?

- A - Yes
- B - Yes
- C - No
- D - Yes
- E - Yes
- F - Yes
- G - Yes
- H - Yes

25. Do you think you had a fair trial?

- A - No
- B - Yes
- C - Yes
- D - No
- E - Yes
- F - No
- G - No
- H - No

26. Was there any offer of a deal to reduce your punishment if you informed on others or confessed?

- A - Yes, information
- B - Yes, information
- C - Yes, information
- D - Yes, information
- E - No

F - No
G - No
H - No

27. Was family threatened any way?

A - No
B - No
C - No
D - No
E - No
F - No
G - No
H - No

28. Did you ever use narcotics or drugs while in prison?

A - No
B - No
C - No
D - No
E - Yes
F - Yes
G - Yes
H - Yes

29. Do you know if other prisoners used narcotics or drugs while in prison?

A - No
B - Yes
C - Yes
D - Yes
E - Yes
F - Yes
G - Yes
H - Yes

30. Was there any attempt by prison authorities to crack down on the use of narcotics and/or drugs?

A - No
B - No

C - Yes
D - No
E - No
F - Yes
G - No
H - No

31. What kinds of narcotics and/or drugs were used?

A - Unknown
B - Goof Balls and paregoric
C - Pills and paregoric
D - Pills and paregoric
E - Pills and paregoric
F - Pills and paregoric
G - Pills and paregoric
H - Pills and paregoric

32. Did prisoners who used narcotics or drugs while in prison use them prior to being sent to prison?

A - Unknown
B - Yes
C - Yes
D - Yes
E - Yes
F - Unknown
G - Yes
H - No

33. Do you have any suggestion as to how the use of narcotics and drugs in prison could be stopped?

A - No
B - Yes
C - Yes
D - Yes
E - Yes
F - Yes
G - Yes
H - Yes

34. How were the narcotics and/or drugs obtained?

- A - Unknown
- B - Guards sold to the inmates
- C - Inmates who work at the courthouse
- D - Guards sold to the inmates
- E - Guards sold to the inmates
- F - Guards sold to the inmates
- G - Guards sold to the inmates
- H - Guards sold to the inmates

35. Did you have occasion to notice homosexual activity while in prison?

- A - Yes
- B - Yes
- C - Yes
- D - Yes
- E - Yes
- F - Yes
- G - Yes
- H - Yes

36. Did inmates who engaged in homosexual activities in prison engage in these activities prior to being sent to prison?

- A - Unknown
- B - Yes
- C - Yes
- D - Unknown
- E - Unknown
- F - Yes
- G - Unknown
- H - Yes

37. Did prison officials have knowledge of these activities?

- A - Yes
- B - Yes
- C - No

D - Some

E - Yes

F - Yes

G - Yes

H - Yes

38. Were some prisoners forced to engage in homosexual activities while in prison against their will?

- A - Yes
- B - Yes
- C - Yes
- D - Yes
- E - Yes
- F - Yes
- G - Yes
- H - Yes

39. Do you have any suggestions as to how these activities might be eliminated?

- A - Keep segregated
- B - Better guards
- C - No
- D - No
- E - Keep segregated
- F - Keep segregated
- G - Keep segregated
- H - Keep segregated

40. Were there any other sexual activities engaged in at prison?

- A - No
- B - No
- C - No
- D - No
- E - No
- F - No
- G - No
- H - No

41. Was liquor available?

- A - No
- B - Yes (for the price of a "buck")
- C - Yes (shoe polish)
- D - Yes (for the price of a "buck")
- E - Yes (for the price of a "buck")
- F - Yes
- G - Yes
- H - Yes (for the price of a "buck")

42. Who handled sale?

- A - —
- B - Inmates
- C - Guards
- D - Inmates
- E - Inmates
- F - Guards
- G - Guards and inmates
- H - Guards and inmates

43. Were women allowed in as partners to men?

- A - No
- B - No
- C - No
- D - Unknown
- E - No
- F - No
- G - No
- H - No

44. Were women prisoners forced to engage in sexual activities with prison officials?

- A - No
- B - No
- C - No
- D - Unknown
- E - Yes
- F - No

G - No

H - Yes

45. Were guards, officials or trustees ever abusive (physically) to prisoners?

- A - Yes
- B - Yes
- C - Yes
- D - Yes
- E - Yes
- F - No
- G - Yes
- H - Yes

46. What work did you do in prison?

- A - Farm work
- B - Nothing
- C - Road work
- D - Road work
- E - Road work
- F - Construction work
- G - Construction work
- H - Construction work

47. Did you receive any training to improve your work skills while you were in prison?

- A - No
- B - No
- C - No
- D - No
- E - No
- F - No
- G - No
- H - No

48. Were you told anything about getting a job after your release by fellow prisoners?

- A - No
- B - No

- C - No
- D - No
- E - No
- F - No
- G - No
- H - No

49. Were you told anything by the Chaplain's office or other prison authority as to where and how you might get a job?

- A - No
- B - No
- C - No
- D - Yes
- E - No
- F - No
- G - No
- H - No

50. Prior to your discharge did any prison official offer to help you get a job?

- A - No
- B - No
- C - No
- D - Yes
- E - No
- F - No
- G - No
- H - No

51. Did anybody else offer to help you?

- A - No
- B - No
- C - No
- D - No
- E - No
- F - No
- G - No
- H - No

52. Did you see much of the Chaplain while you were in prison?

- A - Yes
- B - Yes
- C - No
- D - Yes
- E - Yes
- F - Yes
- G - Yes
- H - Yes

53. Did you participate in the pre-release program at Reidsville?

- A - No
- B - No
- C - No
- D - Yes
- E - No
- F - No
- G - No
- H - No

54. What did you think about prison?

- A - Negative
- B - Negative
- C - Negative
- D - Negative
- E - Negative
- F - Negative
- G - Negative
- H - Negative

55. What did you think about the food?

- A - Good
- B - Bad
- C - Poor, not enough
- D - Poor, not enough

- E - Poor
- F - Poor
- G - Poor
- H - Poor

56. What did you think about the recreation (Movies, TV facilities, Library, Physical Education, Music, etc.)?

- A - O.K.
- B - Bad
- C - Fair
- D - Poor
- E - Fair
- F - Poor
- G - O.K.
- H - Poor

57. What did you think about the medical care?

- A - Good
- B - Fair
- C - Poor
- D - Very Poor
- E - Very Poor
- F - Poor
- G - Poor
- H - Poor

58. What did you think about the visiting privileges?

- A - O.K.
- B - O.K.
- C - O.K.
- D - Fair
- E - O.K.
- F - O.K.
- G - O.K.
- H - O.K.

59. What did you think about the mail (in and out)?

- A - O.K.

- B - O.K.
- C - O.K.
- D - O.K.
- E - O.K.
- F - O.K.
- G - O.K.
- H - O.K.

60. What was your first job?

- A - Student
- B - Curb Boy
- C - Construction work
- D - Laborer
- E - Laborer
- F - Laborer
- G - Laborer
- H - Construction work

61. How often did you change jobs in the past?

- A - —
- B - 2 times
- C - 3 times
- D - 1 time
- E - 1 time
- F - 3 times
- G - Unknown
- H - 2 times

62. How did you like your jobs?

- A - —
- B - O.K.
- C - O.K.
- D - O.K.
- E - O.K.
- F - O.K.
- G - Didn't like them.
- H - O.K.

63. Do you have any work skills?

- A - No
- B - Yes
- C - No
- D - No
- E - Yes
- F - Yes
- G - No
- H - Yes

64. What is your trade?

- A - None
- B - Brick Mason
- C - None
- D - None
- E - Wood machine operator
- F - Construction work
- G - None
- H - Construction work

65. If yes, how many years experience?

- A - —
- B - 2 years
- C - —
- D - —
- E - 4 years
- F - Unknown
- G - —
- H - Unknown

66. If no, what trade would you like to learn?

- A - —
- B - —
- C - Mechanic
- D - Mechanic
- E - —
- F - —
- G - —
- H - —

67. If yes, did you get rusty on your trade while in prison?

- A - —
- B - No
- C - No
- D - No
- E - Yes
- F - No
- G - —
- H - No

68. Have you ever had any vocational training?

- A - No
- B - Yes
- C - Yes
- D - No
- E - Yes
- F - No
- G - No
- H - No

69. When?

- A - —
- B - 1954
- C - 1951
- D - —
- E - 1954, Atlanta
- F - —
- G - —
- H - —

70. How much?

- A - —
- B - 3 years
- C - 1 year
- D - —
- E - 6 months

F - —
G - —
H - —

71. Do you have a job?

A - No
B - Yes
C - Yes
D - Yes
E - Yes
F - Yes
G - No
H - Yes

72. If so, what is it?

A - —
B - Laborer
C - Laborer
D - Service Station work
E - Part-time Construction work
F - Construction work
G - —
H - Construction work

73. If so, when did you get it?

A - —
B - 9 months ago
C - 1959
D - Don't recall
E - Don't recall
F - Don't recall
G - —
H - Before and after prison

74. Did you get it immediately after you left prison?

A - —
B - No
C - Yes
D - Yes

E - Yes
F - No
G - —
H - Yes

75. If you have a job, how did you get, it through your own efforts, through your family, through the State Employment Service, through a friend?

A - —
B - Friend
C - Self
D - Friend
F - Self
F - Friend
G - —
H - Self

76. How many employers did you see before you got a job?

A - —
B - 10
C - 1
D - 1
E - 1
F - 1
G - —
H - —

77. Has anyone refused to give you a job?

A - No
B - Yes
C - No
D - No
E - No
F - No
G - Yes
H - No

78. Does your employer know you have been in prison?

- A - —
- B - Yes
- C - Yes
- D - Yes
- E - No
- F - Yes
- G - —
- H - No

79. If you wanted another job or a different job now, how would you go about finding one?

- A - —
- B - Employment Service
- C - Look
- D - Employment Service
- E - Employment Service
- F - Employment Service
- G - Employment Service
- H - —

80. What do you think could be done by the City to help keep poor people from committing crimes?

- A - Jobs and training
- B - Jobs and better pay
- C - Nothing
- D - Unknown
- E - Jobs and more pay
- F - Jobs and more pay
- G - Jobs and more pay
- H - Jobs and more pay

81. Do you think prisoners would use a service in Fulton County devoted to finding jobs for ex-prisoners?

- A - Yes
- B - Yes
- C - Yes
- D - No

- E - Yes
- F - Yes
- G - Yes
- H - Yes

82. If you don't think these prisoners would use this service, why not?

- A - —
- B - —
- C - —
- D - Unknown
- E - —
- F - —
- G - —
- H - —

83. Suppose the Fulton County Chaplain was able to help you find a job or had the facilities to help prisoners find jobs, do you think people would go to him?

- A - Yes
- B - Yes
- C - Yes
- D - No
- E - No
- F - No
- G - Yes
- H - Yes

84. If you had a problem involving your family or parents, your wife or children, and needed some advice, where would you go?

- A - Welfare
- B - Welfare
- C - Friend
- D - Unknown
- E - Welfare
- F - Unknown
- G - Welfare
- H - Welfare


85. If you needed a lawyer, how would you get one?

- A - Call one
- B - Call one
- C - Friend
- D - Unknown
- E - No
- F - Unknown
- G - Yes
- H - Yes

86. What kind of organizations or services are needed to help ex-prisoners get going on the outside?

- A - Job Service, Voluntary training
- B - Employment Service, Voluntary training
- C - Unknown
- D - Unknown
- E - Unknown
- F - Unknown
- G - Unknown
- H - Job placement and training

APPENDIX D-1

	State Board of Pardons and Paroles Atlanta, Georgia
<h3>Certificate of Parole</h3>	
KNOW ALL MEN BY THESE PRESENTS: That having been made to appear to the Georgia State Board of Pardons and Paroles that	
....., Serial No.	
convicted of in the County of	
is eligible to be PAROLED, and that there is a reasonable probability that said prisoner will REMAIN AT LIBERTY WITHOUT VIOLATING THE LAWS, and it being the opinion of the said State Board of Pardons and Paroles that the release of this prisoner is not incur- rable to the welfare of society, and it appearing further that the said prisoner is satisfied will be suitably employed in self-sustaining employment or that will not become a public charge on release.	
It is therefore ORDERED that said prisoner be paroled effective day of, 19....., pending good behavior under supervision subject to the specific conditions of parole as noted on the reverse side of this Order, until the expiration of his maximum sentence, to-wit:	
This parole shall not prevent the delivery of the prisoner to authorities of the Federal Government or of any State otherwise entitled to his custody.	
In witness whereof this Certificate bearing the Seal of the State Board of Pardons and Paroles is issued the day of 19.....	
STATE BOARD OF PARDONS AND PAROLES	
REBECCA L. GARRETT, Chairman WALTER O. BLOOMER, Member J. W. CLAXTON, Member	
Order No.	By Administrative Assistant

APPENDIX D-2

STATEMENT OF THE CONDITIONS UNDER WHICH THIS PAROLE IS GRANTED

This Certificate of Parole will not become operative until the following conditions are agreed to by the prisoner, and violation of any of these conditions may result in immediate revocation of parole.

1. I will report immediately upon arrival at my destination to the Parole Supervisor under whose supervision I am paroled either by mail, telephone or personal visit.

Your Parole Supervisor's name and address is:

Name.....

Address.....

2. I will not change my residence or employment or leave the state without first procuring the consent of my Parole Supervisor.

3. I will, between the first and third days of each month, until my final release, make a full and truthful report to my Parole Supervisor on the form provided for that purpose.

4. I will not use narcotic drugs or intoxicating beverages and I will not visit places where these drugs and beverages are sold, dispensed or used in any manner.

5. I will avoid injurious habits and will not associate with persons of bad reputation or harmful character.

6. I will not own, possess or carry any type of deadly weapon.

7. I will in all respects conduct myself honorably, work diligently at a lawful occupation, and support my dependents, if any, to the best of my ability.

8. I will live and remain at liberty without violating the law.

9. I hereby waive all extradition rights and process and agree to return to Georgia from any State in the United States under the terms and provisions of the Interstate Compact, Georgia Laws, 1950, page No. 406.

10. I will promptly and truthfully answer all inquiries directed to me by the State Board and my Parole Supervisor and allow him to visit me at my home, employment site or elsewhere, and carry out all instructions he gives.

11. If at any time it becomes necessary to communicate with my Parole Supervisor for any purpose and he is not accessible, I will direct my communication to the State Board.

Parole Plan:

Residence.....

Name of Employer.....

Advisor.....

Special Conditions: Immediately upon reaching your home, send the enclosed Notice of Arrival to your Parole Supervisor whose name and address appear above. On the first day of each month thereafter, send to him a monthly supervision report, properly filled out.

I hereby certify that this Statement of Conditions has been read and explained to the Parolee and he has agreed to them.

This day of

19

Warden

(Give full address at which you can be reached)

SCHEDULE OF GOOD TIME ALLOWANCES AND EARLIEST PAROLE CONSIDERATION DATES

PAROLE SCHEDULE FOR MAJOR CRIMES (Felonies)

Duration of Sentence(s) by Years	Earliest Parole Consideration Date	Earliest Release Date with Good Time Allowance*
1	Not Eligible	9 mo
1 1/2	9 mo	12 mo
2	9 mo	1 yr 4 mo
2 1/2	10 mo	1 yr 7 mo
3	1 yr	1 yr 11 mo
3 1/2	1 yr 2 mo	2 yr 2 mo
4	1 yr 4 mo	2 yr 5 mo
4 1/2	1 yr 6 mo	2 yr 9 mo
5	1 yr 8 mo	3 yr
6	2 yr	3 yr 7 mo
7	2 yr 4 mo	4 yr 1 mo
8	2 yr 8 mo	4 yr 8 mo
9	3 yr	5 yr 2 mo
10	3 yr 4 mo	5 yr 9 mo
11	3 yr 8 mo	6 yr 3 mo
12	4 yr	6 yr 8 mo
13	4 yr 4 mo	7 yr 2 mo
14	4 yr 8 mo	7 yr 7 mo
15	5 yr	8 yr 1 mo
20	6 yr 8 mo	10 yr 5 mo
21	7 yr	10 yr 11 mo
21 - Life	7 yr	

*Note: approximate to nearest month.

APPENDIX D-3

Mix of Serious (Felons) & Minor (Misdemeanants) Offenders in Selected County Camps & Prison Branches *

COUNTY CAMP	TOTAL	FELONS	MISDEMEANANTS
Carroll	62	49	13
Chatham	102	91	11
Cobb	55	70	22
Coweta	73	61	12
Floyd	84	68	15
Fulton	223	169	55
Gilmer	60	38	22
Gwinnett	83	65	18
Jackson	54	46	8
Lowndes	31	77	4
Mitchell	54	45	9
Muscogee	155	149	6
Richmond	191	152	9
Spalding	56	45	10
Thomas	61	37	4
Upson	70	46	24
Walton	58	49	7

PRISON OR PRISON BRANCH	TOTAL	FELONS	MISDEMEANANTS
Colony Farm P. Cp	275	166	89
DeKalb P.B.	52	50	2
Ga. Ind. Inst.	1059	978	111
Ga. State Prison	2504	2591	313
Jefferson P.B.	65	59	6
Lee P.B.	85	26	59
Lowndes P.B.	73	60	13
Madison P.B.	61	54	7
Marietta P.B.	33	57	26
Montgomery P.B.	76	67	9
Pulaski P.B.	64	58	6
Putnam P.B.	124	97	27
Stone Mt. P.B.	71	47	24
Ware P.B.	61	61	0
Wayne P.B.	75	69	6
Tra & Dev Center	60	55	5

*Note - Camps or Branches with 50 or more total prisoners were selected: Fifty-nine County Camps containing less than 50 inmates each were not included. Two prison branches are not included. The data is from unofficial records, Board of Corrections, as of August 31, 1963.

APPENDIX D-4

Administrative Study of the Fulton County Adult Probation Department (By the National Council on Crime and Delinquency)

A complete evaluation of the Department is not possible under an administrative study such as this. Staff recommendations coupled with other recommendations might be modified if a full scale survey were made. It is also important to note that administrative and procedural re-alignments implied in the discussion, i.e., use of staff-time; enforcement work, paper work, court-time expanded, etc. would be further developed and refined, again, in a full survey.

Administration

The Fulton County Adult Probation Department is divided into two divisions: the Abandonment and Bastardy Division (known as A & B Division) and the Supervisory Division. Each Division functions independently, each under a separate administrator. The Director of the A & B Division holds the title of "Chief Probation Officer", but he is actually only the administrator of his Division. He is the only officer serving at the pleasure of the Judges.

CONTINUED

3 OF 4

All other staff are under civil service. It would appear that neither administrator feels this to be a satisfactory arrangement. As a *prima facie* matter, it does not appear to be a sound administrative structure.

However, we do not feel we can make any recommendations based on our present limited study. Such recommendations would be made under a full scale survey.

Both Divisions are housed in the same office complex, Room 52 of the ground floor of the Fulton County Civil-Criminal Building. We will however, in keeping with present scheme of things, review each Division separately.

Supervisory Division

The Director of the Supervisory Division is Mr. Carroll Larmore. He has eighteen (18) officers in this Division which includes his Assistant Director.

This Division carries out the traditional service of investigation and supervision of all criminal cases — both felons and misdemeanants. Cases are assigned to this Division by the Atlanta Circuit of Superior Court which has nine (9) Judges; and the Fulton County Civil-Criminal Court which has two (2) Judges. Criminal matters are consistently being heard in at least two and usually three of the Superior Courts. Three of the Superior Court Judges comprise a "Probation Committee" and administer the probation services.

In addition to serving these Courts, this Division in a few instances also carries out custody investigations relative to divorce cases. They also give service to the Court of Ordinary carrying out investigations and supervision of "mental cases".

In the first eight (8) months of 1965, this Division handled 4,425 cases. If this rate continues for the remainder of the year, they will have handled approximately 6,643 cases.

Investigation

In the year 1964, the Supervisory Division prepared "pre-sentence investigations" in 405 of the total 2,623 new cases received, or about 15.4% of all cases referred to the Division. Approximately 10% of these investigations were requested prior to sentence. Therefore, we find that only about 1.5% of total cases received in 1964 had benefit of a true pre-sentence investigation.

The pre-sentence investigation should serve as the basic study of the individual offender, from the point of sentencing throughout the correctional process. It covers the subject's past history and present situation — the areas of his family, social, economic, physical, psychological and educational background; and, any previous arrest, and correctional history, and the nature of his present offense. From such a study is evolved a diagnostic picture, and an assessment of risk as to the further commission of his crime. In most instances there is a recommendation for disposition of the case and a plan to support the recommendation. Preparation of this report takes time and ability which the probation officer must possess, before he can interpret the data he obtains. All this requires sufficient staff with adequate training and experience.

The pre-sentence investigation must meet the needs of; (1) the judge who will make disposition; (2) the officer who will supervise the probationer; (3) the staff at the reception center and prison classification committees; (4) the parole board; and (5) the parole officer.

Pre-sentence investigation should be made in every felony case. Some state laws now require this. Of course, the present staff could not make pre-sentence investigations in all cases because of the size of the staff. The pre-sentence investigation outline presently used is good, and can provide the necessary information for the judge, if professional staff is available to make the studies.

In many cases "thumb-nail" type investigations or reports for specific information are requested by the judges. While this practice may be necessary in exceptional situations, there is a tendency to over-use this method, rather than depend on the regular pre-sentence investigation.

The use of the pre-sentence investigation is vital, and its use should be greatly increased in Fulton County.

Supervision

In this Division, officers usually continue with the same cases in supervision which they have been assigned for investigation. (Since the majority of cases assigned to this Division come after sentencing rather than prior to sentencing for investigation, we will consider the intake process here.)

One or two officers are assigned to each Court each day. Officers are also assigned to cover arraignment hearings. The officer assigned takes charge of those cases assigned in Court that day. When the defendant appears in the probation office the following takes place: (1) a payment plan is prepared; (2) a history (face-sheet) is made out by clerical personnel; and (3) the probationer has his initial interview with the probation officer.

In this Division, officers are expected to make both home and office contacts, but with existing supervision case-loads they are unable to carry this out in practice. Supervision case-loads were averaging 211 per officer at the time of our field visit. The quality of this supervision cannot be properly evaluated in this administrative study — but would be included in a survey.

When case-loads are excessive, supervision becomes superficial. Probation supervision is not merely surveillance, though keeping track of the probationer is one essential ingredient. To promote rehabilitation, a therapeutic relationship must be developed between the pro-

bation officer and the probationer, and in most instances with his family. In supervision, social case-work techniques are used in order to help the individual effect a change and live within the rules and mores of society. This is why field contacts involving the family, employer, school, or other collateral contacts become so important in the supervision process.

Revocations

According to information from the Division, about 10% of the probationers under supervision violate each year. This is a low violation rate, but could well be the result of the small probation staff. With more staff and closer supervision this violation rate would in all probability increase, but so would over all quality of the probation service. Hence, more protection for the public would result.

When a probationer allegedly violates either the conditions of his probation, the order of the court (in some cases synonymous with "conditions") or commits a new offense, the probation officer investigates. If he finds that the probationer has violated, he prepares a warrant for the judge's signature and then apprehends his probationer. Such apprehension is usually a law enforcement function and should be carried out by law enforcement officers, rather than the probation officer. This Division has traditionally carried this responsibility.

The officer may or may not act on the revocation depending on the circumstances of the case. Therefore, the probationer's status may be reinstated administratively or at the Court's discretion. This is considered good practice — providing such determination is based on an objective assessment of the subject's general adjustment and the character of the violation.

Discharge

Generally the probation officer informs the probationer when he is discharged — when he has served the full term of his probation.

In 12 cases last year, early discharges were given — and these were handled formally via a Court hearing. It would be preferable if these men would receive some affidavit of their discharge from the Court's jurisdiction. Also the meritorious or early discharge could be utilized more extensively for incentive in the supervision process.

Records

Probation officers in the Division usually maintain hand notes in notebooks or on card-files on their cases. There is no uniform policy such as records of supervision. County data processing maintains some records for the Division, but these are primarily for administrative needs and catalogue base, factual information. The records of restitution and court costs payments are in excellent order and can offer week to week reports on payments of individual cases.

A comprehensive case-work file should be maintained on the individual probationer — and separate from the court record. These files should generally contain: (1) face-sheet data; (2) basic social study — the pre-sentence investigation; (3) a chronology of supervision; and (4) correspondence, court orders, and affidavits pertinent to the case. These files contain basic background material in the beginning, as well as reporting developments which take place during the supervision process of a case. These records are vital to both administrative and case-work review.

Staffing

The professional staff of this Division consists of the Director, his Assistant Director and seventeen (17) pro-

bation officers to handle an estimated 6,643 cases in the span of one year.

NCCD standards state that a probation officer cannot adequately handle more than fifty (50) case-load units per month.

We assign 5 units for every investigation assigned and 1 unit for each supervision case. Normally, one officer could then handle 3 (15 units) investigations per month and 35 supervision cases (35 units) or a combination not exceeding 50 units.

Based on this formula your professional staff needs are as follows. One (1) Chief or Director; thirteen (13) intake officers; nineteen (19) supervisors; and one hundred and three (103) field officers for a total of one hundred and thirty-six professional staff.

A staff of this size would enable this Division to make pre-sentence reports in every case, and provide the necessary complement for adequate supervision of persons placed on probation. Such a staff would also free the Director for full-time administrative duties, which is not possible at present.

Abandonment and Bastardy Division

The A & B Division has as its Director, Mr. Sim Manning. He has one Assistant Director; eight (8) probation officers and three (3) support clerks. They are responsible for "non-support" cases and illegitimacy cases emanating from the Fulton County Civil-Criminal (misdemeanant) Court. The Division is generally responsible for the collection of support on these cases as referred. Supportive to this they have a pre-counseling program, instituted in 1961.

Counseling Program

This program presently involves two of the probation

officers as counselors. This pre-counseling program attempts to work with spouses in one instance before the issuance of the warrant for non-support and in another with the pre-trial counseling in bastardy cases.

The intent of this program is to determine the need for a warrant. The attempt to direct such cases from the court and handle them non-judicially certainly has merit.

The counseling program by the nature of its present function could be incorporated into an intake unit for the A&B Division. Such a unit would screen all cases referred; make determinations on those cases to be handled "non-judicially", make special referrals, and be involved in the assignment process.

Investigation

Six officers are assigned to investigate and supervise cases emanating from the courts. These officers are deputized by the Sheriff's Department and carry weapons. Their social study is primarily concerned with the amount of support which should be paid and the verification of the residence and employment of the male. It is unusual for the officer to carry out his social investigation prior to setting of sentence. Usually the defendant is referred after being placed on probation, and the officer is requested to establish the basic status of the defendant and recommends support payment plan.

One of the basic purposes of the pre-sentence investigation is to provide the judge with necessary diagnostic and background data enabling him to make an enlightened decision as to disposition in sentencing and later help the officer have a better understanding of his probationer. (Discussion regarding the value of the pre-sentence investigation is under section, Supervisory Division, applies here, but need not be repeated.)

Supervision

Cases are assigned on an alphabetical basis. The officers occasionally handle cases from Superior Court. Supervision is primarily on a "pay or report" basis. One of the officers interviewed was working with various selected cases in the area of marital and financial adjustment. But a large block of the officer's time is taken up in the "extradition proceedings", returning violators from out of state and locally to the Court's jurisdiction and working on revocation proceedings which follow.

The officers are consistently handling an average of 424 cases, which far exceeds the case-load recommended by NCCD. (Discussion as to value of supervision under Section, Supervisory Division, applies here, but need not be repeated.)

The three (3) support clerks process support payments. National Cash Register machines are used in this process. These machines prepare a receipt, record and check in one operation. Data processing, a county service which is used for case and payment record control, provides excellent payment records.

Records

Here again data processing is doing an excellent job in keeping track of support payments, as are the three support clerks in processing of support payments. Emphasis should, however, be given to the importance of a comprehensive case-record file. (See comment on "Records" under section, Supervisory Division.)

Staffing

In this Division they have ten (10) officers; the C.P.O., Sim Manning; his Assistant; two (2) counselors and six (6) field officers. They handled 3,331 cases in the first eight months of 1965. If present rate of intake continues,

Bases on minimal professional standards: eight (8) intake workers; eighty-nine (89) field staff; and fifteen (15) field supervisors are needed to provide an adequate staff.

S/Stewart Werner, Consultant
Georgia Committee, NCCD

S/Don Rademacher, Consultant
Southern Regional Office, NCCD

Decret No. _____

STATE OF GEORGIA

STATE OF GEORGIA

County of _____

1957

In the _____ Court

Whether the defendant has provided guilty assistance in view of the refusal of _____

[illegible]

The Court has examined the cause, it is ordered, adjourned and decreed that the said sentence is hereby suspended and that the said petitioning is a necessary condition for the said for a period of _____

It is the Order of the Court that the probationer comply with the following general and special conditions of probation:

- [illegible]

It is further ordered by the Court that the defendant pay as specified:

1949年10月1日 星期一 晴 10月1日 晴

It is the further order of the Court, and the defendant is hereby advised, that the Court may at any time revoke or modify any conditions of this probation or change the period of probation and may discharge the defendant from probation. The probationer shall be subject to arrest for violation of any condition of probation herein granted. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed or any portion thereof in the manner provided by law after deducting therefrom the amount of time the defendant has served on probation.

Entered at _____ on the _____ day of _____ 19____

This certifies that I completely understand the meaning of the arrest of said Alvin and the foregoing conditions of probation.

Signature of Isolator

Profession Officer

Judge Breidenbach

— 19 —

NOTICE OF TRANSFER

For the reason that _____

the case of the before-named defendant is herewith transferred to the supervision of the
Probation Officer of the _____ Circuit.

Probation Officer

_____, 19____

() Accepted, _____, 19____.

() Rejected, _____, 19____, for the reason that _____

Probation Officer

* * * * *

NOTICE OF RETURN FOR REVOCATION PROCEEDINGS

For the reason that _____

the case of the before-named defendant is herewith returned to the originating Circuit for
revocation proceedings.

Probation Officer

_____, 19____

APPENDIX D-6

Sentencing Survey

The Atlanta Crime Commission conducted an extensive survey of sentencing practices in the Fulton Superior Court. The Commission surveyed sentencing for auto theft and burglary crimes by three judges for the years 1963, 1964 and part of 1965. It also surveyed jury sentencing for these two crimes for these three years.

The survey was based on the official records of the Clerk, Criminal Division, Fulton Superior Court; the files of the State Board of Corrections; and the records of the Atlanta Police Department. Young lawyers and personnel of Trust Company of Georgia and Georgia Power Company assisted in the survey. A total of 440 guilty pleas (every third plea out of some 1320) and 119 jury trials (all of the jury trials for these crimes in these years) were examined in detail.

The Commission decided to limit the survey to the crimes of auto theft and burglary for several reasons. First, these crimes are more numerous than any others;

second, these crimes result in more jury trials than any others; third, these crimes involve both youthful offenders and "rings" of professional thieves.

On the basis of the study, the Commission has concluded that jury sentencing prevents adequate disposition of hardened criminals.

First, the study proved that repeaters elect jury trials. In auto theft convictions, for example, 46% of the persons sentenced by judges had one or more previous convictions; 80% of the persons sentenced by juries had one or more previous convictions. The percentages for burglary were 51% and 76%, respectively.

Second, the study showed that sentences imposed by juries do not have any relation to the presence or absence of previous convictions. In auto theft sentencing by juries, for example, the juries gave longer sentences to repeaters than to first offenders, but the sentences only averaged five months longer and in burglary sentencing the average sentence given to repeaters was less than that given to offenders without a previous conviction.

Third, the study showed that the jury recommended lenient treatment where such treatment was not merited. For example, the Georgia Law allows a jury, in addition to setting the sentence, to recommend to the judge that he send a man to the county work camp, generally considered a more lenient punishment, rather than to the penitentiary. The juries recommended that 16 offenders (approximately 15%) be given this treatment. The judges refused to follow this recommendation in all but two of the cases. Approximately 90% of the time, the Judges considered the juries recommendations unfounded. On the other hand, the Georgia Law allows a judge to reduce jury sentences when he considers them harsh. There were only 6 instances out of 97, or about 6%, in which the judge reduced the sentence of the jury.

Fourth, the study showed that although jury trials make up only a small portion of the total convictions,

jury sentencing prevented judges from handing down stiff sentences to repeaters.

Taking into account that the jury system is more heavily used by repeaters than is judge sentencing, it is not surprising that the average sentences given by judges were less than those given by juries. For example, judges gave average sentences of 2.5 years for auto theft, 3.4 years for burglary. Juries gave average sentences of 2.7 years and 4.9 years respectively.

The judges have sentenced for lesser terms than juries because if the judges refuse to "bargain down" on a guilty plea to below the estimated level of jury sentencing, the accused will elect a jury trial to get the benefit of jury sentencing, which will probably be lighter. Uninformed juries put a ceiling on the sentence the judge can give to repeaters.

Fifth, the Commission's study has shown that the Georgia Repeater Law, designed to insure that serious repeaters get long terms, is not working. For example, out of 55 burglary trials, the Commission estimates there were some 29, or over 50%, in which the repeater law could be used. It was used in three cases or about 6%; the jury returned a verdict of not guilty in one of the three cases. Out of 64 auto theft trials, the Commission estimates that the Repeater Law could have been used in 35% (or 23) of the cases but was used in only six cases (less than 10%) and that in one of the six cases the jury found the defendant not guilty.

Both Judge Alverson and Solicitor General Slaton state that the Repeater Law cannot be used more often or more effectively because juries will refuse to convict if conviction means a long-term sentence, such as imposed by the Repeater Law, and the particular crime for which the accused is being tried is not a shocking one.

APPENDIX D-7

Survey of Employment Opportunities For Convicted Persons in the Greater Atlanta Area

Survey Purpose and Method.

The Committee conducted the survey for three reasons: first, to isolate the extent of the employment problem faced by a person who has been arrested or convicted of a crime; second, to determine the existing resources in the Atlanta area for a co-operative rehabilitation program; third, to guide the Committee in its recommendations to the Commission dealing with the economic aspects of rehabilitation of convicted persons.

The survey covered local, state and federal government blue collar employment, armed forces recruiting practices, selected segments of the automobile repair and construction industries, and thirty-four large industrial, retail and transportation employers hiring approximately 67,000 blue collar workers, 96,000 total workers. This total constitutes approximately twenty per cent of the Atlanta work force and, according to the Committee's statistical advisor, is therefore large enough to validate the survey.

The Committee recognizes that the sample is weighted in favor of the larger employers but this was necessary due to Committee limitations of time, money and personnel.

The survey was of the personal interview type. Eleven young members of the Atlanta Bar, whose services were donated by downtown law firms, each spent from ten to twenty hours interviewing personnel and employment officers of the different employers sampled. The survey sample was obtained and the questionnaire prepared in co-operation with a professional statistician and researcher. A list of the people who prepared the survey and conducted the interviews is attached.

It was understood by the employers that the replies of each employer would be confidential but that the conclusions drawn from the survey would be made public as long as no particular employer was identified.

The survey did not deal with the additional problem of discrimination based on race.

Conclusions.

a. The Extent of the Problem.

(1) Criminal Records are Not Concealable.

All of the armed services and the major governmental employers make careful checks (usually through the police department) for arrest records and criminal convictions among their prospective enlistments or job applicants.

All but one of the thirty-four large employers questioned applicants regarding criminal records. Seventeen of the thirty-four had questions concerning arrests or convictions asked by a personnel clerk and the remainder asked these questions on a questionnaire to be filled out by the applicant. Nineteen employers, who hire approximately 72% of the 56,000 workers in the industrial sample, verified statements made by the applicant through police checks or other independent investigation. The employers also stated that they relied on past work history

and the presence of any significant gap, such as might be caused by imprisonment, was sure to be investigated.

Not only are criminal records not concealable, but an unsuccessful attempt to conceal one is disastrous. Many of the employers stated that, above all else, the applicant should be honest about his past on his employment application. Failure to do so usually results in the applicant being given no further consideration.

There was no marked difference in the hiring practices for unskilled employees and the hiring practices for skilled employees. Only two of the thirty-four employers surveyed exempted unskilled workers from their information requirements as to the existence of a criminal record, prior arrests and verification checks.

(2) Theft Crimes, Most Numerous, Also are Most Prejudicial.

Personnel officers were asked to pick from a list of criminal offenses the ones which would be most prejudicial to employment. The personnel officers ranked the top three out of a list of ten as: sex crimes, murder and stealing (larceny, robbery, burglary).

Of the 2,134 indictments handled by the Fulton County Solicitor General's Office in 1964, crimes involving stealing made up approximately 70% (1,412). In the survey of the prison population set out in its Annual Report for fiscal year 1964, the State Board of Corrections shows that convictions involving stealing above accounted for 60% of the felon population.

The three least prejudicial of the ten offenses were criminal traffic offenses, selling or possessing non-tax-paid liquor, and assault and battery.

(3) Employers Disregard Judges' Appraisals.

Employers do not take into account the judge's determination as to the amount and kind of punishment necessary to protect society, to punish and to rehabilitate the job applicant.

Over two-thirds of the personnel officers surveyed

gave no meaningful preferences between persons who were fined, jailed, probated, paroled, or simply released at the end of a prison sentence. Most stated that they considered the crime committed rather than the judge's determination of the kind and nature of punishment which would rehabilitate the offender and satisfy society's need to deter.

In subsequent questioning, four of the employers stated that they would not under any circumstances hire a person who had been convicted and received a fine, six would not hire a person with a suspended sentence, seven would not hire a person on probation, and thirteen would not hire a person who had been to prison. In spite of these negative preferences, the general impression of the interviewers was that the employers look to the offense rather than to the judge's evaluation of the applicant contained in the sentence imposed.

Almost all employers stated that they would hire a person who had been arrested but not convicted of a crime; there were a few, however, who imposed such conditions and further investigation as to indicate that even an arrest was a disadvantage in seeking employment.

b. Existing Rehabilitation Opportunities.

(1) Some Employers Will Co-operate, Some Won't.

When the 34 large employers were asked under what conditions they would co-operate with rehabilitation efforts for convicted persons, employers representing approximately 49% of the 56,000 worker sample stated that they did not wish to co-operate in rehabilitation efforts. In addition, almost half of the employers interviewed indicated that they did not wish their names and the information they gave to be disclosed to rehabilitation authorities.

In this connection, officials of the Parole Board and

the Fulton County Probation Department stated that they can usually obtain some kind of a job for parolees or probationers. But this is often done, they say, through personal contacts which the departments and individual officers have built up through many years.

The Warden of the Fulton County Camps, Carl Mills, states that he can get jobs for those whom he is willing to recommend and that he can recommend some 30% to 40% of discharged prisoners with confidence.

On the other hand, the Georgia State Employment Service, Industrial Office, when it is called upon to find jobs for convicted people who do not have the benefit of probation and parole efforts, is successful in placing only about 50% of the job applicants with prison records.

As to what agencies the employers who were willing to co-operate desired to co-operate with, all the co-operative employers would be willing to be associated with the parole board and probation office but only two-thirds of those who indicated that they would co-operate were willing to do so with a prison employment officer.

In some companies, it is policy for all of the employees to be bonded and if this is true, the bonding requirement excludes convicted persons almost universally. In other companies, there are security requirements imposed by customers which prevent the employer from hiring persons with criminal records.

With respect to employment of blue collar workers by local, state and federal government agencies, there appeared to be more opportunities for the employment of blue collar convicted persons in government than in private industry. This may be because many local government agencies have had experience in using prison labor or it may be because low wage scales make help harder to obtain.

(2) Economic Conditions Count

It was the general impression of the interviewers that, in the absence of any informal arrangement with rehabili-

tation authorities, people who had been convicted of crimes got jobs only when and where the labor supply was short. The interviewers also felt that the demand for labor was great enough in the Atlanta community at the present time to make it less difficult for convicted people to obtain work.

Not unexpectedly, the employers with the least sympathetic attitude and who had a strict "no hire" policy for convicted persons were those who had an abundance of applicants for their job openings. These were usually the employers who paid the highest wages and had the best working conditions. On the other hand, many of the employers who had labor shortages or who were in need of some particular skill were receptive to the idea of employing convicted persons.

c. Suggestions for Action.

(1) *Imprisonment is Enough.*

The survey indicates that a criminal record places a heavy economic burden on convicted persons and that this burden seriously interferes with the prospects for effective rehabilitation.

The Commission may want to consider providing a procedure, such as that found in the Model Sentencing Act, for first offenders, or such as that found in certain Youth Authority Acts for offenders under a certain age, say twenty-one, where a conviction would not take place if a period of probation was granted and successfully served. The survey suggests that details and feasibility of the so-called "First Offender Law" be given careful study.

(2) *Vocational Training Needed*

The survey indicates that if certain skills are in short supply, men with the skills get the jobs, regardless of their past.

This suggests that vocational training in needed skills

will pay off heavily in the rehabilitation of convicted persons. The Committee will probably want to explore vocational training opportunities in the Atlanta area.

This also suggests that the time for implementing co-operative programs between employers and rehabilitation authorities is in prosperous times such as we now enjoy. Otherwise, in times of heavy unemployment, it will be extremely difficult to place convicted persons.

(3) *Employer Attitudes.*

The survey revealed several attitudes which employers have toward convicted persons. The Committee will probably want to pass these attitudes along to the applicants through some kind of pre-release preparation, specifically dealing with getting a job, interviewing, etc.

(4) *Using Available Opportunities.*

The survey laid the foundation for some kind of co-ordinated program for obtaining jobs for convicted persons.

The Committee's additional investigation has shown that certain persons, such as individual probation officers, wardens and parole officers, already have many sources for job placement. The Committee also has indications that there are a number of existing vocational training programs.

The survey suggests that the Committee should recommend some means of co-ordinating these sources of job opportunity, sharing information, and getting it to the person who comes out of prison without any supervision as well as to the person who has help from a probation or parole officer.

APPENDIX D-8

Dangerous Offender Law

A Bill to Be Entitled

An Act to provide the procedure for findings as to whether certain convicted persons are "dangerous offenders"; to provide for the convicted person to have access to certain reports available to the court; to provide for commitment of such persons for terms up to 20 years; to add to an Act approved March 18, 1964 otherwise known as Code Section 27-2502 (Ga. L. 1964, p. 433) providing for jury sentencing so that all sentences under this Act shall be fixed by the judge.

BE IT ENACTED BY THE GENERAL
ASSEMBLY OF GEORGIA:

Section 1. Except for crimes punishable by death or

life imprisonment, the court may sentence a defendant who is convicted of a crime to a term of commitment of twenty years, or to a lesser term, if it finds that because of the dangerousness of the defendant, such period of confined correctional treatment or custody is required for the protection of the public, and if it further finds, as provided in Section 2, that one or more of the following grounds exist:

(a) The defendant is being sentenced for a felony in which he inflicted or attempted to inflict serious bodily harm, and the court finds that he is suffering from a severe personality disorder indicating a propensity toward criminal activity.

(b) The defendant is being sentenced for a crime which seriously endangered the life or safety of another, has been previously convicted of one or more felonies not related to the instant crime as a single criminal episode, and the court finds that he is suffering from a severe personality disorder indicating a propensity toward criminal activity.

(c) The defendant is being sentenced for the crime of blackmail or extortion, causing prostitution, violation of the Uniform Narcotic Drug Act, larceny of motor vehicle, carrying on a lottery or any felony, committed as part of a continuing criminal activity in concert with one or more persons.

The findings required in this section shall be incorporated in the record.

Section 2. The defendant shall not be sentenced under subdivision (a) or (b) of Section 1 unless he is remanded by the judge before sentence to the Diagnostic Facility of the State Board of Corrections for study and report as to whether he is suffering from a severe personality disorder indicating a propensity toward criminal activity, and the judge, after considering the presentence investigation, the report of the diagnostic facility, and the evidence in the case or on the hearing on the sentence, finds that the defendant comes within the purview of subdivision (a) or (b) of Section 1. The defendant shall be re-

manded to a diagnostic facility whenever, in the opinion of the court, there is reason to believe he falls within the category of subdivision (a) or (b) of Section 1. Such remand shall not exceed ninety days, subject to additional extensions not exceeding ninety days on order of the court. The defendant shall not be sentenced under subdivision (c) of Section 1 unless the judge finds, on the basis of the presentence investigation or the evidence in the case or on the hearing on the sentence, that the defendant comes within the purview of the subdivision. In support of such findings it may be shown that the defendant has had in his own name or under his control substantial income or resources not explained to the satisfaction of the court as derived from lawful activities or interests.

Section 3. As to defendants sentenced under Section 1 of this Act, the judge shall make the presentence report, the report of the diagnostic center, and other reports available to the attorney for the state and to the defendant or his attorney or other representative upon request. Subject to the control of the court, the defendant shall be entitled to cross-examine those who have rendered reports to the court. Such reports shall be a part of the record but shall be sealed and opened only on order of the court.

Section 4. All sentences under this Act shall be imposed exclusively by the judge of the court.

Section 5. Ga. Laws 1964, p. 483, (§27-2502) shall be amended by the addition thereto of the following language to Section 4 of that Act:

"In cases where the judge shall determine that a defendant is a dangerous offender, the judge, and not the jury, shall prescribe a determinate sentence for a specific number of years, but not in excess of twenty years, as he may see fit."

Section 6. Effective Date. This Act shall be effective as to crimes committed after the date of its approval.

APPENDIX D-9

First Offender Law

A Bill to Be Entitled

An Act to provide that certain persons accused of crimes, with their consent, be put on probation after the finding but before an adjudication of their guilt; to provide for discharge of such persons upon successful completion of probation; and to provide for adjudication of guilt of such persons upon the violation of the terms of their probation or upon conviction of another crime.

BE IT ENACTED BY THE GENERAL

ASSEMBLY OF GEORGIA:

Section 1: Upon a verdict or plea of guilty but before an adjudication of guilt, the court may, in the case of defendants who have not been previously convicted of a felony or misdemeanor, without entering a judgment of guilt and with the consent of the defendant, defer further proceedings and place the defendant on probation upon such terms and conditions as it may require. Upon violation of the terms, or upon a conviction for another crime, the court may enter an adjudication of guilt and proceed as otherwise provided.

Section 2. Upon fulfillment of the terms of probation the defendant shall be discharged without court adjudication of guilt. Such discharge shall completely exonerate the defendant for any purpose, civil or criminal, and he shall not be considered to have a criminal conviction.

Section 3. Effective Date. This Act shall be effective as to all crimes committed after the date of its approval.

APPENDIX D-10

Pre-Sentence Report Law

A Bill to Be Enacted

An Act to provide for investigation of persons convicted of crimes, the sentence for which may include commitment for more than five years or which are classified as "sex crimes" as that term is defined herein; to require the report of such investigation prior to sentencing of such persons; to specify the content of such investigations and its availability to defendants and others.

BE IT ENACTED BY THE GENERAL
ASSEMBLY OF GEORGIA:

Section 1. No defendant convicted of a crime, the sentence for which may include commitment for more than

five years, or which is a sex crime, as that term is herein-after defined, shall be sentenced or otherwise disposed of before a written report of investigation by a probation officer is presented to and considered by the court. The court may, in its discretion, order a presentence investigation for a defendant convicted of any other crime or offense.

Section 2. Whenever an investigation is required, the probation officer shall promptly inquire into the characteristics, circumstances, needs, and potentialities of the defendant; his criminal record and social history; the circumstances of the offense; the time the defendant has been in detention; and the harm to the victim, his immediate family, and the community. All local and state mental and correctional institutions, courts, and police agencies shall furnish to the probation officer on request the defendant's criminal record and other relevant information. The investigation shall include a physical and mental examination of the defendant when it is desirable in the opinion of the court.

Section 3. Except as to defendants sentenced as "dangerous offenders" where disclosure of the contents of the report to the defendant and to prosecuting authorities is required, the judge may, in his discretion, make the investigation report or parts of it available to the defendant or others, or he may make the report or parts of it available while concealing the identity of persons who provided confidential information. Subject to the control of the court, the defendant shall be entitled to cross-examine those who have rendered reports to the court. Such reports shall be part of the record but shall be sealed and opened only on order of the court.

If a defendant is committed to a state institution, the investigation report shall be sent to the institution at the time of commitment.

Section 4. Sex crimes as that term is used in this Act shall mean the following offenses: rape, assault with in-

tent to rape, sodomy, kidnapping a female by a male, incest, molesting children to gratify a sex urge, lewdness and public indecency, and "Peeping Tom" or eavesdropper.

Section 5. Effective Date. This Act shall be effective as to all sentences imposed after July 1, 1966, for crimes committed after the date of its approval.

APPENDIX D-11

Judge Sentencing Law

A Bill to Be Entitled

An Act to amend an Act approved March 18, 1964 (Ga. L. 1964, p. 483), otherwise known as Code Section 27-2502, which provides for jury sentencing so as to provide for sentencing by judges in felony cases, except those involving life imprisonment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

Section 1. The following language in Section 4 of the Act approved March 18, 1964 (Ga. L. 1964, p. 483) shall be stricken:

"The jury in their verdict on the trial of all cases of felonies not punishable by life imprisonment shall not prescribe an indeterminate sentence for a maximum and minimum term, but"

and the following language substituted therefor:

"The judge, on the trial of all cases of felonies not punishable by life imprisonment,"

so that the law as amended now reads:

"The judge, on the trial of all cases of felonies not punishable by life imprisonment shall prescribe a determinate sentence for a specific number of years,

which shall be within the minimum and maximum prescribed by law as the punishment for said crime, and the judge in imposing the sentence shall sentence said convicted person to the penitentiary in accordance with the verdict of the jury. However, the judge imposing said sentence is hereby granted power and authority to suspend or probate said sentence, under such rules and regulations as he thinks proper. The judge is also empowered with the right and authority to revoke said suspension or probation when the defendant has violated any of the rules and regulations prescribed by the court. In cases of pleas of guilty, the judge, and not the jury, shall prescribe a determinate sentence for such specific number of years as he may see fit; provided, that after the term of court at which sentence is imposed the superior court judges shall have no authority to suspend, probate, modify or change the sentences of said prisoners except as otherwise provided."

Section 2. This Act shall be effective as to crimes committed after the date on which it is approved.

APPENDIX E-1

Statistical Summary of Major Crime in Atlanta - 10 Years 1955-1964

During the ten year period 1955-1964 the population of the City of Atlanta increased only 9.42 per cent from an estimated 462,620 in 1955 to 506,200 in 1964. During this same period major crimes in the City of Atlanta increased at a far higher rate.

	<u>1955</u>	<u>1964</u>	<u>Percentage Increase</u>
Aggravated Assault	765	1066	39.34%
Auto Theft	1297	4219	228.54%
Burglary	2318	5606	137.54%
Larceny (Over 50)	1323	4610	233.4%
Larceny (Under 50)	4281	9088	112.4%
Murder	79	106	34.4%
Rape	52	105	101.9%
Robbery	180	591	228.33%
TOTAL	10,205	24,682	141.64%
Population	462,620	506,200	9.42%

<u>Year</u>	<u>Number</u>	<u>Rate</u>	<u>Cleared by Arrest</u>	<u>Percentage Cleared</u>
<u>AGGRAVATED ASSAULT</u>				
1955	765	1.65	573	74.90
1956	643	1.38	473	73.56
1957	655	1.39	423	64.58
1958	628	1.32	437	69.59
1959	629	1.30	439	69.79
1960	464	.95	308	66.38
1961	491	1.00	319	64.97
1962	711	1.43	474	66.67
1963	839	1.67	527	62.81
1964	1066	2.11	897	84.15
		Up 39.3%		

<u>AUTO THEFT</u>				
1955	1207	2.61	291	24.11
1956	1269	2.72	404	31.84
1957	1789	3.79	311	17.36
1958	2262	4.74	359	15.87
1959	2351	4.87	413	17.57
1960	2581	5.29	535	20.73
1961	2718	5.52	515	18.95
1962	3622	7.29	568	16.23
1963	3417	6.81	715	20.92
1964	4210	8.31	1006	23.90
		Up 248.5%		

<u>BURGLARY</u>				
1955	2318	5.01	643	27.74
1956	2478	5.30	734	29.62
1957	3312	7.01	846	25.54
1958	3519	8.21	865	22.84
1959	3559	7.36	937	28.01
1960	3544	7.27	870	24.55
1961	4025	8.18	800	19.88
1962	4575	9.21	1042	22.78
1963	4082	8.14	1008	24.69
1964	5506	10.88	1432	26.01
		Up 137.5%		

<u>LARCENY (Over \$50)</u>				
1955	1323	2.86	237	17.91
1956	1540	3.29	356	23.12
1957	1919	4.06	377	19.65
1958	2157	4.52	297	13.77
1959	2214	4.59	286	12.92
1960	2530	5.31	291	11.24
1961	2331	6.77	313	9.40
1962	3537	7.12	339	9.58
1963	3821	7.62	426	11.15
1964	4010	7.92	564	14.06
		Up 203%		

<u>Year</u>	<u>Number</u>	<u>Rate</u>	<u>Cleared by Arrest</u>	<u>Percentage Cleared</u>
<u>LARCENY (Under \$50)</u>				
1955	4281	9.25	668	15.60
1956	5490	11.74	987	17.98
1957	6730	14.24	905	13.45
1958	7717	16.16	1029	13.33
1959	7520	15.39	894	11.89
1960	7648	15.69	949	12.41
1961	8255	16.85	1072	12.92
1962	7268	14.83	1068	14.68
1963	8305	16.56	1426	17.17
1964	9088	17.95	2156	23.72
		Up 112%		

<u>MURDER</u>				
1955	79	.17	81	102.53
1956	85	.18	80	94.12
1957	72	.15	69	95.83
1958	83	.17	89	107.23
1959	74	.15	71	95.95
1960	67	.14	68	101.49
1961	74	.15	70	94.59
1962	84	.17	81	96.43
1963	87	.17	83	95.40
1964	106	.21	105	99.06
		Up 34%		

<u>RAPE</u>				
1955	52	.11	36	69.23
1956	53	.11	41	77.36
1957	76	.17	46	61.54
1958	84	.18	47	55.95
1959	62	.13	42	67.74
1960	44	.09	31	70.45
1961	76	.15	41	53.95
1962	94	.19	34	36.17
1963	90	.18	48	53.33
1964	105	.21	75	71.43
		Up 101.9%		

<u>ROBBERY</u>				
1955	180	.39	108	60.00
1956	203	.44	88	42.83
1957	344	.73	172	50.00
1958	353	.80	186	52.56
1959	358	.74	170	47.49
1960	308	.63	127	41.23
1961	374	.76	163	43.58
1962	497	1.00	183	36.82
1963	563	1.12	204	36.23
1964	591	1.17	298	50.42
		Up 228.3%		

APPENDIX E-2

Crimes in Metropolitan Areas per 100,000 Population

SOURCE: "Crime in the United States,
Uniform Crime Reports 1984"

Issued by John Edgar Hoover, Director
Federal Bureau of Investigation
United States Department of Justice

Atlanta

1950	437,785 (1950 census)
1955	462,630
1956	467,587
1957	472,554
1958	477,521
1959	482,488
1960	487,455 (1960 census)
1961	492,141
1962	496,827
1963	501,513
1964	506,200 (Est.)

Increase in population

1955-1964

9.42%

<u>Metropolitan Area</u>	<u>Population</u>	<u>Total Offenses</u>
Los Angeles	6,652,000	3,263.0
Miami	1,217,000	2,453.7
Houston	1,375,000	2,322.4
San Francisco-Oakland	2,935,000	2,317.3
Chicago	6,531,000	2,265.5
Washington, D. C.	2,300,000	2,071.8
Denver	1,074,000	2,007.7
New York	1,823,000	2,002.5
ATLANTA	1,183,000	1,851.3
Detroit	3,091,000	1,822.0
Kansas City	1,189,000	1,925.2
St. Louis	2,506,000	1,917.3
Minneapolis-St. Paul	1,574,000	1,912.4
New York	11,302,000	1,845.7
Seattle	1,194,000	1,789.1
Baltimore	1,484,000	1,783.8
Boston	3,213,000	1,752.4
Dallas	1,269,000	1,702.5
San Diego	1,158,000	1,565.4
Buffalo	1,428,000	1,504.9
Philadelphia	4,565,000	1,482.2
Cleveland	1,947,000	1,421.5
Pittsburgh	2,359,000	1,361.6
Cincinnati	1,549,000	1,025.9
Milwaukee	1,317,000	1,008.6

Murder and Nonnegligent Manslaughter		Forcible Rape	
Dallas	12.7	Los Angeles	29.1
ATLANTA	11.2	Kansas City	24.2
Houston	11.0	Denver	22.2
Baltimore	9.0	Chicago	21.1
Washington, D. C.	8.4	Detroit	20.5
Chicago	7.2	Houston	20.5
St. Louis	7.2	St. Louis	14.8
Cleveland	6.4	ATLANTA	14.6
Kansas City	6.2	Philadelphia	14.1
Miami	6.2	San Francisco-Oakland	13.1
New York	6.1	Newark	12.5
Philadelphia	5.4	Cincinnati	11.9
Detroit	5.0	Dallas	11.7
Los Angeles	4.8	Baltimore	11.6
Cincinnati	4.5	Washington, D. C.	11.6
Newark	4.4	Miami	11.3
San Francisco-Oakland	4.3	San Diego	10.6
Denver	3.7	Seattle	10.6
Pittsburgh	2.8	New York	10.1
Boston	2.6	Pittsburgh	8.7
Milwaukee	2.6	Minneapolis-St. Paul	7.4
San Diego	2.6	Cleveland	6.6
Seattle	2.5	Boston	6.0
Buffalo	2.3	Buffalo	5.2
Minneapolis-St. Paul	2.1	Milwaukee	4.5

Burglary		Larceny	
Los Angeles	1,400.8	Los Angeles	838.7
Miami	1,167.4	New York	725.6
Houston	1,158.5	Miami	694.4
San Francisco-Oakland	1,087.9	San Diego	684.8
St. Louis	942.6	Seattle	662.4
Minneapolis-St. Paul	908.7	ATLANTA	651.1
Washington, D. C.	870.3	Denver	643.6
Denver	861.2	Minneapolis-St. Paul	617.0
Kansas City	852.6	Baltimore	610.8
Newark	850.5	Chicago	613.5
Seattle	807.7	San Francisco-Oakland	593.0
Detroit	757.0	Newark	487.0
ATLANTA	727.7	Kansas City	482.4
Dallas	698.2	Detroit	461.3
Chicago	659.5	Houston	451.0
Cleveland	601.6	Washington, D. C.	451.0
San Diego	564.5	Milwaukee	444.9
New York	540.1	St. Louis	432.5
Buffalo	533.2	Boston	421.4
London	530.2	Buffalo	310.5
Philadelphia	525.7	Dallas	302.2
Baltimore	492.5	Cincinnati	281.8
Cincinnati	469.7	Pittsburgh	292.1
Pittsburgh	440.5	Philadelphia	224.5
Milwaukee	261.6	Cleveland	136.5

Crimes in Metropolitan Areas per 100,000 Population

Figures from F.B.I. Statistics 1964

Robbery		Aggravated Assault	
Chicago	273.9	Los Angeles	230.7
Los Angeles	171.2	Miami	226.3
Detroit	152.5	Houston	210.2
Miami	147.5	Chicago	202.6
Washington, D. C.	129.0	Washington, D. C.	186.8
Kansas City	121.9	Baltimore	181.2
St. Louis	121.6	Kansas City	157.4
San Francisco-Oakland	116.9	Newark	154.6
Newark	112.7	Detroit	143.3
Houston	111.6	New York	139.9
Denver	105.6	St. Louis	125.5
Cleveland	92.7	Philadelphia	121.5
Baltimore	84.1	ATLANTA	119.8
Minneapolis-St. Paul	77.6	San Francisco-Oakland	117.1
New York	76.1	Dallas	98.4
Philadelphia	75.2	Denver	78.1
ATLANTA	61.8	Cincinnati	73.9
Dallas	60.5	Cleveland	67.0
Pittsburgh	57.4	San Diego	59.2
San Diego	49.5	Seattle	58.0
Seattle	49.5	Minneapolis-St. Paul	56.3
Cincinnati	43.4	Buffalo	47.6
Boston	41.3	Boston	42.2
Buffalo	38.9	Pittsburgh	41.2
Milwaukee	21.3	Milwaukee	39.3

Auto Theft	
Los Angeles	587.7
Chicago	582.3
Boston	578.6
San Francisco-Oakland	562.0
ATLANTA	463.1
Washington, D. C.	413.5
Newark	411.2
Denver	387.4
Detroit	387.1
St. Louis	373.0
Houston	358.6
Dallas	355.8
New York	348.9
Minneapolis-St. Paul	333.4
Kansas City	320.4
Pittsburgh	319.0
Baltimore	314.9
Miami	255.8
Cleveland	271.7
Buffalo	237.3
Seattle	238.4
Milwaukee	254.4
Philadelphia	235.7
San Diego	234.1
Cincinnati	153.6

COMPARISON OF MAJOR CRIMES IN ATLANTA, GEORGIA, FOR THE YEARS 1964 AND 1965
(Information from Atlanta Police Department Records)

	1964			1965			Crimes- % Increase or Decline
	Number of Reports	Number Cleared	Percent Cleared	Number of Reports	Number Cleared	Percent Cleared	
Homicide	106	105	99.5	100	98	98.0	- 5.7
Rape	105	75	71.4	115	91	79.1	+ 9.5
Robbery	591	298	50.4	417	216	51.8	-29.4
Aggravated Assault	1,066	897	84.2	903	801	88.7	-15.3
Burglary	5,506	1,432	26.0	4,820	1,468	30.4	-12.5
Larceny	13,098	2,720	20.8	12,368	2,620	21.2	- 5.6
Auto Theft	4,210	1,006	23.9	2,974	1,014	34.1	-29.4
TOTAL	24,682	6,533	26.5	21,697	6,308	29.1	-12.1

Total Juvenile arrests 2,959
Total arrests (including juveniles) 6,833

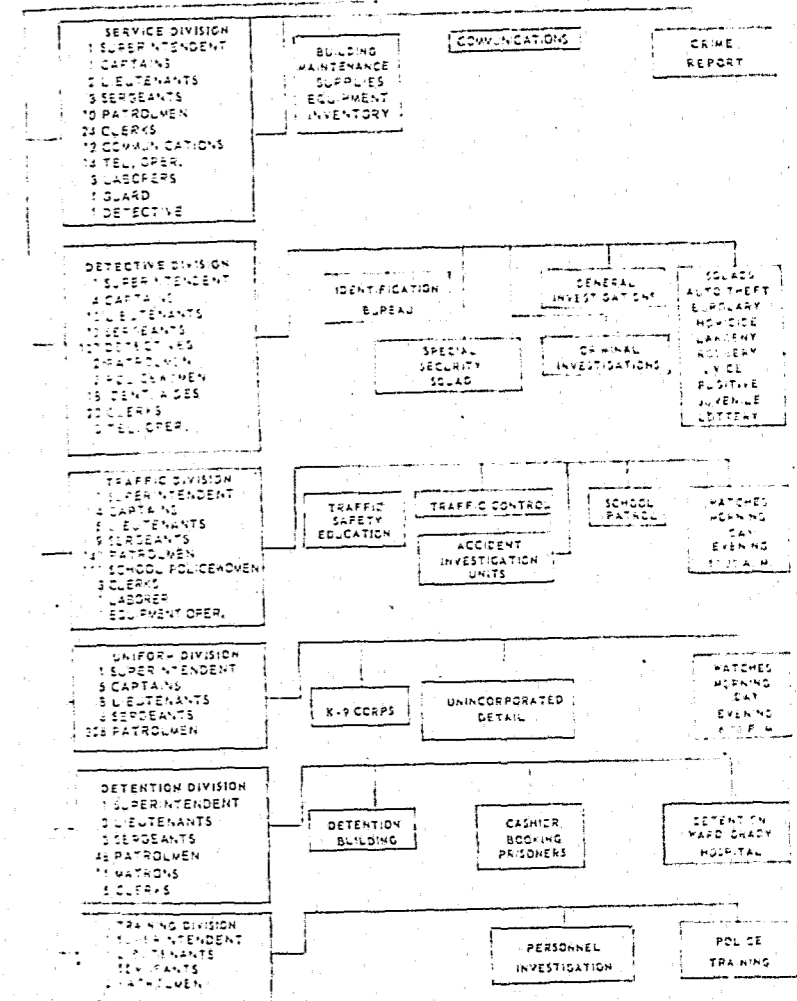
APPENDIX E-3

APPENDIX E-4 ORGANIZATIONAL CHART

Mayor and Board of Aldermen

Police Committee

Chief



APPENDIX E-5

1964 RATIO OF POLICE AND DETECTIVES

	Police & Detectives	Population - 1960	Ratio/thousand of Population
Atlanta	760	487,455	1.56
Buffalo	1236	532,759	2.43
Cincinnati	883	502,550	1.75
Dallas	1221	679,664	1.81
Denver	811	493,667	1.62
Houston	1306	938,219	1.40
Kansas City	892	475,539	1.73
Miami (not including Miami Beach N. Miami)	627	291,688	2.49
Milwaukee	1794	741,324	2.42
Minneapolis St. Paul	727 Y 412 A 1139	482,872 Y 313,411 A	1.44
National Average			1.9
Cities over 250,000			2.6
South Atlantic Cities			2.6

108

City and State	Chief	Commissioner	Inspector	Sergeant	Detention	Patrol	Training	Records	Communications	Crime Prevention	Community Relations	Public Affairs	Internal Security	Intelligence	Legal	Medical	Other	Remarks
POPULATION: OVER 1,000,000																		
CHICAGO, ILL.	18,152	10,700	9,278	8,364	7,548	5,628	6,840	3,171	No	10,100	40	25	No	0	1120	180	50%	55 25
DETROIT, MICH.	16,198	—	8,460	7,572	7,047	5,650	6,514	4	Yes	4,500	40	20	Yes	11	100%	12	50%	— 25
LOS ANGELES, CALIF.	24,210	13,781	10,668	9,564	—	6,900	8,124	4	Yes	4,913	40	14	Yes	11	0	14	50%	— 20
NEW YORK, N. Y.	22,518	13,950	10,176	8,923	10,176	6,180	7,611	1.3	No	25,351	40	20	Yes	8	1125	100%	50%	— 20
PHILADELPHIA, PA.	27,000	8,175	7,358	6,750	6,158	5,456	5,910	2	No	5,500	47	21	Yes	11	0	21	50%	— 25
POPULATION: 500,000 TO 1,000,000																		
BALTIMORE, MD.	15,000	8,054	7,452	6,780	6,158	4,848	6,165	5	No	3,117	42	12	No	0	100%	100%	50%	50 25
BOSTON, MASS.	12,775	8,560	7,447	6,719	6,300	5,280	5,200	2	No	2,557	40	14	No	10	100%	15	50%	55 15
BUFFALO, N. Y.	13,500	6,600	6,000	5,700	5,500	4,700	5,300	3	No	1,323	—	7	No	12	0	180	50%	— 25
CINCINNATI, OHIO	15,101	9,651	8,423	7,501	7,015	5,105	6,478	4	No	876	40	10	Yes	9	100%	15	50%	52 25
CLEVELAND, OHIO	14,161	9,516	8,016	7,278	6,840	5,374	6,603	2	No	1,909	40	24	No	7	1100	15	50%	52 25
DALLAS, TEXAS	—	7,630	6,584	6,360	6,360	4,440	5,761	41	Yes	1,057	40	12	Yes	6	100%	30	50%	50 20
DENVER, COLO.	11,730	8,520	7,920	7,180	6,960	5,700	6,300	2	Yes	571	40	15	Yes	0	—	18	50%	— 25
HONOLULU, HAWAII	17,000	11,064	10,032	8,834	—	5,532	7,128	6	Yes	785	40	21	No	12	0	21	—	65 25
HOUSTON, TEXAS	13,620	8,756	7,795	6,492	6,492	5,268	5,781	5	Yes	915	40	15	Yes	6	1215	15	100%	— 20
MILWAUKEE, WIS.	20,394	10,751	8,528	7,786	7,786	5,735	6,710	5	No	1,716	40	10	Yes	9	1125	15	50%	52 25
PITTSBURGH, PA.	12,276	7,530	7,171	6,830	6,930	5,351	6,195	4	No	1,306	40	11	Yes	11	1100	16	50%	50 20
ST. LOUIS, MO.	16,000	9,300	8,400	7,500	—	5,100	6,450	15	No	2,712	40	14	No	0	177	180	—	20
SAN ANTONIO, TEXAS	11,460	6,780	6,060	5,460	5,010	4,560	4,920	1	Yes	612	40	15	Yes	8	1100	15	50%	— 25
SAN DIEGO, CALIF.	18,660	11,418	10,362	9,432	—	6,381	7,764	3	No	701	40	10	Yes	9	0	15	50%	— 20
SAN FRANCISCO, CALIF.	27,392	12,932	11,678	9,432	—	7,716	8,316	3	No	1,736	40	10	Yes	11	0	14	50%	55 25
WASHINGTON, D. C.	17,000	9,475	8,350	7,450	6,990	5,650	6,850	19	Yes	2,720	42 1/2	12	Yes	8	100%	30	40%	50 20
POPULATION: 250,000 TO 500,000																		
AKRON, OHIO	11,700	9,120	7,504	7,176	—	5,491	6,240	3	No	316	42	14	Yes	8	0	15	50%	52 25
ATLANTA, GA.	13,784	7,397	6,420	5,712	5,484	4,240	5,256	5	Yes	730	41	20	No	0	1100	30	30%	55 25
BIRMINGHAM, ALA.	11,518	8,768	7,452	6,780	6,456	5,460	5,476	6	No	407	40	12	No	6	0	12	50%	— 25
CHARLOTTE, N. CAR.	14,573	7,566	6,703	6,000	6,006	4,417	5,776	41	Yes	378	40	10	Yes	5	1200	17	—	—
COLUMBUS, OHIO	14,658	9,600	8,604	7,443	—	5,780	6,420	31	No	575	40	12	Yes	11	125	13	50%	52 25
DAYTON, OHIO	14,200	9,412	8,190	7,150	6,214	5,174	6,214	35	No	388	40	12	Yes	7	1100	15	50%	52 25
EL PASO, TEXAS	12,944	8,448	7,584	6,816	6,370	4,452	5,528	5	Yes	347	40	15	No	7	0	15	50%	50 25
INDIANAPOLIS, IND.	10,500	6,430	6,300	5,600	—	5,000	6,110	30	Yes	514	40	14	Yes	0	1200	90	50%	44 20
JERSEY CITY, N. J.	13,674	8,978	7,213	6,970	6,909	5,936	6,360	2	No	817	40	27	No	5	1300	100%	50%	55 25
KANSAS CITY, MO.	16,500	8,300	7,200	6,500	6,200	5,700	6,200	2	Yes	800	40	17	Yes	0	100%	34	50%	— 25
LONG BEACH, CALIF.	16,860	11,314	10,224	9,216	—	6,172	7,872	31	No	576	40	12	Yes	12	0	17	50%	55 25
LOUISVILLE, KY.	11,212	7,637	6,814	6,264	5,591	4,053	5,466	110	Yes	513	43	14	Yes	7	1100	17	50%	55 20

From the Fraternal Order of Police
Survey of 1964 Salaries of Police
Departments in the United States

APPENDIX E-6

106

107

2009年12月15日

* See Attached Comments

品名: 2014年12月1日

SAFARI 2000: THE BEST OF THE BEST

* See Attached Documents P: Present Salary, no longevity P-L: P-Present Salaries, L-Maximum w/longevity M-M: Minimum Salaries - Maximum Salaries

Table 2

2014年12月25日

* See Attached Comments

Figure 7

1990-1991

• See Attached Comments

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Part 5

APPENDIX E-9

GENERAL ARRESTS (Source: Atlanta Police Department)
January - December, 1965, in Comparison with Same Period 1964

Charge	1964	1965	% Increase or Decrease
Murder & Non-negligent homicide	94	101	.7
Rape	60	112	86.6
Robbery	311	315	1.3
Aggravated Assault	837	914	9.2
Burglary	646	839	29.9
Larceny (except auto)	2,267	2,581	13.9
Auto Theft	452	622	37.6
Other Assaults	1,539	1,734	12.7
Forgery & Counterfeiting	182	170	4.9
Embezzlement & Fraud	150	146	-2.7
Stolen Property	141	95	-32.6
Arson	11	14	27.3
Weapons	845	1,241	46.2
Prostitution & Vice	185	162	-12.4
Sex Offenses (except rape & prostitution)	357	421	17.9
Offenses against family and children	563	215	5.9
Narcotics & Drug Laws	366	336	-8.9
Liquor Laws	1,507	1,337	-26.0
Vagrancy	555	370	-33.3
Gambling	1,842	816	-55.6
Vandalism	411	417	1.5
Others	931	894	-7.8
Drunk	34,405	41,106	19.5
Drunk and Disorderly	8,263	7,677	-7.1
Disorderly Conduct	16,487	20,262	22.9
Total	73,301	82,899	13.1

APPENDIX E-10

Computers in Police Work

1. IBM Sponsored Meeting

In September 1965, IBM sponsored in Atlanta a full day's program dealing with the application of computers with regard to problems which law enforcement agencies have to face. Approximately three hours of the seven-hour program were devoted to the study of computer systems in regard to criminal enforcement.

The program began with a film illustrating one of the uses to which an IBM computer could be put. In Southern California an organization by the name of "Telecredit," with the aid of computers, has established a very efficient method for catching bad check artists. Various companies throughout Southern California paid Telecredit to use this service. The following example illustrates how Telecredit operates. A customer wishes to cash a check with a merchandise store. The merchandise store immediately dials Telecredit by phone, and states the name of the customer and other pertinent information. This is immediately fed into the computer and within a matter of seconds, the computer will report back to the merchandiser whether or not the person cashing the check has a reputation as a bad check artist. If the party is a

bad check artist, police are dispatched to the store by Telecredit.

It was pointed out that there were many ways of communicating with a computer. One is the method just illustrated, that is by calling to an individual at the computer center who then feeds information in and receives it back. Another method frequently used is the type-in, type-back method. That is, you type your information into the computer from various stations where IBM typewriters are located. This feeds the information directly into the computer, and the answer (if desired) comes back directly on the typewriter. The third method is where the computer is phoned directly. The computer can receive whatever information is given it verbally and transfer that into itself internally, and then remit the answer verbally.

At this point, the IBM expert from St. Louis proceeded to tell the uses to which the St. Louis IBM computer has been put. It was first pointed out that the computer and its attachments can be used for purely non-informational purposes in certain instances. St. Louis has a computer system wherein the information is typed in from various stations and then, of course, if information is requested, the answer is typed back. However, this teletype system could also be used for direct communication without going through the data information file of the computer. That is, a certain message could be typed from one station with directions as to whom the message should be sent, and at the same time this message would appear at those stations to which it was designated.

The full resources of the computer, including the data file, can be utilized in many ways. It was pointed out that the most important uses of the computer in regard to crime were:

- (1) Manpower allocation;
- (2) Analysis of crimes for detection; and
- (3) Administrative aids.

A tremendous amount of data is stored with the machine. Every arrest which is made by the St. Louis Police Department is stored. Examples of the type of data stored in regard to arrests are the name of the individual, the charge, the time, the place, age, sex, disposition, etc. Each crime committed is also stored. Different factors of the crime such as place, type, time, etc. are stored.

The St. Louis Police Department does periodic monthly analyses of area crime. What crimes are unsolved, what types of crimes are committed, what arrests were made, etc. are examined. Crime and arrest ratios are produced. The analysis also shows the pattern and shift of emphasis, types of crimes committed and location of offense. For example, in St. Louis, when urban renewal in certain areas occurred, the immediate shift of crime to other areas could be picked up on the computer, and the re-allocation of appropriate personnel made.

The computer also proved extremely helpful in checking on personnel. By use of the computer the police department was able to show where its time was being spent. The fact that the police department was being put on special duties such as ball parks, parades, etc., and that these duties involved significant time and men away from their normal duties, revealed the need for extra men and money. Also, any time a police officer on duty took a break he had to report to the computer. Thus, the computer was able to analyze how much time was taken off during the day by each man. In effect, the computer graded men on the time they spent on the job. It was noted this led to a significant decrease in the amount of time taken off by individual policemen. Sickness and absence, court time, and other time taken off from normal activities could be analyzed. Furthermore, by use of the computer, the whereabouts of any individual policeman was more accurately ascertained.

Since the St. Louis Police Department did have this tremendous informational resource at hand it was able

to make many miscellaneous reports, and analyses. It was able to analyze its manpower needs by examining age spread, statistics on normal loss of personnel, etc. Sex, rank and education of its officers were also studied. The computer was able to analyze evaluation reports made by superiors of individual policemen. Thus, it could determine whether the superior had a tendency to give a fairly high evaluation or a fairly low evaluation. By such analysis, the computer was able to equalize the various evaluations of policemen made by their superiors.

The St. Louis Police Department also has working with it, a full-time sociologist and several other people, strictly as research personnel. Their job primarily is to look for causes of crimes in relation to the statistics. By determining the cause, it was felt that both prevention and detection would be aided.

In regard to assignment of personnel, the St. Louis Police Department has a large dispatch room. In this room there is a board with a map of the city on which numbers representing the police cars of the city were placed at the locations of the various cars. Those cars which were available for use would be lighted, while those in use would have their lights off. Through the IBM communication system, the routing of cars to the most appropriate places could be made. Also the computer could analyze the elapsed time it took to handle any certain call. The question could be asked, "Was it taking more to handle an incident in District 7 than in District 10?" The obvious answer in many cases was, of course, that District 7 needed more personnel. The computer could also analyze the amount of crossing over between police beats. It could tell whether there were too many assists in certain areas and therefore, the need for re-allocation.

As a purely administrative aid the computer is also helpful. It analyzes the budget of the police department in regard to the use of its cars, gas, garage, etc. Also, it is

useful in analyzing inventory of the police department, its needs, etc. It is very helpful in aiding the department in acquiring appropriations, etc.

After the talk given by the St. Louis IBM man, there was a short discussion among the various law enforcement personnel present from the State of Georgia and Atlanta. It was agreed by all that such a setup as St. Louis had would be very helpful. It was emphasized, of course, that this is something that could not be put in overnight, but would have to gradually be put in, step by step. St. Louis did not acquire the system they have in a short period; rather, it has been built up over a large number of years. The greatest need stressed by local personnel in regard to data processing was the need for a combined, cooperative central operation. For example, while the gathering of data, statistics etc., by the Atlanta Police Department would be extremely helpful, it would be greatly hampered unless it had the cooperation of all metropolitan police departments. This is due to the obvious fact that most criminals do not operate strictly within one municipality, but rather operate within a general area. For example, at present, if a man commits a crime and is wanted in College Park, and if he is later arrested in another municipality, his criminal record in College Park will be unknown and will go unrecognized. This is an extremely important problem which needs to be met in installing a computer system.

2. Meeting of the Atlanta Police Department

On November 10, a meeting of the Atlanta Police Department was held in regard to the implementation of IBM [not computer] in regard to the investigation of sex crimes. This involved basically establishing an M.O. [modus operandi] file in regard to sex crimes. The police department already has devised an M.O. file for robbery, and expects eventually to have an M.O. file for all major crimes.

The basic purpose of the meeting was to make sure that as many characteristics as possible in regard to sex crimes were given IBM numbers. The "Guideline to M.O. — Sex Offenses" published by the police department, explains basically the procedure used in setting up the M.O. system and also has some of the numbers with corresponding characteristics that will be used by the police department. It is contemplated that both the investigating and arresting officer will go over a sheet and check off the appropriate numerals after the crime.

The main purpose of the M.O. file is, of course, identification of suspects. Thus, if for example a rape is committed, the significant facts concerning the rape would be punched into the machine. The machine would then shoot out those individuals who are known sex criminals, and who are known to operate in a similar manner.

It was stressed that this data gathering system will not be significant unless cooperation is received from all metropolitan police forces. Eventually the system will be transposed over a computer. Programmers of the Atlanta Computer were present at the meeting and stressed the need for cooperation at this stage in order that the IBM system would be set up so that transfer could be accomplished fairly easily.




APPENDIX E-11

Crime in Atlanta

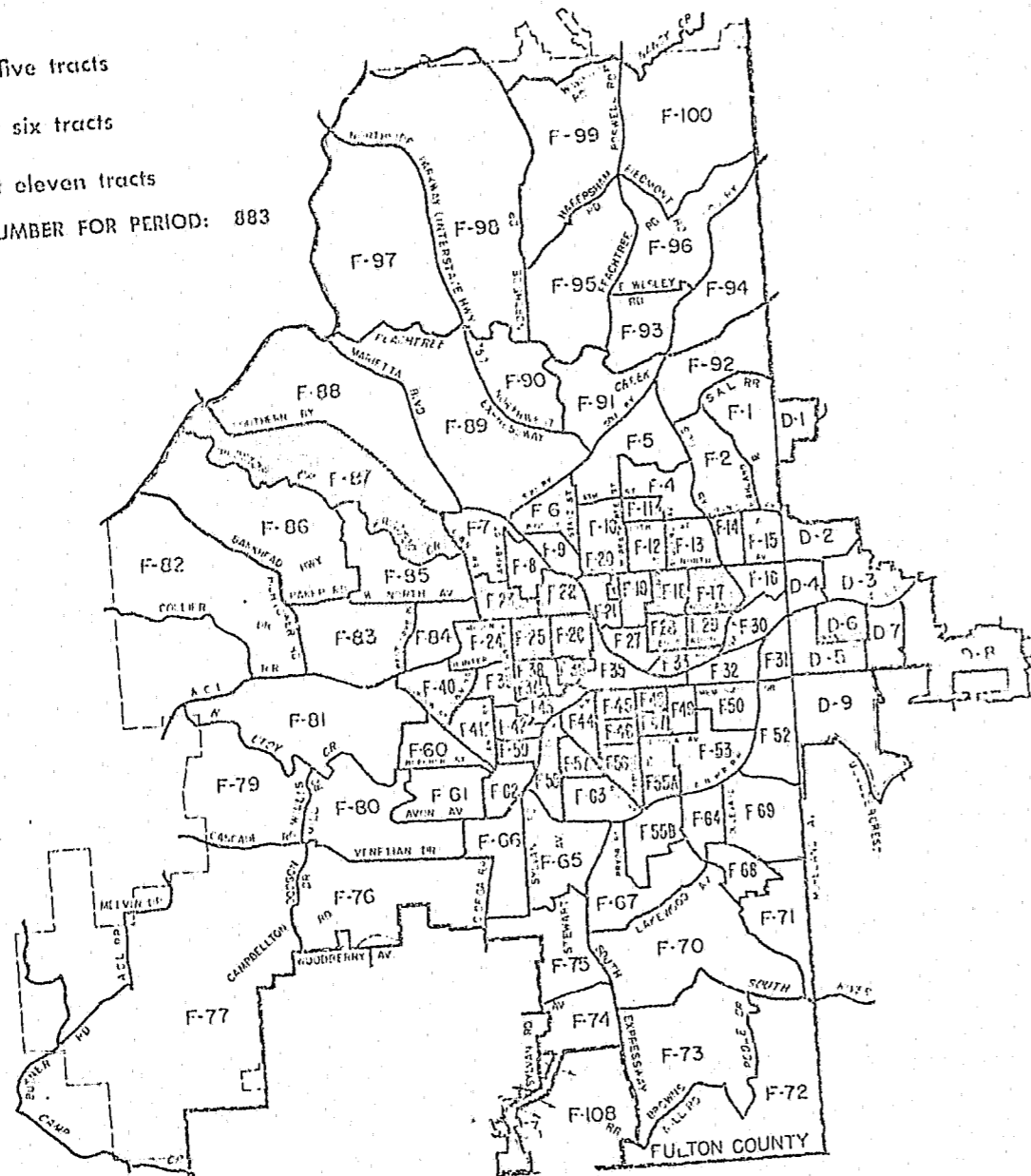
The following maps indicate the high-crime areas in the City during the period July 1, 1964 through June 30, 1965. These maps reflect data accumulated from Atlanta Police Department files on most of the major crimes. Commission personnel painstakingly related the place where the crime was committed to the census tract in which it was located to come up with figures for the period in question. In some cases a 100% sampling was taken. In the case of crimes which occur in large numbers, a smaller sampling was made, but care was taken to see that this sampling was statistically correct. The subsequent verification indicated that a satisfactory degree of accuracy was maintained.

AGGRAVATED ASSAULT (July 1964 thru June 1965)

100% SAMPLE




-  Top five tracts
-  Next six tracts
-  Next eleven tracts

TOTAL NUMBER FOR PERIOD: 883

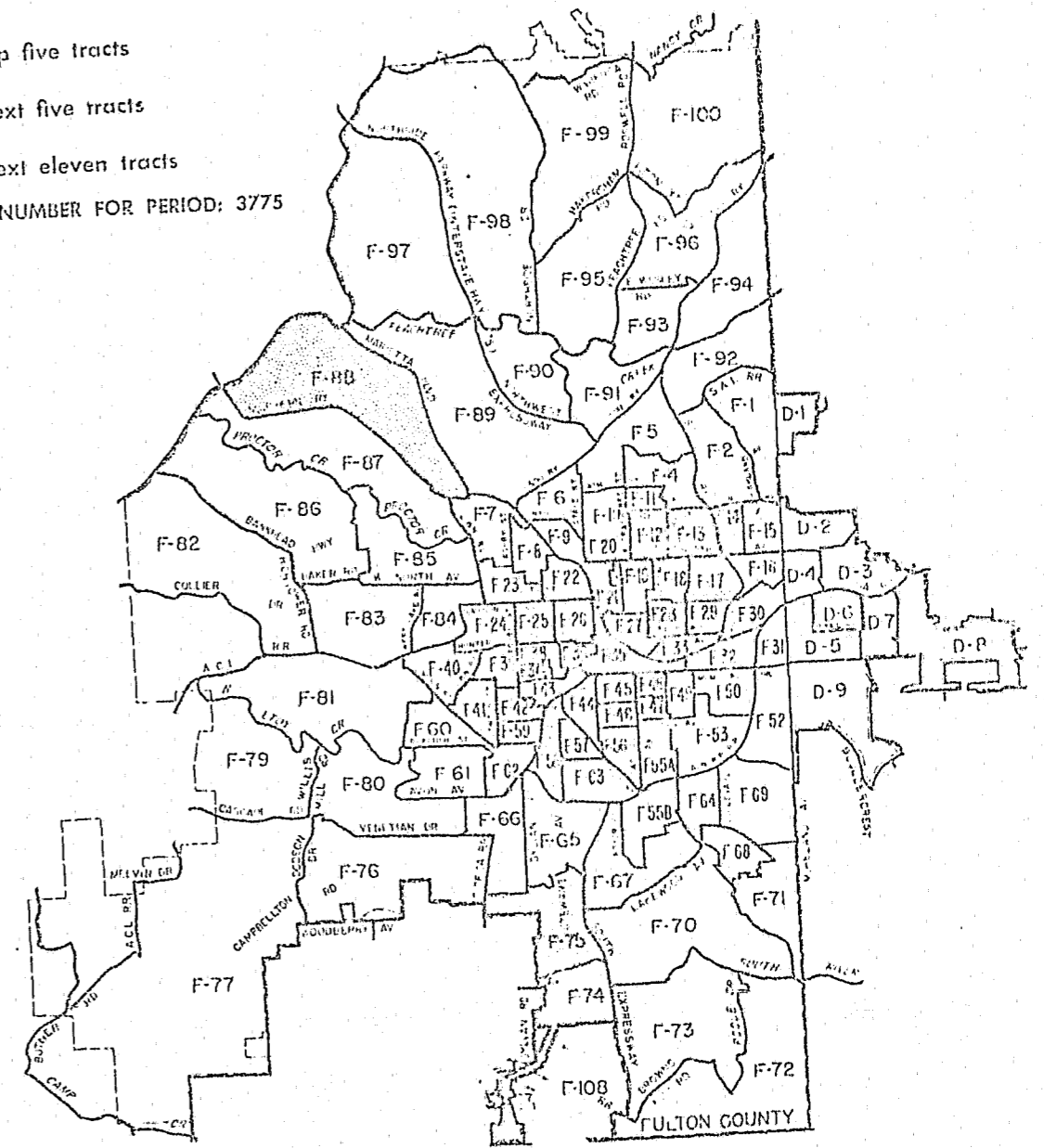


AUTO THEFT (July 1964 thru June 1965)

10% SAMPLE

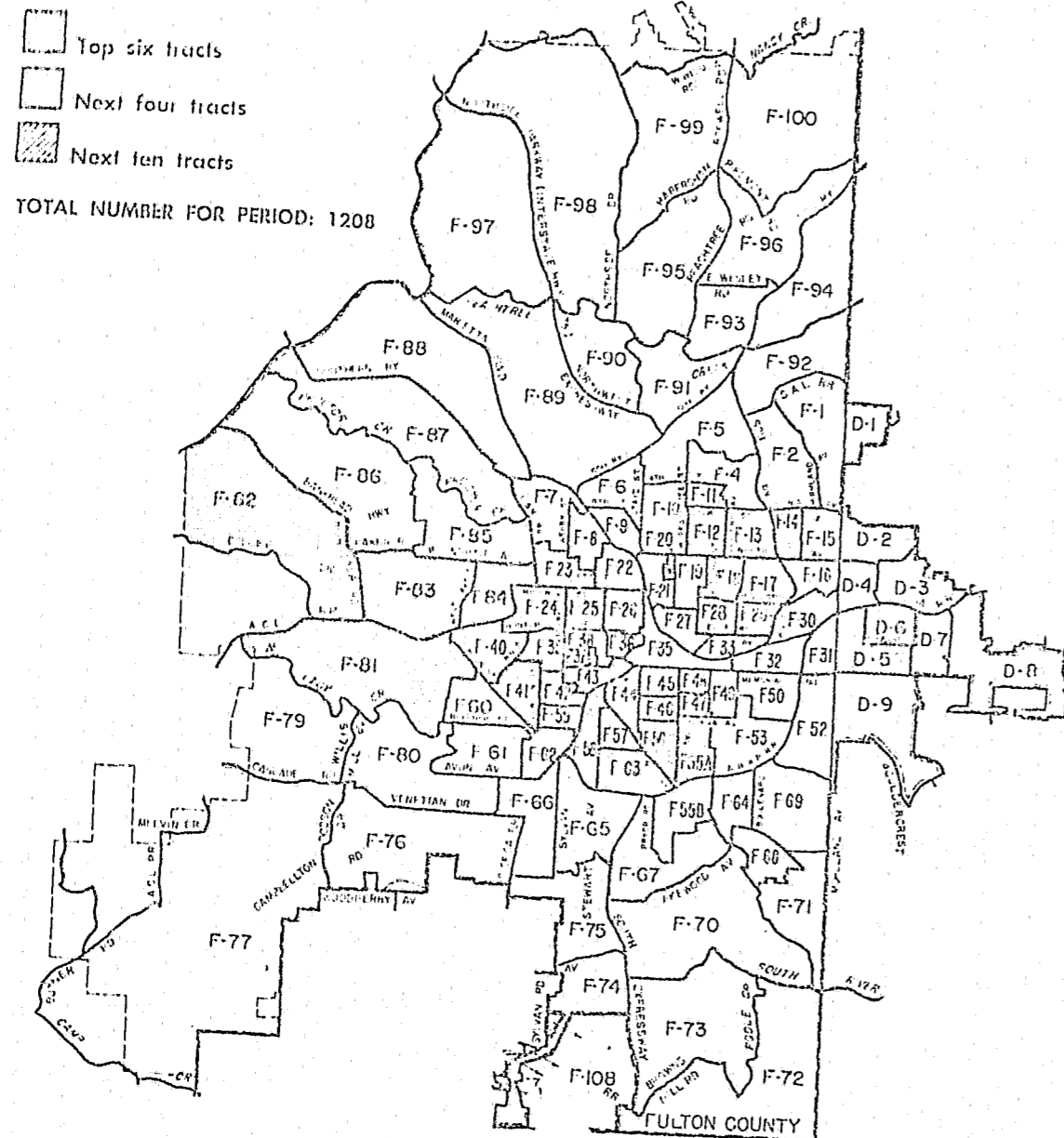
-  Top five tracts
-  Next five tracts
-  Next eleven tracts

TOTAL NUMBER FOR PERIOD: 3775



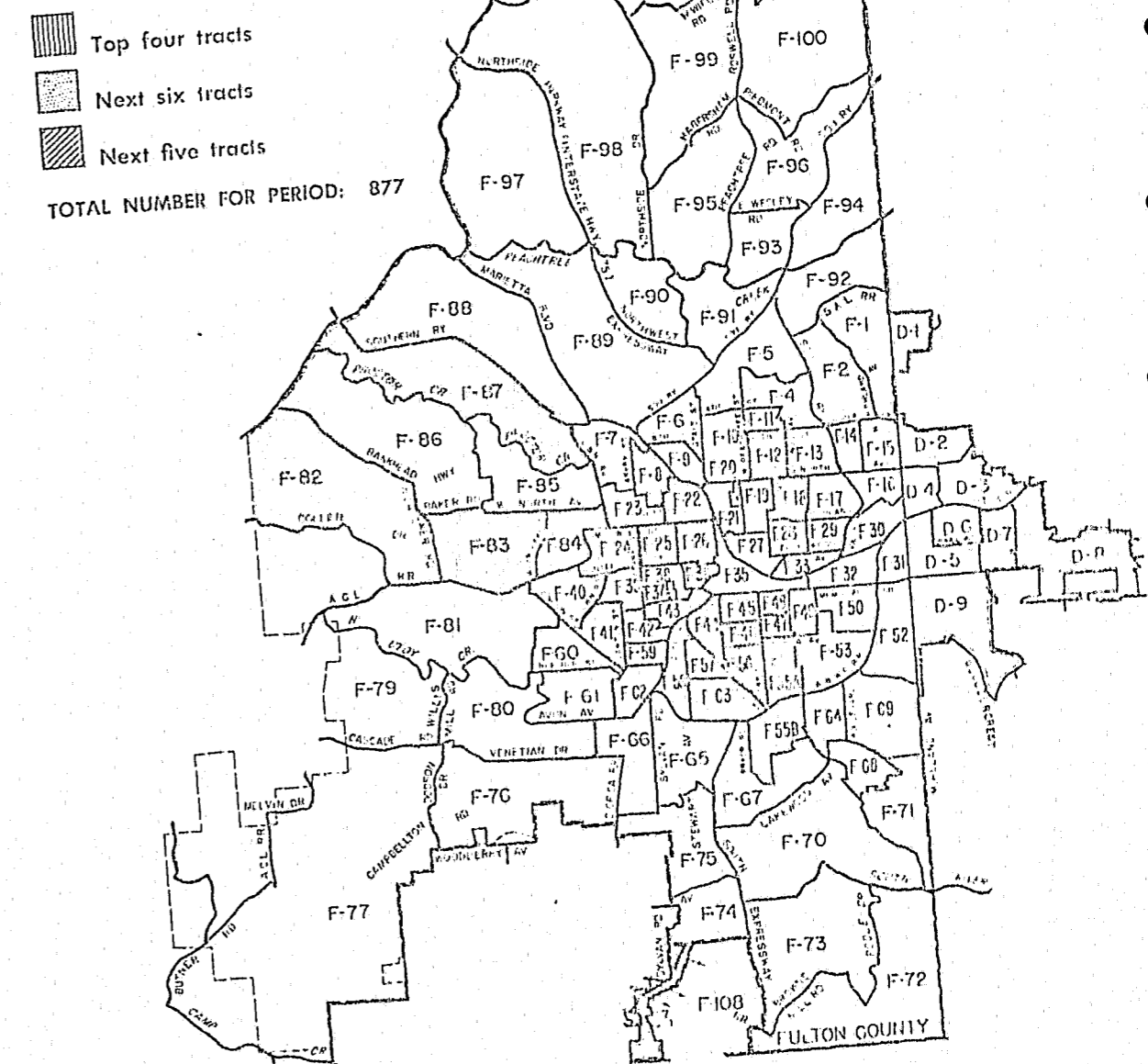
BURGLARY (July 1964 thru June 1965) (Residence-Day)

50% SAMPLE



BURGLARY (July 1964 thru June 1965) (Residence-Night)

60.4% SAMPLE

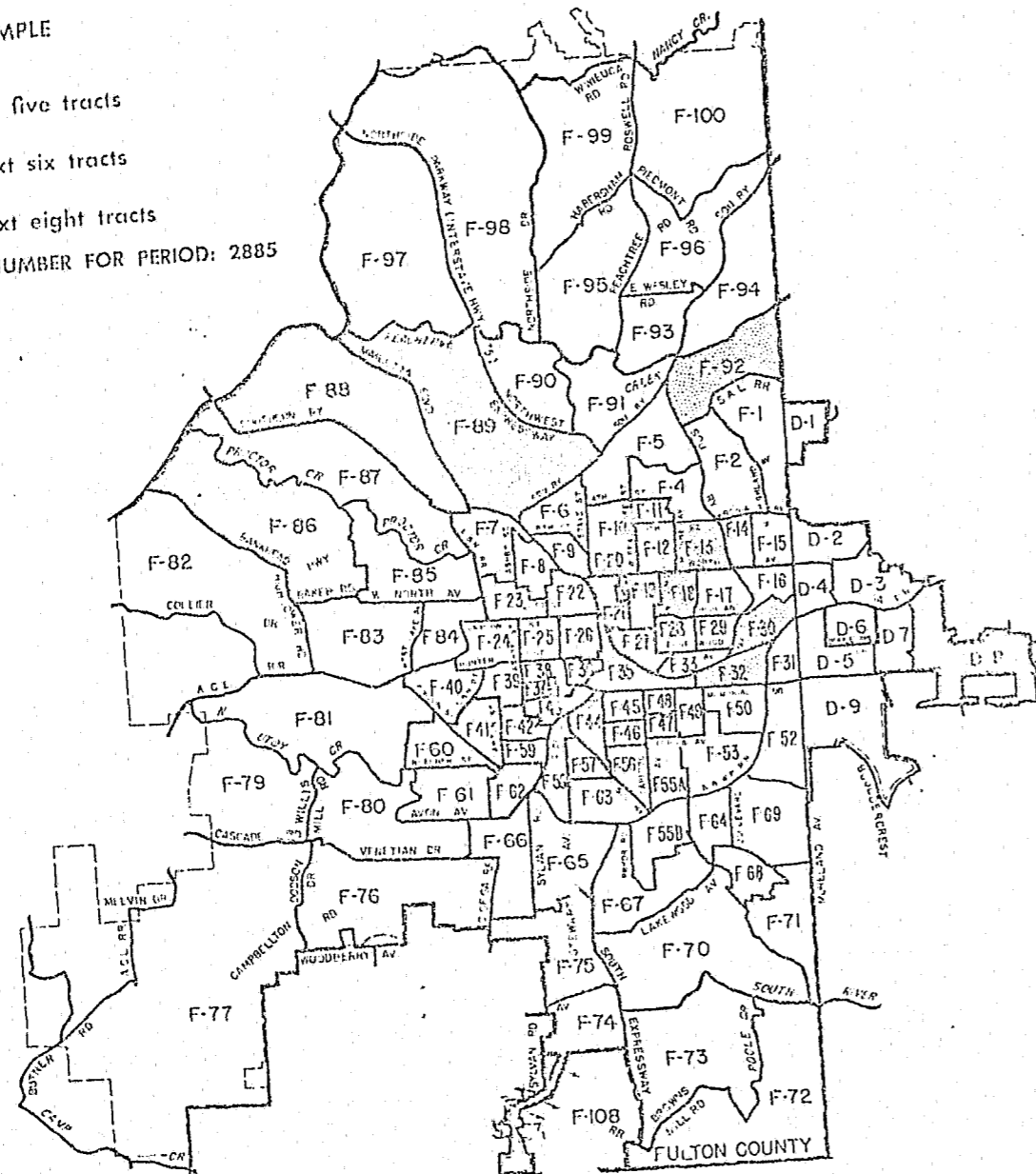


BURGLARY (July 1964 thru June 1965) (Non-Resident)

20% SAMPLE

- Top five tracts
- Next six tracts
- Next eight tracts

TOTAL NUMBER FOR PERIOD: 2885

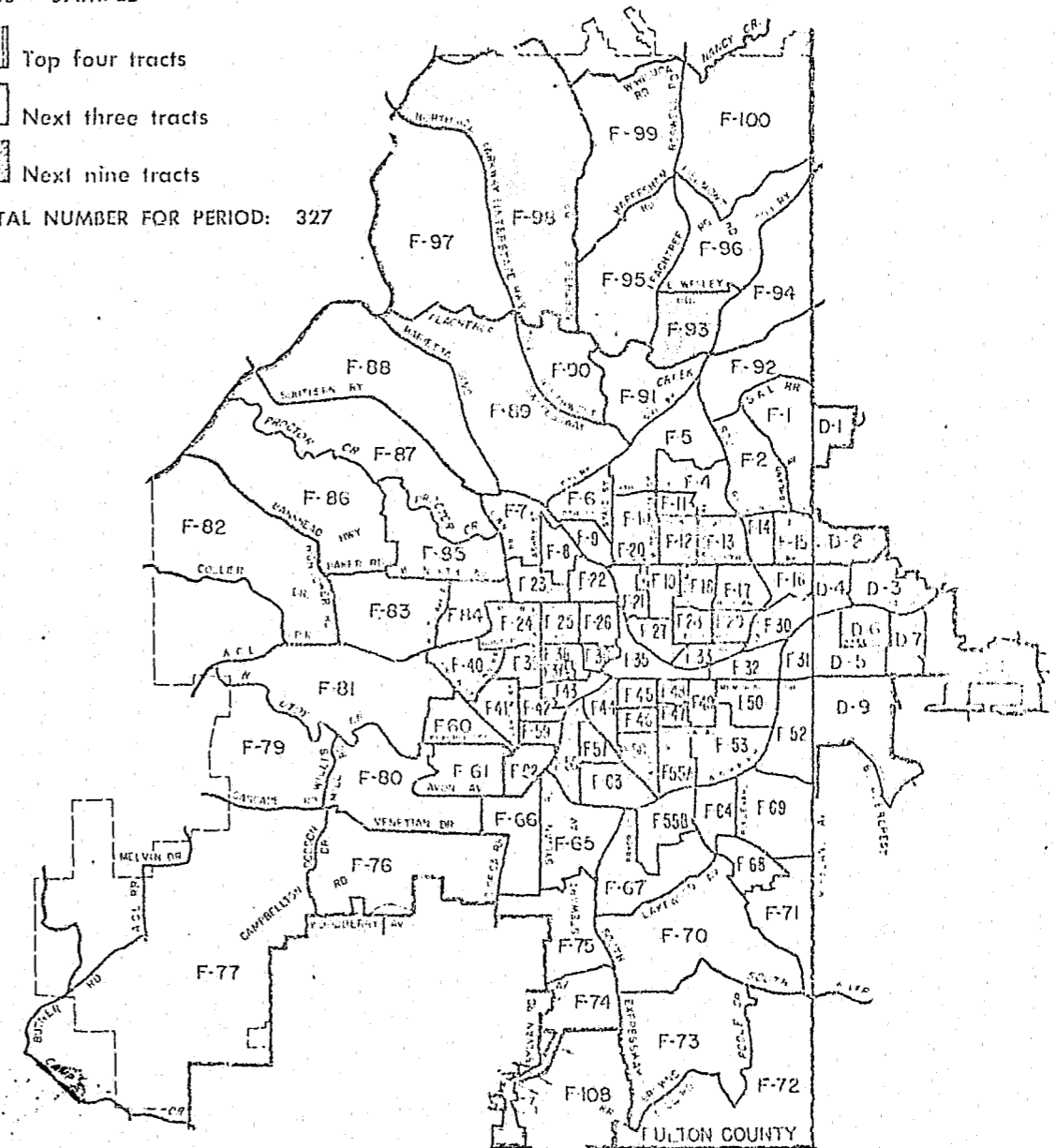


BURGLARY (July 1964 thru June 1965) (Residence-Time Unknown)

663% SAMPLE

- Top four tracts
- Next three tracts
- Next nine tracts

TOTAL NUMBER FOR PERIOD: 327

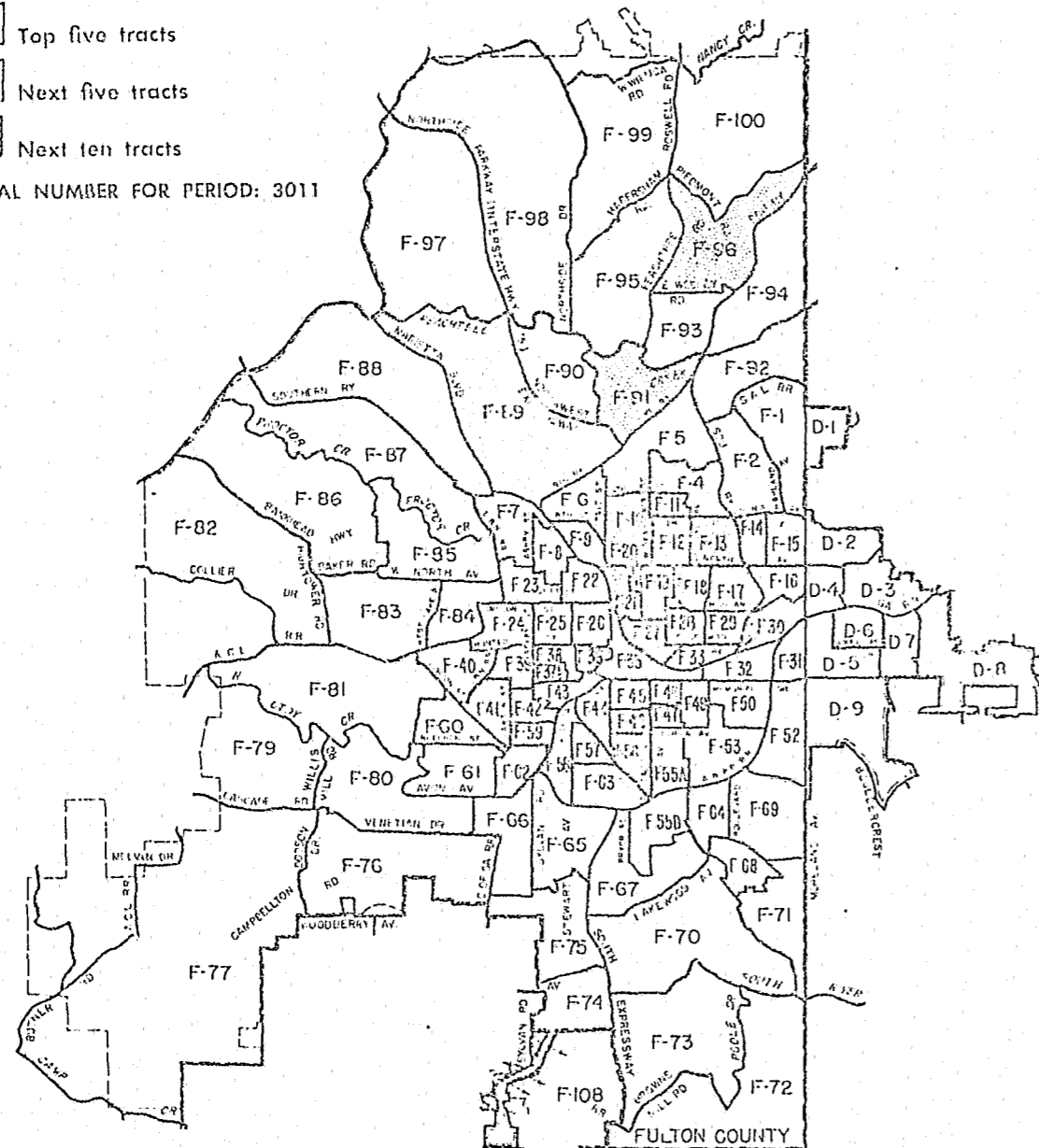


LARCENY FROM BUILDING (July 1964 thru June 1965)

33 1/3% SAMPLE

- Top five tracts
- Next five tracts
- Next ten tracts

TOTAL NUMBER FOR PERIOD: 3011

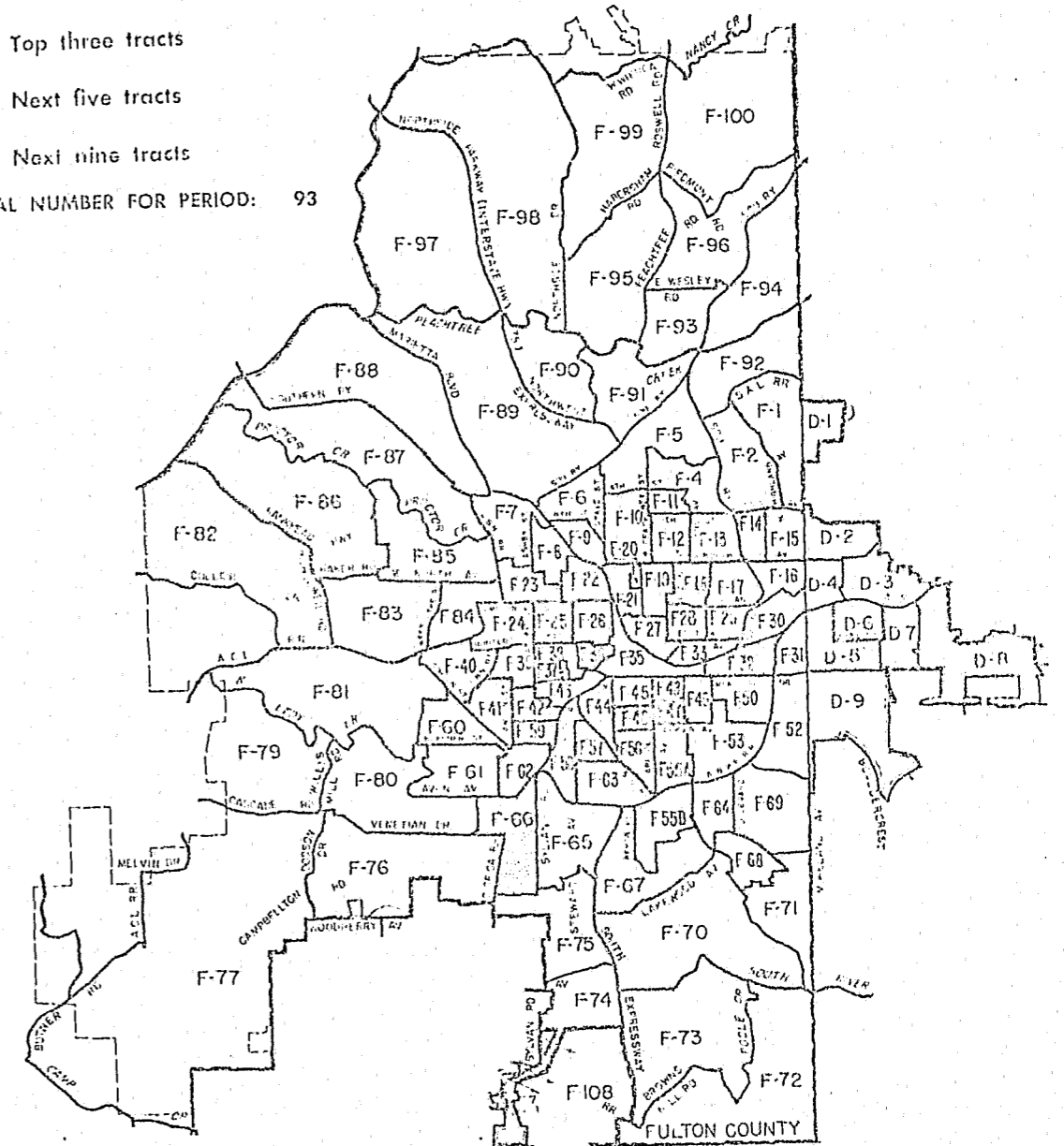


MURDER (July 1964 thru June 1965)

100% SAMPLE

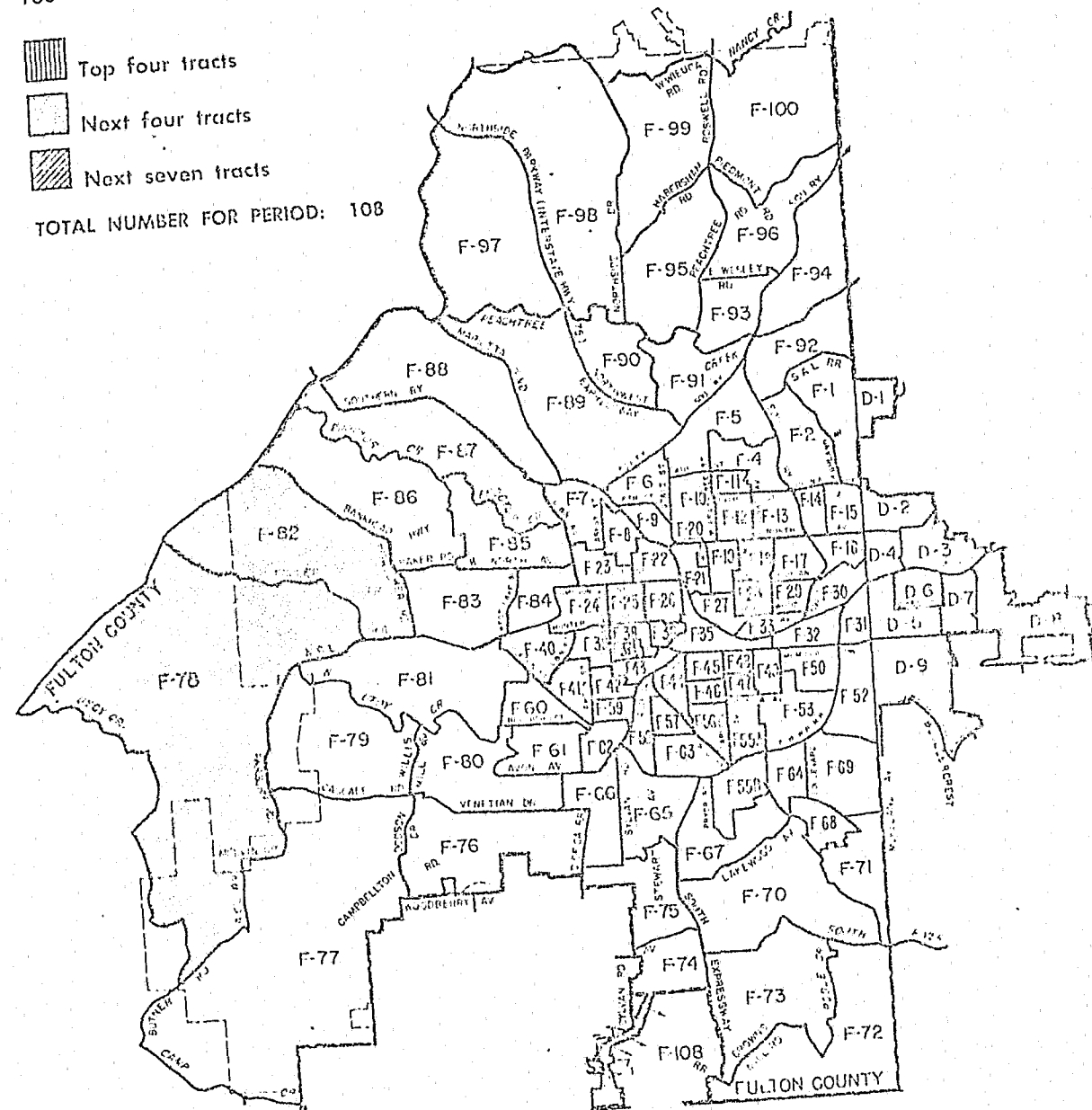
- Top three tracts
- Next five tracts
- Next nine tracts

TOTAL NUMBER FOR PERIOD: 93



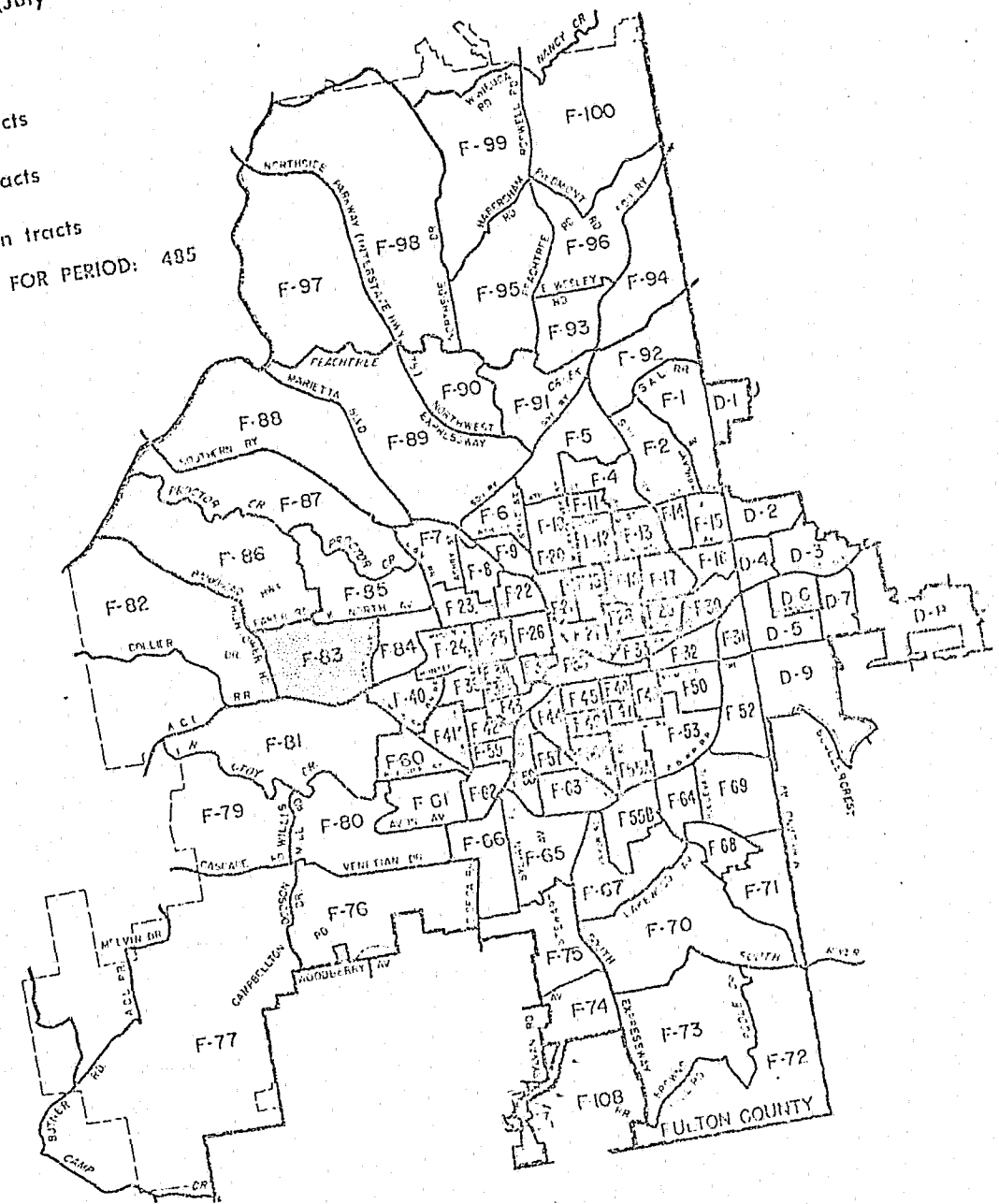
RAPE (July 1964 thru June 1965) 100% SAMPLE

- Top four tracts
 - Next four tracts
 - Next seven tracts
- TOTAL NUMBER FOR PERIOD: 108



ROBBERY (July 1964 thru June 1965) 100% SAMPLE

- Top five tracts
 - Next six tracts
 - Next seven tracts
- TOTAL NUMBER FOR PERIOD: 485



APPENDIX F-1

Search and Seizure Law

A Bill to Be Entitled

An Act to provide procedures for searches and seizures and for suppression of evidence illegally seized; to provide the procedure connected therewith; to repeal Chapter 27-3 of the Code of Georgia relating to search warrants; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL
ASSEMBLY OF GEORGIA:

Section 1. Search without Warrant. When a lawful arrest is effected a peace officer may reasonably search the person arrested and the area within such person's immediate presence for the purpose of:

- (a) Protecting the officer from attack; or
- (b) Preventing the person from escaping; or
- (c) Discovering the fruits of the crime; or
- (d) Discovering any instruments, articles, or things which may have been used in the commission of an offense.

Section 2. Inventory of Things Seized. An inventory of all instruments, articles or things seized on a search without a warrant shall be given to the person arrested and a copy thereof delivered to the judicial officer before whom the person arrested is taken. If the person arrested is released without a charge being preferred against him all instruments, articles or things seized, other than contraband or stolen property, shall be returned to him upon release.

Section 3. Grounds for Search Warrant. Upon the written complaint of any person under oath or affirmation which states facts sufficient to show probable cause and which particularly describes the place or person, or both, to be searched and things to be seized, any judicial officer authorized to hold a court of inquiry to examine into an arrest of an offender against the penal laws, herein referred to as "judicial officer", may issue a search warrant for the seizure of the following:

- (a) Any instruments, articles or things, including the private papers of any person, which are designed or intended for use, or which have been used in the commission of the offense in connection with which the warrant is issued.
- (b) Any person who has been kidnapped in violation of the laws of this State, or who has been kidnapped in another jurisdiction and is now concealed within this State, or any human fetus or human corpse.
- (c) Stolen or embezzled property.
- (d) Any item, substance, object, thing or matter the possession of which is unlawful.
- (e) Any item, substance, object, thing or matter, other than the private papers of any person, which are tangible evidence of the commission of a crime against the laws of the State of Georgia.

Section 4. Issuance of Search Warrant. All warrants shall state the time and date of issuance and be the warrants of the judicial officer issuing the same and not the

warrants of the court in which he is then sitting and such warrants need not bear the seal of the court or clerk thereof. The complaint on which the warrant is based need not be filed with the clerk of the court nor with the court if there is no clerk until the warrant has been executed or has been returned "not executed".

Section 5. Persons Authorized to Execute Search Warrants. The warrant shall be issued in duplicate and shall be directed for execution to all peace officers of the State. However, the judicial officer may direct the warrant to be executed by any peace officer named specially therein.

Section 6. Execution of Search Warrants. The warrant shall be executed within 10 days from the time of issuance. If the warrant is executed the duplicate copy shall be left with any person from whom any instruments, articles or things are seized or if no person is available the copy shall be left at the place from which the instruments, articles or things were seized. Any warrant not executed within such time shall be void and shall be returned to the court of the judicial officer issuing the same as "not executed".

Section 7. Command of Search Warrant. The warrant shall command the person directed to execute the same to search the place or person particularly described in the warrant and to seize the instruments, articles or things particularly described in the warrant.

Section 8. Use of Force in Execution of Search Warrant. All necessary and reasonable force may be used to effect an entry into any building or property or part thereof to execute a search warrant, if after verbal notice, or an attempt in good faith to give verbal notice, by the officer directed to execute the same of his authority and purpose, (a) he is refused admittance or (b) the person or persons within said building or property or part thereof refused to acknowledge and answer said verbal notice, and the presence of such person or persons therein is unknown to such officer or (c) the building or

property or part thereof is not then occupied by any person.

Section 9. Detention and Search of Persons on Premises. In the execution of the warrant the person executing the same may reasonably detain to search any person in the place at the time:

- (a) To protect himself from attack, or
- (b) To prevent the disposal or concealment of any instruments, articles or things particularly described in the warrant.

Section 10. Return to Court of Things Seized. A written return of all instruments, articles or things seized shall be made without unnecessary delay before the judicial officer named in the warrant or before any court of competent jurisdiction. An inventory of any instruments, articles or things seized shall be filed with the return and signed under oath by the officer or person executing the warrant. The judicial officer or court shall upon request deliver a copy of the inventory to the persons from whom or from whose premises the instruments, articles or things were taken and to the applicant for the warrant.

Section 11. When Warrant may be Executed. The warrant may be executed at any time of any day or night.

Section 12. No Warrant Quashed for Technicality. No warrant shall be quashed nor evidence suppressed because of technical irregularities not affecting the substantial rights of the accused.

Section 13. Motion to Suppress Evidence Illegally Seized.

- (a) A defendant aggrieved by an unlawful search and seizure may move the court for the return of property and to suppress as evidence anything so obtained on the grounds that:
 - (1) The search and seizure without a warrant was illegal; or
 - (2) The search and seizure with a warrant was illegal because the warrant is insufficient on its

face; the evidence seized is not that described in the warrant; there was not probable cause for the issuance of the warrant; or, the warrant was illegally executed.

- (b) The motion shall be in writing and state facts showing wherein the search and seizure were unlawful. The judge shall receive evidence on any issue of fact necessary to determine the motion and the burden of proving that the search and seizure were unlawful shall be on the defendant. If the motion is granted the property shall be restored, unless otherwise subject to lawful detention, and it shall not be admissible in evidence against the movant in any trial.
- (c) The motion shall be made before trial unless opportunity therefor did not exist or the defendant was not aware of the grounds for the motion. The court may in its discretion entertain the motion at the trial on hearing.
- (d) The motion shall be made only before a court with jurisdiction to try the offense. If a criminal accusation is filed, or if an indictment or special presentment is returned by a grand jury, the motion shall be made only before the court in which said accusation, indictment or special presentment is filed and pending.

Section 14. Application for Search Warrant. A search warrant is a criminal process to be used in the enforcement of criminal laws and may be issued only upon the application of an officer of the State or its political subdivisions charged with the duty of enforcing the criminal laws. It shall not be issued upon the application of a private citizen or for his aid in the enforcement of personal, civil or property rights.

Section 15. Specific Repeal. Chapter 27-3 of the Code of Georgia and Section 27-301 of said Code, relating to execution of search warrants; Section 27-302 thereof, re-

lating to restoration of goods to owners; Section 27-303 thereof, relating to forcible taking of goods as probable cause for a search warrant; and Section 27-304 thereof, relating to binding over a person in whose possession stolen goods are found, are hereby repealed.

Section 16. Severability. In the event any section, subsection, sentence, clause or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses or phrases of this Act, which shall remain of full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional was not originally a part hereof. The General Assembly hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

Section 17. General Repeal. All other laws and parts of laws in conflict with this Act are hereby repealed.

APPENDIX F-2

Conspiracy Law

A Bill

To be entitled an Act to create the offense of conspiracy; to provide penalties; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

Section 1. If two or more persons conspire to commit any offense, and one or more of such persons do any act to effect the object of the conspiracy, each shall upon conviction, if the offense is a felony, be punished by imprisonment and labor in the penitentiary for not less than one nor more than three years or the punishment provided for such felony, whichever is the lesser; if the offense is a misdemeanor, the punishment shall be the same as the punishment provided for such misdemeanor.

Section 2. All laws and parts of laws in conflict with this Act are hereby repealed.

END