



*New York State Archives*

**New York State Temporary Commission on Revision of the  
Penal Law and Criminal Code Administrative and Working  
Files 13828**

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## Overview of the Records

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<b>Repository:</b>	New York State Archives
<b>Summary:</b>	This series consists of correspondence; studies; reports; newspaper clippings; drafts of bills; minutes and memorandums generated and received by the Temporary State Commission to Revise the Penal Law and Criminal Code. Subjects include abortion; adultery; arson; assault; birth control; bribery; burglary; capital punishment; disorderly conduct; entrapment; extortion; extradition; firearms control; gambling; homicide; insanity; kidnapping; larceny; malicious mischief; obscenity; narcotics; parole; post-conviction remedies; public intoxication; prostitution; probation; prisons; restitution; search and seizure; sentencing; and youthful offenders.
<b>Creator:</b>	New York (State). Temporary Commission on Revision of the Penal Law and Criminal Code
<b>Title:</b>	Temporary Commission on Revision of the Penal Law and Criminal Code administrative and working files
<b>Quantity:</b>	15 cubic feet
<b>Inclusive Date:</b>	1959-1971
<b>Bulk Date:</b>	bulk 1962-1970
<b>Series:</b>	13828

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## Arrangement

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Organized into four subseries: 1. Subject files; 2. Bill Drafting Files; 3. Hearing Files; 4. Publications and Unpublished Reports.

Subject Files: alphabetical by subject.

Hearing Files: chronological by hearing date.

Bill Drafting Files: rough chronological order by year.

Publications and Unpublished Reports: rough chronological order.

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## Administrative History

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Chapter 346 of the Laws of 1961 established the commission with the purpose of revising and simplifying the Penal Law and Code of Criminal Procedure.

The Commission's main purpose was to replace the Penal Law of 1909 which was very similar to the Penal Code of 1881. This law contained many archaic and dated provisions that were still in force at the time of the Commission's creation. The Commission also aimed to revise the Code of Criminal Procedure which was similar to the Penal Law in that it contained many nineteenth century provisions.

A study bill for the new Penal Law was drafted and submitted to the Legislature in 1964 and signed into law as Chapter 1030 of the Laws of 1965. In 1967 the Commission completed a draft of the Code of Procedure and submitted it to the Legislature the following year. This new code was eventually enacted in 1970 (Chapters 996 and 997) and became effective September 1, 1971.

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## Scope and Content Note

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This series consists of incoming and outgoing correspondence; annual (more specifically entitled "interim") reports, studies, published and unpublished reports; newspaper clippings; rough notes; typescript, printed, and galley proofs of drafts of bills; minutes of public hearings; and memoranda generated and received by the Temporary State Commission to Revise the Penal Law and Criminal Code.

The records of the commission are arranged into four subseries: subject files; bill drafting files; hearing files containing transcripts and related records pertaining to hearings held by the commission; and publications and unpublished reports accumulated by and generated by the commission.

The subject files (six cubic feet) deal with a variety of questions dealt with by the Commission including abortion; adultery; arson; assault; birth control; bribery; burglary; capital punishment; disorderly conduct; entrapment;; extortion; extradition; firearms control; gambling; homicide; insanity; kidnapping; larceny; malicious mischief; obscenity; narcotics; parole; post-conviction remedies; public intoxication; prostitution; probation; prisons; restitution; search and seizure; sentencing; and youthful offenders.

The hearing files consist of two cubic feet of transcripts and typed copies of statements presented at various hearings held throughout the state by the commission. The subseries deals with several issues studied by the commission such as illegally seized evidence, capital punishment, pre-trial imprisonment, compulsory finger-printing and photographing, arrests without warrants, and electronic eaves-dropping.

The final subseries (one cubic foot) consists mainly of miscellaneous publications collected by the Commission during its existence. The records deal with the death penalty, prison industry, court reorganizations, birth control and welfare, prearraignment procedures, alcoholism, and criminal behavior. The subseries also contains the annual reports issued by the Commission from 1962 through 1968. These "interim" reports are particularly useful in determining the amount of revision accomplished by the Commission in a given year as well as citing specific problems or issues faced by them.

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## Other Finding Aids

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### Available at Repository

Folder list is available at the repository.

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## Use of Records

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### Access Restrictions

There are no restrictions regarding access to or use of this material.

### Alternate Formats AvailableAlternate Formats Available

Related records compiled by Judge Peter Mcquillan, a member of the commission staff, are held by the New York County Supreme Court Criminal Term Library (New York County).

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## Access Terms

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- Crime

- Courts
- Criminal procedure
- Transcripts
- Criminals
- Legislating
- New York (State)
- Criminal law
- New York (State). Division of Criminal Justice Services
- Hichtman, Arnold.