

Atlanta Urbanist Book Group

A Kind of Genius: Herb Sturz and Society's Toughest Problems

By Sam Roberts

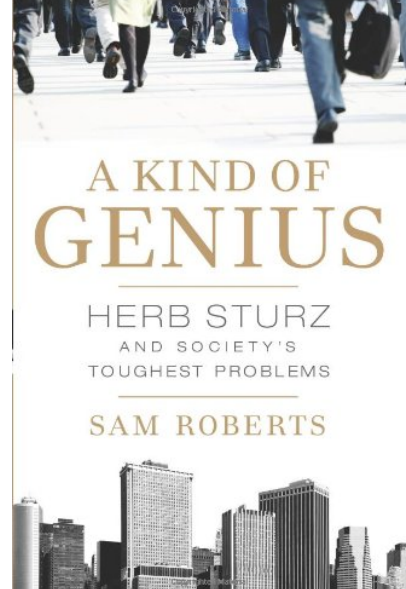
A Kind of Genius: Herb Sturz and Society's Toughest Problems is 324 pages, not including acknowledgements, source notes and index. There are 14 chapters, plus a prologue and an epilogue, in six sections.

Roberts was the longtime urban affairs reporter for the New York Times. He has written a dozen books about current events or New York City, including *A History of New York in 101 Objects*.

This is a book about one of New York City's greatest reformers and one of its least known, Herb Sturz. From the early 1960s to the late 1990s, Sturz made an indelible mark on the city during some of its darkest years.

His reforms changed how bail worked for indigent defendants and how alcoholics and drug addicts were treated. He focused the city's criminal justice system on victim and witness services and created New York's first "community court." He began the long and successful effort to return Times Square to its place as the crossroads of the world, rescuing it from crime, prostitution and pornography. He helped move development toward Manhattan's overlooked West Side.

Most remarkably, Sturz did this with little or no formal power or even a background in criminal justice or planning. In the late 1970s, he did serve as New York's deputy mayor for criminal justice and then as chair of the City Planning Commission, but his most impressive work was done earlier, as the head of a tiny nonprofit, the Vera Institute. As such, he had no power to dictate reforms or rewards to offer those who followed his advice. He had only his insights into how systems worked, a soothing manner and his powers of persuasion.



The book tells the story of Sturz's life and accomplishments but focuses on why Sturz was so effective, and how he managed to get things done. In that sense, *A Kind of Genius* could be a guide for reformers everywhere, including Urban Atlanta. In our discussion, the Atlanta Urbanist Book Group will focus on Sturz's methods—and what reformers and urban advocates could learn from them.

And what were his methods? Sturz summarized them for Roberts: “Surround problems. Talk with everyone, whether centrally or peripherally engaged. Test insights and facts against each other. Read. Observe. Learn by intervening. Initiate pilot efforts; most depend on both public and private sectors to succeed. Articulate goals in unthreatening language. Give credit to public agencies. They need it. That's where the dollars are.”

His first reform, of the bail system for indigent defendants in the early 1960s, shows how these methods worked. Hired by a New York philanthropist who was interested in reforms, Sturz (who had no background in criminal justice) set about studying the bail system, interviewing everyone from judges and jail officials to lawyers and bondsmen.

He quickly saw the problems: About a quarter of all defendants in 1961 could not afford bail if it involved a \$500 bond, which meant the defendant had to put up \$50 in cash. And without bail, defendants sat in jail awaiting trial, sometimes for up to six months.

This was a problem for the city government and injustice to the poor. At the time, 118,000 men and women who had charged with crimes but not convicted were incarcerated in New York City jails simply because they could not make bail. This came at a huge financial cost to the city. Defendants, too, paid a price since they could not work or actively assist with their legal cases.

There was an alternative: Judges could waive bail and release defendants on their own recognizance, a legal term meaning the person promised to return for trial. But were defendants' promises good? Most arraignment judges knew nothing about the people appearing before them other than their names and the charges. No one wanted to be the judge who released a defendant who fled or, worse, committed another crime while awaiting trial. It was safer to jail them.

Sturz figured out that the answer was to provide background information on the defendants that a judge could rely on. But this meant interviewing defendants on arrival at jail, verifying the information and making a written recommendation in a few hours' time. (Most defendants were arraigned within 24 hours, which was where bail was set.)

But what information could accurately predict who would show up for trial and who were flight risks? And how could this background information be assembled—and checked—fast enough to make the next-day arraignment?

The book explains how Sturz figured out how to do these things, with the aid of a remarkable assistant, Anne Rankin, and a team of law-school students.

But here's where the “genius” in Sturz comes into play. Designing processes, he realized, was not even half the battle. The real struggle was convincing all the interests that these changes were not only fairer for defendants but better for everyone else.

So Sturz did an experiment. He had the law students interview and classify a large group of indigent defendants. Then he randomly divided them. For one group, the “experimental” group, the team made bail recommendations. For the other, the “control” group, the team interviewed

and rated defendants but did not make recommendations. Then they watched and documented what happened.

What they found was that judges usually followed the recommendations of the Vera Institute team, releasing defendants it had rated as trustworthy 59 percent of the time. In the control group, with a similar number of trustworthy defendants but where no recommendations were made, judges released only 14 percent on their own recognizance.

There was another finding. Of the 215 defendants who got a Vera recommendation and were released, only three did not appear later on for trial, which was a lower percentage than for those who put up cash bails.

Two benefits, then, were immediately clear: Judges had confidence in the recommendations, and passing a background check was a better way of guaranteeing appearance at trial than cash bails.

But there was an even greater surprise. The Vera team followed the defendants through their legal proceedings. Nearly 60 percent of those who were released on their own recognizance were either acquitted or eventually saw the charges dropped. Of those who had remained in jail, only 23 percent were exonerated.

What did this show? That being free before trial helped defendants prepare their defenses.

When Sturz presented these findings, first to New York judges and city hall leaders, later to criminal justice professors and the federal Department of Justice, it made a big impact, creating a wave of reforms, in New York, other states and in the federal government.

Needless to say, this is not how reform typically happens. Public officials are used to being lobbied. What they're not used to is someone from the outside offering to study a public system, interviewing people at all levels, asking questions no one had thought to ask, and coolly subjecting ideas—their own and others'—to tests using rigorous processes.

This method—plus Sturz's personal and political skills—built support for his reforms, first in bail reform, then in other areas. He always stayed in the background, stepping forward only if something went wrong. Otherwise, he let public officials take the credit for changes that worked. This explains why Herb Sturz was called on to help with one major issue after the other. It also explains why he was so little known, until this book was written.

Sturz died in 2021 at age 90. His obituary in the New York Times, written by Sam Roberts, called him “a quiet force in the life of New York City,” adding that “his agenda and reach, in government and out, extended from criminal justice to urban planning, though his constituency—prisoners, the homeless, the elderly and more—hardly knew his name.”

When the Atlanta Urbanist Book Group meets, we will discuss Sturz's methods and manner, and ask whether they would work in Urban Atlanta. If so, we ask how these processes could work here.

When the Atlanta Urbanist Book Group meets, we'll discuss Sam Roberts' book about Herb Sturz's methods of reform. And we'll look for ideas in this book that could make Urban Atlanta better.

Our meeting will be **Oct. 2, 6:30 to 8:30 p.m.** at **1788 Ponce de Leon Ave. NE, Atlanta GA 30307.**

There's more information about this discussion at the [Atlanta Urbanist Book Group website](#).

Preparing for the discussion

Here are some questions we'll consider in our discussion:

1. What are "big ideas" in this book that you think could work in Urban Atlanta (that is, Atlanta and its suburban cities)?
2. If these big ideas were adopted, how could they make Urban Atlanta better?
3. What are some obstacles that might prevent these big ideas being adopted in Urban Atlanta?
4. Are there things government officials, civic leaders, neighborhood leaders or citizens could do—collectively or individually—to overcome these obstacles?

How to get your copy of *A Kind of Genius*:

- You can download an e-book edition from the Amazon, Barnes & Noble or Apple websites.
- You can buy a used copy through Amazon or a used-book website like Alibris. (The book is no longer available in print.)