

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/there-is-no-other-like-you-remembering-herb-sturz>

Public Facing Advocacy Writing

Just ten short days after we said goodbye to Michael E. Smith, Vera's president from 1978 to 1994, we received the heartbreaking news that Herb Sturz, Vera's founder and Michael's predecessor, left this world too. Herb led Vera from 1961 until Michael took the helm. This is a deeply sad day in a sad month for the Vera community. It is especially difficult for me. I am only the fifth of five Vera presidents in 60 years. We are a small club with tight bonds, and at the beginning of this month, we were all still at work, with Herb as the recognized club president-for-life.

Herb's Vera story may be familiar to many here. In 1961, he was asked by Louis Schweitzer, the philanthropist who started this eponymous organization and the son of Vera Schweitzer, to find a solution to New York City's overcrowded jails. Herb visited the Tombs, the notorious jail in downtown Manhattan, and went cell by cell asking people why they were incarcerated. To the person, it was because they couldn't pay for their liberty. Out of that empirical investigation was born the commonsense, yet radical, notion that if the courts were worried that people wouldn't return to court so much so that they would impose bail as collateral, they could instead look at a person's community ties as a better indicator. Herb enlisted court representatives to advocate to criminal court judges for release without bail and hired researchers to study the impact of these judicial decisions.

The Manhattan Bail Project, which emerged from Herb's hunch that money bail wasn't necessary to get people to return to court, introduced to the U.S. criminal justice system the concept of release on recognizance. This concept, in turn, captured the imagination of then-U.S. Attorney General Bobby Kennedy and eventually shaped the federal Bail Reform Act of 1966. Although the money bail system persists across the country and has frankly become even worse after five decades of our stratospheric, unstoppable ascent into mass incarceration, at least in New York City, the home of the Manhattan Bail Project, more than 70 percent of people going through the courts are released back to their families, their jobs, and their homes, with a chance to fight their cases and preserve the stability and dignity of their lives. It is fair to say they have Herb to thank.

It would be enough if Herb had ended his work there. He did not. The Vera he built and the empirical, fierce, insistent, and entrepreneurial spirit he fostered within its walls led to the incubation of almost 20 nonprofit organizations in New York. These organizations still exist to, among other things, help people find work after incarceration, provide counseling and treatment to people with criminal legal system involvement, treat survivors of crime with dignity and care, offer healing alternatives to prison, and provide guardianship to incapacitated people in desperate need of protection.

Yet, the Vera of today looks quite different than Herb's. He was focused on justice and making individual New Yorkers' lives better. We focus explicitly and assiduously on eradicating racial injustice as our central tenet. And we aspire to change at scale: to transform the field of prosecution to one that pursues justice, not jails; to make sure that every single immigrant facing deportation has a government-funded lawyer and a chance to stay with their family and be part of our communities; and to ensure that any incarcerated student can receive a quality college education, something increasingly necessary to thrive in this country. Where Vera once incubated organizations across New York City, we now strive for national change in policy and practice across state capitals and in Washington, DC, alongside partners from communities and allies in government. We have equipped ourselves with the tools: campaigns and advocacy to power our research we need to end overcriminalization and mass incarceration, phenomena and terms that did not exist in 1961 as they do now. But we are in essence and in our DNA still Herb's Vera: empirical, independent, fierce, insistent, and endowed with entrepreneurial spirit.

Vera's evolution to what it is today was necessary. But I confess that I worried that this difference would not be well received in Herb's eyes. Indeed, early on in my tenure, I was terrified that we might be messing up Herb's Vera. After all, Herb's biography was entitled *A Kind of Genius*. This was not an abstract, distant concern. Herb and I were often in the same rooms, on the same committees. Our ranges overlapped, and he might as well have been looking over my shoulder. But, in my eight years of running Vera, Herb was nothing other than a mensch, mentor, champion, encourager, and occasional nudge. He loved this organization in his bones and was proud of who we've become, 60 years to the day he founded it. If he was critical of anything, I never knew it.

The last time I saw Herb was four weeks ago. He spoke of his love for Vera, his confidence in our course. We talked about how much we cared for each other and how much our relationship meant to each of us. And then, in classic Herb nudge mode, despite being prone and in pain, he moved on to discuss the effort to close Rikers, something he had the foresight to work on four decades ago. There are two people you need to call, he said. He looked up at me, and waited. And then I realized that was my cue to pull out my pen and paper.

Herb, we will miss you. There is no other like you.

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