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Editorials

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EDITORIALS

A MODEL REPORT ON CRIME FROM AN ATTORNEY-GENERAL'S OFFICE.

It would be strange if the Attorney-General's offices of the several States were to be referred to the Attorney-General's Office at Manila for a model report on crime in their jurisdictions. Yet something as extreme as that might almost be said if we compare some of the reports from the Attorney-General's Office at Manila with the reports of even the best of our State Attorneys-General offices.

Any one who recalls the first report of the Institute's Committee on Criminal Statistics, John Koren, Chairman, in 1910 (printed in Vol. I. of this JOURNAL, pp. 417-437), is aware that thirty States collect and publish no figures or facts whatever, and that twenty States publish some feeble or inadequate figures and facts. Among these twenty are found reports (usually from the Attorney-General's Office) giving a greater or less portion of the statistics concerning crime and criminal justice. In Mr. Koren's report (p. 433, Vol. I. of the JOURNAL), is a descriptive account of these reports. With the exception of Alabama and Indiana, not one of these purports to offer an analysis and comparison of the statistics, or a study of the prevalence, causes, environment, and general human aspects of these bare figures. The statistics, so far as they are well collected (which is seldom), are left without any comment, and can be of only the most limited service to anybody. As a study of the living aspects of crime in the jurisdictions, they mean nothing to the reader.

Contrast with this the special report of the Attorney-General (Ignacio Villamor) at Manila, dated 1909, which has just been forwarded to us. After presenting fifty-four tables of statistics, the report goes on with forty pages of "Remarks on the Most Common Crimes," in the order of classification—crimes against public order, against property, against the person, against public morals, miscellaneous crimes. Under each crime, the reporter then goes on to describe the usual mode of committing it, the causes leading to its special prevalence in each province, the peculiarities of notable instances of it, the ratio to population, the reasons for failure to suppress it, the proposed methods for the future, and similar practical and living aspects of the year's crime. (This particular report covers five years, 1903-8).

AN IMPORTANT APPOINTMENT

The most interesting and convincing feature is that the Attorney-General's report is itself based on reports from the prosecuting officers of each province, given in reply to specific questions formulated for them. These provincial reports are written by the man on the spot. He is full of his subject; he has been close to the crimes themselves. He has views of his own as to the causes, the difficulties, the prospects. Out of these combined reports is built a general survey which shows the common features of the problem and its local varieties. A perusal of the extracts from the local reports makes the reader feel the reality of the facts, and the intensity of the problems. There is nothing like it in any of our State reports.

This report ends with a ten-page comment on the "Causes of and Remedies for the Most Common Crimes," and an Appendix on the "Influence of Food and Climate on Criminality."

But what will be the surprise of one of our Attorneys-General or State's Attorneys, on perusing these comments in the Manila report, amidst the lawyer-like citations of "Ordinance No. 106, Nov. 20, 1908," and "Act No. 1773," to find also citations and quotations of Ferri's "Criminal Sociology," and Carpena's "Criminal Anthropology," and similar works? "What!" he will exclaim, "am I expected to know anything about criminal sociology or criminal anthropology or such academic literature? Must I test my conclusions or explain my facts by any principles of criminal science? I am supposed to know the *law*. And is not that enough?"

Well, it *has* been enough. But it is not going to be enough any longer. At least, there are those who believe that it is a matter for national chagrin if the Attorney-General's office in our newest territory can make a report which enlightens and vivifies the whole subject of this part of his duty, while the other offices of our Attorneys-General do not show the progressiveness that would lead them to do the same.

J. H. WIGMORE.

AN IMPORTANT APPOINTMENT IN THE MUNICIPAL COURT OF BOSTON.

The judges of the Municipal Court of the city of Boston have just appointed Victor V. Anderson, M. D., as an assistant probation officer in that court. Dr. Anderson, in addition to the usual medical training, is a special student of psychology, and is at present an assistant instructor in psychology in Harvard University. He has also been an assistant for the last two years in the Summer School courses given at Harvard

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by Dr. William Healy of Chicago, in Abnormal Psychology, with special reference to delinquents. He is assistant physician at the Boston Psychopathic Hospital, a Teaching Fellow in Psychiatry in the Graduate School of Medicine in Harvard University, giving a course on the diagnosis of feeble-mindedness to post graduate physicians, and since the opening of the Boston State Hospital, has been on the medical staff in the Psychopathic Department, carrying on a special investigation of mental defectives.

The appointment of Dr. Anderson to his present post is a frank admission by the judges of that court of the need of an expert in matters of medicine and psychology in supplementation of its ordinary probation work, and the appointment is made in the hope and expectation that his services will be valuable, not only to the judges of the court in determining criminal responsibility of prisoners, and lesser degrees of feeble-mindedness indicating necessity for medical rather than penal treatment, but also of assistance to the remainder of the probation force of the court through his expert training in matters of psychology, in indicating proper methods of treatment of persons on probation.

Appointments of this sort are the logical consequences of the doctrine of individualization of punishment. We must know the individual to whom punishment is to be fitted unless we are willing to go on, in an archaic fashion, making the extent and nature of penal treatment depend upon the offense committed; the theft of a dollar watch or of a high grade automobile, for instance. We are not willing to go on that way. The development in Boston is exactly in the line of progress that is most earnestly urged by the Institute of Criminal Law and Criminology. The Committee of the Institute on "Methods of Recording Data Concerning Criminals" has recommended the creation of just such situations in our own courts as that which Dr. Anderson has come to fill in Boston. The last report of this Committee is now in bulletin form and may be obtained from the secretary at Madison. The rapid development of a department for research in the state reformatory at Jeffersonville, Indiana, is another hopeful sign of the times in American criminology.

ROBERT H. GAULT.

FARM LABOR FOR CONVICTS IN ILLINOIS.

It is announced that 300 convicts from the state prison at Joliet, Illinois, will immediately be employed on a one thousand acre farm that has been obtained for the purpose near Joliet. This, up to date, is the culmination of the efforts of the State Prison Commission on which Mr. James A. Patten and Congressman Copley have done conspicuous

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service. It is a step in the direction of making prison labor conform to the most approved educational standards. Labor has high educational value—no other agency surpasses it in this respect—and, therefore, it must be applied in the efforts of society to readjust the criminal. It loses much of its force, however, like any other method of education, unless it can be applied in favorable conditions. We cannot inspire the best citizenship in a cramped, filthy, ill-ventilated school house, nor develop a historian where there are no archives. We must become familiar with the conditions in which the process of education goes on most favorably and then secure those conditions at any cost. That is what the state is doing in the name of the public in the school system. It is time to apply the same wisdom in our penitentiary methods as well. The greatest possible spontaneity in work and the most healthful surroundings available must be found, in order to get the best returns, in the shape of re-education, from prison labor. With this in view, farm labor easily demonstrates its superiority. ROBERT H. GAULT.

THE AMERICAN PRISON ASSOCIATION.

The American Prison Association held its annual congress in Indianapolis from October 11 to 16, inclusive. In point of attendance of delegates and members the congress was successful even beyond expectations. To one who for the first time mingled there with American prison officials and students of penology, this great body seemed to be a high-minded, intelligent and intensely earnest group of public servants. It was the testimony of those who, year after year, have met at this congress and listened to the discussions among its members, that this assemblage represented a distinct forward step in point of excellence of its program. It is a matter for regret that, because of the lateness of the day, we are unable to insert in the present issue of this JOURNAL the abstracts of several of the most important reports and addresses that were presented at the congress. It is our purpose to have the abstracts ready for the following issue of the JOURNAL and to insert there also, probably, and in subsequent issues, some entire papers that appeared on the program.

A notable feature of the assembly was the visit of the commissioners from Prussia, Messrs. Plaschke, Schlosser, Hiekmann and Remmpis, who are spending some time in America. They were appointed by the Prussian Government to visit America for the purpose of studying our penal system, our court procedure, our philanthropies, and, in fact, every phase of American life and activity that can have any bearing upon the development and treat-

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ment of criminals. They were repeatedly honored by the Prison Association, and were entertained at luncheon, together with a score of other guests, by Judge Quincy A. Myers, Justice of the Supreme Court of Indiana and President of the Institute of Criminal Law and Criminology.

One of the live subjects of the day that received considerable attention was the colony treatment of prisoners. High ground was taken in the Warden's Association in the discussion of Probation, Parole, and Correspondence Schools for prisoners. One would justifiably infer on the basis of discussions that were provoked there, that the popular foreign conception of our American prison wardens as mere political heelers is a mistake. The ideal prison system for a state was discussed by Governor Foss of Massachusetts; child labor and crime; the indeterminate sentence; medical departments in penal institutions, their equipment and management; criminal law reform, and many other subjects were under discussion. The report of the standing committee on criminal law reform was submitted by the Honorable Warren W. Foster, Judge of the Court of General Sessions, New York City. It was discussed admirably by Mr. Herbert R. Limberg, of the New York Bar, New York City.

One of the very attractive features of the congress was an exhibit illustrating the enactment and administration of criminal law in Indiana. It was arranged by Mr. Amos W. Butler, Secretary of the State Board of Charities, Indianapolis. Here there was set forth before the observer, in concrete form, not only the present status of the charitable organizations and administration of law in the state, but the historical development of the situation as it stands today. The exhibit was a piece of work that had a high educational value, and Mr. Butler is to be congratulated for having conceived it.

The newly elected president of the Prison Association is Dr. Samuel G. Smith, of St. Paul, and the next annual meeting will be held in that city.

The tendency toward the study of the individual delinquent found expression in the Prison Physicians' Association, where discussions of the mental factor in crime and important types of delinquents were discussed. The same tendency was illustrated also in the action of a group of physicians and psychologists who organized a new section of the Prison Association, to be known as The American Association of Clinical Criminology.

The membership of the new association will be small. It will be limited to those who are actually contributing to the sum of human

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knowledge of individual delinquents in the fields of medicine and psychology. It is, as its name indicates, an association for the clinical investigation of criminology and no more than that. The first impulse toward its organization was given by Dr. David C. Peyton, superintendent of the Indiana State Reformatory at Jeffersonville, who invited a number of gentlemen who are engaged in research to meet him in Indianapolis at the Prison Congress to discuss the problems of criminology from the point of view of the scientific investigator. The new association plans, each year, to select one of its number to deliver an address in one of the general sessions of the Prison Congress in which the results of clinical research shall be set forth in popular fashion. No knowledge is worth while that doesn't help.

The new association has been made a section or auxiliary society within the American Prison Association. It is its purpose also to seek status as a section in the Institute of Criminal Law and Criminology. It will then be its aim to present, each year, a program at the annual meeting of each of the larger organizations. The officers for the ensuing year are as follows: Dr. F. L. Christian, of the Elmira Reformatory, president; Prof. R. B. von Kleinsmid, of the Jeffersonville, Ind., Reformatory, secretary-treasurer. The Executive Council is composed of Dr. David C. Peyton, of Jeffersonville; Prof. Lightner Witmer, of the University of Pennsylvania; Dr. William Healy, of Chicago; Dr. Katharine B. Davis, of the New York Reformatory for Women; Prof. Robert H. Gault, of Northwestern University, and the president and secretary of the association *ex-officio*.

ROBERT H. GAULT.