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THE PSYCHOPATHIC LABORATORY IDEA ¹

HARRY OLSON.²

In March, 1914, a branch of the Municipal Court in Chicago was established called the Boys' Court, to which was transferred for trial all cases against boys under twenty-one years and over seventeen. The cases of boys below seventeen years are heard by the Juvenile Court, which is not a branch of the Municipal Court.

Prior to the establishment of the Boys' Court large numbers of youths were confined in the Cook County Jail where they were segregated from other offenders in a so-called jail school, maintained by the Chicago Woman's Club. The Juvenile Protective Association of Chicago investigated the conditions of these boys and found that an average of seventy boys were constantly confined in the Cook County Jail awaiting trial. This Association made an intensive study of the charges against these boys and found that many of the arrests were for insignificant charges; that many of the boys were the prey of unscrupulous lawyers and rapacious bondsmen. After the establishment of the Boys' Court most of these cases against boys were disposed of in the Municipal Court.

During a period of about six months, for which I have the figures, we found that 70 per cent of the cases against boys were for violations of the city ordinances, 12 per cent were for misdemeanors and 17 per cent were for felonies. Forty per cent of the boys charged with misdemeanors were discharged, and 47 per cent of those charged with felonies were discharged, indicating that in the opinion of the Judge the charges against them were of a trivial nature. Indeed, this is borne out by the fact that two-thirds of the violations of city ordinances, with which the boys were charged, were disorderly conduct, and about half of all cases against boys were for disorderly conduct, in the six months' period. Larceny, burglary, receiving stolen property and robbery, comprised the next largest group of offenses after

¹Extract from address before Kansas State Bar Association at Topeka, Jan. 28, 1915.

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disorderly conduct. The following is a sample of the principal charges against boys:

- Standing on sidewalk.
- Failing to move on at the command of a police officer.
- Sleeping in box cars.
- Flipping trains.
- Making boisterous noises.
- Being found in a pool-room.
- Idling.
- Rushing the can.

During one month 114 boys were tried in the court who had been in the Court once before, prior to March 18th. Six had been tried in the Boys' Court four times in six months. Many boys are brought to the Court merely because of a previous record. One boy had been arrested nine times within eighteen months.

The felony charges comprise some of the most daring and desperate crimes. Of these, about one-half are convicted and one-half discharged. Of those held to the Grand Jury, about one-half were discharged. About 800 cases per month are heard in the Boys' Court.

The period of adolescence is the dangerous age, when most first commitments occur. At seventeen years of age the boy is beginning to assert himself in the world, and to take his share of responsibility.

The segregation of cases of male offenders of adolescent age, into one court, in a large city like Chicago, enables us, with the aid of the Psychopathic Laboratory, to make an intensive study of the causes of crime and to reach sound conclusions as to preventive remedies.

The Boys' Court had been in existence only about one month when a Psychopathic Laboratory was established in connection with the Court. We have, therefore, full data regarding the mental status of the large number of the cases brought into this Court. This Laboratory is presided over by a trained alienist and psychologist. To him the judges refer suspected cases for a report on the mental status. In case of insanity, of course, the offender is not punished, and when less, but yet morbid disturbance of the mental faculties is found, the Court has the right, and it is his duty, to take the fact into consideration in fixing the penalty.

The new field turned up by the Psychopathic Laboratory of the Municipal Court of Chicago, has developed two important aspects—the economical and neurologic.

The neurologic is the one that assumes the greatest importance from the laboratory standpoint, as it involves so many important questions bearing on normal and abnormal psychology, ethics, neurology, questions of responsibility, etc.

For the public, on the other hand, the economic side assumes the greatest importance, for it is a fundamental question in matters of law, sociology, efficiency, unemployment and the influence of the fundamentals here at work on the labor market in general.

Such findings as the laboratory here has been able to make would hardly be possible, at least in such a short space of time, without the well organized specialized courts and their auxiliaries. Dr. Hickson's studies are showing, especially in the Boys, Morals, Domestic Relations and some of the other criminal branch courts, that one of the principal factors at work in bringing offenders into these courts is the abnormal mental and physical status of the accused. When the findings of the laboratory are eventually, even though only partially, understood and appreciated, and the use the judges now sitting in these courts make of the laboratory in the matter of adjusting penalties, becomes known, there will be no community and no court which will have, indeed will tolerate, a city court without its psychopathic laboratory. When sociologists, probation officers, teachers and judges realize what these findings mean, what material they have been working on for all these years without making the least impression upon it for the better, and that conflict with the law in a large group of cases, or in other words inability to adjust one's self properly to one's environment, is due not so much to criminal tendencies, but in many cases to feeble-mindedness, insanity, light and severe grades, or a combination of both, to say nothing of the large percentage of physical defects and neurological deficiencies, there will be a rewriting of the criminal code so that the question of guilt will be identical with the question of mental soundness. Courts will insist upon knowing of their own motion if the parties themselves have not friends to present the facts, the true mental condition of offenders up for sentence, and the community will provide for these delinquents appropriate places, such as colonies, vocational schools, city workshops, etc., as well as in a measure try to repair the great wrong which has been done to these unfortunates in all these years of our ignorance as to basic causes at work and the proper methods of treatment. Such laboratories will be the means of preventing much of the crime, many murders and other acts of violence. If such a system could be developed with even an efficiency of seventy-five per cent, and there is no doubt but what it can be even higher, the benefits that will accrue to us all, the public as well as the unfortunates who come before the courts, the vast saving in taxes for the maintenance of our present penal institutions and police systems, not to mention the security to life and property, would be incalculable.

Of course, the question at once presents itself, why these cases cannot be discovered sooner, that is, before they have committed the crime, and a proper diagnosis and prognosis made which will enable us effectively to head off the stream of criminals into channels of more or less usefulness. These cases can be diagnosed and prognosed in their earliest years, but such diagnosis demands the very highest degree of expertness, especially in the higher grades of feeble-mindedness, such as the sociopaths. The mental slowup and arrest of development first occurs in the teens. At the present time the number of men in America who are capable of doing this work are very few, and it is going to take some time before we can develop enough to do this work with sufficient thoroughness. Consequently, we will have to depend upon a city central laboratory in connection with the City's Health Department, where all of this work can be controlled, not only in the schools, orphan asylums, foundling asylums, municipal lodging houses and other public and charitable departments, but in the court as well. Such a central laboratory would, of course, develop efficiency and economy, and would place the city maintaining it in the front ranks of modern scientific and humane progress.

In the Boys' Court, of those examined, 85 per cent are distinctly feeble-minded. Here it must be noted that those examined are selected from a highly specialized group. A certain percentage of these also show dementia praecox grafted on the feeble-mindedness. There is also a scattering of psychopathic constitution, these very often also showing drug and alcoholic addiction, and also a scattering of epilepsy and moral defect.

The Morals Court is practically giving identical results, except in chronological age, where the general average is higher; this also accounts for a somewhat higher percentage of venereal diseases in the latter. Cases of manio-depressive insanity and paresis are found; in one month three cases of paresis in the early stages were found. These cases, until the laboratory was established, would be treated as responsible individuals and made to answer for their transgressions. On the whole, therefore, the Morals and Boys' Courts are giving the same results in those examined—85 per cent distinctly feeble-minded. The fallen woman defective is the female equivalent of the boy delinquent-defective, and they are both the victims of a society too complex for their mentality to assimilate, and being equipped with the same powerful instincts for self-preservation of the normal, and not being able, in competition with the normal, to provide food and shelter, they must take more direct methods, and so transgress the law.

In the Domestic Relations Court the laboratory finds the situation more varied than in the other two, but just as bad as regards the degree of hopelessness and irresponsibility of many of the persons who come to the court.

Cases examined in the Court of Domestic Relations in nine months, 307.

Alcoholic	36.8 per cent
Insane	29.6 per cent
Feeble-minded	14.0 per cent
Epileptic	4.0 per cent
	84.4 per cent

In the feeble-minded group we have also some Mongolian and Cretin feeble-minded.

The alcoholic groups contain a large percentage of dementia praecox, manio-depressive, insanity, paresis, psychopathic constitutions and feeble-minded. In fact, Dr. Hickson says it is hard to find an alcoholic so bad that he finds his way into this court, without some underlying psychic or neurotic condition. There is a scattering in this court of moral defects, drug habitues, sex perverts, etc. Physically almost everything under the sun is to be found here, though of all these *tuberculosis* plays the most important role. The above results only show a small percentage of cases going through this court, and is a rather selected group, but even as it stands it demonstrates the necessity for such a laboratory to assist the judge in coming to a just decision in a case, and there is no doubt, speaking from experience about this court, that if we had assistance enough to see the majority of cases that go through this court, the percentage of cases of lack of responsibility through one cause or another would be even greater.

A physician is also necessary in this court to expose malingering, etc., in the respective defendants, where a man claims he is physically unable to support his family through this or that illness or injury. This is a very important function. On the other hand, deception on the part of some of the women defendants or complainants is frequent.

The above three courts in addition to the adult criminal courts, offer one of the best clinics in abnormal psychology in existence.

In the criminal branches the feeble-minded group plays by far the largest role. Before the findings of the laboratory were made known it was supposed that the insanities were the important factors in many cases. This older higher group of the feeble-minded has heretofore not been generally recognized and would not have been so quickly and forcibly by our laboratory if it were not for the segre-

gation of these cases in special courts, where when seen *en masse* the high percentage of feeble-minded was at once patent to the expert. There will, therefore, have to be a reclassification of the feeble-minded, which will bring in this higher, economically and socially more important group. The classifications thus far offered have been based solely upon inmates of institutions for the feeble-minded of the present day type, institutions mostly of a care-taking nature filled mostly with cases of so low a grade that they are easily discovered very early in life. The three principal classifications at present in use are those based:

First: On ability to communicate with one's fellows and make one's wants known through speech or writing.

Second: That based on educability.

Third: An industrial classification.

The laboratory is at present at work upon classifications that will not only apply to low grade cases, commonly found in training schools and institutions for the feeble-minded, but will also include the higher grades or late arrested cases, who seldom get into a feeble-minded institution, but more often into the penal institutions.

Our first classification will supplement the present industrial classification, in that it will be one based on efficiency and will be of the highest value to employers and social workers.

Our second classification will be a neurological one and will be of the utmost importance to physicians, neurologists and psychiatrists.

Our third classification will be a qualitative one and will be of great importance to normal and abnormal psychologists and will be also more or less of a legal classification, as it will deal especially with the different degrees of responsibility.

The findings of the Psychopathic Laboratory will in time induce us to modify our treatment of a large number of criminal classes who are defective. Such laboratories will, of course, first be established where they are most needed—in the great cities of the country.