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Editorials

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EDITORIALS

THE RETIREMENT OF JUDGE MERRITT W. PINCKNEY FROM THE JUVENILE COURT OF CHICAGO

Merritt W. Pinckney was judge of the Juvenile Court of Cook County from September, 1908 until April 1916 when his retirement from the work of that court was made necessary by his physical condition. His friends arranged a reception and banquet in his honor. The gathering was a remarkable testimonial to Judge Pinckney and it also resulted in a very definite appraisal of the work of the Juvenile Court.

There are some public officials whose record is such that it brings no pride to those who are interested in the welfare of the child, but the citizens of Chicago are to be congratulated that after the judge of their children's court had been in office for more than seven years such expressions of opinion concerning him and his work should be written as those which follow.

All the good things said and written cannot be quoted—four have been selected because of the careful attention which should be given to whatever the four authors say; for they are authorities in their various lines:

Miss Julia C. Lathrop: "Nothing could be more fitting than this recognition of the extraordinary service Judge Pinckney has given, first, to Chicago, and, second, to the whole country, by his work in the Juvenile Court of Cook County. A lesser man struggling with ill health might have sought refuge in that court as a bench requiring little mental exertion or judicial training, for so it was regarded in the beginning. Not thus the modern-spirited jurist who sees in the wise discrimination of human needs and child's rights the demand for real acumen and for exacting, laborious work, and for a high use of the judicial mind.

"Under Judge Pinckney the service of the Juvenile Court has been enriched by expedients which were beyond imagination when that court began its work in 1899, and yet all have come naturally and logically. Certain items of this development, however, are especially due to Judge Pinckney's courage and initiative, among them the mothers' pension law, the incorporation of mental examinations as an integral part of the court, and the appointment of a woman assistant to hear girls' cases. No history

of the Juvenile Court movement will ever be complete without recognizing Judge Pinckney's services."

Professor W. I. Thomas: "We all recognize that the normality and efficiency of a society depend on the behavior of its members, but we have been slower in recognizing that the normality and efficiency of the members depend on the behavior of the society toward him. In the main, the Juvenile Court deals with cases in which society is not behaving properly toward the child, and is consequently getting undesirable responses from the child. The older view of this situation was that society had the right to punish the antisocial individual; the newer view is that the antisocial individual has a right to demand that society shall make him a useful and normal member.

"It is evident to all who are acquainted intimately with the methods of the Juvenile Court in Chicago that the latter standpoint has been most consistently and devotedly occupied by Judge Pinckney."

Dean John H. Wigmore: "The methods of the Juvenile Court are to be the methods of all so-called Criminal Courts in the future. The successful demonstration of such methods has been a necessary stage prior to their expansion. Had the experiment failed, the cause of progress would have been set back for many years. Thus the system depended upon the personal element. And it is fortunate for the community, and for the world, that the right man was at hand, for the crucial moment, to consolidate the progress already made and to make the demonstration conclusive.

"That man was Judge Pinckney. And all the annals of our profession will record permanently its gratitude to him for showing that the legal profession is capable of taking its proper part in modern methods of making law synonymous with justice."

Mr. Harry A. Wheeler: "Nobility of character and heroic service, commendable wherever exhibited, are much less to be commended when performed in high places under the stimulus of public opinion than when performed in dark and dreary corners of the earth, or in those quarters of a great city where misfortune and misery seem the common law. It is easier to be brave and to serve under the plaudits of the multitude than to hold tenaciously to a great service of which the multitude is unaware.

"The man whom we honor tonight served in the shadow, in physical weakness, in the heartache which evidences of suffering

bring to a sensitive personality, and I am looking forward to that day of true justice when such names as his shall be written high upon the banners of this nation, and when such service as his shall take rank as the foremost service that can be rendered to one's generation."

The friends of the Juvenile Court of Chicago need not worry about its future. It has too firm a foundation to be easily displaced and the present judge—Victor P. Arnold—is a man who will not only maintain the standards which have already been set, but who has the vision and initiative to bring about an even fuller development.

JOEL D. HUNTER.

ON THE SCHOOL FOR POLICE

It is in part a heritage from our Anglo-Saxon ancestry that we Americans from the beginning of our national life, and earlier, have distrusted the police, the military, and any other organized agency that can interfere with the individual's freedom of movement and thought. This attitude has become conventionalized on our part. We persist in it as a matter of course just as we hold to some of our political and religious prejudices, to which we may never have given serious thought for so much as a moment. This heritage from our remoter ancestors has been strongly re-enforced in America by reason of our manner of living. We have always—certainly until comparatively recent years—been close to the outposts on the frontier. Men have lived far from their neighbors, where a living and subordinate attainments have been won only at the expense of personal, independent prowess. There is a romance about that sort of life, and it is natural that, while we look upon the accomplishments of more or less isolated individuals with a good deal of pride, we should be all the more ready to frown upon police forces which can so easily make our stalwart toe the mark.

It is unfortunate, to put it mildly, that we should, merely as a matter of course, cherish this attitude toward the police forces. This for the sufficient reason that we are rapidly becoming city dwellers, and as such we are beholden to the police in enlarged measure. Perhaps no officials in our city communities are so close as the police to the roots of corruption. Certainly they know, if anybody does, the personnel of the army of crooks and vagrants, and they know the

methods also of the underworld. In fact, the peculiar knowledge that the police are in a way to acquire, and do acquire, creates an obligation on their part to render a great public service. Likewise it places upon the rest of us who are not policemen and police women, a reciprocal obligation to support and to co-operate with the police to every good community end. But to give force to this mutual obligation there must be mutual understanding. This means that, on our part, our social heritage of conventional distrust of the police must be disowned and that the police, on their side, must not only be made skillful in the technique of their own profession, but that they must sympathetically comprehend certain of our outstanding community problems as well. Their education in these respects and the breaking down of the conventional barrier between the people and them will be accomplished through special educational enterprises, just as the conventional barrier between classes in the community has been, or is being, shattered by liberalizing education and investigation.

In the last number of this Journal, at p. 622, Dr. Graham Taylor aptly quotes Chief Vollmer of Berkeley, Cal., saying that "Police work is a profession, not a job." There is public recognition of this truth in the fact that many of our municipalities have established schools that are more than drill courses for police within the police departments; that among the detectives of the Chicago force there is organized a voluntary Detective Sergeants' Association with approximately 450 members under the presidency of William F. Enright, and with W. J. Kennedy as secretary. This organization holds monthly meetings, at which it is addressed by men who are able to give instruction in subjects related to the detective's occupation. There is additional recognition of the growing public sentiment favoring education for the future police in the initiation by Mr. Mayer, secretary of the Chicago Police Department, and Mr. Martinek of the Municipal Civil Service Commission, of a plan for a police school on an independent basis. The curriculum proposed emphasizes very strongly the technical training of detectives in the art of detection. It is the purpose, in fact, of the proposers of this plan to make the school at the same time a center for the training of detectives and a nation-wide detective agency, from the profits of which the institution will be supported.

Far-reaching results for the next and subsequent generations will be attained if the universities will take hold of the problem of education for police service and management as intelligently and with as much zeal as they have already taken up the problems of the man-

agement of industrial corporations. To do so will be quite compatible with university dignity and with proper regard for public virtue as well, if not with academic prejudices. And the universities are arising to their obligations in this matter. They have in their curricula much of the wherewithal to contribute to the professionalizing of our future police forces, and it is in their power also to mold the conventional attitude of the next generation toward the police function in our daily life.

A committee composed of members of the faculty of Northwestern University, in the course of the year 1915, made a study of European police schools, as well as of the situation in America, to determine what should be the character of such schools in this country. The result of their investigation is published in this journal for January, 1916, at p. 794f, very briefly in the form of a curriculum, which is reprinted below.

SCHEDULE FOR PROPOSED COURSE IN INSTRUCTION OF
POLICE AT NORTHWESTERN UNIVERSITY.

Three periods of 45 minutes each, extending from 6:30 to 9:30 P. M. on Mondays, Wednesdays and Fridays.

A.

Criminal Law: (Text Book—May on Criminal Law.)

Two hours per week for one-half year.

- (a). General Principles.
- (b). Criminal Code of Illinois.

Physiology and Anatomy: (Text—Martin's Human Body.)

Two hours per week for one-half year.

The course includes, besides certain essential features of the subject, the following:

- (a). First Aid.
- (b). Wounds. (Types of wounds produced by various instruments.)
- (c). Changes in tissues after death.

Hygiene: (Text—Hutchinson's Health of the Body).

One hour per week.

- (a). Personal. (Infection, contagion, etc.).
- (b). Public. (Streets, alleys, public buildings, etc.).

Evidence: (Text and lectures).

Two hours per week.

(a). Judicial proof.

(b). Physical evidence.

Psychology: (Text and lectures on Elementary Psychology).

Two hours per week.

Practical Sociology: Lectures and observation of charitable and penal institutions at work.

One hour per week.

Criminal Procedure: (Text—Beale on Criminal Procedure; Illinois Criminal Code).

One hour per week.

Police Administration; Comparative Study: (Text—Fosdick, European Police Systems).

One hour per week.

These courses contain the elements of the scientific foundations for a professional police and detective force. Is it the expectation of the committee that the courses as outlined here will soon take on broader aspects. Undoubtedly it will in time attract students, not already members of a police force, who wish to find here an opening to a new profession.

The plan adopted by the committee was referred to the Mayor of Chicago. They thought, at that time, that to make the enterprise successful it would be necessary to obtain the co-operation of the city government at least to the extent of offering promotional credit to members of the police force who should successfully complete the proposed course. The Mayor acknowledged receipt of the committee's communication, but the matter has apparently received no further attention. A proposal to open the school independently of municipal co-operation is being considered seriously.

Another movement toward the development of a police school is that in Berkely, Cal., in the police department, under the direction of August Vollmer, chief of police, with the active co-operation of members of the faculty of the University of California. A school with a three-years' course will be opened there in the present month. As far as the scientific aspect of its curriculum is concerned this is the most pretentious plan yet set forth in America. It is expected that it will develop into an independent school on a distinct foundation. We shall publish full details concerning this institution in our next number.

In this connection it should be said that during the last summer session at the University of California Chief Vollmer gave a course of lectures on Methods of Police Investigation which included lectures and laboratory exercises on European and American police systems; the Bertillon and finger-print methods of identification; photography; questioned documents, etc.

At the University of Missouri, Northwestern University, the University of Chicago, the University of Minnesota and at many other institutions of like character more or less work is offered that bears specifically upon some police problems. We expect to publish later in these pages a complete survey of this matter.

The foregoing are the outstanding movements in this country which are destined to contribute toward the development of a scientific police that shall be as well educated and trained for its work as our regular army is for its functions.

When the police school, or in broader terms, the school of criminology, in the university trains up men who have hitherto been unattached to professional police work as well as those within the system—as the university trains recruits for medical service, e. g.—and when these men with their thoughtful dispositions and breadth and ambition find places here and there in police forces—where, truly, there is enough of romance and opportunity to attract brilliant and constructive characters—we shall be at the dawning of better relations than we have known between police and community. The community will very soon then, as a matter of course, regard the policeman as a *colleague* in public service rather than as a ready intruder upon personal privileges and rights. The average efficiency and morale of the force will be elevated. Chief Vollmer says that he gets the best service from the best educated members of his force. It will be impossible then to find an editorial outcry and raising of hands among Chicago daily papers such as occurred last summer when Coroner Hoffman of Cook County, Ill., suggested that there would be fewer murders in Chicago if the police would quietly take those who are known in every locality as “odd, peculiar, strange or vicious” to suitable laboratories where their mental status can be determined by men of science as a preliminary to having suitable measures taken for their treatment in our public hospitals and other institutions such as can contribute to the rebuilding of human derelicts or to the protection of the community against them.

ROBERT H. GAULT.

THE MISSOURI PRISON PROBLEM

We reprint below an article that recently appeared in the *Kansas City Star*, written by Professor Charles A. Ellwood, of the University of Missouri. Professor Ellwood was for several years an Associate Editor of this Journal. He resigned two years ago when he was about to depart to Europe on a year's leave of absence. Among other valuable contributions to this Journal from his hand is: "The English Prison System and What we Can Learn from it," in the number for May, 1916, p. 22 ff.

Many of our readers have known something of the penitentiary problem in Missouri. What Professor Ellwood has to say here may be appropriate here or there outside of Missouri, and in turn he and his colleagues may find profit from the circulation of his article among the readers of this Journal.

Professor Ellwood adds in a recent letter that on November 28th and December 21st the newly elected Governor of Missouri, Frederick D. Gardner, held public conferences in St. Louis on the condition of the State's penal and correctional institutions, that committees were appointed to draft bills, and that the reforms which he has long advocated are now in a fair way to be enacted into law.—[Ed.]

"Whether the conditions at our State Penitentiary be such as they have been alleged or not, it is notorious that for years the Missouri Penitentiary has been one of the worst in the United States. The whole system has been wrong, and while the Legislature has made ineffectual attempts at patching it up by endeavoring to abolish contract labor, the institution itself is thoroughly out of harmony with modern conditions. It is the worst plague spot in the State for which the general public is responsible. Yet the situation is one easily remedied even with the present limitations of Missouri's finances. If the present Legislature will consult with penalogical experts and be guided by their advice, Missouri can have as good a prison as any state in the Union. Such an expert in prison administration would undoubtedly indicate among other things, five necessary steps which should be taken by the coming Legislature.

1. "The Legislature should establish a non-partisan Prison Commission of three members, who should be given entire charge, under the law, of the administration of the State Penitentiary and other

State Penal or Reformatory Institutions. This Commission should have no other institutions than the prisons of the State in its charge, as it has been found that a Board charged with the administration of both prisons and other State Institutions, such as hospitals for the insane, is not efficient. New York State and other leading states have such Prison Commissions to govern their prisons.

2. "To guide the Prison Commission and the administration of all the rest of the State Institutions, the Legislature should pass a civil service law, establishing the merit system in all of the State Institutions. This would prevent politics from interfering with their administration, and would make it possible for efficient men to enter the service of these institutions, knowing that as long as they were efficient, they could depend upon their job, and upon reasonable promotion. Such a law alone would have prevented the existence of such conditions as are now alleged. The most progressive states have such laws, for politics should have no more to do with the running of a State Institution which requires scientific knowledge, than with the management of our public schools. Probably the Illinois Civil Service Law furnishes the best model for Missouri.

3. "The Missouri Penitentiary is much too large. It is perhaps the largest prison in the civilized world, and this has been one of the main difficulties in its administration. It is too large for the simple reason that the State has been sending to it youthful first-offenders, who should have been sent to an industrial reformatory. The Legislature should therefore enact a law with an adequate appropriation establishing an industrial reformatory for first-offenders between eighteen and thirty years of age. Such an intermediate prison, however, should not be located near the State Training School at Boonville, as the last Legislature provided, as it has little or nothing in common with such an institution. Youthful offenders up to the age of thirty, who have been convicted of their first felony, however, need reformatory and educational discipline rather than punishment. Under such treatment seventy-five per cent of them can be re-claimed to good citizenship. Missouri is the only leading State in the Union which has not such an institution, and it is the lack of such an institution which has congested our State Penitentiary and aggravated the prison labor problem there. Nearly twenty other leading states have such institutions and the Legislature should make haste to remove the shame of Missouri by establishing one.

4. "The Legislature should also pass a comprehensive Prison Labor Law. The prison labor problem is easily soluble when it is not

juggled by politicians. A part of the Penitentiary's population should be employed in making things for other State Institutions; equipment for the State Normal Schools and the State University, for the State Hospitals for the Insane, for the State Tuberculosis Sanitarium and other institutions. This work would employ about one-third of the Penitentiary's inmates, if properly organized and carried on. Another part of the Penitentiary's population should be employed in making good roads for the State, under humane and sanitary conditions, such as the State of Colorado has demonstrated to be possible. The prisoners who are sent out to work on public roads must, of course, be carefully selected. We do not advocate the use of chain gangs under any circumstances. It is probable that over one-third of the convicts could be employed in this road work. Finally the State should have in connection with its Penitentiary, a large State Farm, furnishing healthful out-door work to the remaining third of the convicts, who can neither be employed on public roads nor in the prison shops. Such prison farms have been demonstrated by other states to be profitable. There is no need, therefore, of continuing the contract system in our State Penitentiary. By a proper combination of the State Use, Public Works, and State Farm Systems, all of the convict labor in the State Penitentiary can be properly employed without appreciable competition with free labor outside of prison walls.

5. "The Legislature should pass a law establishing a graded or honor system in our State Penitentiary. Indeed, the above reforms necessitate grading of prisoners and the selection of honor men for special privileges. This system, first established in England, is now in vogue in nearly all of our State Penitentiaries, and has been found successful wherever tried. Convicts, as well as other human beings, demand some recognition for worthy conduct. Along with this system, of course, should go opportunities for intellectual and moral instruction, such as the Penitentiary at Jefferson City does not now present.

"If anything is to be added to the above, it is that there should be no "lid" on the State Penitentiary, or on any other State Institution. It should be open for inspection at all times, and particularly to the State Board of Charities and Corrections. If this board had not been denied the right to inspect the institution, such a condition could hardly have come to pass. The State Board could protect the institution if it had been misrepresented and set the public right as to the facts. On the other hand, if it found wrong conditions it could not only notify the proper authorities, but also the public at large, as

to its findings. Through such unbiased inspection the institution could be kept free from even the suspicion of mis-management; but laws along the above five lines are necessary to change the evil system which Missouri has inherited from its out-grown task, and preserved longer than any other state in our Union."

CARE OF DELINQUENT AND DEPENDENT CHILDREN IN MINNESOTA.

In many respects Minnesota is better off than other states with regard to the care of delinquent and dependent children. But for some time past a considerable group of forward-looking citizens in that state has been conscious of numerous gaps and soft spots in both the public and private systems of child care. Two years ago they made a sturdy attempt to impress the state legislature with the need of a child welfare commission to prepare the way for co-ordinating such work in the fields of legislation and administration. The state Committee on Social Legislation, judges of Juvenile Courts, Minneapolis Humane Society, Juvenile Protective League and many other organizations backed the project. But owing to the unaccountable but passionate objections of a few legislators it failed of passage. In spite of that fact, perhaps because of it, social workers became the more convinced that a children's code and a children's commission were necessary. This conviction grew stronger after a meeting between Minnesota delegates and child welfare experts from other states at the National Conference of Charities and Correction last May. Finally the Governor decided to act, and appointed a voluntary Child Welfare Commission to serve without expense to the state. Its function is specifically "to revise and codify the laws of Minnesota relating to children". Judge E. F. Waite of the Hennepin County Juvenile Court is its chairman. Other members include Mr. C. E. Vasaly of the State Board of Control and chairman of the Board of Parole, Judge G. M. Orr of the Ramsey County Juvenile Court, G. A. Merrill, superintendent of the State Public School, T. D. O'Brien, J. B. Sanborn, Otto W. Davis, A. L. Ward, Rabbi Rypins, Miss Agnes Peterson, Mrs. Robbins Gilman and Mrs. Andreas Ueland. The Commission is organized into four subcommittees: General Child Welfare, Defective Children, Dependent and Neglected Children, Delinquent Children. From the standpoint of the criminalist the most important objectives of the first subcommittee will be its study of vital statistics, school attendance, control of recreation, and crimes against

children; of the second, the feeble-minded and epileptic, regulation of marriage, and sterilization; of the third, courts and procedure, illegitimacy, placing-out agencies, institutional homes, abandonment and desertion. The fourth will concentrate on courts and procedure, correctional institutions, moral safeguards and adults contributing to juvenile delinquency. Each committee has planned at least one public hearing before the opening of the Legislature. One has already been held, at which attention was focused particularly on the treatment of illegitimates.

Considering the incoherence which characterizes the great mass of legislation for children in most of our states, the conflicts and ambiguities, the dead or obsolescent laws, the amendments upon amendments, the overlapping of jurisdiction, etc., the creation of this commission is to be commended as a notable step in the direction of economy and efficiency. Only a few feeble attempts have been made so far in the United States to clean house after this fashion. Thus the New York State Board of Charities' code of charity legislation, valuable as it was, could only at best be called a compilation. The handbooks of laws relating to women and children prepared by private organizations for example, in California and Minnesota, and such works as Bonsall's *Social Laws of Pennsylvania*, while of enormous service to social workers, lack the authority and precision of a real code. Likewise such studies as Capen's *Poor Law of Connecticut*, or Brigg's *Social Legislation in Iowa*, are primarily historical investigations rather than definite guides to administration. So far as I am aware we have nothing in this country to compare with, say, the admirable *Code de l'Enfance Annoté* (Annotated Children's Code) of Belgium prepared by Picard, Dansaert de Bailliencourt and Oliviers three years ago. The Minnesota Commission may not be able to complete its work in time for discussion and enactment by the next Legislature, but it is to be hoped that it will receive such enthusiastic support that it can produce a code which will not only serve the needs of its own state, but also as a model to other states whose needs are at least as challenging, if not indeed far more pressing.

ARTHUR J. TODD.