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Editorial

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EDITORIAL

CONSTRUCTIVE MEASURES FOR CRIME PREVENTION

The article in the present number by Doctors J. H. Murray and Sydney Kuh entitled, "A Psychiatric Clinic at the Chicago House of Correction" should be of unusual interest to the citizens of Chicago and the state of Illinois at this time when there is so much public concern and agitation relating to what is described there as a "great wave of crime."

For several years, Dr. Kuh, especially, has had intimate touch with the psychiatric service in the House of Correction in Chicago and he is able to speak with authority concerning the mental condition of prisoners in that institution. The article covers the period 1909-1916 inclusive. In that period, the number of insane committed to the House of Correction (or, more accurately, discovered there) has almost steadily increased, year by year, from 27 in 1909 to 223 in 1916. These cases are committed for but short terms on charges of misdemeanor. A glance at the tabulations will show that of the 223 committed in 1916, nearly 200 are afflicted with forms of mental disease, relief from which is hardly in the slightest degree within the realm of possibility. Mr. John L. Whitman, the present State Superintendent of Prisons for Illinois, who during his long term of service as Superintendent of the House of Correction was strongly seconded by the Medical Superintendent, Dr. Charles Sceleth, built up in that prison a hospital equipment that is perhaps second to none among prisons in the United States. This, however, can be of practically no avail in the treatment of the great majority of the 223 cases committed for short terms in 1916. These are the offenders from whom the bulk of repeaters or recidivists come. The authors of the article referred to cite cases of insane offenders who have been committed again and again up to 100 and more times. It is a matter for congratulation that in the course of the last four years and two months 470 diagnoses of mental alienation have been made in the House of Correction and that these cases have been transferred to the Psychopathic Hospital.

The authors make recommendations that look toward much more fundamental and rational practice than anything, apparently, that is contemplated in the vociferous and unconstructive hostile criticisms of the systems of parole and probation. The value of these systems has been demonstrated. District attorneys and grand juries of contrary

mind are suspected of having formed their opinions on the basis of isolated and glaring cases. But this is aside.

They recommend (1) the appointment of an alienist as an officer of the court—available, presumably, to every court that handles criminal cases—who should make full examination in every case in which insanity is suspected; (2) the establishment of a department for the criminal insane at the Psychopathic Hospital, to which the insane should be sent directly from the courts. Even with such equipment, it is believed, a resident alienist at the House of Correction could be kept occupied with cases that would escape observation in the courts. In many cases, as is known, the so-called prison psychoses develop on a predisposed basis, after commitment to prison, and these at any rate could profitably occupy the full time of a prison alienist.

The establishment of a Psychopathic Laboratory in the Municipal Court in Chicago and in the corresponding court in Boston is pioneer work in the direction contemplated and those who are responsible for these forward impulses merit public support and gratitude. It is humanly impossible, however, for these institutions to grapple with their responsibilities without wider organization and co-operation.

In this connection, it seems to me appropriate to draw attention to measures that have been taken in certain of our states to meet the problems we have in mind. I do not know that I shall be exhaustive.

In Maine, the law provides that in all criminal cases in which the plea of insanity is raised the person shall be subjected to a period of hospital observation. One effect of this is said to be that the number of cases in which the "insanity dodge" is resorted to for defense has been decreased.

In Vermont, when a person has been indicted or committed to jail charged with an offense, he may be ordered into the custody of the State Hospital for the Insane, to be observed and detained until further order of the judge.

In New Hampshire, also, a similar law is in effect. When a person has been indicted for any offense or committed to jail to await the action of the grand jury, if he makes a plea of insanity, any justice before whom he is heard may order him into the custody of the State Hospital for the Insane for observation until further order by the court. In 1914, Virginia enacted a law to the same effect, and in Massachusetts a similar law is in effect.

Of course all of this is in the nature of locking the doors when the horse has been stolen. Notwithstanding there is this advantage: he cannot so readily be stolen a second time as under a less careful

system of fastening the doors. When we can have developed in every state an adequate system of vital and penal statistics, such as that contemplated by Dr. Victor Vaughn (this JOURNAL, V, 5, 688 ff.), and by the Commission on Uniform State Laws in their proposed model bill for Vital and Penal Statistics (this JOURNAL, VIII, 4, 484 ff. and 599 ff.) we shall know family and individual histories so much more fully than we do now that we shall be able to place our fingers upon those in our population who are, or who are likely to be, dangerously defective, and thus to take action with reference to them in the interest of the community at large *before they shall have developed into a "criminal class."* Properly equipped laboratories in our public school systems will be an important adjunct to the machinery for obtaining vital statistics.

Perhaps the legislature in its next session in Illinois could not do better, in as far as it touches the crime problem, than to open up the way for the development of hospitals for the detention and observation of the so-called criminal insane; or for the extension of the service of alienists (this JOURNAL, V, 5, 643 ff.) in the criminal courts (perhaps for both of these), and for the development of an adequate system of vital and penal statistics.

These suggestions are not made under the delusion that, if acted upon, they will prove a panacea for the crime disease. It is obvious enough that even if we bulge the roof of the court house with a first-class laboratory equipment, crowd the avenue with detention hospitals, double the number of our probation officers in the adult probation department, and thus afford the opportunity for the thorough investigation of the family and life history of every case for whom probation is requested—if we provide all these and yet choose judges who are so self-sufficient or so myopic that they will not use the tools at their hands, it will all be of no avail. This is not to separate the judges from all other public officials—and private citizens.

Finally Doctors Murray and Kuh make an inquiry: "Is it Utopian to hope for the day when sufficient time may be found in the curriculum of law schools to give their students at least some fundamentals of criminal psychology, as has been done for years in several European countries?" It is not. For instance, at Northwestern University, for several years, first by Prof. Edwin R. Keedy and now by his successor, Prof. Robert W. Millar, each class of law students has taken one course during a half year in which cases of psychopathic offenders, juvenile and adult, have been discussed, both as to their characteristics and their disposition by the courts and other institutions.

The Harvard Law School has, at any rate until recently, done something of a similar nature. These are small beginnings, but they are significant of at least an incipient trend. It is encouraging, too, that a great many young men and women, before they enter the professional school, have in most of our large colleges and universities opportunity for rather intensive training and education in the various aspects of criminology, so that many of them will go into the law school and later into the profession at least favorably disposed toward what we call constructive and fundamental measures for dealing with the crime problem. It is of equal import that through these means popular interest in criminology is being aroused and made substantial enough to support constructive measures.

ROBERT H. GAULT.