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## MEDICO-LEGAL SERVICES OF PRISONERS' AID SOCIETIES<sup>1</sup>

HOWARD C. HILL<sup>2</sup>

While the Prisoners' Aid Association of Maryland is at present one of the constituent agencies of the Baltimore Alliance formed several years ago for the purpose of unifying the appeal to the community for financial support and for co-ordinating the work of the various member organizations, it has a rather extended history of usefulness in its particular field. Organized as far back as 1869, when it was incorporated under the laws of Maryland with broad powers as to inspection of penal institutions and parole of prisoners and witnesses, it confined its efforts for a long period to such care of prisoners as current thought and practice dictated as wise and economical. In more recent years it has broadened its scope, and while still engaged in this two-primary field, it has helped to develop and carry out personal work for prisoners in the institutions, probation and parole of convicted persons and a system of preventive work, all of which gives it a field embracing concern for, and offering aid to, the offender throughout the entire possible course from the point at which he is a potential criminal, or one whose conduct is leading him specifically toward violation of law, through the various stages where he is held for trial, tried and found guilty with the possibility of constructive leniency in the form of suspended sentence and probation; sentenced to a term in prison; eligible for application for parole through having served one-third of his term; paroled and under supervision until his term has expired; discharged after having served his term and facing the problem of re-establishing himself in this or some other community.

While these various steps follow in order the course which the violator of the criminal law may take, the methods for dealing with them were developed by the Association in the reverse order. The Association has maintained for many years a home for discharged prisoners. When a man or woman has been tried, convicted, sentenced and served out that sentence, he has paid his debt to society incurred by his criminal act, a clean balance is presumed to be struck on the books and a fresh start should be made; but such has not been

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<sup>1</sup>Read before the Annual Meeting of the American Institute of Criminal Law and Criminology at Indianapolis, September 18, 1920.

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the case. It is only in recent years that society has been willing to alleviate to any appreciable extent the burden of handicap which faces the average man or woman upon release from a prison term. Employers closed their doors industrially and society socially against him as a tainted individual. The Prisoners' Aid Association proceeded to extend the open hand instead of the closed fist, to give him a chance, to assist him in securing respectable employment and to reunite such ties of family and friendly relations as have been severed by his criminal experience. While this attitude is based upon a belief in the saving grace of human kindness and the application of the spirit of Christian brotherhood, it has also the claim that from a purely civic and economical standpoint it is sound in principle to aim and develop a law-abiding, self-respecting producer instead of one who through the proddings of old associates, lack of sympathy and opportunity, returns to the committing of other and more serious offenses.

But the Prisoners' Aid Association does not rest its claim to public support upon aims; it has accomplishments which speak for themselves to anyone who is sufficiently interested to be advised. During the year ending November 1st, 1919, under the supervision of Mr. G. Whitridge Price, the manager of its home, the Association cared for 382 men for varied lengths of time. Some of these men come merely until they can establish communication with their homes, secure railroad tickets and other essentials, while others remain for longer periods, some for months. The practice is to allow them their bed and meals, to aid them in securing employment and other needs without charge. After they are employed they pay board so long as they stay at the home. Many employers of labor, both skilled and unskilled in Baltimore and vicinity, have shown a splendid spirit of co-operation in giving them employment. Mr. Price, who has personal charge of the employment and the home, under the general direction of the executive secretary and the board of trustees, says that it would surprise the public to know of some men prominent in business circles, who have been able to get that encouragement and confidence which was essential to their rehabilitation.

For instance, the writer met in business negotiations an officer of one of the leading real estate firms in Baltimore and a trusted employee in the credit department of one of the larger stores, both of whom were at one time beneficiaries of the Prisoners' Aid Home. The editor of the leading daily paper of a Middle Western City of second class size, a manufacturer of Baltimore employing about 100 men and through whom employment is secured for others, a steward on a boat

of a coastwise steamboat company, the superintendent of a large foundry, a member of a prominent brokerage firm, and many others of the kind might be added to the list of those who have been assisted.

The encouraging part of the work is that it does actually do for so many men what it claims to do. Of the 382 men cared for during 1919, only 25 of them, according to the records of the Association, have been subsequently arrested in Baltimore; it is presumed that the rest, or a majority of them, have "made good." Of these 25, 20 have returned to the home for another chance which is freely given. In fact, all the Association's work centers around *giving another chance*. In addition to the home, the Association has an office in the courthouse, where the Executive Secretary, who is the active director of all the work, has its main office and a corps of assistants. Here the Association acts as Adult Probation Bureau for the Supreme Bench. In other words, men and women (during the past year approximately 800 of them) who were tried and found guilty by the criminal courts were "paroled" or placed on probation to the Association for a period of time instead of being sentenced for a term of imprisonment. The conditions of probation vary with the individual and the offense and include supervision of employment and general conduct, paying of costs, restitution of money values involved, and in about half of the cases (non-support of wives or children) the payment through the Association of weekly sums for such support.

There are two general classes of this work—the family relations cases, consisting of non-support and desertion, and support of illegitimate children; and the cases of larceny, assault, forgery and like crimes. This work is done by a department of the Association consisting of a chief probation officer at its head and a staff of probation officers, all members of the Association's staff, but designated and appointed by the Supreme Bench as probation officers of the court.

The third department, known as the preventive department, helps people to avoid court action by adjusting their difficulties. The larger majority of these cases are some domestic difficulties which would ultimately lead to a suit for non-support, or a bill for divorce in the Circuit Court. Reconciliation is tried first and in many cases is satisfactorily accomplished. Failing in this, a voluntary agreement is reached for the delinquent husband to pay a weekly sum through the Association, and such aid as may be needed given to the family. Several hundred such cases were handled during the past year, and while many of them ultimately landed in the courts, a number sufficiently large to make it worth while have become more or less permanently

adjusted. This department also has charge of personal service work for women in all of the prisons, and for discharged and paroled women prisoners. A large number of cases on probation continue after the probation has expired to make their payments and to fulfill the conditions laid down as part of their probation obligations, under the supervision voluntarily of the preventive department.

For these two departments the Association collected during the last fiscal year \$143,000.00 in non-support, restitution and court costs.

The pieces of work outlined above are the main activities of the Association. It does many pieces of related work in connection with the parole board, the various institutions, the Federal Courts, the police stations, and in any other situations where it can be of service to unfortunate individuals who are in need of assistance as a result of their own misconduct or that of some member of the family.

Its work is predicated upon a more or less well defined conception of the nature of criminal acts, and the classification of offenders and of the purpose and methods of treatment, in briefly stating which I am not presuming to promulgate doctrines but shall ask your indulgence of a discussion of what to a group of this kind are commonplace principles, (acceptable I trust in a measurable degree), merely that you may know our "credo" and thereby judge our works in the light of our faith.

In the main, criminal laws are an expression of a crystallizing public sentiment governing human behavior as it affects others as individuals or as a group, and are based largely upon the limitation and control of the exercise of primitive personal prerogatives incident to the preservation, protection and perpetuation of the individual. Native citizenship implies, and the oath of acquired citizenship constitutes a quasi-contract to surrender some of this liberty of expression in return for the privileges which organized society confers upon its citizens.

Violation of law constitutes a breach of this contract with its attendant damage. The offender has failed to inhibit the urge to do something which the law prescribes he shall not do, whether it be because he is unable or because he is unwilling to exercise this restraint or an admixture of both.

The aim of criminal administration should be to reduce the damage flowing from such conduct to its lowest terms and this can be accomplished more effectively by reformation than by punitive methods of treatment. This does not mean that there is no place for a prison or punishment of any kind. It must be recognized that there is need for isolation and restriction of those who have chosen more or less deliberately to become violators of the law and who rationally prefer to follow

their unlawful occupations. There is not space here for a discussion of methods of prison administration. Suffice it to say that it should be based on what can be done *for* the prisoner, rather than upon the effort, all to prevalent still, to do all that is possible *with* him.

The aim of society should be—for the offender, primarily, to return him to society with the will and ability to abide by the rules as soon as it can be done with safety to the community; and for society itself, to repair the damage done, so far as may be, through the instrumentality of the offender himself; and the method of treatment should be determined by the relative proportions of inability and unwillingness governing the actions of the offender.

Machinery for this appropriate treatment is provided by probation, indeterminate sentence and parole.

1. Probation, whereby accidental offenders and habitual offenders whose continued crimes can be in part attributed to some maladjustment, either physically, mentally or socially, which admits of correction, are given their liberty (usually under a suspended sentence) and placed under the authoritative, helpful oversight of men or women appointed by the court as probation officers. By this method the community, through its courts, seeks to aid, supervise, discipline and reform offenders without imprisoning them.

2. Indeterminate sentence, whereby an offender is committed for an indefinite period to a penal institution which should, by means of medical treatment (if required in the individual case) and industries suited to the individual and the community, provide opportunity for the offender to develop and maintain a sense of self-respect and of responsibility for his future conduct, by means of varied degrees of participation in prison activities, by graded privileges based on behavior and attitude of the offender, and by segregation and medical and psychiatric treatment for classes of offenders requiring special treatment.

3. Parole, whereby an offender who has demonstrated his fitness to return to society and readjust and redirect his conduct may be released under general or specific supervision for a time and enabled to complete the gradual resumption of his relations with his fellowmen.

In Maryland the Prisoners' Aid Association assumed a large share of responsibility for the pioneer work along these lines and has been accorded a most gratifyingly cordial recognition and support by the courts, by all officials charged with the responsibilities of criminal prosecution and penal administration, and the community in general.

With this sort of co-operation, the Association has been able to

go beyond the field of general humanitarian aid into the more specialized fields of legal and medical needs of offenders. A striking instance of an effort at such co-operation may be found in several recent conferences between the representatives of the Prisoners' Aid Association, the Tuberculosis Association, the Social Hygiene Society and the State Board of Health and the purpose of the group is to co-operate with the medical departments of the Jail, the House of Correction and the Maryland Penitentiary, and to place at their disposal the specialized services of these various organizations.

While each of the agencies has included penal institutions in its plans, both for education and for treatment, the group was brought together through the medical service of the Prisoners' Aid Association. The medical service was organized during the past winter under the direction of Dr. John R. Oliver, a member of the Board of Trustees of the Association, together with a committee composed of two other members of the Board, and the Executive Secretary of the Association. The plan of the service includes three fields:

1. Medical inspection and treatment of members of the staff of the Association.
2. Medical examinations and supervision of those discharged prisoners who avail themselves of the Association's services and of probationers.
3. The formation of a group including the physicians from the Jail, the House of Correction and the Penitentiary for the study of their common problems and for improvement among themselves of the general medical service of the institutions.

This latter group has been formed and plans have been made for monthly meetings for exchange of opinions for a combined effort to use very available resource for maintaining a standard of medical service in Maryland's institutions which will be among the best. The plan is not born of any criticism of, or attack upon, any of the penal institutions, but grows out of the conviction that through a consideration of the practical local needs and difficulties, together with the results of the latest discoveries in the treatment of various ailments, better results can be obtained and that each physician will be able to see his own problems more clearly and improve the methods of his own institution as a result of the plan. And so it was suggested to these other associations concerned with the problems of tuberculosis and of venereal disease generally that they will utilize the group already formed for specific work in connection with the prisoners. It is not

because there is believed to be a greater prevalence of these diseases in the penal institutions, indeed it may fairly be assumed that there is less, but there is here represented a more or less fixed group of people of regular habits and discipline and with regular physicians in constant attendance, thus affording a desirable field for demonstration, and at the same time the physician in each institution will be enabled to offer to his own inmates a much more extensive treatment than he has been able to give.

The aim of the Prisoners' Aid Association, in this as in all of its activities dealing with the prisoners, is to aid the management and the inmates of each of the institutions in any way possible in affording to the men and women, confined as a result of their violation of the law, an opportunity to make the best of their stay in the institution and to come out as soon as legitimately may be with the will and the physical and mental ability to return to society as law-abiding citizens.

Modern thought has been consistently becoming more charitable with respect to the treatment of criminals. "Giving the prisoner a chance" is an attitude which is gaining headway rapidly with the general public and it is more humane and wholesome for the offender as well as for the community, while he is in the custody of the state as a result of his offense, to so place him that he may be a producing member of society, and at the same time enabled to support those dependent upon him, who would otherwise be in many instances a public charge.

This is accomplished through giving appropriate employment to the man confined under the direct control of the prison, so as to afford an opportunity to earn a livelihood for himself and those dependent upon him, and to a degree relieving the burden of the prison administration, both financially and from a disciplinary standpoint. And where the circumstances warrant it, this is accomplished more freely on account of the degree of freedom accorded under the system of probation and parole.

Not maudlin sentimentality, but practical common sense application of the reformatory method of treatment of criminals, together with the study and use of measures of prevention, is the method of approach as understood and practiced by the Prisoners' Aid Association of Maryland to the problem of dealing with crime.