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Editorials

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EDITORIALS

PROCEEDINGS OF THE THIRTEENTH ANNUAL MEETING OF THE INSTITUTE

The thirteenth annual meeting of the American Institute of Criminal Law and Criminology was held in Cincinnati on November 18 and 19, 1921. The proceedings of the meeting are published almost entirely in this number. The little that remains will be printed in our next issue. Notes and book reviews are held over until the next number.

At the annual meeting the following officers were elected:

President, James Bronson Reynolds, North Haven, Conn.

Vice-Presidents:

Edwin R. Keedy, University of Pennsylvania, Philadelphia.

Hon. Quincey A. Meyers, Indianapolis, Ind.

Hon. Floyd E. Thompson, Rock Island, Ill.

James H. Tufts, University of Chicago, Chicago.

Hon. James J. Barbour, Chicago, Ill.

Treasurer, Bronson Winthrop, New York City.

General Secretary, Robert H. Gault, Evanston, Ill.

Members of the Executive Board—Terms to Expire 1924:

Hon. Charles W. Hoffman, Domestic Relations Court, Cincinnati.

Nathan William MacChesney, Chicago.

Dr. Herman M. Adler, Springfield, Ill.

Dr. F. Emory Lyon, Chicago.

A meeting of the Executive Board was held in Chicago on Monday, November 21. At that meeting Dean John H. Wigmore was re-elected Chairman of the Board and certain committees of the Institute were appointed. The personnel of these committees appears in this number. The list will be completed in our next issue.

ROBERT H. GAULT.

COMMITTEES OF THE INSTITUTE, 1921-1922

Committee "A"—Insanity and Criminal Responsibility.

Edwin R. Keedy, University of Pennsylvania, Philadelphia, Chairman.

Victor Arnold, Judge of the Juvenile Court, Chicago.

Adolph Meyer, M. D., Johns Hopkins University, Baltimore.

Orrin N. Carter, Justice of the Supreme Court of Illinois, Springfield.

William E. Mikell, Dean, University of Pennsylvania Law School, Philadelphia.

Morton Prince, M. D., 458 Beacon St., Boston.

Charles Boston, New York City.

William A. White, M. D., Government Hospital for the Insane, Washington, D. C.

John H. Wigmore, Dean, Northwestern University Law School, Chicago.

Ira Robinson, Grafton, W. Va.

Sidney Kuh, M. D., Alienist, Chicago.

Burdette G. Lewis, Commissioner of Charities and Correction, Trenton, N. J.

Harold Moyer, M. D., Chicago.

Committee "D"—Modernization of Criminal Procedure.

Robert W. Millar, Northwestern University Law School, Chicago, Chairman.

Wm. C. Rigby, Judge Advocate's Department, Washington, D. C.

Edwin R. Keedy, University of Pennsylvania Law School, Philadelphia.

James Bronson Reynolds, North Haven, Conn.

E. Ray Stevens, Ninth Judicial Court, Madison, Wis.

Lawrence Veiller, Secretary of Committee on Criminal Courts of the Charity Organization Society, 105 E. 22nd St., New York.

Floyd E. Thompson, Justice of the Supreme Court of Illinois, Springfield, Ill.

Committee "H"—Public Defender.

E. A. Zimmerman, 446 Nat. Life. Bldg., Chicago, Chairman.

James Bronson Reynolds, North Haven, Conn.

Reginald Heber Smith, 60 State St., Boston.

Robert O. Harris, Tremont Building, Boston.

Walter J. Wood, Los Angeles, Cal.

Louis Fabricant, Voluntary Defenders' Com., 32 Franklin St., New York.

Mayer Goldman, 7 Beekman St., New York City.

Charles Edwin Fox, District Attorney, City Hall, Philadelphia.

Committee "I"—State Police.

P. O. Ray, Northwestern University, Evanston, Ill., Chairman.
Francis F. Kane, Philadelphia, Pa.
Howard Castle, 105 W. Monroe St., Chicago.
August Vollmer, Chief of Police, Berkeley, Cal.
Ralph Duff, Secretary to the Governor, Lansing, Mich.
J. R. Nutter, Louisville, Ky.
Frederic B. Crossley, Northwestern University, Chicago.

Committee "K"—Criminal Law and Procedure in Europe.

Dr. John R. Oliver, The Latrobe, Baltimore, Md., Chairman.
Dr. George Kirchwey, School of Philanthropy, New York.
Benjamin Malzberg, University of Paris (American Fellow), 151
Rue St. Jacques, Paris (V).
Edwin R. Keedy, University of Pennsylvania Law School, Phila-
delphia.
John Koren, Pemberton Square, Boston.
William Healy, M. D., Judge Baker Foundation, Boston, Mass.

Committee of Publications.

Robert H. Gault, Northwestern University, 31 West Lake St.,
Chicago, Chairman.
Joel D. Hunter, Superintendent United Charities, Chicago.
Robert W. Millar, Northwestern University Law School, Chicago.
John H. Wigmore, Northwestern Law School, Chicago.
Frederic B. Crossley, Northwestern University, 31 West Lake St.,
Chicago.

THE SURVEY OF CRIMINAL JUSTICE IN CLEVELAND

It is announced that the complete Report of the Survey of Criminal Justice by the Cleveland Foundation in that city will appear about February 1st. This will be the first all-around survey of the subject attempted by any first-class city in this country. Its service is likely to be very great not only to Cleveland but to other cities, north, south, east and west. No one can read the volumes of the Survey without having a presumption established in his mind that other large cities of

the country are similarly conditioned and would be benefited by a like inquiry.

The Survey exhibits appropriate respect for the existing machinery of the law and its officers, both executive and judiciary. It is temperate, painstaking, and carefully analytical. Its recommendations are equally temperate and conservative, but they make clear that serious and widespread evils must be met by equally serious and comprehensive remedies.

The inquiry is but the first chapter in the history of Cleveland's attempt to handle the crime problem in terms of the twentieth century. A second commission, representing important business and other interests, has been formed to see that effect is given to the recommendations of the investigators and to note and report the results. This commission is no less important than the first. Its creation evidences the appreciation by the citizens of Cleveland of the difficulties of their task and of their determination to see it through successfully. Cleveland has already achieved a record of enterprise on the part of its Chamber of Commerce and other forces making for good government, and their follow-up attack on the crime problem gives further evidence of the courage and persistence that will not fail.

The main conclusions of the Cleveland Survey may be summarized. Though third in the order of reporting, the detection of crime is first in the order of thought and action. The disproportion between the number of crimes in this country and in England is indicated. For the year 1920, Cleveland, with approximately 800,000 inhabitants, had six times as many murders as London, with 8,000,000 inhabitants. There were 17 times as many robberies or assaults with intent to rob in Cleveland as in London that year. Comparisons between Liverpool and Glasgow and Cleveland were not less unfavorable to the last. That Cleveland was not worse than other leading cities was shown by Detroit, Chicago and St. Louis. Mr. Raymond B. Fosdick, who conducted the Police Survey, concludes that the volume of crime in Cleveland is proportionately neither much better nor worse than in other American cities, and that Cleveland's problem is the problem of America. Mr. Fosdick, viewing the subject as his broad study of the subject justifies, declares that police machinery in America has not developed the technique to cope with modern social conditions and that "clinging to old conditions, bound by old practices which business and industry long ago discarded, employing a personnel poorly adapted to its purpose, it grinds away on its perfunctory task without self-criticism, and with little initiative."

The investigation of prosecution by Alfred Bettman and the criminal courts by Reginald Heber Smith and Alfred Bettman shows that the machinery for handling the small percentage caught is not much better, if any, than that for their detection. In 100 state misdemeanor cases, 73 were found guilty and only 39 were sentenced. In 100 felony cases beginning in the municipal courts, only 37 were found guilty and of these only 15 were sentenced to the penitentiary or the reformatory. One wonders why many of those cases might not have been settled by the prosecuting attorney without being brought into court. One also wonders whether the judgment of the prosecuting attorney and the judge as to the defendants varied as much as is suggested by the fact that of 37 guilty of felonies only 15 were sentenced to state's prison. Would not the service of a Public Defender have secured more pleas of guilty and otherwise have reduced the number of cases brought to trial? The examiners of the criminal courts reach conclusions as to their administration similar to those of Mr. Fosdick as to the police. An obsolete and inadequate system of criminal justice, a rapidly growing city containing many nationalities, with the further problems of modern industrial life, and the absence of an informed and watchful public, were the findings of the investigators.

If, as is to be hoped, further surveys are made in leading cities and states in different parts of our country, there will doubtless be found notable and instructive variations in detail in the results. These results will be invaluable in the formation of new policies and new standards for the repression of criminality. We prophesy that all will combine to awaken this country to the conviction that our present disproportionate criminality is unnecessary and may be reduced in direct proportion to effort to improve the machinery of the criminal law, increase knowledge of its operation, and place our civic forces back of united effort to establish better protection of life and property.

JAMES BRONSON REYNOLDS.

ANNUAL PRISON CONGRESS

Last year's meeting of the American Prison Association was a review of its first half century's effort. That review demonstrated not only that the first fifty years are the hardest in the securing of higher standards and ideals in any field, but that a long pull, a strong and united pull, is still needed to reach the goal.

The recent meeting at Jacksonville, Florida, seemed to settle down to this task, both in the breadth of its carefully prepared program and in the thoughtful and constructive papers and addresses presented.

The period of dealing merely with methods, fads and personal experiences unsuited to general application, which has characterized several recent congresses, appears to have given way to the discussion of more fundamental and abiding principles.

The registration of over 400 delegates was large, especially in view of the distance from the centers of population, the attendance being very largely those experienced in correctional problems.

The Department of Psychiatry, which has commanded such wide attention for several years, was largely absent in this year's program. This was due, however, to the inability of many of the experts to attend, rather than through any lack of interest in the subject.

On the other hand, renewed impetus was given to the proper care of that largest number of all prisoners, viz.: misdemeanants and prisoners awaiting trial. This section, under the vigorous leadership of Dr. Hastings H. Hart, the new President, presented live discussions and carefully prepared material for future application to the much vexed jail problem.

The delightful southern hospitality extended to the delegates was manifested not only in their entertainment but in giving them a view of typical state, county and city penal farms in a clime where the outdoor life of prisoners can be fostered throughout the year.

The Juvenile Reformatory Section, as always, provoked discussion of hopeful character, with correctional education and proper care of the defective delinquent as the dominant notes.

Many wardens of state penal institutions reported a considerable increase in population, while city workhouses and jails continue the smaller number of inmates caused by the Eighteenth Amendment.

The apparent increase in more serious crimes was generally attributed to the natural outcome of the war and to widespread unemployment.

An outstanding paper on the subject of parole was presented to the Congress by Mr. E. R. Cass, Assistant Secretary of the New York Prison Association. Mr. Cass had made a careful comparative study of the parole laws in all the states and, by means of a questionnaire, had sought to learn just how much definite knowledge exists as to the final results of parole.

His study disclosed considerable information as to the per cent of prisoners completing their parole with credit, but showed that very

little is known beyond that point. The lack of such definite information as to the ultimate efficiency of the parole law accentuated the need of a central registration or criminal identification bureau.

To this, and many other important ends, the American Prison Association may well become an agency of increasing value, not only as an open forum for the discussion of prison problems, but also as a clearing house for accurate data upon these subjects. A larger number of surveys and intensive studies, rather than papers on generalities or expressions of mere personal opinion, will add to the scientific value of the Congress in the future.

With such purposes in mind, and with the Detroit meeting easily accessible, the next annual session ought easily to be the largest and the best in the history of the Association.

F. EMORY LYON.