NOTES AND ABSTRACTS

Capital Punishment, 1910-1925 (A Selected Bibliography), by Mary L. Henderson.—Submitted as one of the Requirements for the Diploma of the Library School of the University of Wisconsin.

INTRODUCTION

A new interest in capital punishment has been aroused recently by prominent murder cases, particularly by the Loeb-Leopold trial in the Middle West, and there has been a nation-wide discussion over the methods of punishment of criminals.

The material in this bibliography has been carefully selected, to give those who are interested in this problem the best available references, and includes the best material which could be found in the libraries in Madison. Prices have been given when they could be found. Volume numbers could not be found for several of the periodical references since they were taken from clipping files, where the magazines themselves could not be obtained.

CAPITAL PUNISHMENT, 1910-1925

BIBLIOGRAPHIES


Bibliography on pp. 102-104. Lists books and periodicals, including some foreign publications.


Bibliography given in introductory paging, 13-26. Lists bibliographies, general works, and magazine articles which are subdivided into general, affirmative and negative references.


Briefs and references from periodicals are found on pp. 128-129.


More than half of the entries are dated earlier than 1910.


Bibliography of general works on criminology, and books and periodical articles on capital punishment.


Lists briefs, books and periodical articles.


Lists briefs and bibliographies, books and pamphlets, and periodical articles. Material is dated earlier than 1912.
Lists bibliographies, general references and references for affirmative and negative arguments. Includes books and periodicals.

Briefs, in addition to references from books, documents, pamphlets, and periodicals, will be found on pp. 44-49.

Lists books and magazine articles, in favor and opposed.

Affirmative and negative arguments stated and references given for both sides of the question on pp. 32-33.

Lists books including foreign ones, and periodicals.

———. List of References on Capital Punishment. 1924. Supplements the printed list of 1912 above.
Bibliography of books and periodicals, both American and foreign. Mimeographed.

GENERAL REFERENCES
Books and Pamphlets

Announced, June, 1925. Will doubtless contain selected articles on capital punishment and a bibliography.

Darrow, Clarence, and Talley, A. J. Resolved That Capital Punishment Is a Wise Public Policy. 1924. N. Y. League for Public Discussion, $1.00.
The debate as given by Darrow, negative, and Judge Talley, affirmative.

Selected articles from magazines for both affirmative and negative arguments.

General discussion for and against capital punishment, based upon the papers given by Governors Dunne and Hunt.

Discusses subject from both sides, though the author is opposed to capital punishment.

Lawes, L. E. Man's Judgment of Death. 1924. Putnam, $2.00.
An analysis of the operation and effect of capital punishment based on facts, not sentiment. Subtitle. Included without examination on account of the authority of the author who is warden at Sing Sing prison.

Map reprinted from Fanning, C. E. Selected Articles on Capital Punishment (1917).


States arguments for and against capital punishment and discusses the problem of abolition and methods of capital punishment.

Discussion presents both sides of the question but favors the negative.

Presents both sides of the question.

Prepared for the Department of Debating and Public Discussion.

Typewritten copy of a letter issued by the board of control for the University Extension Division, Department of Debating and Public Discussion.

Statistics. 1924. Madison.
Typewritten copy of statistics concerning capital punishment in Wisconsin, prepared by H. H. Williams, statistician for the University Extension Division, Department of Debating and Public Discussion.

Typewritten copy of brief and references prepared for the Department of Debating and Public Discussion.

Wisconsin University. Extension Division. Lawes and Love clash by radio in debate on capital punishment. 1924. Madison.
Mimeographed copy of the debate prepared for the Department of Debating and Public Discussion.

Articles in Periodicals

General discussion presenting arguments for and against the question.

Brief discussion of advisability of allowing juries to "decide in favor of imprisonment or be confined to capital punishment with acquittal as
alternative." Juries would be more apt to convict if the penalty were imprisonment.

An unfavorable review of Man's Judgment of Death by L. E. Lawes.

Brief discussion for and against the question. Written in form of letters to the editor.

Quotes opinions for and against capital punishment.

Gives list of states debating the issue of capital punishment, and reform bills.

Discussion of the infliction of the death penalty on youths.

Negative argument in article Thou Shalt Not Kill, by T. M. Osborne, and affirmative in Capital Punishment Protects Society, by R. E. Crowe.

Symposium on executions, pp. 107-111. Arguments for and against.
The latter part of the reference refutes the arguments opposing capital punishment as given by Mr. Benson in the symposium.

General discussion of punishment justifying capital punishment, but also presents opposing arguments.

Brief excerpts quoted from other articles stating arguments for both sides of the question.

Cites cases of infliction of capital punishment and gives general discussion but does not prejudice the reader to either side.

Gives briefs for argument, both affirmative and negative.

General discussion but not of great consequence.

Brings the question before the reader but does not answer it.

Discussion of punishments since the beginning of the world and descriptions of them. Very little material on capital punishment as we have it today.

Statements of facts showing that punishments for crimes in the United States are neither adequate nor efficient.

REFERENCES IN FAVOR

Books and Pamphlets

Contends that it is necessary to keep the death penalty on account of its deterrent influence.

Favors capital punishment on account of its deterrent effect as well as the inequality of judgment of juries.

Strong arguments in favor of capital punishment. The author believes it is necessary, reasonable, and just.

Evans, Arthur. States Restore Gallows After Abandoning It.
Typewritten sheets giving statistics (taken from the Chicago Tribune) which seem to show that capital punishment is deterrent. Accounts for Wisconsin's low homicide rate by the fact that punishment is inevitable and swift.

Included without examination.

“If a defense of capital punishment, based on a searching examination of history, theology, and philosophy.” Subtitle. Two pamphlets advertising Irvine's book have been published by Baker. One arouses feeling in favor of capital punishment and advertises some of the arguments of the book. The other gives an analysis of the book by chapters.

Justifies capital punishment in brief treatment.

Brief treatment justifying capital punishment.

In favor of retaining the death penalty if it is administered in some other way than by the guillotine.

Articles in Periodicals

Quotes Scripture to prove both sides of the question, but the author emphasizes the arguments for retaining capital punishment.

Very brief discussion of reasons for abolishing capital punishment.
States that as long as it has a deterrent effect it should be retained.

Quotes Mr. A. C. Benson's arguments and ridicules them, justifying capital punishment.


In favor of retaining the death penalty. Quotes W. W. Brannan of West Virginia.


Expresses the idea that time has not come for abolishing capital punishment.


Brief discussion of why we have capital punishment.


Same in Living Age, Sept. 16, 1911, vol. 270, pp. 709-715.

Argues that the “four canons of punishment—Segregation, Deterrence, Reformation, and Humanity—are met by capital punishment in an almost ideal manner and that its removal from the statute book would be, from every point of view, a most profound and unfortunate mistake.”


Ridicules Arthur Benson's arguments against capital punishment.


A clergyman's belief that Christian love is the chief deterrent but also indicates that capital punishment is a deterrent.


Advocates capital punishment on same grounds that others condemn it, such as grounds of humanity.


Considers a wide range of statistics from different countries. Conclusion is that the death penalty has a deterrent effect. Includes tables and statistics.


Contends that the death penalty is necessary in time of war and insinuates that it would be just as deterrent in civilian life.

Punishment for the Weak Wits. Literary Digest, July 19, 1924, vol. 82, p. 32.

States Sir Oliver Lodge's beliefs that if we have capital punishment it should be inflicted on insane as well as sane, if cases are doubtful.


Expresses the idea that perhaps capital punishment should be retained but decency and respect for womanhood will demand some other form of punishment for women.


Quotes Mr. MacDonald's reasons, as given in the American Journal of Sociology.

Statistics comparing homicide rates of different states. To a certain extent justifies capital punishment.

Cites murder cases and justifies the death penalty to a great degree, but states that punishment of crime and criminals in the United States is neither adequate nor efficient.

REFERENCES OPPOSED

Books and Pamphlets
Thesis advocating that capital punishment be abolished. Traces the evolution of capital punishment, gives the modern theory, the arguments for and against the deterrent theory, the errors of justice, and the conclusion.
A somewhat psychological discussion against capital punishment.
Contains some historical discussion in arguing against capital punishment. Enumerates states and foreign countries which have abolished it.
Includes some history of capital punishment in addition to his arguments against it.
Author states an refutes arguments in favor of capital punishment and supports arguments against it. Pages 377-381 give a continuation of the discussion by members present at the session.
Same in Delinquent, June, 1917, vol. 7, pp. 5-6.
Governor's message to the Senate and House, giving brief history of capital punishment and recommending that it be abolished.
Pages 96-98, 103-104, continue the discussion against capital punishment. Arguments are advanced by Governors McCall and Capper.
Brief statement of the reasons of the committee for not wanting capital punishment restored in Minnesota.
Contains history and discussion of both sides of the question, with a map showing its status in the states of the United States. The main part of the discussion is against capital punishment.


See index for paging.

Arguments are presented in form of general discussion by these three reformers.


Extracts from her address. Includes some theosophy in connection with the discussion.


Enumerates seven arguments against capital punishment.

Articles in Periodicals


Cites cases which the author handled personally, and shows that there should be a better solution for punishment of the guilty than the death penalty.


Story of a hangman's refusal to do his duty after the victim was in place. Creates a feeling against capital punishment.


Bohemian editor feels that capital punishment as administered in America lowers respect for American culture. Describes an execution.


Brief statements expressing doubt in regard to the wisdom of retaining capital punishment.


Brief one-act play showing unwillingness of people to do the executing after the sentence has been pronounced.


Cites case of public execution in Starkville, Mississippi, depicting enjoyment of spectators. Described as encouraging murder.


Arouses feelings against capital punishment. "What are we to think of work which no decent man would do?"

Quotes Arthur Benson, essayist, who claims that capital punishment as administered is inhuman. Would substitute easier death in privacy.

Same in Ohio Legislative History, 1921-1922, pp. 71-88.
Statistics showing that capital punishment is not a deterrent to crime, but as long as law prescribes it, the governor feels it his duty to carry it out. Gives a long discussion.

Lewis E. Lawes, warden of Sing Sing, claims that capital punishment fails as a deterrent measure. Recommends life sentence with long minimum.

Impressions of a boy of seventeen at a hanging. Not in sympathy with capital punishment.

Argument against capital punishment. Deals particularly with case of Mrs. Thompson (in England).

A prisoner's testimony that his hatred for law was instilled by the witnessing, during childhood, of a public hanging.

Advocates abolition of capital punishment.

Prisoners' appeal to people of New York state that capital punishment be abolished.

Story relating the ordeal through which a man passes on the night before he is executed.

Author gives his reasons for wanting the death penalty abolished and also states views of others.

A brief discussion of why he opposes capital punishment.

Advocates segregation instead of hanging as wisest treatment for criminals since most of them are feeble-minded.

States modern idea of penology—that punishment must be primarily reformative in character.

General discussion against capital punishment.

Brief statement of Warden Lawes' view of the death penalty.

Accounts of historical and present-day public executions and their effects upon the spectators. Creates a feeling that capital punishment is not a wise policy.

Discusses the wisdom of the decision and the step taken toward abolishing capital punishment.

An interview with the warden of Sing Sing.

Story of an unusual case in which a man pleaded guilty to a charge of murdering his wife and was sentenced to life imprisonment. It was discovered later that he was not guilty.

Plea to Women. Freeman, Feb. 21, 1923, vol. 6, p. 557.
Statement that the matter of capital punishment should be investigated.

A long article presenting arguments against capital punishment. Includes some statistics.

The problem of the hour in France. Subtitle. Quotes statistics and attempts to show that capital punishment should be abolished.

Arguments against capital punishment in Germany.

Statistics showing which of the European countries have abolished capital punishment and which states of the United States. Also gives statistics of homicide rates and tends to show that it would be safe to abolish capital punishment.

Long article giving theosophic viewpoint.

Description of an execution, followed by definite objections to capital punishment by Warden Osborne and his secretary, Mr. Miller.

States that the death penalty "creates the morbid hysteria that conduces to crime."

States that murderer's impulses should be analyzed and treated accordingly. Would abolish capital punishment.

SOURCES CONSULTED

Card Catalogs

Madison Free Library.
Racine Public Library.
Wisconsin Historical Society.
  Document catalog.
  General catalog.
Wisconsin University Library.
Wisconsin Library Commission.
  Legislative Reference Library.
Library School
  Card catalog.
  Bibliography index.
State Library.
Traveling Library.

Periodical Indexes

Index to Legal Periodicals.
International Index and current numbers.
Public Affairs Information Service.
Readers' Guide to date.

Trade and Selected Bibliographies

Book Review Digest. Subject index.
Cumulative Book Index.
Library Journal.
United States Catalog and Supplements.

Adult Probation (A Bibliography), by Augusta Nielsen.—Submitted as one of the Requirements for the Diploma of the Library School of the University of Wisconsin.

INTRODUCTION

This bibliography supplements the List of recent references on probation and juvenile courts published by the Library of Congress in 1921. The greater part of the material listed here has been personally verified; material not available in Madison for examination has been listed in the Addenda.

The compiler wishes to thank the New York state probation commission, the Magistrates' courts of the city of New York, and Mr. Frederick Rex of the Chicago Municipal Reference Library for their courtesy in sending material.

ADULT PROBATION

Bibliography

A selected bibliography on probation, with special reference to juvenile probation.

**Probation**
Books, Pamphlets, and Documents


Some suggestions for the betterment of the probation service.


The administration of the probation law is shown by several interesting tables.


A review of probation work in the United States.


Covers the use of probation, and the use of the influence of religion in probation cases.


The question of state supervision, especially as regards New York state, is discussed.


A discussion of the work of the probation officer in preventing repetition of offenses and efforts at constructive betterment by understanding the problem involved in the delinquency of each individual, and knowing the potentialities in each individual, his assets and his handicaps.


A description of the probation system of Montgomery County, Pennsylvania.


Contains report of work done, future work and needs.


That the crime wave is not the result of probation is proved by Mr. Chute. He advocates emphasizing discrimination in the selection of probation cases, and the need for trained, adequate probation staffs.


Discusses the affiliation of state probation associations with the national body.

The development of probation in the United States and the needs of probation are included in this paper.

---


Article covers a definition of probation, how the system works, development and status of probation systems in Massachusetts and New York, some figures on results, needs and future.


A summary of some of the features of the New York state probation system in comparison with other states.


Treats of the qualifications for a probation officer, methods of treatment in New York City, and pleads for a human, and administrative understanding of the probationer.

---


Discusses the meaning of probation, what it does, how it does it, probation problem in New York City, needs of probation, especially in regard to that city, and the future of probation.

---


The value of probation, need for probation methodology, tendencies to be avoided, the probation officer, standards for effective probation work, are discussed.

---


Summarizes the extent, the limitations, the dangers, the latest developments, and the problems of the probation system in this country.


Mr. Cooper believes that the social worker should be an example of high character and behavior.


The advantages of a clearing house plan applied to the probation system are explained.


Two essentials of a successful probation system are discussed.

Ellis, M. R. Report of the Committee on Records and Statistics (in National

The purpose of statistical work, the training desirable for those who are to prepare reports and court records, and suggestions by which statistical service can be made more easily available to courts, are discussed.


An address given before the thirteenth annual state conference of probation officers, Nos. 7-9, 1920. It is a discussion of probation from the standpoint of selection, training, assignment, promotion, securing initiative, developing teamwork, judging results, of probation officers.


Discusses the advisability of conditional sentence pro and con, and compares American and European systems of probation. H. P. Bates.


Historical survey of ten years' probation work in New York state.


Some requirements for a probation officer.


An outline of the course given at Ohio State University for training of social workers and probation officers.


A general review of probation—its increased use and importance.


Advocates the Massachusetts system of probation.


Discusses the probation officer, his duties, qualification, and how to select him.


Written primarily for the juvenile probation officer, but would apply equally well to adult probation.


The question of scientific training for the probation officer is discussed.


Clear, brief, and instructive presentation of the probation system. J. D. Hunter.


Who should be placed on probation, who should be probation officers,
is probation a punishment, the extension of the system, how long should probation continue, are the questions discussed.


History of the Massachusetts system is given.


An analysis of the meaning of probation.


Describes Colorado law which authorizes hearings of cases of adult misdemeanants.


The development of the probation system.

——. Probation in the Magistrates' Courts. 1912. New York, Board of City magistrates. Pam.

A code of rules to follow in probation action.

A code of rules to be followed in probation action.


Actual case histories make up the book.


A discussion of the lack of development of the system in the South.


Each report contains a summary of the work done during the year. Statistical tables for Massachusetts are detailed—analyses of probation cases according to court and offense.


Intended as a handy guide to judges, probation officers, and others dealing with delinquent and neglected children and with adult offenders in Massachusetts. Contains a brief historical sketch of the system in that state and an outline of local laws and practices.


This report covers the history of probation in Massachusetts, diagnosis of various cases showing results of the probation system, illustrated by tables.


A review of the development and use of probation from October 1, 1907, to September 30, 1921. Subtitle.


The organization of the Maryland Probation Association is explained.
Also published separately by the New York State Probation Commission.
Covers a definition of probation, principles of probation, investigation and supervision.

Some questions in probation work are discussed.

Contains two prerequisites of successful probation service.

An exposition of the methods used in Buffalo.

Attempts to list the probation officers of all courts throughout the United States and Canada.

Papers read before this conference have been analyzed and listed under the author, in this bibliography.

——. Social Service in the Courts. 1920. New York, published by the association, $1.00.

Papers read before this conference have been analyzed and listed under the author, in this bibliography.

Papers read before this conference have been analyzed and listed under the author, in this bibliography.

Papers read before this conference have been analyzed and listed under the author, in this bibliography.

A brief description, with examples of cases, of thirteen ways in which probation may help an individual.

Covers the law in regard to county probation, what probation is, extent and results of the system, a list of counties in New York having county probation officers, why probation is needed in each county, the organization of a county probation system.
NOTES AND ABSTRACTS

Takes up in detail the use of probation, the appointment, duties, powers and methods of probation officers. Includes analyses of probation laws.

Probation or Jail. 1920. Albany, published by the commission.
A leaflet, giving briefly the advantages of probation.

Reports contain a general summary of the progress of probation in New York state, and statistical tables indicating the results. Since 1910, proceedings of the state conference of probation officers, of the state conference of magistrates, proceedings of New York City conferences on probation, have been included in the report.

Contains a statutory history of probation in New York state, a summary of conditions in adult and juvenile probation in the state, merits and defects of probation work as carried on, selection of probation officers, some recommendations. Appendix contains a bibliography on children’s courts.

A leaflet, citing a typical case of the result of probation. Gives seven reasons for a probation system.

Purpose of probation and parole, how the purpose is accomplished, restrictions of the application of the principle of probation, essentials of the probation service, state control of the work, are discussed.

The tests of public opinion, depopulation of the penal institutions, the actual report of the conduct of persons who are in the care of probation officers, are explained.

Bound with New York. Senate Documents. 125th session. 1902. Vol. 5. Gives a history of the growth of probation work, some description of cases, the advantages of probation.


The results of probation in Massachusetts, with statistics for adult probationers.

The historical development of both juvenile and adult probation, with table indicating when various states passed adult and juvenile probation laws. Chapter also includes a discussion of the extent of probation, the work and qualifications of a probation officer, and the use of volunteers.

Reviews the legislative history of probation and contains a general discussion of the system, with statistics on the financial benefits of it.


The cost, probable earnings of men in prison, the cost to the state to keep men in prison, are discussed.


Discusses the position of probation in relation to payment of fines, reparation, and restitution. Brief review of some of the possibilities.


A summary of the history and theory of probation.


The public attitude toward probation and the author's views on adult probation are given.


Compilation of information as to the training or education of probation officers, outline of a training policy, and how to educate a community as to the function and aims of the probation movement.


Some suggestions for an adequate training of probation officers are made.

Suffolk County, Massachusetts. Probation Officer. Report. 1880-1890.

Reports contain statistical information on work done, analyses of these statistics.


The nature, origin, development, scope, selection, terms, probation officer, the assignment of probationers, method of treatment, value and objections of the system, are discussed.


Discusses Massachusetts adult probation and British probation.


Some requirements for a good probation officer, and how schools of social work can add to their equipment, are treated in this paper.

The duties and qualifications of parole and probation officers are used to show that correlation of these two offices is desirable as an economy and for greater efficiency.

Covers a brief review of the practices and results, fundamentals in administration of the system, state supervision.

Brief history of the probation movement.

Gives arguments in favor of probation.

Covers the general nature of probation, the value of the system as proved by experience, the field for probation in United States district and circuit courts, principal features of the bill.

Cites decision of Chief Justice Whie in regard to the Killet's case.


A discussion of the advantages of the probation system by H. C. Parsons, J. H. Ricks, C. L. Chute.

Arguments in favor of a federal law on probation, given by R. S. Copeland, C. L. Chute, H. C. Parsons, and others.

A very brief mention of the success of probation in the case of felonies.

The punitive, practical, and spiritual side of probation are explained. Article also includes statistics of probation in Erie County, New York, from April 1, 1909, to January 1, 1925.

A plea for the arousing of public opinion in favor of probation.

Methods of state supervision in various states are given.

A survey of the Indiana law, systems of educating a community, judges, and probation officers, in probation work, are discussed. 


Articles in Periodicals 


Citation of cases in Milwaukee. 


Discusses the advantages of having volunteer probation officers. 


Claims that probation system, to be successful, depends upon discrimination in selection of cases, and upon trained probation officers. 


Faulty administration of the probation law and general economic conditions after the war, are the causes of the crime wave of 1921, asserts Mr. Chute. 


A brief summary of the status of probation in 1916. 


An article, favoring the passage of the Lonergan bill for federal probation, shows why such a bill is needed. 


Also issued separately by the New York State Probation Commission. 

A history of the New York State Probation Commission, with a description of the work done, leads up to the discussion of the advantages of having state supervision. 


How probation system relieves the families of poor delinquents. Subtitle. 


A discussion of the new probation law of Michigan. 


A review of Mr. Cooley's first report of the Probation bureau of the City Magistrates' courts includes a list of the advantages of probation. 


Article sums up what probation does for the individual and for society. 

A description of the Probation court of New York City—on what principles it works, and how it operates.


Reprinted separately by the Massachusetts Commission on Probation. Includes a history of probation in Massachusetts, the work of the commission in that state, statistics.


Statistics for probation work in New York City are included in this article.


Methods used by Mr. Fagan in his probation work in Pennsylvania, and statistics on the work, are given.


Sample question for examination.


Sample questions for examination.


Sample questions for examination.


Sample questions for examination.


A presentation of the plan for a probation commission for Illinois, with a summary of the duties of the New York state probation commission.


A review of the sixth annual report of the Massachusetts Probation Commission. Points covered include the growth of probation from 1909-1914, need for uniform standards, proposed central authority, need for more officers, new system of reporting arrests.


A detailed history of the probation manner of thought, especially in relation to Massachusetts.

  A discussion of the act, with reference to the application of similar provisions to Massachusetts.

  A description of the probation system, especially that of Massachusetts.

  A personal account of the writer's experience in probation work, with a discussion of the part probation plays in social welfare work.

  Article contains citations of definite places that have secured efficient service by co-operation of small towns and combination of various offices in one person.

  A digest of the commission report of Massachusetts for 1912. Statistics.


  Summary of the report.

  Also in Chicago Legal News, June 22, 1912, pp. 364-366.
  A discussion of the type of persons who should be put on probation. Discusses, also the need for strong, centralized control of a probation system, with some of the qualifications of a probation officer.

  Contains a history of probation in Massachusetts, tables showing results secured by probation system in cases of non-support, drunkenness, suspension of fines. A general summary of adult and juvenile probation is also included.

- Morris, D. W. Report of the Oneida County Probation Officer. Journal of the

Probation in that county from Nov. 1, 1910, to October 31, 1911, is summarized.


A comparison of the two laws.


Some few essentials of probation law are included in this article.


Also published separately by the New York State Probation Commission.

Some standards of probation work such as full knowledge of the prisoner, paid probation officers, eventual termination of the probation period, are briefly discussed.


Discusses the limitations of present probation laws, administration and methods in carrying out the laws.


Presents a survey of the status of probation at that time, as covered by statute law, in regard to salient features and limitations, with suggestions for broadening and perfecting those laws.


Summary of the discussion at the Chicago meeting of the Congress of the American Prison Association, Sept., 1907.


Discusses the question of whether or not the jurisdiction of a court is at end, where a prisoner, released on probation, is rearrested, and after a confinement of a few days is again released, so that he cannot thereafter be again arrested and imprisoned on subsequent violations of the conditions of his release.


An argument in favor of probation, for federal cases.


An article written in favor of the Lonergan bill for a probation system for United States courts.


A discussion of the crime wave as applied to probation, a history of probation in New York, a statistical account of the development of proba-
tion in that state from October 1, 1907, to September 30, 1921, are the con-
tents of the article.


Some probation statistics for New York state, Erie County, Niagara County, for 1915 and 1916.


The value of probation, the law, the extent to which probation is used in England and Wales, some statistics on the amount of work probation officers can handle, are discussed.


Also in Irish Law Times, June 9, 1923, vol. 57, p. 144.

A brief summary of the report of F. W. Grinnell’s Probation as an orthodox common law practice in Massachusetts prior to the statutory system.


A British review of the probation system as carried out in Boston, Massachusetts.


Advocates extension of probation system and care in its administration.

New York Probation Commission.


Contains a copy of the bill submitted to Congress providing for a probation system in United States courts.


Probation results in New York and Massachusetts are used as arguments in favor of state commissions of probation.


The necessity for state supervision of probation is brought out in this article by a discussion of what probation is, on what factors its success depends, what a probation officer must be able to do, the conditions of the Illinois system at the time the article was written, and how state supervision will correct certain weaknesses.


The duties of the probation department of the Municipal Court of Philadelphia are explained.


A discussion of the New York State Probation Commission’s report, which reviewed the development and use of probation from October 1, 1907, to September 30, 1921. The claim that probation is the cause of crime is refuted.

Reviews probation system in Massachusetts. *New York State Probation Commission. Report*


A short summary of the advantages of probation.


Thirty-one standards are listed.


A history of state supervision of probation work.


A description of the methods of training probation workers in that court.


A summary of probation progress during 1910, including citation of probation and kindred laws passed by various states.


A description of the probation system in Massachusetts in 1898, with some statistics for that year.

**ADULT PROBATION**

Books, Pamphlets, and Documents


Paper read at the 15th annual state conference of probation officers, Nov. 13-14, 1922.

A round table discussion on what type of offenders are most responsive to probationary treatment, should probation treatment be limited to first offenders, what are the best methods for keeping informed about the conduct of probationers, what influences should be brought to bear on probationers.


The problem of probation for women arrested for drunkenness is discussed.


Probation is treated from the viewpoint of a public duty to be performed.
A hopeful view of the system of adult probation.

Report is for the years 1911-1912; 1912-1913, and the first six months of 1913-1914. Covers number of persons on probation, offenses for which they are convicted, a comparison with adult probation in New York City, results of probation, earnings of probationers, duties of the probation officer, the provisions of the adult probation law of Chicago.

The use of probation in the payment of fines in Boston, Buffalo, Chicago, Cleveland, Illinois, Indianapolis, Kansas City, Massachusetts, New York and Pennsylvania.

See also his placing misdemeanants on probation, for practically same material. Humanizing a court has some added material in the form of statistics, and the addition of a paragraph on Employment.

The probation system as applied in suspended sentence cases, paying of fines on installments, drunkenness, restitution, in Indianapolis.

Numerous tables on disposition of various cases, finances, offenses, etc., are included in these reports on the progress of probation in Connecticut.

Cook County, Illinois. Board of Commissioners. Cook County Adult Probation Department (in its Report. 1924. Pp. 50-51).
Gives statistics on number and kinds of cases, financial earnings of probationers.

Contains statistical tables on number of persons on probation, offenses with which charged, age, civil condition, results of probation.

Opinions on the adult probation system of Massachusetts and Indiana are given.

Especially applied to adult probation.

Some of the problems of probation work are discussed.

Gives reasons for adult probation. Very brief.

A short summary, mostly statistical, of adult probation, is included in the report on page 7.


To secure efficient supervision over probationers requires a good probation officer, investigation of cases, co-operation with other social agencies, visits to the home of the probationer, reporting, mental and physical examinations, profitable employment of probationers, healthy recreation, according to Mr. Johnson.


Paper read before the annual state conference of probation officers, 1913. Gives a brief history of the woman as a probation officer, and illustrates the talk with examples from her own experience.


A discussion of the Colorado law which makes a new application of the principles of the chancery courts to cases of adult criminals.


Discussion at third state conference of probation officers, 1910. Various state probation officers give their experience.


Discussion at third state conference of probation officers, 1910. Opinions of various probation officers are given.


Describes the system used in various courts of the state. Points out defects in system of administration.


Various women probation officers contribute the results of their experience, at the 5th state conference of probation officers, Nov. 19-20, 1912.


Discussion at the fifth state conference of probation officers, Nov. 19-20, 1912. Contributions by various men on that subject.

----------. Probationary Treatment of Drunkards (in its Report. 1911).

Discussion at fourth annual state conference of probation officers, Oct. 17-18, 1911, by various officers.

Paper read at sixth annual state conference of probation officers, 1914, discussing the probation work with men by the Buffalo city court.


Possibilities and necessary limitations. Subtitle.


Includes discussion of defects in probation systems, offenses for which probation might be granted, duties of probation officers.


A discussion of the methods and results used with persons charged with the neglect of their children.


Why a probation officer is needed is told briefly. The Illinois law concerning probation is summed up, with suggestions for improvement.


Adult probation in Missouri is discussed.


Paper read at seventh annual state conference of probation officers.

A recountal of personal experience.


A study of probation with sex delinquents as used in Chicago, Philadelphia, and Boston.


Work with women probationers is described.


Also published separately by the New York State Probation Commission under title: Adult Probation in New York State.

Covers the development of probation in New York, practical conditions of probation, origin of the Domestic Relations court, probation in Erie County, conclusions regarding adult probation, co-ordination of parole and probation.

The correlation of parole and probation systems is shown by Erie County's report. Some discussion of adult probation is given.


Statistics on probation.

Articles in Periodicals


A discussion of the failure to enforce the adult probation law in Illinois, particularly in Chicago.


Gives a short summary of the probation bill pending before the Illinois legislature in 1907.


The advantages of probation listed briefly.


Judge Cleland's work with probationers in Chicago.


Discusses the three cardinal principles of probation work: selection of probationers, properly qualified officers, need of judicious supervision during the term of probation.


Qualification and duties of the probation officer are discussed. Includes the Massachusetts probation commission's recommendations for probation officers.


Statistics on ten years' adult probation work in Indiana.


The results of the suspended sentence law as it has worked out in the past eight and one-half years are given. Statistics.


Gives a brief summary of status and development of adult probation, results of probation, dangers and limitations, needs, the domestic relations court, probation in federal courts, some conclusions and recommendations.

Contains a few statistics on adult probation, taken from the eleventh annual report of the New York State Probation Commission for 1917.


Describes the author's probation work among the adults in the Chicago Municipal Court. Gives the opinion that adult probation will abolish to a considerable extent, the necessity for the Juvenile Court.


Discusses the fundamental working conditions necessary for effective probation work, the problems of formulating and improving the methodology.


Refers to adult probation system in courts of New York City. New York Probation Commission.


Discusses the plan for putting occasional drunkards on probation.


A detailed analysis of 682 cases supervised from the Women's division, Probation department, Recorder's court, Detroit, during the year Dec., 1922-Dec., 1923.


Failure of judges to comply with the law (quoted) in regard to probation is defense given for alleged failure of probation to work satisfactorily in Cook County, Illinois.


A plea for an adult probation law for Ohio, with illustrations from Massachusetts and New York to substantiate statements.


The work of the adult probation department after six years, is summed up briefly.

Houston, J. W. Legislation on Adult Probation in Illinois. Journal of the
Gives a summary of the changes in the adult probation law of Illinois.

What cases should be put on probation, and some don’ts by the probation officer of Cook County, Illinois.

Recent developments in Philadelphia included the organization of a separate group of women to work with colored offenders.

A description of the adult probation work as carried on by Mr. King in New York City.

Studies of the results of probation with 300 Jewish women, statistics covering number of native and foreign born, ages, literacy, physical condition, occupations, whereabouts, general summary.

Describes methods used in New York City.

Statistical report of work done for the month of August, 1917.

Statistical report of work done, Jan., 1917-June, 1917.

A study of the results of probation deducted from 2,114 cases in Massachusetts.

Suggestions for amending present laws are given to correct defects in the present system.

Probation for women offenders in Massachusetts is discussed.

General summary of the history of adult probation in Minneapolis. Statistics for 1921 are included in the article.
ADDENDA

BOOKS, PAMPHLETS, AND DOCUMENTS


Chute, C. L. Development of Probation. 1922. N. Y., Russell Sage Foundation, 10c.


———. Probation System. 1923. N. Y., National Society of Penal Information. Pam.


Frank, C. L. 350 questions and answers for probation officers, chief probation officer, parole officer, and parole agent in the service of the city and state of New York, New Jersey, the city of Chicago, and Kansas City. 1913. New York, Civil Service Chronicle, $2.00.


Hecht, Solomon, and White, D. J. Probation and Parole Officer Examination Instructions. 1917. New York, Civil Service Chronicle, $3.00.


Issued also by New York State Probation Commission.

NOTES AND ABSTRACTS


Thurston, H. W. Probation Officer at Work. 1915. New York, School of Philanthropy, 5c. (Studies in Social Work, No. 3.)


Articles in Periodicals

Adult Probation. Juvenile Court Record, March, 1909.

Adult Probation in Cook County. Institution Quarterly, Sept. 30, 1919, vol. 6, pp. 30-34.

Austin, James. Banquet to Paroled Probationers. Juvenile Court Record, April, 1909.


Also in Indiana Bulletin of Charities and Corrections, Sept., 1906, pp. 16-17.


Murphy, J. P. Case Study to Test the Efficiency of Probation Treatment. Catholic Charities Review, Nov., 1921, vol. 5, pp. 287-293.


Greene County, N. Y., Makes History in Criminal Court Field. County Judge William E. Thorpe Adopts Policy of Psychiatric Examination as Basis of Dealing with Criminal Court Cases—Results Prove Wisdom and Economy of the Plan.—(The following communication is from Dr. Clinton P. McCord, Consulting Psychiatrist of Albany, N. Y., who examined the group of cases for Greene County; the cases, requiring commitment to a hospital or institution, were then examined jointly with Dr. C. J. Patterson, Superintendent of Marshall Sanatorium, Troy, N. Y., and the necessary certifications were made. Dr. McCord felt that the affair was of such importance to the cause of scientific administration of justice that it warranted immediate report as a matter of encouragement to other court officials who, in open-minded and fearless fashion, strive to meet their problems in a progressive and constructive manner.)

At a term of the County Court held in and for the County of Greene, New York, on the 8th of December, 1924, there were ten criminal cases before the Court for disposition. These cases came to the County Court from an earlier term of the Supreme Court held in and for said county, where Hon. G. D. B. Hasbrouck was the presiding Justice. Judge Hasbrouck stated that he believed
these cases should go over to the County Court for disposition to enable County Judge William E. Thorpe to enlighten himself with reference to the sentence to be imposed, if such there should be, and to generally determine from the knowledge which he should gain what character of disposition should be made of the several cases then under consideration.

As a result of this suggestion, County Judge Thorpe directed the District Attorney of the county to arrange for Dr. Clinton P. McCord, a psychiatrist of Albany, to come to Greene County and to make an examination of each and every one of the above number of criminal individuals, which was done, in the presence of the County Judge, at the Grand Jury Room, in the Court House, and covered a period of approximately three days and evenings. At all of these examinations and in each and every instance County Judge Thorpe was present, participated in the examination and was a careful observer of every method adopted by the psychiatrist in the examinations made.

This was a new field which the general public could not readily comprehend and naturally caused a great deal of adverse criticism, primarily because of the expense incurred in securing the services of the psychiatrist, and the reason therefor could not by the general layman be understood. After the examinations had been held and the Court convened and the several cases were disposed of in accordance with the general suggestions made by the psychiatrist, Judge Thorpe was interviewed by one of the reporters for the local press and was questioned as to the advisability of the recent procedure and why the same should be necessary in order to give the Court information to dispose of what were apparently ordinary cases of grand larceny or crime of like character. The reply of Judge Thorpe to the reporter was, in substance, as follows:

"Having been present at each one of these examinations, having carefully noted the degree of detail and the numerous branches of medical, mental and psychological research adopted by the expert it was readily apparent to me and demonstrated beyond the peradventure of any doubt that without this examination there would have been one of the most serious and regrettable dispositions of each of these cases that had ever happened within the confines of a County Court in this county.

The character of examination immediately developed so that the ordinary lay individual could ascertain the mental process of the criminal, his power to co-ordinate, to execute, to plan, or on the other hand, his latent possibilities and likewise clearly demonstrated his inability to plan, his impulsiveness and how having done a thing, it was done on the impulse and then there was a backward step and a desire to change the whole method of procedure, and clearly indicated how unstable and lacking in the proper degree of mentality the individual was.

The examination also developed the suggestibility of the mind of the criminal and how easily he might be led into byways and forbidden paths in contravention of the law, when he would suddenly stop to find himself entrapped in a mesh from which it was impossible for him to extricate himself. The suggestibility demonstrated by the examinations also taught me the possibilities of letting these men associate with acknowledged criminals as to the period of time that needs to elapse, which in every instance would have been short, to have had these same criminals absorb the criminal suggestion of a criminal mind of a superior to be tractable for the commission of further crimes and
in the event of their being sent to a reformatory or prison would have brought
them into the civilized world confirmed and educated criminals, ready to do
the bidding of the master mind, should they come in contact with, and up to
all the tricks of the trade.

If we went to the doctor's office and informed him that one of the mem-
bers of our family was ill, and should he respond by saying, "Give him a dose
of paregoric," we would consider the doctor was either grossly negligent, un-
willing to perform the duties of the position he occupied in society, or lacking
in sound common sense and good judgment. Yet, on the other hand, the tax-
paying public are asking the judicial officers before whom criminals are arraigned
and who have the power of disposition as to their future to not diagnose the
disease but to furnish the remedy for a disease that they do not know the char-
acter of and which in instances of this kind there can be but one remedy for,
and that is reformatory or prison. The asinity of such a method of per-
formance is clearly apparent when we wouldn't have a doctor treat without any
diagnosis. On the one hand, it is the health of the individual that will be
affected, while on the other hand, where the Judge enters into the situation, it
means the future of the criminal and his relation to society and the peace and
harmony of the society in which he shall later mingle, all of which are in the
hands of the judicial officer, and the public have heretofore demanded or expected
disposition of these cases on his part without any knowledge of the disease.

It has developed in these examinations that a gross injustice would have
been done and I realize that there will be many criticisms of the expense and
of my attitude in the disposition of these cases; it may be said it requires
nerve to buck public opinion, but not if you have the courage of your own
convictions, and in this case my conscience has dictated to me that I should
know the disease before I prescribe the remedy therefor.

The procedure adopted here in Greene County perhaps is among the first, if
not the first, adopted in any Court of this kind in the entire United States, par-
ticularly true perhaps as to New York State, but it has been recommended a
long time since by the American Bar Association and prominent criminal lawyers
all over the country are repeatedly rallying to the standard whose insignia is
no longer, "An eye for an eye and a tooth for a tooth," but is rather that
justice shall be tempered with mercy and that no prescription shall be given
in the way of a sentence until the disease calling for the prescription shall
have been thoroughly diagnosed and a perfect analysis made so that there
may bê chance of a recovery or at least full protection to society from the
future crimes of these same individuals.

This method rectifies the constitutional ailment of the individual and re-
turns him, if he is ever returned, to society, cured or further advanced mentally
and physically than would ever have been possible under any other circum-
stances. It saves him and his future to the better element of society.

While the first expense incurred for examinations of this kind may seem
large, I feel safe in saying that this expense which saves the criminal to society
is infinitesimal as compared with the expense that the taxpayers will incur in
taking care of him and his progeny after he shall have been treated without
diagnosis, committed to an institution, permitted to associate with criminals,
absorbing their ideas and their suggestions, and allowed to propagate and bring
up offspring which shall become a menace to society and a disgrace to civil-
zation generally. This latter class is the one which today is causing our prisons to be filled, is causing expenses of peace officers and trials running into the millions, while the other class will not be permitted to roam at large until they shall have proven that the recovery is complete and that they are safe to mingle with society and be the character of citizen that might be a credit to any town, county or state in which they might reside.

Human nature has its inherency and its failings in every individual, and judges are no exception to the rule. My idea of a judge is that he shall be a man who shall first learn what his duty is, not only to the criminal but to society, who shall act according to the knowledge that he has, shall acquire all the information he can, act according to the dictates of his conscience, and leave the ultimate result to that infinite power that governs the world, confident that the result obtained in that way, while perhaps expensive in the first instance, shall redound to the honor and glory of our legal system as it shall be later revised and put upon a plane that it has never occupied before, by adopting an enlightened method of procedure with reference to the disposition of all criminal cases.

Thus on December 8th, just passed, in the historic court house at Catskill, N. Y., was staged a demonstration of what criminal court proceedings might be if all persons concerned with the machinery of justice were free from prejudice and traditionalism and had the courage and vision to insist that real justice must be based upon "the truth, the whole truth and nothing but the truth." The demand to know the whole truth about the Greene County cases and the disposition of these cases in the light of this truth marked the action of the Greene County Judge as scientific and distinctly superior. Judge Thorpe and District Attorney Coffin are not novices in the field of criminal law. Besides some years in connection with the office of the State Attorney General, Judge Thorpe had served as District Attorney and had enjoyed a large and varied criminal law experience before he came to the bench. Mr. Coffin's talents have been enlisted in many criminal cases, at least two of which have excited national notice because of their intricate legal aspects. This is of interest in order that critics may not seek to belittle the action of these officials by suggesting that they are "soft-hearted reformers," "uplifters," etc. These men are experienced, hard-headed, conservative lawyers who have, as a result of years of experience, both as prosecuting attorneys and as defending counselors, been stripped of mawkish sentimentality and have come to know the power of truth. The Judge, in answering the criticism of a prominent citizen that such examinations cost the county money, said: "Yes, it has cost something; but the results show that it would cost the county a great deal more not to have so investigated them." The reference was directed specially to one of the cases who had served a prison sentence and had entailed much expense to the county and to the community, all of whose crimes have evidently been determined by his mental disease, and who would again have received a prison sentence had it not been for the aid of psychiatry; the State Hospital for the Criminal Insane assures the man humane and decent treatment for his disease and the community is free from the expense of his criminal activities, not for a three- or five- or ten-year period, but until such time as his mental state no longer renders him a menace to said community; thus, two wise and constructive purposes are served completely instead of beholding the usual feeble attempt at punishment and correction.
In a few centers, as in the Municipal Court of Chicago under Chief Justice Olson, the value of psychiatry as an aid in the disposition of cases has been appreciated and definite provision has been made along this line. The provision available through the Judge Baker Foundation in Boston for the study of juvenile offenders is notable. In other places judges have appointed psychiatrists to inquire into the mental condition of certain cases when in the judgment of the magistrate the facts of the case pointed toward the presence of a mental ailment; but this last procedure is usually only in confirmation of what the public has concluded for itself, and, of course, it never comprehends the condition of a much larger number of cases with a psychiatric aspect that are never suspected by the public nor by the judge and prosecuting attorney.

In other situations we find the undignified proceeding of contradictory expert testimony with scant chance of an impersonal and unbiased picture being presented to the jury and the presiding judge. Certain agencies have endeavored to bring about a change along this line and the American Institute of Criminal Law and Criminology, composed of leading authorities in both the legal and mental medicine fields, has made definite recommendation for reform along these lines. We believe that the Greene County Judge is the first county official to take a decisive step in the matter—actually to declare a policy in reference to criminal court cases in line with the best scientific thought on the subject in both the law and medicine. Late in November, last, with the term of criminal court approaching, Judge Thorpe declared the following policy:

"We are facing the disposition of ten criminal cases, ranging in age from eighteen to fifty-eight years, all indicted for felonies; we know nothing of the mental condition of these men nor have we any explanation that satisfies us as to the reason for their conduct; before a doctor treats a case he should make a diagnosis; we intend to have a diagnosis made in each case here; we have no purpose to serve except that which means real justice to the prisoners and full protection to the community; we are not seeking the praise or gratification of the public—we have only our own conscience to satisfy; when a doctor has an intricate legal paper to be drawn up he comes to the lawyer; when the lawyer wishes information on the mental constitution of an individual, he should go to a psychiatrist; we are adopting the policy of having our criminal cases examined completely and shall base our action in regard to the disposition of these cases on the results of such examination and analysis."

In brief, the attitude of the Judge was so frank, earnest and sincere that it was quickly communicated to the lawyers who represented the various cases; everything was open and impartial; the examinations took place in the Grand Jury Room and the lawyers for the defense in each case were given full opportunity to observe, to ask questions and to realize the absolutely impersonal and unbiased character of the examination.

The Judge and District Attorney were present throughout the examinations which covered three days and evenings and included complete physical, neurological, psychological and psychiatric consideration of each individual. The results of these examinations in detail will be reported in a paper now in process of preparation. We are here concerned and now with the stimulating fact, that, given a magistrate with unselfish zeal in the line of duty and with the vision and courage that lead to action in the cause not of precedent nor present expediency but in the cause of ultimate good, we are sure to find lawyers of superior character rising to the challenge. The lawyers for these ten felons
were given copies of the psychiatric reports and had a chance to study them together with the recommendations for disposition before court opened. The prisoners were arraigned as a group. The Judge addressed them as a group and then the individual cases were called. Interesting to relate, the defending attorneys changed their pleas of "not guilty" to "guilty," and in each case spoke in terms of agreement with the recommendations of the psychiatric report. Eight of the men were first offenders; seven of these were sentenced to Elmira Reformatory and the sentence was suspended and they were instructed upon certain probationary provisions to be compiled with in line with psychiatric opinion; one of the eight was feeble-minded and was committed on court order to the Rome State School. Considering the other two prisoners—one was psychotic and was committed to the Mattewan State Hospital for the Criminal Insane, and the other man was feeble-minded and was committed to the Rome State School.

Quite the most striking feature of the occasion was a statement from Judge Thorpe to the effect, that, without the results of the examination of these men he would have sent every one to the reformatory or to state prison; this action, as he pointed out, would have done grave injustice to at least three (30%) who would have come out at the expiration of their sentences just as feeble-minded and just as mentally diseased as they now are, and each one a further potential source of crime and expense to the community; he then indicated how much more humane and sensible and economical is a disposition based on the needs of the individual.

A great lamp has been lighted in Greene County by Judge Thorpe; let us hope its beams may light up many benighted courts. When judges and prosecuting attorneys everywhere approach their tasks with truly open minds and the desire to know the truth, however upsetting it may be, provision will be made in every county and large municipality for an impartial psychiatric consideration of all criminal cases.