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Fifty-Ninth Prison Congress, The

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EDITORIALS

THE FIFTY-NINTH PRISON CONGRESS

The Prison Congress of 1929, held at Toronto in September, afforded a good occasion for comparison of methods in dealing with the delinquent, as followed in two countries. The Canadian point of view as to penal administration draws much more of its inspiration from across the ocean than from the States across the line.

This Fifty-ninth annual session of the American Prison Association was heartily welcomed by the Canadian Officials, including the Mayor of Toronto, Provincial Commissioner Ferguson, and representatives of the Government. During our stay, the delegates were conveyed forty miles by bus to the Ontario Penal Farm or Reformatory at Guelph. This Institution, without walls, is located upon a beautiful plateau, and houses some five hundred young, first offenders. In this number, however, is contained one hundred insane criminals on longer sentences, including lifers, and confined in a separate section.

The same sharp distinction is made in Canada as in England between the minor and more serious offenders. Different, and more considerate treatment is given the former, because of their well-known limitations and lack of responsibility. Likewise separate institutions and special treatment are provided for all offenders who are considered reclaimable, while the recidivist and apparently hopeless subject is relegated to the simplest form of custodial care.

The popular notion that there is less crime in Great Britain and Canada because of greater severity in those Countries, was not borne out by the discussions of the Prison Congress. To be sure, flogging of convicted prisoners is practiced to a considerable extent, but no such procedure as the "Third Degree" against an accused person would be tolerated for a moment. On this point, Robert L. Calder, K. C. of Montreal, gave utterance to the following severe indictment of our methods. "Certain phases of crime legislation must be struck out from the books unless the United States wants to go down in history as an unjust, excessive, and cruel community. In former times a man was placed on the rack and made to confess his crime. It was far more honest than the methods now used in police jurisdictions in the United States. I never heard one man say in an English prison that he had been 'framed'."

A similar verdict of comparison was given by Mr. Roy Calvert, Secretary of the Howard League for Penal Reform of London, who attended the Congress, after inspecting many American prisons. This expert's findings were not all in favor of his own country. He corrected the curious belief of English people that prisoners in the United States are pampered. For a crime that might receive a sentence of six months in England, he said, an American offender might get five or six years. It is Mr. Calvert's opinion that while there is a great deal of violent crime in America, it is not so much more than in Britain as some people think.

On the other hand Mr. Calvert gives plenty of food for thought. He said: "We have seen some wonderful prisons, and some that are a disgrace to civilization. It is impossible to state whether American prisons are better or worse than British penal Institutions." In giving certain striking contrasts Mr. Calvert said: "The American Prisons are full of men who are desperate and of such difficult material that it is not easy to administer the prisons in a humane way. While England is closing prisons, America is building prisons, for the ever increasing prison population. In England, the daily average of prisoners is 10,000, and in America it is 130,000, or three times as many in proportion to the population." In summing up his impressions, Mr. Calvert was apparently surprised to note that in nearly all American prisons, inmates have meals together, and in every prison he visited the food was much better than British prisoners get. Authorities told him that it cost no more to cook food well than badly. The chief place, apparently, where Canada greatly excels in dealing with crime, is in the prompt action of its courts.

The discussions of the Prison Congress as a whole, have shown a definite and increasing tendency towards questions of individual treatment of the offender, rather than "discipline" or any other problem of mass handling of groups. In the first place, the National Conference of Juvenile Agencies, formerly a section of the Prison Congress, held a two day Convention of its own, preceding the general meetings. The attendance was so good, and the program so vital, that there was some talk of the tail wagging the dog. The retiring President of the Conference, Dr. Herman M. Adler, is succeeded by Mr. John A. Tinsley of Woodbine, New Jersey.

The Prison Association itself embraces an ever wider and more varied membership. At a time when all forward looking programs in this field, consider not only penal administration, but the personal factors involved, the agenda must include criminology, Juvenile delin-

quency, social conditions, Psychology, Psychiatry, Jurisprudence, Legislation, Probation, Parole, and the proper after-care and supervision of offenders. Naturally the delegates attracted to these discussions were the specialists in all these fields.

In his opening address George C. Erskine, retiring president of the Association and superintendent of the Connecticut State Reformatory, advocated the plan of having the court, instead of passing a definite sentence, turn the offender over to a commission of experts who would decide on his abilities or disabilities, assign proper treatment in appropriate institutions and ultimately determine the length of confinement. To be sure this is no new suggestion, as that is precisely what is intended to be accomplished by the indeterminate sentence and a properly administered Parole Board. Notwithstanding the persistent misunderstanding on the part of the public, as to the meaning and value of Probation and Parole, there was no uncertainty in the informed circle of this Conference. The feeling was general, that the solution of many prison problems would be solved by a more extensive use of these measures. The experience of Massachusetts was cited, where 23,000 offenders are under probationary supervision, as against 3,500 in the State's penal institutions. More of this practice in other states would relieve the congestion and tax-burden resulting from the support of thousands who might better be on the outside maintaining their dependents.

The two dominant items of interest and concern on the part of delegates were the prevailing overcrowding of most prisons in the country, and a corresponding increase in idleness. For example, in Illinois, the prison population has exactly doubled in the last ten years, and forty per cent of these inmates were idle in 1927, according to the findings of a State Commission. As to the overcrowding, Hon. Sanford Bates, the new Superintendent of Federal prisons, called attention to the fact that much of this is due to the two newly made crimes of auto-stealing and violations of the Eighteenth Amendment, offenses created by legislation of recent date. With reference to idleness in the prisons, the Wardens seemed to be genuinely alarmed lest the Hawes-Cooper law, to become effective in five years from its passage, will create still more idleness in all correctional institutions. They accordingly passed a resolution, which was adopted in the business meeting of the Conference, imploring Congress to repeal that law, which provides against the interstate shipment of prison made goods.

Hon. C. J. Swensen, Chairman of the Minnesota Board of Control, was elected President of the American Prison Association for

the ensuing year, and E. R. Cass, 135 East 15th Street, New York, is Secretary. Louisville, Kentucky, was chosen as the place of meeting next year. Membership in the Association is not restricted to specialists. Any person interested in penal and criminal problems may join, and all members are furnished with a volume of the Proceedings.

F. EMORY LYON.

Superintendent, The Central Howard Association, Chicago.

INTERNATIONAL PRISON CONGRESS

The tenth International Prison Congress will be held in Prague, Czecho Slovakia, from August 25th to August 30th, 1930.

The programme has been completed and will deal with such questions as Prevention of Crime, Unification of the Fundamental Principles of Penal Law in the different Countries, The Indeterminate Sentence, The Payment of Prisoners, Recreation for Prisoners, Professional and Scientific Training of the Prison Staff, Cellular Confinement, the Necessity of Knowing the Antecedents of Defendants, Probation and its Organization as between Different Countries, International Cooperation for the Study of Changes in the Movement of Crime and their Causes, Children's Courts and their Auxiliary Service, the Best Treatment of Juvenile Delinquents. These questions will be discussed by the most competent Penologists from all parts of the world.

In addition to this programme many excursions and entertainments are being arranged. For more than a thousand years Prague has been the center of the political and intellectual life of the Czech nation. Every century has left its traces in the form of historical monuments which mark stages, both of splendor and of misfortune, in the national existence.

It will be possible to combine attendance at the Congress, with inspection of the modern prison just completed near Berlin, and of other continental prisons; visits to the International Exhibit at Brussels and to the Passion Play at Oberammergau. Tentative estimates are being arranged with Messrs. Cook and Sons as follows: Ocean trip, tourist, third class, including taxes, \$232.00; traveling and living expenses, including land travel, meals, hotels, tips at hotels, sight seeing and baggage transfers, \$13.00 per day.

ROBERT H. GAULT.