

Fall 1931

Social Agencies and Crime Prevention

Harry M. Shulman

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Harry M. Shulman, Social Agencies and Crime Prevention, 22 *Am. Inst. Crim. L. & Criminology* 545 (1931-1932)

This Article is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in *Journal of Criminal Law and Criminology* by an authorized editor of Northwestern University School of Law Scholarly Commons.

SOCIAL AGENCIES AND CRIME PREVENTION¹

HARRY M. SHULMAN²

A realistic determination by this Conference of the role it should fill in a program of city-wide crime and juvenile delinquency prevention can take place only after an analysis of the instruments available to social agencies, their efficacy as crime preventives, and the scope of these instruments as compared with the field of criminal operations and violations of laws affecting health and public policy.

A rapid survey of arrest statistics in New York City indicates the deep-seated and prevalent nature of defiance of laws in this city. The report of the Police Commissioner for 1930 states that 465,576 arrests were made. This figure, in ratio to the population figures of the 1930 Federal census, indicates that this total represents one arrest for every five males above 16 years of age. The Police Commissioner has subdivided the total of arrests into eight classifications, of which 363,177 consist of minor violations. This group, labelled in the Police report as "violations against regulations for public health, public safety and public policy" included violations of the sanitary code, miscellaneous narcotics violations, intoxication, intoxication combined with disorderly conduct, operating an automobile without a license, gambling of all descriptions including crap-shooting, slot machines, policy rackets and book-making, Sabbath Law violations, Park ordinance violations, peddling without licenses, and a vast number of traffic violations.

The remaining arrests, 102,399 in number, or one for every 22 males above the age of sixteen, consist of more serious offenses, including those of homicide, felonious and simple assault, robbery, burglary, grand and petit larceny, offenses against chastity, abandonment, unlawful possession of weapons, and disorderly conduct.

The separation of offenses into these two broad classifications is justified by criminologists on the assumption that the first class consists of those which arise out of the daily life of the average man, and represent his selfish attempts at convenience, pleasure, and profit-making through disregard of public opinion as expressed in regulations and local laws. And while we do not know, in a statistical way,

¹An address delivered at the New York City Conference of Social Work, Thursday, May 31, 1931.

²Research Director, Sub-Commission on Causes of Crime. New York State Crime Commission.

whether the average man is the usual minor offender, or whether the major offender is also a prevalent violator of minor regulations, it is safe to assume that a very large proportion of minor offenders are otherwise average citizens.

You, as representatives of social agencies, must determine whether you wish to include this group among your crime prevention endeavors. The first question you must answer is whether or not these violators are primarily among that portion of the population with whom you are in daily contact. The answer here is decidedly in the affirmative, save perhaps for those whose possession of automobiles results in offenses. Whether you can, however, be effective in supplementing our public authorities in reducing the number of these offenses, is entirely dependent upon the amount of effort you are willing and able to give to this work.

There was at one time the belief that the wholesale violation of law was the price we paid for admitting immigrants in large numbers. Today, New York City is in a position to measure the effect of a thirteen year restriction on immigration, and it finds no diminution in minor offenses. The lesson from this experiment in immigration is obviously that it does not suffice merely to have a population that is acquainted with our laws, but one that is interested in maintaining them.

Reduction in these minor offenses is dependent upon the inculcation in our citizens of deep habits of conformity, of orderliness, sobriety and thrift. These are qualities which go directly down to the foundations of a civilization. They are qualities which are based primarily upon long-time, habitual practice of behavior inculcated in early childhood, although effective educational campaigns aimed at specific adult habits are often decidedly successful, as recently illustrated in the use of an appeal to adults to conserve the city water supply.

It is a significant fact that minor violations, with the exception of traffic violations, are very largely committed in the home neighborhood of the offender. A neighborhood program of re-education, carried on in local institutions and with an appeal to local pride, may perhaps be made effective. Such a procedure could perhaps be integrated into the broad local community program to be presented later in this discussion.

On the other hand, many of you may feel that this long-time educational policy is not what this city needs, and that what it really needs is the overthrow of a political system which puts a premium

on petty crime and slovenly ethics and citizenship by making excusable these offenses, and rendering immune many of these offenders, for a price. There is no doubt in my mind but that a sharp reduction in minor offenses would take place if our citizenry knew that charges could not be "fixed," and that justice in our Magistrate's Courts was effective and prompt. But these very persons who profit by our present political system help to perpetuate the system.

No participation of social agencies in programs aimed at the reduction of minor offenses among those under the jurisdiction of our adult courts would be complete without strong support of various current movements aimed at the improvement of our local institutions. The Crime Prevention Bureau of the Police Department should have your full co-operation, not only in spirit, but in the willingness to go far out of your way to aid the unfortunate adolescent children who have come to its attention.

There should be no question of your support of a properly staffed and administered Domestic Relations Court for the wise disposition of all matters affecting domestic relations, to supplant the present unsatisfactory treatment of quasi-criminal domestic relations cases in the Magistrate's District Courts.

Your support should emphatically be given to a specialized Adolescents' court for boys between the ages of 16 and 21, under the administration of qualified permanent magistrates and equipped with all of the facilities deemed necessary by modern criminal justice, including psychiatric, psychological and medical service, and a properly trained probation staff. In connection with such a court, it is imperative that the Tombs prison, Raymond Street jail and other county detention prisons be abandoned as places of detention for boys, and that a detention home be erected which would allow complete privacy in comfortable, individual rooms, for all boys awaiting trial, as a means of reducing that communication of criminal information from sophisticated to unsophisticated prisoners, which today makes of our detention prisons preparatory schools of crime.

There is imperative need of awarding to probation in the Magistrate's courts, a higher status and a greater importance. Our magistrates have made too liberal use of suspensions of sentence and too infrequent use of probation. In New York City, during 1930, more than 110,000 lesser offenses resulted in suspensions of sentence, and fewer than 6,000 resulted in probation, although the social backgrounds and the circumstances surrounding the offenses, in thousands of cases, pointed to the need of social supervision and guidance, if

the recurrence of the instant and similar offenses were to be prevented. Your whole-hearted support should be given to inquiries and to movements intended to increase the status and efficiency of the Magistrate's Court probation system, by increasing the requirements for entrance into the work, increasing of salaries to secure high type personnel, and of tremendously increasing the size of the staff, to make of the Magistrate's courts, socialized courts of summary jurisdiction in minor cases. For until our Magistrate's courts are so socialized, they will be but a sieve, through which will continue to sift all of the maladjustments of society.

The *major* offenders of this city constitute quite a separate problem from the one we have just discussed. Candor compels us, as social workers, to recognize our limitations in dealing with that group. Aside from the help we may render probation and parole departments in carrying on their case supervision of paroled and probation cases, by means of vocational, clinical, and recreational aid, there is perhaps a dearth of other means to rehabilitation of that group. The primary psychological difficulties of acting as mediators between the adult offender and the rest of the community are a terrific obstacle at the very start. Suspicion and distrust taint the relationship and attitude of the offender, the community and of ourselves. Besides, the very nature of social service, and its traditional history, limits its crime prevention possibilities to certain classes of offenders and to certain classes of crime. As today conceived and operated, social service cannot operate as a crime preventive agency among the rich, among the powerful, among the politically secure, or among professional criminals. Likewise, it can hardly operate among the more intelligent of the criminal classes, such as engage in various stock and financial swindles, for the simple reason that this group is hardly ever apprehended, and when apprehended, is unwilling to accept guidance. Social service, in dealing with the adult generation of serious offenders must deal primarily with those of the convicted group who are willing to be dealt with, and those consist often of the unfit—the dull and mentally deficient, the indigent, the chronically ill, and mentally affected, persons whose criminality is but an adjunct to their other claims upon social service.

In addition to all of the previously enumerated circles wherein social agencies may not penetrate, there is the procession of cases which pass through our courts, but which are discharged through miscarriage of justice, or in which suspended sentences are given. There exists no machinery today whereby social agencies may enter

upon rehabilitative work with these thousands, even though they are not otherwise taboo.

We may thus summarize broadly the limitations of social service in dealing with adult criminality, therefore, by saying that it can deal with criminality only to the extent that adult offenders are willing to be dealt with, and is therefore limited to the type and class of individuals who normally are the clients of social service organizations.

It is in the sphere of *childhood* delinquency that social agencies can be most effective. The current tendency among investigators is to stress the period of childhood as the primary period of personality formation, and to relate personality to crime. Thus the mental hygiene movement, imbued with psychoanalytic theories, regards crime as a result of frustrated childhood wishes, or as an infantile reaction to authority. The mental hygienists feel that if they could affect the rearing of children so that parents might avoid their usual blunders in meting out punishment, in setting unreachable goals, and in curbing natural interests and desires, a more wholesome and less criminal generation would ensue.

The sociologists stress the childhood period of *group* formation as the most potent factor in delinquency and crime, and feel that if childhood groups could be given supervision and guidance, much crime could be averted.

The criminologists and crime research group have given point to the beliefs of both sociologist and psychiatrist by demonstrating the remote childhood origin of many criminal careers, although they have not yet satisfactorily determined what proportion of childhood delinquency ultimately ends in adult crime, nor what proportion of adult criminals were mal-adjusted as children. Without wishing to belittle the tremendous significance of childhood delinquency as a factor leading to adult crime, it is well to point out that there are certain obscurities in this relationship, and that the treatment of childhood disorders might not necessarily prevent adult maladjustments in the individuals so treated. We are indeed upon wholly theoretical ground at this point, as neither mental hygienists nor case workers have had opportunity to measure the outcomes of their efforts.

We must, however, draw attention to various classes of crime which could perhaps not have been prognosticated and could perhaps not have been prevented, on the basis of childhood observation and

treatment. These are offenses which arise out of stresses and social conflicts unknown to childhood.

I do not know how our child guidance experts will succeed in eliminating the potential criminal, among the class of small business men, for example. The crimes of arson, of fraudulent bankruptcy, and of receiving of stolen property, are often so complicated by critical economic problems and poor business judgment, and result so often from the use by dull minds of ordinary business practices, that it becomes extremely difficult to determine what form of childhood character training would have prevented these forms of crime.

The various offenses arising out of the marital relation—bigamy, desertion, and cruelty, could possibly have been averted in childhood through mental hygiene care, yet we have grave doubt that childhood may be prepared for all of the stresses which marriage places upon many persons.

The various offenses arising out of sexual need—rape, abduction, corruption of morals, perversions, prostitution, are results of a physical maturation which is completed after the close of childhood. Just how childhood may be protected against the situations which develop as a result of sexual maturity, is again a matter of some uncertainty, although here the protection of the adolescent group would probably go a long distance in reducing crimes of a sexual nature.

The various offenses arising out of the possession of property and of power by semi-socialized individuals are with difficulty related to any prophylaxis during childhood. It is difficult to conceive what specific childhood training would eliminate reckless driving, accidents and homicides due to careless and reckless driving, flagrant violations of child labor laws, of factory laws, of safety ordinances, and of health ordinances, among ordinary citizens as well as among criminals.

I hope that I have thus far not been too pessimistic regarding the capacity of social agencies to function in crime prevention programs. If I have, this is a proper point to turn to the socially constructive steps that social agencies may take in this regard. It is my belief that social agencies can function effectively in the reduction of the serious crimes of robbery, burglary, auto theft and larceny, offenses which usually have a group basis and which are characteristic offenses of children or of adolescent youth. Let us turn, therefore, to a consideration of the instruments of social agencies and an appraisal of their present efficacy in crime prevention.

The chief instrument of social work is the case method. Grouped around this general method, and supporting it, are the specialized case methods of the physician, the psychiatrist, and the psychologist. The unit of interest is small. Among the experts mentioned, the unit is usually the individual, and among case workers generally, the unit is usually no larger than the family. What is the efficiency of a method applied to individuals and families, when confronted by the problem of crime prevention?

With regard to the relation of the maladjusted individual toward himself, and toward his family, the case method has shown splendid successes. In those cases where subjective personality difficulties and instability which arise out of unhappy home relations have been treated by the case method, the results have often been effective. The case method has met defeat, however, in dealing with problems of delinquency having a group history and a group existence. This defeat has been along two lines. The case method has been ineffective in integrating the problem child into normal groups and in disintegrating problem groups, or of integrating them into wider, more normal, group allegiances.

The primary failure of the case method in dealing with delinquency problems having a group origin has been one in social engineering. It has consisted in failing to overcome the process of segregation, which is the community's normal reaction to problem individuals and problem groups. The history of civilization is replete with recurring evidences of this process. Penal colonies, prisons, the use of exile, of segregated areas and of social distance have been chief among society's methods of purging itself of contact with unwelcome individuals and groups. The so-called "underworld" is nothing but the logical outcome of a process of segregation which began in the school and on the playground, and oftentimes in the home by which the maladjusted individual was crowded further and further away from normal contacts and into closer and closer association with others of his own type. The case method has failed because it has been unable to break down this process.

It has furthermore been ineffectively administered, with the result that the method has had neither continuity, nor expert handling. The problems of untrained case personnel, and of turn-over, as well as of loss of cases, are however, not chargeable to the method intrinsically, but rather to its administration.

Likewise, the failure of case work to be properly organized on a community-wide or neighborhood-wide basis has led to duplications

of effort, to contradiction of plans and purposes, and to alternate over-attention and neglect.

May we turn now to a program which social agencies may utilize for the purpose of crime prevention, which has within it the possibility both of breaking down the vicious process of segregation and of providing for continuous case and group guidance of delinquents.

This program focuses on the local neighborhood as the center for crime prevention. It is thus a neighborhood crime prevention program. Some authorities have declared the urban neighborhood to be a vanishing social structure in the sense of its being a local face to face or "over the back fence" group. This is largely true. The term is here used to refer to those natural ecological areas of homogeneous races, nationalities, or classes having well defined geographical boundaries and whose traditions are distinct from those of other areas. This program, which has been sponsored by the New York State Crime Commission in a recent report is placed in the local neighborhood for three important reasons.

These are:

- (1) The neighborhood encompasses the life of the growing delinquent child;
- (2) It includes all the primary agencies which influence child life—the home, the school, the street, the recreation centers, the gang;
- (3) A great deal of excessive juvenile delinquency and habitual criminality have their roots in well defined neighborhood areas, described by experts as *interstitial areas*, and colloquially known as *slums*.

Local neighborhoods of New York City are, of course, at the present time, no vacuum. They have within them many social resources, some municipal, others private, all of which serve the local neighborhood in some manner or other. Crime prevention, however, has never been an acknowledged objective of most neighborhood agencies of public and private welfare. The primary concern of all has been to raise the general standard of living of the population. However, these efforts, while to a certain degree effective in ameliorating sickness and want have, to no appreciable extent effected a reduction in crime.

We propose in these local neighborhoods a union of agencies doing case work among problem individuals with those engaged in group work among normal individuals, for the group agencies have that which the case agencies lack, a group technique and a group

organization which renders them the ideal medium for a neighborhood attack upon group problems in delinquency. There is evidence that group institutions, such as the settlements, and the Y. M. C. A.'s, and group agencies, such as the Boy Scouts, Catholic Boys Brigade, the Boy Rangers, and so forth, are beginning to be somewhat concerned over the necessity of conducting an aggressive program of group crime prevention activities.

All of these agencies have hitherto been maintained on the principle that the child seeks them and they do not seek the child. In other words, they have welcomed the spontaneous groups which have arisen in the neighborhood, but they have not, by and large, gone out seeking for them. This policy, which has been an effective one in a way (although in New York City settlement houses there is a 50% turnover of membership annually), cannot be utilized for delinquent groups. The delinquent group is one that must be sought and which, once brought into the membership must be cajoled and given individual attention in order to maintain it within the membership.

To reach the group whose standards are cut on a different pattern, more than open house is needed. There is needed a militant program for reaching that group, and a determination to use every device—old and new—to retain control over it.

Crime is not only a livelihood, it is an adventure. No program that cannot provide stirring interest can hope to compete with it. The immediate problem, then, is to find ways and means of interesting delinquent excitement-cravers in wholesome activities.

In order to undertake such a crime prevention program, it is necessary that the settlements and Boys' Clubs, Boy Scouts, parish clubs and playgrounds provide new types of training for their personnel, today quite inadequate to the task of crime prevention, and that they undertake new forms of program which will appeal more to the delinquent than those now currently being carried on.

There still remains the problem of integrating in a thorough-going way the work of case agencies with that of group agencies. At the present time no such machinery exists in local neighborhoods.

Because of the confusion that exists in the present array of forces dealing with child behavior, it is utterly impossible to provide thorough-going guidance for any individual child who is in need of such guidance from the time that he enters school until he is safely launched in a work-a-day world. The present means of dealing with children results in waste of time, waste of energy, intensive effort by many agencies at one moment and complete neglect by all at others.

There are, of course, small groups of agencies that have built up co-operation between and among themselves, but the extent of this co-operation is limited and the number of agencies concerned is small.

How may this centralization of forces be effected? Certainly not by placing upon any individual group the responsibility for this task. There is no group, either public or private, operating within a neighborhood, whose scope is sufficiently wide to enable it to carry out such a task. It is not desirable that any individual group or even combination of groups should be the sponsors in this endeavor. No single group has control or supervision over children for any length of time. Children live in a world of flux and change. They transfer from one school to another. They shift from one recreation center to another. Their parents move from one block to another. The agency that must deal with the problem of the neighborhood must be a super-agency. It must not be solely a public agency, nor solely a private agency, for it requires not only the co-operation, but the integrated action of all types of agencies as working parts of it. It involves bringing together not only public officials, public employees and social workers, but business men, professional men and parents.

The work that is done in crime prevention must be integrated with the other welfare programs of the community and of the neighborhood. These other welfare programs, which suffer from a lack of co-ordination, require some means of organization among themselves.

Neighborhood Councils

We recommend as a means to the end of eliminating chaos in neighborhood welfare activities, the setting up, under the auspices of community-wide councils of social agencies (such as the New York City welfare council), of neighborhood councils, whose membership would consist of neighborhood business men, social workers, professional men, political leaders, and representatives of public services; whose concern would be the present and future needs of the neighborhood, based on fact-finding, and whose problem it would be to integrate all of the forces within the neighborhood that are working for social welfare, into a harmonious program.

Each neighborhood council, as a visible sign of its integrative force, should be housed in permanent quarters, where certain of the local branches of welfare agencies could also have their headquarters, and should be under the direction of an executive, trained in several fields of political science and aided by an adequate staff, trained for their respective duties. In areas where there is a great deal of

juvenile delinquency—and these will always be areas in which other problems, such as health, housing, and family rehabilitation are urgent—a section of the neighborhood council should concern itself primarily with integrating all of the neighborhood forces valuable in a program of crime prevention and in promoting the creation of agencies for this purpose where none exist.

In view of the fact that crime prevention cannot be made a self-supporting program, it is recommended that wherever it is possible, this aspect of the neighborhood council's work be financed out of public funds. In New York City, for example, the funds might logically be allotted to the Crime Prevention Bureau of the Police Department, whose plans include intensive neighborhood programs of crime prevention where conditions warrant it.

This crime prevention division within the neighborhood council ought to give those concerned with individual and group betterment, a clear picture of the neighborhood delinquency situation. Every child who, in one respect or another of his life, whether it be in home, school, or on the street, is a problem, should be registered as a child with whom preventive work is to be done in order that criminality may be avoided. There should be, in the office of this bureau, for each child, a case file in which should be recorded the plan to be followed in the treatment of his behavior difficulties, and the outcome. This record should be the guide by which co-ordinated work with a child should be carried on. To this central headquarters anyone in the neighborhood might refer a child for guidance with the assurance that the proper group would be called in to deal with this child. We need a central machinery by which consultation will be possible among the various specialists dealing with an individual child. We need a clearing house of information concerning all the neighborhood influences which are inimical to good citizenship and likewise of all the resources within the neighborhood that may be called upon in the name of good citizenship.

The cost to city government of such a set-up should be relatively slight. In the long run its cost should be saved a hundred-fold by the reduction of the costs of crime and in reduction of the costs of the machinery for the detection, apprehension, trial, institutionalization and supervision of the adult criminal.