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Prevention of Crime

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This "little thing" characterized the homicide and gave the prosecutors ground for arguing that the death penalty was the only proper punishment. They argued that this act showed that the defendants had neither feeling nor respect for human life." (As a matter of fact, it showed that the defendants wanted money at any cost, and nothing was to stop them in securing it. They secured the munificent sum of Three Dollars for their trouble. In the confession the defendant who did the shooting stated that he had no intention of firing the gun at the time that he went into the store; also, that he did not fire it with the intention of hitting the deceased; that his only purpose was to frighten him. This is a customary explanation for a defendant of this type to make to the prosecutors. In his own feeble mind he believes that such an explanation wins sympathy and somewhat excuses him for his part in the homicide. He does not realize that the law does not recognize his inward intention in the matter but makes him legally responsible for any of the consequences of his misdeed.)

Two of the jurors stated that the reason that they did not vote the extreme penalty on the first ballot was due to the fact that they were unable to spell "d-e-a-t-h." Ten of them, however, had been sufficiently informed in this respect. The other two learned quickly.

THE PREVENTION OF CRIME¹

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¹Report of the Committee on Prevention, American Prison Association, October, 1931.

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Officials dealing with prisoners and prisons have contact with what may be called the end results of the process of criminality. It may be questioned, therefore, whether this group is especially concerned with the prevention of crime and criminality, since its main preoccupation is with the custody of criminals. But coincident with the custodial function there has always gone an obligation for correction and treatment of the criminal, and these latter endeavors are inseparable from an interest in prevention. While there are many national and local organizations more especially concerned with the problem of the prevention of delinquency and crime than the American Prison Association, there is probably no group which could make its influence felt more potently in the interests of prevention than this Association.

In discussing the possibilities of the prevention of crime the strictest limits must be set up lest the little there is of concrete knowledge be attenuated beyond all usefulness. We shall not attempt to cover the subject of prevention or even to set up a detailed program. Rather we wish to utilize the brief space assigned to us on this full and interesting program to discuss a single point or two, and to suggest remedies which, if applied, may dispose of these specific fragments of the larger problems which are occupying the attention of the American Prison Association.

One of the most clearly demonstrated characteristics in regard to the occurrence of delinquency and crime is one recently given new interest by the findings of Mr. Clifford Shaw and his associates, namely, that delinquency and crime are not diffuse phenomena, but are related to special localities. It has

been found that certain areas, particularly in the cities, supply the bulk of delinquent and criminal persons, whereas other areas are relatively free from them. This is a phenomenon with which we are familiar in other fields, notably in public health and public administration.

Two explanations have been offered for the occurrence of these so-called delinquency areas. One lays the chief emphasis on the environment, the other points to the possibility that while the environmental conditions in the localities are obviously undesirable, the principal factor is the quality of the human beings inhabiting them. This antithesis of the individual versus his environment is one long familiar to this Association. Any discussion of the relative weight to be assigned to one or the other has proved on the whole a fruitless one. For practical purposes, it is perhaps safer to assume that both factors are operative. Namely, that an environment which is healthy neither in a physical nor a social sense, one in which no careful parent would wish to bring up his children, has a deleterious effect upon those who are forced to live there. On the other hand this is the kind of environment also that will attract the unstable, the anti-social, the delinquent, and the criminally inclined. These individuals add their increment to the already unfavorable conditions and acquire from the environment new opportunities for misbehavior. It is a vicious circle, and it is well known that in dealing with a vicious circle the place where the circle is to be broken is a matter of practical convenience only. These delinquency areas offer a definite opportunity for an attack upon the origin of de-

linquency and crime. The method of attack, however, is complicated by many ramifications of the problem.

There are probably two factors which must be considered as of unusual importance in this situation, as compared with many others. The first of these rests upon the fact that the delinquency areas in our large cities represent transitional states; usually they are areas where business or industry is invading a residential neighborhood. This introduces a problem of real estate values. We must remember that taxes have to be paid, and that the property in the delinquency areas which is held pending a clear indication of the trend would not be improved by private enterprise. The disrepair results in crowded houses, dissatisfied tenants, cheap vice resorts, and similar manifestations of an attempt to pay the costs and maintain an income from property which no longer has value as residence property, and which has not yet acquired any value as industrial or business property. Health and police regulations cover such a situation, but the enforcement of regulations is difficult if not impossible unless there is a sufficient community interest on the part of the residents, and sufficient community spirit on the part of the property owners and the political leaders to assist in enforcement and to help in cleaning up.

The second factor, which is also economic, is that of labor. During the period of almost entirely unrestricted immigration cheap European and Oriental labor was brought in, and since immigration has been restricted Mexican laborers and Negroes from the plantations have been brought to the cities in large numbers. These people,

often speaking a foreign language, and certainly not in any way adjusted to the customs of a large city, are presently out of employment, due to some economic fluctuation. They naturally tend to congregate in the cheapest and most undesirable, and therefore, most congested localities. This is a community problem and it is obvious that the responsibility rests upon both the employer and the community, as well as upon the labor unions.

Finally—and it is here that prevention can help greatly—when people have the ability to move about as freely as they do under present conditions, they escape the influence of public opinion in respect of their behavior, and this factor in controlling the behavior of the individual is not as potent as it was formerly. Vice and crime, therefore, have the appeal of excitement and seem to offer the possibilities of glittering prizes in wealth and fame to the less stable, or the more adventurous youths of the community. If the risk and the profits could be taken away or reduced, a very considerable source of criminals would be dried up. In order for this to be achieved, however, a change in public opinion would be required which is hardly likely to occur during this present generation, unless steps can be taken to offset these shortcomings of our present mode of living.

Perhaps we have placed too much reliance upon inhibitory legislation and legal penalties in the field of morality, and too little upon the encouragement of voluntary adherence to the standards which we have set up as our ideal. Sumptuary legislation is inevitably likely to play into the hands of those individuals who defy law and order for

their own gains, and there is also inevitably an accompanying corruption of the social structure. The social structure is becoming so shaken as to alarm even those who are firm in their belief in the wisdom of such legislation. Legislation cannot replace public opinion—to be effective it must be an expression of public opinion.

In a complex civilization such as ours it is hard to distinguish between cause and effect, even in regard to obviously anti-social manifestations, and any remedies recommended must be applied with extreme caution, lest the good intentions be frustrated by unforeseen and accidental accompaniments. We have learned to interfere with caution with the balance of nature, and our recent experience with prohibition has taught us caution in interfering with the social balance. Nevertheless, it seems that we are in a position to attack the problem of prevention along the following lines:

In order to organize public opinion in a local community a council of citizens should be formed to cooperate with the officials of that community. The council should include representatives of business and industry, especially of the realtors and labor unions, as well as property owners from the affected areas. The purpose of this council should be:

1. To support the authorities in the enforcement of existing laws designed to prevent the unwholesome conditions in the delinquency areas.
2. To cooperate with public and private agencies in the processes of the assimilation of the residents of the delinquency areas into the general social structure.