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THE PREVENTION OF DELINQUENCY AND CRIMINALITY

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It has proven an interesting challenge, this survey of progress in the field of delinquency and crime prevention during the last twenty-five years. The question has been asked, in substance, what efforts and accomplishments can be placed on exhibit. But as soon as the quest was entered upon the inquirer was confronted by the spectacle of what has not been accomplished and by the specter of lack of effort. And having reviewed the quarter of a century we must warn at once that while some very heartening facts can be recorded, and while there is a showing of significant studies pointing to promising salients for attack upon our enormous problem of criminality, the main body of accumulated evidence proves that a vast proportion of what might be done remains undone.

We may hope that these years will come to be regarded as a period of preparation, of first fact-finding along broad scientific lines, of opening to sight the largely untrodden paths of practical possibilities.

Consideration of the phenomena of delinquency and crime during a prior thirty years of awakening to thought of causations were mainly concerned with climatic influence, seasonal variations, alcoholism, origins in poverty and other handicapping conditions of life, including the effect of criminalistic teachings by older offenders, inside or outside of prison. Regarding the individual offender there was the main body of biological theories centering on hereditary taint or embryonic defect embodied in that magic word of the past—degeneracy. The social milieu and the individual both were represented, but nearly always as quite discrete matters, in those theorizings which were based on bare impressions or on statistical evaluations of some one unitary factor. What to do about prevention was left to the courts which, except for the newly evolved juvenile court, merely administered punitive law—the law, of course, representing the accumulated wisdom of the ages, as one great law teacher likes to put it. Or else, the conception of prevention was, save for those very rare jurisdictions in which probation was already envisaged, left to the correctional in-

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stitutions, where for the most part a mechanical regime was reckoned a reform measure.

Then, about twenty-five years ago, the case study method of individuals and causations began—studies in which the structure and qualities of the individual, his conditioning experiences, and his environmental life were put together in one picture for interpretation. Such studies really originated in Austria but quickly received greater scientific development with us in America as medicine, psychiatry, psychology, and social studies played their parts together. Knowledge of how to check and prevent anti-social tendencies must be based, it was discerned, on understanding of causations. Preventive criminalistics must follow the historical development of preventive medicine. It is just studies, with all their variations in quality according to greater or less application of scientific knowledge and skill, which today form the high-water mark of efforts at prevention by treatment of the individual offender in courts, clinics, and institutions.

With earlier theorizings in mind it may be said that at the end of these twenty-five years delinquency and criminality may best be defined as a psycho-social phenomenon or perhaps as a psycho-biological-social phenomenon. It is biological, of course, because it is the activity of a living physical organism; it is psychological because all human conduct is directed by mental activity; it is social because it is a form of human behavior related to the attitudes or physical selves or possessions of other human beings as they exist in our social order. Now by this we do not mean that we can believe that delinquency (from this point on, for the sake of saving space, we may drop the word crime) is directly caused by some malfunctioning of the physical structure of the offender nor that it is ever merely a reflex act involving something less than the cortical areas of the brain which are somehow directly connected with mental life. Positively stated, we may assert that without mental life there can be no delinquency, and that to understand the causes of anti-social behavior, whatever may exist through prior conditioning or outside influences, we must know something of motivations as they have developed from instinctive urges or as they are directly related to mental representations and impulses. This modern conception marks progress.

To discuss sensibly and practically the past, present, or future, progress in the prevention of delinquency and criminality, we must introduce some clarities concerning the subject. To be considered are: (1) Treatment of an offender by the law or by a specifically designated court official. (2) Correctional treatment in an institution or under

parole. (3) Modification of the social environment aimed at preventing the first steps in delinquency or to check it in its earliest stages. (4) Scientific study and treatment of the individual and of his social milieu such as is nowadays undertaken, often with the aid of social agencies, in the many clinics to which offenders may be referred. These different aspects of the same subject may be taken up one by one.

Prevention by Legal Process

However we look at the problem of prevention of delinquency, there is one fact which has become ever clearer through competent case studies, namely, the complexity of causation. There was never more recognition than there is today among students of delinquency that the actual commission of delinquency has behind it multiple factors existing within the individual and in his social surroundings. This does not imply that if one or a few factors be altered the chain of causations may not be broken and the individual cease his offending. However, one of the main troubles of the past has been that, as under treatment by the law, some one possible factor that is really not essential has been seized on as a preventive while more important matters have not been dealt with. Perhaps the best example is the punitive conception of the law which has for its theory the idea that if the individual is made to suffer for his delinquencies he will not repeat them. But with even our poor accumulation of statistics on recidivism, we have come to know full well that legal punishment in an extraordinary number of cases does not check criminal careers. Indeed, psychiatrists know instances in which punishment appears to have been directly sought, and where after punishment the individual seems to feel freer than before to go on with his delinquencies.

A given phenomenon can only be prevented either by directly assailing it by some other equally potent counteractive force or by dealing with underlying causes so that the tendency for it to appear is resolved. The law proposes that delinquency as an activity be met by another activity—arrest, trial, punishment. For the law the causations which dominate in the environment or in the offender's mental life, habits, or reactive impulses are not as yet the point of attack. A survey of recent progress must on the negative side include the statement that, except for the temporary social disablement of the offender through segregation or incarceration, or for the modicum of success that is achieved by probationary treatment, the prevention of delinquency in terms of legal procedure can be dismissed in a few words—

statistics of offenders and costs prove that legal procedures and legal prescriptions are still immensely inadequate.

The proposal made by some of us long since and advocated by others at intervals, even as an economy measure by a noted governor of New York, namely, that there should be commissions of experts to study offenders and recommend treatment after their guilt has been decided has nowhere been adopted. Scientific studies of offenders and their tendencies in terms of causation and treatment would lead to much greater prevention and incidentally to vastly greater safeguards for society. Treatment under the law of even the most youthful offenders can adequately be based only on such studies with full co-operation between juvenile courts, probation officers, child welfare agencies, and correctional school personnel. Such alignment of the various social institutions which must be drawn upon for treatment aimed at prevention is very little in force.

Juvenile Court

The greatest single conception of possible progress in the prevention of delinquency is represented by the Juvenile Court, the idea of which originated in America. During thirty-three years and mainly during the last twenty-five years there has been an immense growth of juvenile courts in this country. At the present there are apparently about twenty-four hundred such courts in the United States, many of them, of course, being presided over by judges who hold a special session which is entitled the Juvenile Court. Some sixteen hundred and fifty of these are said to have probation service for juvenile offenders. Annually about three hundred thousand cases are heard. In a small minority of the Courts physical examinations are made and in a very much smaller number psychological studies are undertaken, mainly, I gather, to determine whether or not the individual is mentally defective. In few courts are there well-rounded case studies of offenders which offer the desiderata for determining dispositions and for planning treatment under probation.

Few of the judges, indeed, possess the qualifications in personality, training, and experience which have been repeatedly set forth as essential for those who should sit in such positions where treatment aimed at prevention is to be prescribed. The extremely valuable pre-war European periodic conferences of judges, psychiatrists, and other professional people directly interested in dealing with young offenders have never been established in America.

How much the Juvenile Court has accomplished in the prevention of delinquency is very difficult to estimate. Numerous individual cases could be cited in evidence of accomplishment, but if we are interested in general deterrence, mass figures are unconvincing. Statistics gathered over a ten-year period up to 1926 by the Federal Children's Bureau concerning children appearing in the Juvenile Court per capita for children of Juvenile Court age show great contradictions among the cities reporting. In some places there is a considerable lessening of the numbers appearing before the Court, in other cities the percentages remain stationary, and in still other centers the numbers have considerably increased. Figures from Courts show that the proportion of those who repeat their offenses while under the control of the Juvenile Court is surprisingly large.

Here it should be stated that any estimate of what has been accomplished by any general agency, such as the Juvenile Court, for the prevention of delinquency is very unsafe. Bare statistics leave out of account many variables which complicate the picture and render conclusions invalid. The rapidly changing conditions of American life, such as are emphasized by students of the causes of business instability, introduce factors which play an immense part in the production of delinquency. Since 1910 we have had the vast growth in the number of automobiles which are such great incentives to delinquency; we have had the aftermaths of the war; prohibition laws leading to bootlegging have notably affected family life and the attitudes even of juveniles. There have been vast additions to cheap shop displays of goods where the delinquent so frequently begins his thieving; there have been accretions to the attendance at movies where ideas of delinquent acts are sometimes absorbed; and more recently we have had our unfortunate economic conditions which at least have caused loafing habits and the need for money which can be obtained only dishonestly.

Studies of progress in criminology are incomparably more difficult than in many other fields, for example in medicine where mainly there is one constant, namely, the physical organism. The causations of delinquency include so many factors and so many changing elements, the effects of which are difficult to gauge and to control.

Follow-up studies have shown some degree of deterrence resulting through appearance before the Juvenile Court, but yet the proportion of offenders in our adult institutions who have earlier been before the Juvenile Court shows that a vast number have not been modified through this experience.

Institutional Care

Nor is it much easier to estimate the general results of institutional care for delinquents. There has been during twenty-five years about a two-fold increase in the establishment of schools of the correctional type for young offenders, with an enrollment steadily mounting. What these institutions accomplish for the prevention of delinquency is a matter for much more serious study than has ever been undertaken. With a good placing-out system following institutional treatment one school apparently fairly reports eighty per cent of success in prevention, but this institution has greater facilities than almost any other. A far smaller amount of accomplishment would be safe to record for the average correctional school. But the whole programs and results are so involved with the social conditions from which the young offender comes and which he meets when he leaves the institution that fair appraisal of results is well-nigh impossible.

In the last few years an entirely new impetus has been given to the character of work in a few progressive institutions for delinquents, including some state correctional schools. Following careful case studies, individual methods of re-education and therapy, even including psychotherapy, are being undertaken. We may hope for reports of outcomes by these methods within a few years. Such diagnostic studies and experimentation in treatment are as necessary in this field as in any other branch of biological or sociological science.

Because it has been maintained by some observers here and abroad that the most promising reformatory measure for delinquents is personal influence based upon understanding, the methods of the Prison Colony at Norfolk, Massachusetts, perhaps should be mentioned here. Backed by the state and by foundation grants, a most noteworthy experiment is under way. Inside high prison walls men are busily engaged in building industries and other activities but are allowed a freedom of self-expression in classes, debating groups, and so on, while at the same time many of them are coming under the influence of an intelligent corps of young men who are making intensive studies of the offender's life history and giving a great deal of time to personal contacts in the hope of helping inmates to solve their own difficulties. The penological world awaits with the greatest interest a competent evaluation of the efficacy of this experiment.

The Public Schools

The place of our public schools in a program for the prevention of delinquency has never been very well conceived or outlined. Our

own feeling is that it is just the place to begin preventive efforts. School maladjustments and dissatisfactions we know from the studies of many cases are at the root of a considerable number of delinquent careers. Now, it is a fact that some socially-minded principals, superintendents, and teachers perceive this clearly. Visiting teachers frequently take over cases because they show delinquent trends and, of course, truant officers have this special function. As a whole, however, school people hardly seem to realize the part which they may play in the reduction of delinquency. Truant and disciplinary schools or classes differ greatly in their effectiveness. Some of them have proved to be complete failures; others are certainly doing good work—and the difference seems to be largely related to the attitudes of teachers and principals conducting these group efforts as well as to classroom and recreational methods employed. Again for these, careful investigations of ultimate results have not been recorded, except as repetition of offenses, always the easiest point to note, has been enumerated.

Juvenile Probation

High standards for juvenile probation service, such as might be thought to be directly related to the prevention of delinquency, have not as yet received widespread acceptance. Certainly there is constant effort on the part of the National Probation Association to create demand for a better trained personnel, and some schools of social work endeavor to stimulate interest in their courses on the part of probation, truant, and parole officers, and those who desire to obtain such positions. In some cities probation officers have been definitely roused to better efforts through courses offered to them by psychiatrists and other experts. Probably in many places effort is made to maintain good standards and in one court of considerable size all the probation officers are trained social workers. While it is deplorable that the selection of probation officers is not generally based upon special training in the understanding and treatment of human behavior, not as much comparable training as the progressive farmer demands for the care of his animals, yet the above-mentioned steps in the right direction manifest progress.

Prevention by the Police

Attention has been frequently called to the possibilities of police preventive work. On their beats as they very often come intimately to know people and conditions they can have great influence. But

only in two centers in this country has there been any notable effort to make police officers work towards the prevention of delinquency. Vollmer and his Berkeley police set a very high mark; the Crime Prevention Bureau of New York, selecting young police officers for special service in this field, is a most noteworthy attempt at prevention work.

Social Programs

Someone has spoken of delinquency as representing the incompatibility of the sum total of human impulses with the demands of a constituted society. The question at once arises, can society, particularly through offering chances for wholesome expression of normal impulses and by the reduction of stimulation to unwholesome expression of these same urges and impulses, reconstitute itself in ways that shall lead to the reduction or prevention of delinquency? Studies of areas of delinquency in a number of our large cities have appeared within the last five years; it is shown that certain districts are particularly productive of delinquent trends among the individuals who live there. This production goes on from year to year and decade to decade in spite of movements of population into and out of such districts. The fact is clear enough but greatly to be desired are further studies of what are the specific causes of the origin of delinquency in such areas. There has been little progress made in this or in modifying the social or environmental conditions that are obviously continuously operative in these areas. Any so-called cleaning-up of such a district has to my knowledge not yet been undertaken.

On the other hand, based on the premise that better types of activity tend to prevent delinquency, there has been in the last couple of decades considerable attention paid to the establishment of playgrounds, boys' clubs, settlement house programs, and church activities for boys. Competent studies of the effects of some of these are in progress. The correlation between establishment of playgrounds and continuance or marked reduction of delinquency is not at all convincing of the latter. It has been widely stated that the effect of the starting of a well-endowed boys' club in a certain Chicago district reduced delinquency there to a remarkable extent. The statement has been challenged because there was not enough estimation of other variables in the same district.

The only social program, widespread and unofficially co-ordinated, that I can offer in proof of the efficacy of a social program for the prevention of delinquency is that developed during the past ten years

in the South End of Boston. This is a district in which there has been no marked change of population and in which police attitudes towards delinquency have not altered. In this district three main settlement houses have built up a preventive program, school people have coöperated, and churches of several denominations have entered into the spirit of the project by organizing boys' clubs and scout groups. The probation officer of long experience in this district states that the former tendency towards delinquent gang formation is practically overcome. Many of the more difficult cases which we ourselves were accustomed to study came from this part of the city, but we have noted a great decrease of these cases. Ten years ago this probation officer carried in this district a case load regularly of about eighty to ninety offenders, many of them serious. The number has gradually gone down until at the present time he has only twenty-two and asserts that none of them is what he would call a serious offender. Another proof of the value of this preventive program is shown by the fact that while there has been a special effort to draw in the younger potential delinquents, it was possible to hold their interest for years in a constructive program. Many of them now twenty-two or twenty-three years old continue their club activities. The spirit has spread so that there is an overwhelming number of applicants at the various centers.

Changing Emphases

The application of scientific method to the study of delinquency aimed at prevention has by all odds made the most notable advance to be recorded in this field. Something of the general methodology has been indicated above. It has been suggested that the best indication of scientific progress could be given by a statement of wherein present-day methods of studying the offender differ from the methodological schedules published as Bulletin 2, 1909, and Bulletin 12, 1913, of the American Institute of Criminal Law and Criminology. Taking the main headings as then given, the following may be stated:

It has been found advisable to give less emphasis than formerly to what in general was termed *heredity*. The study from the Juvenile Psychopathic Institute in Chicago which seemed to show clearly that inheritance of criminal tendencies *per se* could not be proven has never been controverted. Other features of heredity as they have bearing on mental defect and mental disease and physical characteristics are of course valid.

The *family history* as studied nowadays contains many items that formerly were neglected but which through many investigations are found to have high importance. These cannot here be given in detail; in general it may be stated that interpretations of the family relationships are most fruitfully considered in terms of the so-called family constellation, that is the actual positional make-up of the family itself, and of the emotional relationships and attitudes established between parents, between parents and children, and among children themselves. The study of these leads to the knowledge of many dynamic values that tend to make characterial and personality tendencies. In the attempt to understand parental attitudes which are so all-important it is frequently found necessary to go back in turn to the parents' conditioning influences and upbringing. Out of family relationships often there arise inferiority feelings, jealousies, insecurities, and sibling rivalries which find expression in the development of anti-social attitudes. Lack of affectional and ego-satisfactions sometimes very directly form the bases for delinquent behavior. So study of the family history has come to concern itself much less with physical data than with factors that bear upon the emotional life of the child.

Much the same criticism is to be made of what was earlier scheduled for inquiry under the head of *developmental history*. Formerly this was mainly a health history, whereas at the present are included not only health conditions but also many data related to whether or not the child found normal satisfactions from the time of his earliest nursing period, how his personality characteristics developed in general or altered at any given period, and, specifically, the influence upon the personality of habit training, of disease and injury and whatever may have happened to the child. We have come to know a great deal better what diseases represent health conditions only and what others may have direct influence upon behavior tendencies. There is one outstanding example of the latter in the appearance since the war of the disease "sleeping sickness," which sometimes leaves in its wake lack of inhibitory powers, and through this children and adolescents come into conflict with social conventions, including the law. Also we now know a great deal more about the effects of subtle injuries to the brain through accidents—an unsuspected proportion of delinquency is found to be partially determined by such injuries. So, first, more accurate knowledge concerning the consequences of certain pathological conditions has been gained, and, second, those who study offenders have become more

keenly alive to the meaning of developmental history in terms of emotional development and control of impulses.

Items considered under the headings of *environment* and *mental and moral development* remain much as formerly except that, again, more emphasis is placed upon the significance of the facts for the individual's possible development of feelings of guilt, of inferiority, of frustrations and thwartings which are so readily compensated for by active delinquency.

As time has gone on, active students of delinquency have become less and less impressed with the value of *anthropometry* as it may mean such data as head measurements, peculiarities of bodily build, or the stigmata of degeneracy. The significance of the findings is greatest when they have meaning for the individual himself as he compares himself with his fellows. There is little of diagnostic or prognostic value, it appears, in structural measurements or observations except as the ascertained facts are related to such matters as premature sex urge or feelings of inadequacy, or as they may suggest some disease, or some disorder of the glands of internal secretion which sometimes is correlated with personality characteristics. Peculiarities of physiognomy frequently have deep significance for the individual's feelings about himself, as well as for the response that he elicits from others.

The *medical examination* remains ever a matter of importance, as when sensory defects may be related to school dissatisfactions and failures, or when defects, anomalies, or diseases lead the offender to think of himself as an isolated or peculiar individual. The conception of being different is sometimes no small factor in the development of a delinquent career, causing anti-social satisfactions to be sought because of actually perceived or subjectively felt frustrations.

The *psychological study* of offenders has advanced far beyond giving intelligence tests which grade according to age-level scales. As some judges have perceived, one of the important things is to discover special abilities, even in the mentally defective offender, through which satisfactions may be achieved that will tend to prevent the development of delinquent trends.

Perhaps the greatest single advance in understanding the offender is to be found through the psychological and psychiatric studies which seek to give the offender the fullest possible opportunity to express himself in terms of the background of his own attitudes, beliefs, interests, impulses, goals, grudges, satisfactions, loves and hates. Of course even the good judge or probation officer tries to

get the offender to reveal something of himself, but it can be readily discovered that such revelations are very much more intimate and complete when conducted by a psychiatrist away from officialdom. More and more the expert psychiatrist has learned to elicit from the offender significant material from his conscious mental life, from digging up memories of the past, from observing physical expressions of underlying emotions, from even phantasy and dream life, on the basis of which it is possible to make vastly more fundamental interpretations of the dynamics of behavior than have hitherto been obtainable.

The viewpoint of modern psychiatry is that human conduct represents responses to urges and impulses, needs and wishes which may take the form of delinquency for reasons which can be understood only when the total individual and the total situation are known.

It has been shown by various follow-up investigations that prognostic conclusions arrived at concerning the young offender after a thoroughgoing case study are remarkably valid. And prognostic implications lead to the possibility of offering recommendations which when followed out have equally proven to have great reformative value. All too frequently, however, under our organization of society, it is not possible to carry out such programs to meet indicated needs.

In this connection it may be stated that our research into the results of really good foster-home placing of delinquents, after attention to their physical and some of their educational and emotional needs, shows incomparably better achievement than any other method of treatment that has been undertaken. With offenders normal from a mental and personality standpoint success was obtained in eighty-five per cent of the cases, that is to say, this percentage of young offenders, some of them very serious offenders, ceased their anti-social behavior when placed under reasonably good conditions of living.

One study of the Yale Institute of Human Relations in three clinical units in different cities has concerned itself over nearly four years with investigations of the relationship of the causations of youthful delinquency to elements in family life. Effort has been made to modify these familial factors and one suggested possibility for progress in the prevention of delinquency will be evaluated with the conclusion of this study.

A group of psychiatrists working long on the problem of abnormal personalities as found among young offenders made the first

report of their studies in 1930. Their classification was an attempt to put on a practical basis the hitherto loose differential diagnosis of such personalities. They defined, among others, the unstable ego-centric personality and the constitutional inferior personality. Both of these groups when once started in delinquency are shown to be peculiarly prone to develop criminal careers. Of 106 offenders belonging to the first group, only nine during a course of years became successfully adjusted socially, while 72 of them developed out-and-out criminal careers, some of them becoming great enemies of society in spite of many having had a vast amount of psychiatric and social work done for them. This shows that success in prevention depends immensely upon the adequate diagnosis of offenders at the very beginnings of their careers, with long years of segregation being necessary for certain special types. Resources for the segregation of such types, neither feeble-minded nor insane, are very scant and exist in only a few states, but such as they are, they represent one step in progress towards the reduction of serious crime.

Other researches during the last twenty-five years have been concerned with various separate sectors of the field of delinquency. Mainly offered have been statistics of offenses, offenders, and costs, or of evaluations of various factors in causation or treatment. Collections of case studies have been presented dealing with individual offenders, their personalities, development, and social environments. Few indeed have been good pieces of research that can be reckoned as contributions to progress achieved in the prevention of criminality. The highly critical section on review of researches in the recent survey for a projected Institute of Criminology and of Criminal Justice concludes that in spite of the many panaceas and proposals which have been advanced, we have no real knowledge about the effects of any preventive program or measure. It thus becomes quite clear that there is the greatest need for vastly better scientifically conducted, more extensive and more inclusive programs of research into the possibilities of prevention.

In summary, it may be reiterated that the last twenty-five years have seen no great advance in the mass prevention of delinquency. But it must also be stated that by practical accomplishment there is some substantiation of the proposition that a good social program can achieve much reduction of delinquency. On the other hand, it is amply proven that the scientific approach to the individual offender and his problems, attempting to understand him and his

needs, especially when there is added some control of the social environment, can accomplish extraordinarily satisfactory results in many cases.

The really great advance of this quarter of a century has been in the widespread acceptance of a new point of view. Through the accumulation by now of very numerous scientific case studies of offenders, it has come to be common-place knowledge that delinquency is a symptom, the etiology (causation) of which can only be found in an interaction of factors, within and without the individual. It is only through naivete that we can any longer attribute delinquency to natural wickedness or to any one element or factor. The external situation is, of course, important but only as it unites with the reactive tendencies of the given individual. One boy may be delinquent and others in the same family and in the same physical environment may be non-delinquent. Thus we must take account of individual differences, particularly in the mental and emotional spheres, and of conditioning experiences which, together with environmental factors, make for the development of delinquent trends.

The knowledge of all this which has been laboriously gained by observation and experience during these years marks an immense step forward towards the possible establishment of active programs for the reduction of delinquency and crime.