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Editorials

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EDITORIALS

JAY FORDYCE WOOD

The interests of justice suffered a severe loss by the death of Mr. Jay Fordyce Wood on August 3rd last. Mr. Wood for many years had been an outstanding and successful examiner of questioned documents and was called to all parts of the United States for service of this kind.

Mr. Wood was born in 1868 and became an official shorthand reporter. For a number of years he was a skillful and efficient court stenographer. His interest in the subject of disputed documents finally led him, about twenty years ago, to give his whole time to the work of a document specialist. During the whole period of his activity in this field Mr. Wood was constantly promoting justice; not always by appearing in court as a witness, but often by rendering adverse decisions which prevented fraudulent cases from being taken into court. This practical answer to critics of specialists of this kind greatly enhanced Mr. Wood's reputation, and those against whom he decided often became his enthusiastic supporters. When critics in groups of lawyers said that any expert could be obtained on any case, some inquirer would ask, "Did you ever attempt to get Mr. Jay Fordyce Wood on the wrong side of a case?" It is easy to understand how this reputation became highly valuable.

Mr. Wood was a most enthusiastic and thorough student. Into his office in Chicago he brought every book and pamphlet available relating to the subject of disputed documents, and was a subscriber to the law reports of all decisions from all states, the Federal Courts and the Supreme Court, from which matter he extracted every reference to the specialty in which he was interested. He visited typewriter company plants and collected valuable information and material relating to the subject of disputed typewriting and arranged this material in suitable photographic form for instant use. He made a special study of every phase of the subject of disputed typewriting and was an authority on the subject. He was consulted on this question by attorneys from all parts of the United States.

The thoroughness of his study was exemplified by the indexes he made to special books, which were much superior to the indexes

in the books themselves and gave him complete knowledge of the author's ideas.

Mr. Wood was a most capable and convincing witness. His testimony had the ring of sincerity about it, and, due to his extended knowledge and his careful and complete advance preparation, he became a very formidable adverse witness. By his thorough and conscientious work in this somewhat unusual field he promoted the interests of justice.

Mr. Wood was an exemplary citizen, a fascinating story-teller, a charming companion, a most interesting correspondent and a cultured and refined gentleman.

ALBERT S. OSBORN.

WHAT IS WRONG WITH PRISONS—AND PRISONERS

More and more people are asking, what is wrong with our prisons? During the past hundred years, much progress has been made in the management of these Institutions, and as to understanding what constitutes proper care of the offender. The theory has been that imprisonment is calculated to reform the criminal, and at the same time, to deter others from committing crime.

That neither of these objects is effectively accomplished, must be obvious to every intelligent observer. Some of the reasons for the failure of the present prison system are inherent in the situation, and not the fault of administrators. For example, dealing with men en-masse in any field has its disadvantages, and works to the injury of the individual and his best development.

This is true, to a certain extent, in any army or navy, where the rights of the individual must be subordinated to the purpose of the group.

The same has never been more thoroughly demonstrated than in dispensing emergency relief during the past few years. The morale of men everywhere has been broken down by the wholesale method of lodging and feeding which has seemed necessary in the emergency.

It is not surprising, therefore, that in dealing with large numbers of prisoners, congregate methods must prevail, and the larger the prison, the less is the attention that can be given to the individual.

Therefore, overgrown prisons is one of the unfortunate developments of recent years. Most experts will agree that any one prison should have a population of not more than 1,000 inmates. As a

matter of fact, some of them contain as many as 5,000; one new prison makes provision for 6,000 or more.

Under these conditions, it is obvious that little attention or consideration can be given to the individual by the warden or even by members of the staff. When it is remembered that these increasing populations represent unwholesome overcrowding, it is easy to imagine that here is one of the things that is wrong in our prisons.

Another problem of the prison which has never been solved, is that of adequate and satisfactory work for prisoners. This is a growing menace of the increasing populations that is likely to aggravate conditions. Any betterment of prisoners must be based on industry rather than idleness, and the fact that they constitute one half of one per cent of free labor ought not to prevent a fair, intelligent solution of this problem.

The so-called "state use" system has never furnished enough work for prisoners, and humanity demands that some way out of the difficulty should be found. The present continued and enforced idleness is bound to result in the lessening of the desire and fitness for employment of prisoners after they are released.

Long experience in the administration of prisons, rather than frequent changes, often due to politics, should count in the solution of these problems. Better pay for qualified and trained personnel would greatly help in giving the intensive attention to the personal needs of prisoners required for improved conditions.

This point has been fully demonstrated during the past three years in the administration of the Federal prisons. In addition to a training school for prison officials to properly prepare them for their duties, civil service standards for their admission to service is now required.

There has also been the introduction of skilled social service workers to make thorough contacts with outside relationships of the past and the needed contacts for the prisoner's future welfare.

The lack of educational opportunities in most prisons of this country is shameful, especially in view of the prevailing idleness. Considering the fact that inmate teachers may be utilized and the large sums expended for less important matters, the expense of employing trained supervision would be small in proportion to its value.

Not only every illiterate should be given schooling, but every prisoner with an ambition to study, should be allowed to do so, including vocational training. In fact, it might be a good thing for such schooling to be compulsory. The need and possibilities of edu-

cation in the prisons is apparent. In the excellent exhibit of the Bureau of Prisons at the Century of Progress, it is shown that 10% of Government prisoners are illiterate, and that 25% are practically illiterate. Furthermore, 60% have less than sixth grade schooling, and 75% lack vocational training.

Fifty percent of these men are under thirty, hence young enough to make better use of their lives, if properly qualified. Furthermore, the tests show that 50% are of normal intelligence, or better. In others words, they are entirely capable of development, if given a chance. The question arises, therefore, as to why their prison calamity, and wasted lives should not be converted into assets by preparation for useful citizenship?

Federal Prisons have recently set a good example in this direction, and the Jackson Prison is a shining exception among the State Prisons.

Thus far I have dealt with conditions in the prisons, and some of their shortcomings. My subject is: "What is wrong with Prisons—and Prisoners?" It might be said that one of the greatest problems of the prisons is in dealing with the material with which they have to do. It is obvious and will be understood, that there is usually something wrong with prisoners, or they would not be in prison. Just why they are there, and what is the matter with them, is the question. Many of them do not themselves understand the "why" and if the rest of us had found the answer, there would be no further need for the study of criminology.

One of the principal things that is wrong with the average prisoner, it seems to me, is that he has not learned to use his head, or exercise foresight. This is the time, more than ever, of planning industry and planned Government. Certainly we ought to plan our lives with the same degree of foresight and vision. Certainly we should do something besides drift or follow the will'o'wisp of chance, or become the victim of accident or circumstance,

In my 33 years experience in dealing personally with over 59,000 released prisoners, I have been impressed with the instability of many of these men. It seems that a lot of them have fallen into trouble chiefly because of their failure to settle down and establish a home, a voting citizenship, and enduring contacts. Apparently they have labored under the delusion that they could run away from themselves. Far better to have met themselves face to face, and solve their problems first as last. When will they ever learn that their success or failure depends, not upon *where* they are, but *what* they are.

So, I say, every man should use his head for something besides a hatrack, or to hold his collar down. Let him rather hold his head up in self-respecting self-support, and keep his feet down on the ground of practical thrift and planned provision for emergencies.

Then, let me say, this same roving complex, which has caused the calamity of imprisonment, has been the bane of many after their release. Added to their desire to escape from their own shortcomings, is the desire to leave their record buried behind them. No one can blame a man for living down a broken record, but it can best be done by honest frankness, rather than by attempting deception. Plenty of examples may be sighted of those who have a new standing in the esteem of their fellow man.

Better provision is now made by the state to supplement the offender's own good purpose to plan better things. I refer to the modern legislation pertaining to Probation and Parole. The granting of Probation as a means of treatment, instead of punishment, ought to be appreciated by any who are given the preference, and is quite in keeping with the modern conception of human helpfulness. Very much the same is true as to release under helpful parole supervision.

To be sure, the paroled man must remain in one place during the period of supervision. But this is all to the good, since, it tends to remedy the old habit of wandering. It also provides employment and the friendly aid of a Parole Advisor or Sponsor. To this extent his life during this period is planned for him, and this teaches him to plan for himself in future.

I am well aware that there are some prisoners who seriously object to the Indeterminate sentence feature of the Parole Law. As a matter of fact, it does work for the benefit of first and accidental offenders, but they are in the majority. If the repeated offender is at a disadvantage, he has only himself to blame.

After all, is there any better way to predict the future than by the performance of the past, especially when that performance gives evidence of being habitual?

In what I have here written, I have pointed out some shortcomings, both of prisons and prisoners, and have suggested some remedies. Assuredly there is wide room for improvement in both.

It is evident that if men would only behave themselves, we would have little need for prisons at all. For these who have honestly thought that they were pushed into crime by the lack of employment or other adverse conditions. I can only say that they are mistaken in supposing that course was necessary.

For the man who will say to himself: "I'd rather starve than steal," and will mean it and stick to it, will never be called upon to starve, in any modern civilized community.

The thousands who have been fed through the Emergency Relief during the past two years proves that this statement is true.

For a man to say he would rather steal than to accept charity, is folly both from the standpoint of self-respect and the rights of others, not to mention the misery that is sure to follow that course.

I have already indicated that the trend toward a greater amount of individual attention to offenders is all to the good. This has taken legislative form in better classification; in social contacts, and in the development of the Juvenile Court, Adult Probation, Parole Supervision, and better understanding of the crime problems.

F. EMORY LYON.