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Ray Mars Simpson

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ATTITUDES OF TEACHERS AND PRISONERS TOWARD SERIOUSNESS OF CRIMINAL ACTS¹

RAY MARS SIMPSON²

Comparatively few attempts have been made to study the attitudes of those who have committed major infractions of the law. Probably this is due mainly to the fact that few objective techniques are available for the measurement of attitude. Psychologists have long felt the need for standard units of measurement and suitable scales for measuring that elusive "sum total of a man's inclinations and feelings, prejudices, preconceived notions, ideas, fears, threats, and convictions about any specified topic"³ which L. L. Thurstone designates as "attitude." In the present study a simple rank-order technique was deemed adequate to collect information covering the expressed attitudes or opinions of two groups of individuals. At a later date the author hopes to apply the method of paired comparisons in a similar study.

It is the purpose of this study to ascertain the attitudes of prisoners and teachers toward the relative seriousness of criminal acts. For many years those charged with the task of formulating laws have considered certain criminal acts as more atrocious than others. This is exemplified in the present attitude of the public toward kidnapping. Murder (planned killing) has generally been considered as being much more serious than embezzlement in spite of the fact that certain extenuating circumstances are usually involved in the commission of each crime. It should be borne in mind that the modern emphasis upon the individual treatment of offenders inclines toward the belief that the seriousness of a criminal act depends upon the immediate circumstances involved as well as upon the developmental history of the individual offender. The criminal code assumes that those who commit certain "major" criminal acts should receive more severe punishment than others who commit "minor" crimes. However, the indeterminate sentence law has introduced a certain degree of flexibility which allows the judge, jury, or parole board, a certain amount of discretion in dealing with each individual case.

¹Studies from the Institute for Juvenile Research, Chicago. Paul L. Schroeder, M.D., Director.

²Research Psychologist, Institute for Juvenile Research, Chicago.

³Thurstone, L. L.—Attitudes Can Be Measured—*Am. J. Sociology*, p. 531, Vol. 33, Jan., 1928.

It should be distinctly understood that this article deals essentially with the *attitude* of certain individuals toward criminal acts although the technique employed necessarily assumes that one criminal act may be "worse" than another. The rank-order technique used in this study provides a comparatively simple method for comparing the attitudes of two groups of individuals. It is assumed that the mitigating circumstances which usually accompany every criminal act are constant for each criminal act.

A list of forty-five criminal acts was selected for use in this study. The name of each crime was typed on a separate card with a condensed definition taken from the Smith-Hurd "Revised Statutes" for the State of Illinois (1929). Each complete set of forty-five cards was shuffled and placed in an envelope with the accompanying instructions:

"Each of the forty-five enclosed cards contains the name of a criminal act. If you consider one criminal act as more serious than all the rest place it at the top of the list and mark it as number one. Place what you consider as the least serious crime at the bottom of the list and mark it as number forty-five. Arrange the crimes in order from most serious to least serious and number them accordingly. Extenuating circumstances should be considered constant for each criminal act."

The sets of cards were distributed among 132 male and female High School teachers in Joliet, Illinois, and among 140 teachers in Gary, Indiana. Practically all of the teachers were college graduates. These teachers arranged the crimes in rank-order according to the instructions given above. For purposes of comparison similar sets of criminal acts were arranged in order of relative seriousness by 200 male prisoners of superior intelligence in the Illinois State Penitentiary at Joliet. Both groups consisted of adults between the ages of 23 and 54.

In order to make direct clear-cut comparisons between the attitudes of the two groups it was necessary to convert the combined totals of rankings for each crime into uniform scale units. The technique described by Hull⁴ in his excellent book on "Aptitude Testing" was used for converting rank-orders into percentages. The percentages were then converted into objective scale units from zero (least serious crimes) to 100 (most serious crimes).

The scale value for each criminal act is shown in Table I. This table enables one to make a direct comparison between the attitudes of teachers and penitentiary inmates toward the relative seriousness

⁴Hull, Clark L.—Aptitude Testing—pp. 386-390, World Book Co., Yonkers-on-Hudson, New York, 1928.

of criminal acts. The scale value for any particular criminal act represents the average opinion of the whole group. There is considerable over-lapping between the actual opinions concerning any given crime. For example, one teacher placed murder fourteenth from the top (most serious) while arranging the forty-five crimes in rank-order. Standard deviations from the means were calculated for each criminal act. The standard deviations varied from 3.30 (murder) to 10.97 (driving a car while drunk) for the group of teachers. The variation was practically the same for both groups. In order to facilitate a more graphic presentation of the data the standard deviations have been eliminated from Table I.

In spite of considerable divergence of opinion among the individuals who rated these crimes it seems safe to assume that Table I gives a fair representation of the average opinion of each group. It seems evident that the crimes which stand at the top of the list are undoubtedly considered to be more serious than those which stand at the bottom of the list.

By comparing the scale values for the two groups in Table I it will readily be seen that there is a marked agreement between the attitudes of the teachers and prisoners toward the relative seriousness of criminal acts. By using Spearman's formula for rank differences a correlation of .95 was discovered between the ratings of the teachers and the prisoners.

These findings suggest at least that penitentiary inmates probably appreciate the relative seriousness of criminal acts as well as the teachers do. Some advocate that prisoners should be taught the old mores, traditions, and customs which past preference has proved to be serviceable guides to conduct. The close agreement demonstrated to exist between prisoners and teachers in this study leads one to believe that mere possession of the knowledge necessary to evaluate the relative seriousness of asocial acts provides no guarantee that the individual will obey the law. Knowing does not necessarily prompt doing!

It may prove of interest to note the opinions of various crime groups toward the relative seriousness of the criminal acts for which they were committed to prison. For example, 28 men (78 per cent) of the group of 36 prisoners who were incarcerated for unarmed robbery ranked their crime (unarmed robbery) an average of 10.6 ranks *ABOVE* the standard set by the teachers; 7 men (19 per cent) rated their crime an average of 7.4 ranks below the standard set by

TABLE I.
ATTITUDES OF TEACHERS AND PENITENTIARY INMATES
TOWARD THE SERIOUSNESS OF CRIMINAL ACTS

<i>Criminal Acts</i>	<i>Scale Values for 272 School Teachers</i>	<i>Scale Values for 200 Penitentiary Inmates</i>
1. Murder (Planned)	88.42	86.71
2. Assault to Kill	80.29	72.90
3. Rape	76.50	73.52
4. Crimes vs. Children	72.82	71.99
5. Incest	72.03	75.41
6. Assault to Rape	71.75	67.52
7. Manslaughter	71.35	66.90
8. Assault, Deadly Weapon	65.03	60.70
9. Kidnapping	63.93	68.71
10. Seduction	63.51	59.13
11. Pandering	61.90	54.30
12. Contributing to Delinquency	61.67	60.30
13. Robbery (Armed)	58.77	65.78
14. Child Abandonment	56.87	52.55
15. Embezzlement	55.13	50.71
16. Extortion	54.88	58.44
17. Assault to Rob	54.45	56.17
18. Crime vs. Nature	53.64	59.77
19. Arson	51.92	58.13
20. Forgery	51.15	51.10
21. Bigamy	50.65	46.49
22. Burglary	50.08	56.60
23. Conspiracy	49.69	48.99
24. Perjury	49.23	47.65
25. Non Support	47.69	44.48
26. Robbery (Unarmed)	47.16	54.07
27. Driving Car While Drunk	45.68	38.41
28. Confidence Game	44.59	47.60
29. Larceny of Automobile	44.07	49.50
30. Larceny	42.46	46.20
31. Bribery	41.89	40.83
32. Receiving Stolen Property	41.44	42.66
33. Assault and Battery	41.20	40.48
34. Liquor Law Violations	39.64	32.06
35. Resisting an Officer	38.31	30.76
36. Concealing Property	37.15	36.28
37. Malicious Mischief	35.88	37.62
38. Contempt	35.06	33.81
39. Concealed Weapons	34.15	44.79
40. Drunkenness	32.03	24.50
41. Having Burglary Tools	31.78	39.76
42. Motor Law Violations	25.97	24.70
43. Gambling	25.88	23.69
44. Disorderly Conduct	25.04	22.13
45. Vagrancy	21.19	27.46

the teachers; and only one prisoner rated his crime in exactly the same position as the teachers rated it.

Armed robbers tend to rate themselves *ABOVE* the standard set by the teachers. Thirty-one (62 per cent) of 50 armed robbers

placed their crime an average of 4.8 ranks above the standard set by the teachers; while 15 armed robbers (30 per cent) placed themselves an average of 5 ranks below the standard set by the teachers.

Fifteen of 23 burglars (65 per cent) placed themselves *ABOVE* the standard set by the teachers. Two murderers were included in the group of 200 prisoners. One of these individuals placed murder at the top of the list of 45 crimes; while the other placed murder in 13th position.

All twelve prisoners in the group who were serving time for Larceny of an automobile placed themselves either *ABOVE*, or in identical position with, the standard set by the teachers. Twenty-one of 28 (75 per cent) in the larceny group placed themselves *ABOVE* the standard established by the teachers.

Seven convicted of Rape placed themselves well *BELOW* the standard set by the teachers. Three of 4 incarcerated for Crimes against Children placed themselves *BELOW* the rank-order of the teachers. One prisoner in the group who was sentenced for committing a Crime against Nature rated his offense exactly in harmony with the opinion of the teachers.

In short, the data above shows that the robbery, burglary and larceny groups considered in this study tend to rate their crimes as relatively more serious than the teachers judge them to be; while *SEX* offenders tend to minimize the seriousness of their offenses.

The second part of this study deals with the relationship between the opinions of teachers, prisoners and lawmakers. In order to make direct comparisons it was first necessary to arrange the 45 crimes in rank-order according to the severity of sentence imposed by the statutes. Cahill's "Revised Statutes" (1929) for the State of Illinois was followed in arranging the crimes in order according to legal opinion. Table II gives the list of crimes; shows the definitions used in this study; and states the penalties imposed by law.

At the outset it became evident that many discrepancies existed between the opinions of the teachers and the opinions of the lawmakers as recorded in the legal statutes. This can be seen clearly by comparing column 3 (teacher's ranking) with column 1 (legal ranking) of Table II. By using Spearman's formula for rank differences a coefficient of correlation of .68 was found between the opinions of the teachers and the law. This coefficient (.68) shows that there is considerable agreement between the legal attitude and the attitude of a representative group of teachers toward the relative seriousness of criminal acts. Nevertheless there is sufficient disagree-

TABLE II.

TABLE SHOWING DIFFERENCE BETWEEN LEGAL OPINION
AND THAT OF SCHOOL TEACHERS AND PRISONERS

(In Terms of Rank Orders)

<i>Criminal Acts Arranged According to Cahill's "Revised Statutes" for Illinois (1929) (Showing Definitions Used)</i>	<i>Penalty</i>	<i>Teacher's Ranking</i>	<i>Prisoner's Ranking</i>
Murder (planned)	14 yrs.-Death	1	1
Rape (forced sexual intercourse with female)	1 yr.-Life	3	3
Kidnapping (forcibly secreting or con- cealing another for ransom)	1 yr.-Life	9	6
Robbery (by armed force)	1 yr.-Life	13	9
Burglary (unlawful entry of house, store, etc.)	1 yr.-Life	22	16
Incest (father has intercourse with daughter)	1 yr.-20 yrs.	5	2
Crime vs. Children (indecent sex liberty with child under 15)	1 yr.-20 yrs.	4	5
Arson (malicious burning of building for insurance)	1 yr.-20 yrs.	19	15
Robbery (unarmed)	1 yr.-20 yrs.	26	19
Larceny of Auto (stealing auto)	1 yr.-20 yrs.	29	23
Extortion (demanding money under threat) ..	\$500-20 yrs.	16	14
Manslaughter (killing in sudden fit of anger)	1-14 yrs.	7	8
Assault to Kill (planned)	1-14 yrs.	2	4
Assault to Rape	1-14 yrs.	6	7
Assault to Rob	1-14 yrs.	17	17
Forgery (imitating signature or other- wise altering papers)	1-14 yrs.	20	21
Perjury (lying under oath)	1-14 yrs.	24	25
Pandering (securing females for houses of prostitution)	1-10 yrs.	11	18
Larceny (plain theft over \$15)	1-10 yrs.	30	28
Embezzlement (taking of property by person to whom it has been intrusted) ..	1-10 yrs.	15	22
Confidence Game (false pretense to obtain valuables)	1-10 yrs.	28	26
Receiving Stolen Property	1-10 yrs.	32	31
Crime vs. Nature (unnatural sexual intercourse)	1-10 yrs.	18	12
Malicious Mischief (destroying)	\$100-10 yrs.	37	36
Conspiracy (2 or more persons plan to wrong another)	1-5 yrs. or \$2000 or both	23	24
Bribery (to avoid punishment or win a bet)	1-5 yrs.	31	32
Bigamy (2 or more wives)	1-5 yrs.	21	27
Child Abandonment (leaving children) ...	1-3 yrs	14	20
Having Burglary Tools	1-2 yrs.	41	34
Violating Liquor Laws (making and selling)	\$100-2 yrs.	34	39
Seduction (inducing a woman under 18 to surrender her chastity)	\$1000-\$5000 or 1 yr. in jail or both	10	13
Assault With Deadly Weapon	\$25-\$1000 or 1 yr. in jail or both	8	10

*Criminal Acts Arranged According to
Cahill's "Revised Statutes" for Illinois
(1929)*

<i>(Showing Definitions Used)</i>	<i>Penalty</i>	<i>Teacher's Ranking</i>	<i>Prisoner's Ranking</i>
Resisting an Officer	0-1 yr. in jail and up to \$500	35	40
Carrying Concealed Weapons	0-1 yr. in jail or up to \$300 or both	39	29
Contributing to Delinquency of Child.....	0-1 yr. in jail or up to \$200 or both	12	11
Driving Car While Drunk	0-1 yr. in jail	27	35
Non-support (of family)	10 days-6 mo. \$100-\$1000 or both	25	30
Contempt (disrespect of the orders of a court)	0-6 mo. in jail	28	38
Vagrancy (proowler, idle, dissolute, tramp).	10 days-6 mo. \$20-\$100 or both	45	41
Concealing property (to avoid payment of debts)	\$20-\$200	36	37
Disorderly Conduct	\$1-\$200	44	45
Gambling	\$10-\$100	43	44
Assault and Battery (beating of another).	\$3-\$100	33	33
Drunkenness (intoxicated and disturbing peace)	\$5-\$25	40	43
Violating Motor Laws	\$1-\$25	42	42

ment to raise the question as to whether or not the criminal code is truly representative of the more enlightened opinion of individuals in the State of Illinois.

A few outstanding discrepancies between the opinions of the teachers and the law should be noted. For example, the statutes place the crime of Assault with a Deadly Weapon in the 32nd position for the top of the list; while the teachers place it in 8th position from the top. The teachers consider this crime as far more serious than the law considers it to be. In fact, the law lists this crime 24 ranks below the standard set by 272 intelligent teachers. Another example should suffice to emphasize the divergence in opinion between the teachers and the law, namely, the position occupied by the crime of Contributing to the Delinquency of a Child. The law places this crime in 35th position while the teachers consider it as 12th in order of seriousness.

Only 4 teachers of a total of 276 failed to place the crimes in rank-order. These four teachers maintained that it was impossible to place criminal acts upon an absolute scale due to the fact that extenuating circumstances were always involved. A few comments made by the teachers are presented here to further define their attitudes. One teacher stated that a panderer should be punished by

"boiling him in a vat of oil." Another felt that seduction was worse than rape "because it involved less risk for the criminal." In commenting on the crime of assault to rape one individual wrote that "conditions determine the offense." Upon the card covering bigamy one person wrote "it depends." A person convicted of committing a crime against nature "should be sent to an insane asylum," said one male instructor. Non-support "depends on conditions and circumstances entirely." Carrying concealed weapons "is not a crime." Extortion is "nearly a first degree murder." There is practically "no moral difference between having burglar tools and burglary." One discriminating teacher stated that "the only alleviating feature about child abandonment is that the child might be lucky to be abandoned by such parents." It may prove of significance to psychiatrists to note that one female teacher placed rape at the bottom of the list as least serious of all crimes.

These comments show that the expressed attitudes of the teachers vary according to individual points of view probably depending upon the past experiences of each individual. However, the comparatively slight over-lapping of opinions (as shown by the standard deviation) toward each criminal act indicates that there is undoubtedly a general consensus of opinion among teachers that certain criminal acts in isolation are more serious than others.

A final word of caution should be inserted here. It should be observed that the primary purpose of this study was to ascertain the difference in *attitudes* between teachers and prisoners toward criminal acts rather than to attempt to reach any final conclusions in regard to the relative seriousness of criminal acts. The author believes that rehabilitation should fit the individual offender; however, it cannot be denied that the type of criminal act committed by an offender is a significant factor in analyzing the personality of that individual.

In conclusion:

1. There is a close agreement between the attitudes of teachers and penitentiary inmates toward the relative seriousness of criminal acts.
2. Those convicted for robbery, burglary and larceny tend to rate their crimes as relatively more serious than teachers judge them to be; while sex offenders tend to minimize the seriousness of their offenses.
3. Considerable discrepancy exists between the opinions of teachers and the attitude of the law (as expressed in penalties) toward the relative seriousness of criminal acts.