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A CRIMINAL-LIABILITY INDEX FOR PREDICTING POSSIBILITY OF REHABILITATION

WALTER WEBSTER ARGOW*

I—*Introduction*

For a long time criminologists have been searching for the causes of crime so that, through them, they could approach a sound method of treatment. But, as the causes are as elusive and numerous as the crimes themselves, said criminologists find themselves check-mated by the engulfing mass of data which their surveys are piling up. True, much more is known about the criminal, his habits and his history, than ever before; but we are still confronted by the problem of an ever-increasing criminal population—if statistics on incarcerated men are to be believed. Much time has been spent in trying to understand the man, and rightly so; but comparatively little has been done about his rehabilitation. You may study the man, diagnose him, type him, catalogue him, and punish him; yet, you still have the man before you.

Chaplains, social workers, and wardens tell us that, after having been immersed in the prison atmosphere for some time, they become suffocated by the great flock of problems that hover around them. They complain that they do not know where next to turn for help. This forces them either to offer a superficial palliative service impartially to all who apply for help, or to select from the prison community those whom they deem most worthy and give most of their attention to them. Trained social workers as well as the average layman will be quick to outlaw the latter procedure, and experienced penologists will condemn the former. The worker in the field, if he listens to both sides, is neatly transfixd upon the horns of a dilemma and, consequently, gets nothing done.

One of the most disheartening things to the prisoner is to learn (usually via the sub-rosa route) that he is considered a hopeless case. Those who work in hospitals tell us that the end is near for the patient when he gives up hope. The hospitalized person is faced with the inevitability of death and the possible promise of a paradise following. But the man in prison has nothing to anticipate other than the endless disapprobation of society and a living death within a

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barred cell. The invalid has his pain to occupy him, the prisoner has only himself and his narrowing existence. Oscar Wilde, in the depths of Reading Gaol, realized that a man can experience about all the Hell there is on earth through the workings of his own mind. It is no light thing to condemn a man as a confirmed criminal.

Yet there are people now who are crying out that we are coddling the men by treating them as human beings. Quite truly one dare not be sentimental—inmates are quick to sense this and use it toward their own ends—yet one must be humane. Try as he will to help all regardless of their record, appearance, and general approachability, the prison worker finds himself spending more time with the ex-banker, the college man and the intelligent safe-blower, and letting the stew-bum, hopfiend, and maladjusted foreigner more and more alone. Prejudices, after all, are pretty fundamental and human things.

Instead of the unconscious and somewhat intuitive selective process just mentioned, penologists have been experimenting with metrical scaling devices to be used by parole boards, judges, social workers, etc., as guides towards ascertaining the "rehabilitativeness" of certain inmates under consideration. These work much like the intelligence tests used by psychologists and educators to determine the "educability" of students, and are devised to evaluate the factors contributing to the development of the criminal's life. This idea is not totally new or peculiar to our field, for insurance companies have been using a similar device to compute the "probable life-range" of an individual on the basis of data regarding others in similar circumstances. It is foolish to expect that a man will die at the age indicated by such a device, and it is likewise foolish to condemn a man as "hopeless" or "questionable" just because his "rehabilitative" score is low. Used with common sense, the prediction tables are valuable instruments in guiding treatment, but as ends in themselves they become dangerous playthings. In using these scientific devices it must be further remembered that the individual is a composite picture which may vanish when dissected. A man is more than the sum of the component parts of his psychiatric portrait. Used intelligently these tables are to be compared with the pulse, temperature, and blood-pressure readings of the physician.

II—*History of the Prognosticating Device*

The idea of the use of statistics for the prediction of success on parole was first brought forth by Hornell Hart in an article in the

November, 1923, *Journal of Criminal Law and Criminology*,¹ entitled "Predicting Parole Success." This came after and was based upon the findings of the report of S. B. Warner, who made a study of the parolees of the Massachusetts State Reformatory. However, Hart's recommendations were more suggestive than conclusive, pointing out a system of data-weighting instead of giving the results of actual experimentation. Warner concluded that his statistics would be of no service to parole boards, and Hart contended that they would if evaluated by adequate statistical consideration.

In looking over the files of the *Journal of Criminal Law and Criminology* one finds that criminologists have been concerned with factors in the use of parole for some time:

1. B. W. Brown published an article² on "Parole as an Institution of the Future," in which he cited four or five factors. However, these were unsupported statistically.

2. Katherine Davis brought out her report³ to the Committee on Parole of the American Prison Association in which she listed some five or six points to be considered in granting parole.

3. F. L. Heacox made an extensive survey⁴ of the histories of parole violators from Auburn, N. Y., Prison for one year. There were thirty cases. He tabulated the causative factors of crime, the causative factors of parole failure—major and minor influences, inherent and extraneous. Although this was exhaustively done, it considered too few cases to reach any lasting conclusions.

4. S. B. Warner's study,⁵ referred to before, involved 73 items in the criminals' histories.

5. Helen Witmer's study⁶ of the parole records of Minnesota was published under the title "Some Factors in Success or Failure on Parole." Although the records covered thirty years, their poor quality limited the findings. No attempt at prognosis was made.

6. H. G. Borden, in a study⁷ inspired by that of Warner, tabulated the records of 263 parolees from the Trenton, N. J., Boys' Reformatory. After correlating 28 items with parole success, he inter-tabulated the various items one with another. His conclusion was that previous environment, psychological prognosis, and temperament should be most heavily stressed.

¹Journal of Criminology, XIV, 405.

²*Ibid.*, VI, 65.

³*Ibid.*, VII, 169.

⁴*Ibid.*, VIII, 233.

⁵*Ibid.*, XIV, 172.

⁶*Ibid.*, XVIII, 384.

⁷*Ibid.*, XIX, 328.

7. The Committee on the Study of the Workings of the Indeterminate-Sentence Law and of Parole in the State of Illinois published its report⁸ by Bruce, Burgess, Harno, and Landesco. In answer to the question, "Can Scientific Methods Be Applied to Parole Administration?" they took 21 factors and applied them to the inmate's record, making a summary sheet. Each factor seems to have been allotted an arbitrary weight on the principle that differences would cancel themselves out.⁹

8. Clark Tibbitts' study of the cases of the Chicago Institute of Juvenile Research, and of the Illinois Survey's 3000 cases with Adler and Burgess was published in two different articles. The first,¹⁰ "Success Can Be Predicted" (with Adler and Burgess) used 23 items listed by the Illinois Crime Survey (see No. 7). He found only two items quantitatively sufficient to be calculated by the Pearsonian coefficient: age, and time served. In some cases the "tetrachoric r" was used, but probably because of the lack of sufficient and comparable data to devise a weighting system, a point rating was used. Individual scores were ranked in accordance with their deviation from the mean. His second article,¹¹ "The Reliability of Factors Used in Predicting Success on Parole" was based on the above-mentioned cases adds no further data to this history.

Besides those found in the *Journal of Criminal Law and Criminology* there were others working on this problem:

9. The Gluecks, Sheldon and Eleanor, brought out their study of "500 Criminal Careers"¹² which was a detailed analysis from case histories and follow-ups of 500 incarcerants in the Massachusetts Reformatory. They found certain factors that were significant in determining the etiology of crime, and others to be considered when examining post-penal behavior. Tables composed of various factors were suggested to meet the needs of such groups as parole boards, welfare agencies, judges, etc. This was a highly complicated study which aimed rather to give a scientific picture of the lives of certain criminal cases than to point out any particular device for measuring them; however, the ground work laid by this study is of the stuff upon which scientific monuments are built. This pointed the way.

10. In the September, 1931, issue of the *Annals of the American Academy*, Professor C. E. Gehlke, of Western Reserve, summed up

⁸*Ibid.*, XVIII, 257.

⁹This system has since reached a greater degree of perfection in the Illinois correctional program.

¹⁰*Ibid.*, May, 1931.

¹¹*Ibid.*, XXII, 844.

¹²New York: Knopf, 1930.

the work of these various surveys in his article entitled "Testing the Work of the Prisons." The total number of significant factors found was 149. Some used arbitrary weighting systems, others the correlation and contingency coefficient, the "tetrechoric r " and other statistical devices. These studies overlapped within themselves and centralized on certain factors.

11. Probably the most exhaustive treatise published in this field was George Vold's doctorate¹³ entitled "Prediction Methods and Parole." In addition to presenting the results of a survey of state (Minnesota) penal institution inmates, it analyzes its own findings and offers a critique of various other published statistics.

As the investigator or student ranges over the field, he finds himself bogged down in a morass of statistics and detailed elaboration. If he is a statistician, most of his interest will be in examining the processes; if he is a sociologist, he will apply himself to affirming or contesting the theoretical premises; and if a practical penologist, to wondering how valid are the findings of these researches. The muddy road of theory is long and deep; and while the scientist labors along trying to find a bottom, the man in the field loses interest and turns aside. He wants something material with which he may work. Frequently he has neither time nor patience to wade through a mass of technical qualifications before he reaches a lucid and workable scheme. Hence he, the man in the field, conceives a method all his own which may or may not be based on valid foundations; or, what is even more likely, consigns the whole idea of scientific measurement to the waste basket and continues along the path of his own convictions. To eliminate such resignation, the writer has set down the following report of his investigations in as plain and brief a language as possible, acknowledging that by so doing he may lose caste, as it were, and weaken the appeal of his conclusions. The following is therefore offered for whatever it may be worth.

III—*Argument*

For those who are interested in the more technical delineation of the plan pursued, the ensuing argument is stated.

The idea of a "rehabilitation quotient" was first expressed to the writer by Professor Jerome Davis of Yale University. Briefly, it was suggested that, given certain known characteristics of the histories of first offenders and recidivists, a probability of rehabilitation of the first offenders, or likelihood of non-rearrest, could be trans-

¹³Sociological Press: Hanover, N. H., 1931.

formed into a numerical value by comparing statistically the difference between the life histories of first offenders and recidivists. The kernel of the argument, it seems to the writer, lies in the premise that non-rearrest is an indication of rehabilitation. In the past this idea has always been considered one of the criteria of success on parole, and it must be admitted that it is also of primary importance in rehabilitation. The writer, in taking over the examination of the data collected toward this end, has changed the title to that found at the heading of this paper: "A Criminal-Liability Index for Predicting Possibility of Rehabilitation," to be referred to henceforth as the "C L I." The writer in no way wishes to give the impression that he considers the Professor's title invalid, there is merely a difference of emphasis. Professor Davis intends that a follow-up shall be made on the cases studied. The writer further acknowledges his indebtedness to the Connecticut Jail Survey for the data published December 3, 1934, by the Legislative Commission on Jails, and to Claire Angevin Argow, former assistant director of the survey.

The data from the histories of 563 inmates of the Connecticut Jails was tabulated under the following headings (the tabulations on items 7, 10, 12, 13, 14, 15, 16, 19, 20, 23, and 24 are not printed on the pages following because of their low Probable Validity Rating as follows: 54, 22, 44, 38, 24, 30, 30, 43, 33, 53, and 51, respectively) :

1. Age of Subject.
2. Place of Crime.
3. Place of Longest Residence.
4. Age at First Arrest.
5. Times Arrested.
6. Time Spent in Penal Institution.
7. Criminality in Parental Family.
8. Education of Subject.
9. Age on Leaving School.
10. Truancy.
11. School Report.
12. Broken Home.
13. Mother Working.
14. Reared in Institution.
15. Parents Getting Charity.
16. Parents Own Home.
17. With Whom Subject Lived.
18. Marital Status.
19. Subject Getting Charity.
20. Subject Owns Home.
21. With Whom Subject Lives.
22. Occupation of Subject.

23. Parents' Contribution to Family Income.
24. Subject's Contribution to Family Income.
25. Employment Prior to 1930.
26. Unemployment Prior to Arrest.
27. Personality State.
28. Alcoholism.
29. Drug Addiction.
30. Institutional Record.
31. Industrial Record.

The following items were added later for tabulation but were not included in the scoring of the cases by the writer:

32. Order in Fraternity.
33. Race.
34. Church Attendance.
35. Subject's Associates.
36. Parental Economic Status.
37. Size of Parental Family.

After tabulating the frequency of the above items and the amount of the unknown, the data was subjected to the following procedure:

- A—Percentage of known first offenders for each item.
- B—Percentage of known recidivists for each item.
- C—Ratio between the two per cents, using the recidivist figure as base.
- D—Translation of values to the scale of 10: all items registering above 10 were considered as favorable to non-rearrest, and vice versa. (This may be translated to a scale of 100 if desired.)
- E—Scoring of case histories, using the weighting system values found in the last step. Each score was rendered as an average on the individual's paper to eliminate the wide differences which would have been made evident by using the raw weight in a few cases.
- F—Determination of mean scores.¹⁴
- G—Determination of quotient or group relationship by division of the individual's score by the mean score for the group. This is the Criminal-Liability Index, and is rendered on a percentage scale: over 100% = favorable; under 100% = unfavorable.
- H—Ranking (and graphing) of the CLI ratings.
- I—Application of the CLI process to control group.¹⁵

The above procedure is followed letter by letter to aid the reader in understanding the following tables of results. Briefly, it means that the wider the divergence of the two groups on a certain item, the

¹⁴These were found to be as follows: recidivists, 8.98; first offenders, 11.87; total group, 9.6.

¹⁵This step will be made the subject of a report at a later date. A group of 50 YMCA men are being tested and the findings tabulated.

greater the ratio fraction and the larger the item rating. The statement of the results of the tabulation rating will be followed by a short summary of findings, what they may mean, and an illustration of the process of scoring.

IV—Results of CLI Tabulation

Category	A	B	C	D
No. 1. Age of Subject:				
17-20	10	7	1.43	14
21-25	20	17	1.18	12
26-30	19	15	1.27	13
31-35	10	16	.63	6
36-40	8	14	.57	6
41-45	11	12	.92	9
46-50	7	8	.87	9
51-60	9	8	1.12	11
61-over	6	3	2.00	20
(Probable Validity Rating: 1.00) ¹⁶				
No. 2. Place of Crime:				
City over 25M	58	72	.80	8
City under 25M	33	24	1.37	13
Rural	9	4	2.45	20 ¹⁷
(P. V. R. .99)				
No. 3. Place of Longest Residence:				
City over 25M	51	68	.75	8
City under 25M	35	26	1.33	13
Rural	14	6	2.33	20
(P. V. R. .99)				
No. 4. Age at First Arrest:				
Under 20	10	38	.26	3
21-25	20	20	1.00	10
26-30	19	12	1.58	16
31-35	10	9	1.11	11
36-40	8	10	.80	8
41-45	11	4	2.75	20
46-50	6	3	2.00	20
51-60	10	3	3.33	20
61-over	6	1	6.00	20
(P. V. R. 1.00)				
No. 5. Times Arrested:¹⁸				
Once	100	0	....	10
2-3	0	29	....	7

¹⁶Probable Validity Rating is the numerical value arrived at by subtracting the percentage of unknown in each category from 1.00. (It may be further pointed out that those items which are calculated on a relatively small number of cases, as made evident by the percentage, would not be as valid as those having a larger number to work upon. All items were considered, however, with the idea that, by using an average score in each case, errors would tend to be reduced. This would carry out the plan of considering the case as a "whole picture.")

¹⁷It was found advisable, because of the nature of the distribution of the cases, to give all those ratios over 2.00 a score of 20. This also balances the scale, running from 0 to 20, with its neutral point fixed at ten.

¹⁸In this category, because of the fact that the A% and the B% were

Category	A	B	C	D
4-5	0	20	....	5
6-10	0	20	....	3
11-25	0	22	....	1
26-over (P. V. R. 1.00)	0	9	....	0
No. 6. Time Spent in Penal Institutions:				
Under 3 months	47	52	.90	9
3-6 months	34	29	1.18	12
Over 6 months (P. V. R. .80)	19	19	1.00	10
				} present
No time	95	26	3.65	20
Under 1 year	5	39	.13	1
Over 1 year (P. V. R. .76)	0	35	.00	0
				} past
Under 1 year	99	57	1.75	18
1-5 years	1	37	.03	0
Over 5 years (P. V. R. .90) ¹⁹	0	6	.00	0
				} total
No. 8. Education:				
Illiterae	10	8	1.25	13
1-5th grade	19	24	.76	8
6th grade	12	14	.86	9
7th	12	17	.71	7
8th	26	22	1.18	12
9-11th	10	13	.80	8
12th & college (P. V. R. .99)	11	2	5.50	20
No. 9. Age on Leaving School:				
10 and under	6	6	1.00	10
11-12	7	9	.78	8
13-14	30	33	.91	9
15-16	30	32	.94	9
17-18	11	10	1.10	11
19-over	5	1	5.00	20
Never attended (P. V. R. .97)	11	9	1.22	12
No. 11. School Report:				
Good	27	12	2.25	20
Fair	49	42	1.17	12
Poor (P. V. R. .57)	24	46	.52	5
No. 17. With Whom Subject Lived:				
Parents	76	62	1.22	12
Relatives	11	13	.84	8
Others (P. V. R. .62)	13	25	.50	5

not statistically comparable (obviously owing to the nature of the division of cases: 1st offenders vs. recidivists), the scores set down were found by taking the B% cumulatively and subtracting same from 100. This must be considered as a logical rather than a statistical computation.

¹⁹As noted previously on page 569, categories 7, 10, 12, 13, 14, 15, 16, 19, 20, 23 and 24 are omitted owing to the low P. V. R. These values have been tabulated and are available by application to the writer.

Category	A	B	C	D
No. 18. Marital Status:				
Single	50	49	1.02	10
Married	34	30	1.13	11
Separated	8	12	.67	7
Divorced	3	6	.50	5
Widowed	5	3	1.66	17
(P. V. R. 1.00)				
No. 21. With Whom Subject Lives:				
Wife	12	7	1.71	17
Wife and children	31	20	1.55	16
Relatives	20	26	.77	8
Others	37	47	.79	8
(P. V. R. .74)				
No. 22. Occupation of Subject:				
Personal service	5	12	.42	4
Business	2	4	.50	5
Transportation	7	9	.77	8
Unskilled labor	28	33	.85	9
Skilled labor	36	28	1.28	13
Agriculture	10	6	1.66	17
Clerical	7	3	2.33	20
Professional	4	1	4.00	20
Others (?) ²⁰	1	4	.25	3
(P. V. R. 1.00)				
No. 25. Employment Prior to 1930:				
Irregular	38	64	.60	6
Regular	62	36	1.72	17
(P. V. R. .91)				
No. 26. Unemployment Prior to Arrest:				
Employed	46	23	2.00	20
Under 1 year	22	22	1.00	10
1-3 years	20	23	.87	9
Over 3 years	12	32	.38	4
(P. V. R. .72)				
No. 27. Personality State: ²¹				
Psychosis	2	10	.20	2
Emotional instability	37	47	.80	8
Mental deficiency	5	7	.72	7
(P. V. R. .85)				
No. 28. Alcoholism:				
Occasional	29	30	.96	10
Chronic	11	46	.24	2
None	60	24	2.50	20
(P. V. R. .85)				
No. 29. Drug Addiction: ²¹				
Yes	0.9	1.3	.70	7
(P. V. R. .85)				

²⁰The question mark indicates what may be considered as "questionable" professions, *i. e.*, bootlegger, gambler, *etc.*

²¹In these two categories (27 and 29) it was first thought advisable not to give a positive value to "normalcy," but the "non-alcoholic" (in Table 28) was given a score of 20 which gives a value to "resistance to temptation."

	<i>Category</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>
No. 30.	Institutional Record: ²²				
	Good	88	69	1.27	13
	Fair	7	15	.47	5
	Poor	5	16	.31	3
	(P. V. R. .95)				
No. 31.	Industrial Record: ²³				
	Good	51	18	2.83	20
	Fair	28	31	.90	9
	Poor	21	51	.41	4
	(P. V. R. .97)				
No. 32.	Order in Fraternity: ²⁴				
	Oldest	60	64	.91	9
	Youngest	40	36	1.11	11
	(P. V. R. .93)				
No. 33.	Race:				
	White	87	84	1.04	10
	Colored	13	16	.81	8
	(P. V. R. 1.00)				
No. 34.	Church Attendance:				
	Regular	26	16	1.62	16
	Irregular	35	35	1.00	10
	None	39	48	.81	8
	(P. V. R. .97)				
No. 35.	Subject's Associates:				
	Constructive	6	1	6.00	20
	Indifferent	54	30	1.80	18
	Harmful	40	69	.58	6
	(P. V. R. .97)				
No. 36.	Economic Status of Parents:				
	Comfortable	19	12	1.58	16
	Marginal	70	74	.94	9
	Dependent	11	15	.73	7
	(P. V. R. .96)				
No. 37.	Size of Parents' Family:				
	One	19	11	1.73	17
	2-3	31	27	1.15	12
	4-over	50	52	.96	10
	(P. V. R. .98)				

Summary of Results

By using the steps outlined in Section III of this paper some very interesting results, as shown by the preceding tables, were uncovered. For instance, with a Probable Validity Rating of 1.00, the scores for

²²Whenever possible this question was answered by a person in charge of the subject while incarcerated.

²³Likewise this question was answered whenever possible by an official familiar with the subject's work record.

²⁴As previously stated (see page 570), the following six category-score tables were not used in ascertaining the CLI ratings of the cases. This, however, does not mean that these tables are invalid; it was only a matter of separate computation.

the subject's age started at 14, made a decided dip to 6 (—) at the age level of 36-40, then zoomed up again to 20 at the age level of 61 and over. The score-line is somewhat different in Table No. 4, Age at First Arrest, but again there is a pronounced dip at the 36-40 level. Possibly these dips are explainable by the report from psychologists that marriages frequently break up at this point. Apparently this is the Dangerous Age. For the unmarried man it may be surmised that this is the point where he has just finished recognizing that he has not made a success of his life and has not yet begun to try a fresh start. Maladjustment, no matter what the cause, may make a person slip and turn to crime.

Many of the tables give results bearing out what sociologists have long surmised or contended, but occasionally there is a difference of opinion. The case in point is Table 8, on the Education of Subject: the illiterate earns a score of 12 while the seventh grader gets only 7. The college man's score is 20, but the 9-11th grader is 8. Again, we can only surmise the reason for this: the illiterates in the 563 men studied are composed of a group of foreign-born peasants who, in coming from the Old Country, never bothered to attend school farther than necessary to fulfill the immigration requirements. These people fell athwart the law more from ignorance than from malicious intention, and one sentence served to make them wary. Regarding the 9th graders: it is at this time that the young adolescent quits school for work or becomes impatient with the routine. This procedure frequently leads him to crime. The fact that he has even started high school is evidence that he is of higher type than the 8th grader, and his quitting at this place suggests conflict within him.

The table on Marital Status, No. 18, is interesting in that it rates the married man as 11 and the widower as 17. Again the explanation may involve peculiarities of the group studied. The married man who has become a law-breaker is frequently one whose home life is none too pleasant and is thus inducted into alcoholism or thievery. On the other hand, the widower has the sobering influence of death to check him, and when he does go into crime, it may be due to economic conditions and the breaking up of his "anchorage." This places him in a class distinctly different from the man who has separated from his family, the separation being evidence of conflict and maladjustment to his home conditions. Of course each case has its own peculiar factors of criminality which must be taken into consideration when actual rehabilitation efforts are begun; nevertheless, a group analysis rating can be regarded as a valid index by showing what the individual, in comparison with others, has gone through.

Another table which gives arresting results is No. 22; Occupation of Subject. Why the business man should earn five points to the stenographer's 20 one can only conjecture. Perhaps the factor of responsibility has something to do with it. Business nowadays has much in it of gambling as well as a form of piracy, and the lack of a definite code of ethics quite possibly may allow a man to drift into criminal unscrupulousness. In the case of the stenographer as well as the unskilled laborer (who scores 9) there is less imagination and less temptation to get something for nothing. The crimes of the laboring class cannot be described as clever but rather as a matter of error in judgment. Once shown that error he may desist; but the business man is always ready to gamble and win back his loss. This may seem a rather cruel indictment. It is merely a conjecture.

The other tables are more or less self-explanatory. They raise many questions, but few of which can be satisfactorily answered.

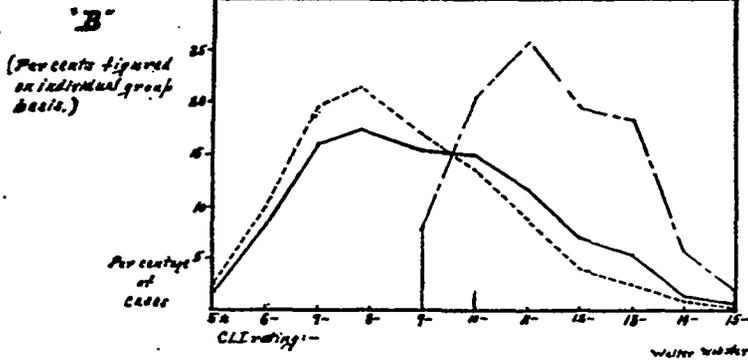
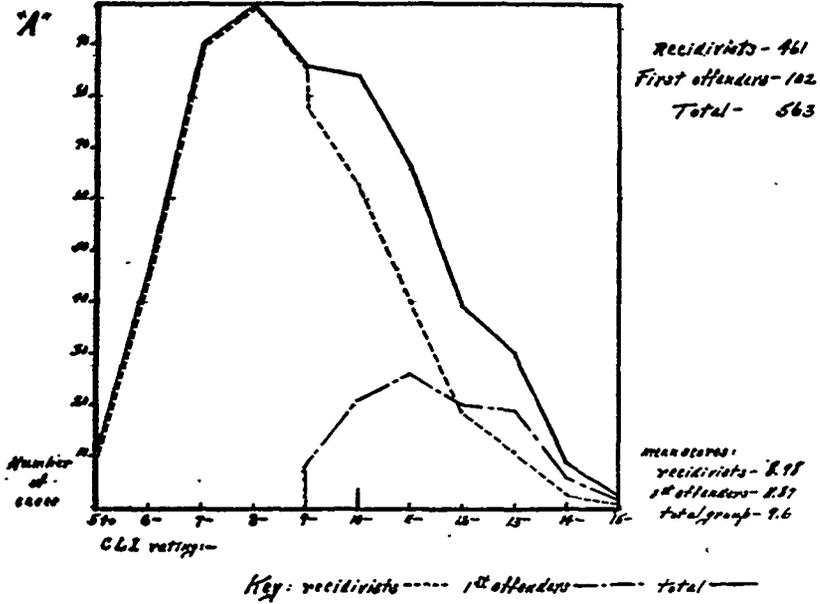
The following is a sample of the scoring process of an actual case: Case No. 55: white male, age 39, recidivist.

<i>Category</i>	<i>Score</i>
1. Age of subject—39.....	6
2. Place of crime—small town.....	13
3. Longest residence—small town.....	13
4. Age at first arrest—22.....	10
5. Times arrested—16.....	1
6. Total time in prison—8 mo.....	18
7. Criminality in family—none.....	13
8. Education—4th grade.....	8
9. Age on leaving school—10.....	10
10. Truancy—unknown	—
11. School report—unknown.....	—
12. Home broken—yes.....	8
13. Mother working—no.....	12
14. Reared in institution—no.....	18
15. Parents on charity—no.....	12
16. Parents own home—no.....	5
17. Lived with—parents.....	12
18. Marital status—separated.....	7
19. Subject on charity—yes.....	8
20. Subject owns home—no.....	7
21. Lives with—wife (just returned).....	17
22. Occupation—skilled	13
23. Parent contributes to income.....	9 (occasional)
24. Subject contributes—none.....	4
25. Employment prior 1930—irreg.....	6
26. Unemployed prior to arrest—1½ yrs.....	9
27. Personality state—emotional instab.....	8
28. Alcoholism—chronic	2
29. Drug addiction—no.....	—
30. Institutional record—fair.....	5
31. Industrial record—poor.....	4

Division of sum by number of items: 28, equals score 9.2.

Division of score by group mean, 9.6, equals CLI: 96. This indicates a case slightly below the neutral rating and not a good gamble. (Rated with recidivist mean, 8.98, equals 102; and with first offender mean, 11.87, equals 77.) Thus the CLI gives us an index of the rehabilitativeness of the case in a much more concrete fashion than our own opinions would allow us.²⁵

*Chart of the Distribution of CLI Scores
of
563 Inmates of the Connecticut Jails
January-June, 1934*



²⁵On going over the tables to ascertain the best possible score, it was found to be 24.2, which gives a CLI rating of 252%. Likewise this was done with worst possible score, 5.04, which gave a CLI of 52.5%. Thus, the fear that the CLI was over-critical was partially eliminated.

V—Conclusion

As the reader followed through the outline of procedure and material in this paper, he may have had some questions to raise regarding its scientific tenability. The writer is well aware that there are gaps in the path followed which were bridged with decisions of questionable validity. They appeared and were acted upon as seemed advisable in the circumstances. In his "Social Research,"²⁶ G. A. Lundberg says regarding the weighting of a sociometric scale:

"In the absence of objective demonstration of the relative significance of different factors, we must again rely tentatively on the combined opinion of persons best qualified to judge. This is a frank concession to necessity in the absence of scientifically developed norms. With the development of scientific study of social institutions there should be no reason why even ethical judgments should not be based on relatively objective and verifiable data. In the meantime we are compelled to rely tentatively on the nearest approximation to scientific evaluation, namely, the combined judgment of persons in closest touch with the situation"

The instrument herein offered is by no means to be considered as infallible. In the prison, of all places, it is most easy to be guided by prejudices and opinions. The CLI may prove to be their partial governor.

Appendix

Use of the CLI as a Prognosticating Instrument.

On finding that the results of the CLI computation took such comprehensible form, the writer, who was the welfare worker at the New Haven County Jail, was anxious to apply the CLI to some of the cases which confronted him. The following form was worked out upon a 5 x 8 card:

JAIL RECORD AND SERVICE CARD		(1st / recid.)
Name.....	Alias.....	Date..... Release.....
Address.....		Sentence.....
Age.....	Nationality.....	Trade..... Marital: U M S D W.....
<hr/>		
Age at 1st arrest.....	Previous arrests.....	Time spent incarcerated.....
Place of crime.....		nature of offense.....
Home: (early) urban/ rural/ good/ marginal/ poor/ broken/ institutional....		
(present)/////// wife....		
brothers..... sisters..... subject No..... children..... age range.....		
School: grade reached.... age on leaving.... reason.... record G F P....		
Work: last occupation..... reason left..... time unemployed.....		
Religion.....church attendance.....attitude toward church.....		
Social service clearing house record.....		
(Remarks on case, circumstances of offense, case portrait, service, etc., on reverse side of card)		

²⁶26. New York: 1929, p. 251.

From the above data card a score sheet was prepared and the individual cases weighted by the CLI rating. There has not been time enough yet to accumulate any sort of evaluating statistics. The writer submits the following brief case summaries in illustration.

Case No. 8: white male, 26, of German-French parents, a first offender. Rated as follows: age—12, place of crime—8, place of residence—7, age at 1st arrest—15, times arrested—10, time in penal institution—9, 20, 17, education—11, age of leaving school—9, truancy—2, school report—5, home broken—8, reared in institution—1, lived with—5, marital state—6, getting charity—8, owns home—6, lives with—15, occupation—8, contribution to income—7, employment—6, unemployed prior to arrest—3, personality state—8, alcoholism—20, institutional record—3, industrial record—4, order in fraternity—11, race—10, church attendance—16, parental economic state—9, size of family—9. Total score—288. Divided by number of factors, 32, equals 9.0. Divided by the mean score for 1st offenders, 11.9, equals .76, a poor risk. This man has been the object of charity for much of his life. Churches have converted him and contributed to his welfare. Private individuals have taken him in hand and given him sums of money or placed him in jobs. The State itself cared for him institutionally for 7 years since he was ten. The writer has found this individual to be immature, untrustworthy, baffled, dogmatic, and in poor physical and mental health. Although he has a wife and child, with whom he cannot live, he has never had a steady job, nor is he now contributing to the maintenance of his family. How much good will it do to send this man to jail for non-support or for stealing food? How much good will it do to continue him on charity lists and allow him to follow his slipshod course through life? The CLI gives a sociological X-ray which looks dubious.

Case No. 13: white male, 28, of Scotch-Irish parentage. Held for attempting to pass worthless checks. Had a 9th grade education and a good laboring job. Although not affluent, had enough income to support wife and 2 children. Was a strong supporter of the Catholic church and had never been in trouble before. The CLI gives him a rating of 11.0, mediated by division by the mean (11.9) shows him to be a borderline case of .925. Given his job back and shown his rating, this man will possibly make the grade of marginal existence and keep out of trouble.

Case No. 19: white male, 53, of English ancestry, comes of affluent family, and has a fine business record. Has a record of 2 other arrests and imprisonment. Brought in on a charge of obtaining money under false pretenses. Has a college degree and is now thoroughly resolved in his intent to go straight at all costs. The CLI rating is 12.1, mediated by the recidivist mean, 8.9, gives an index of 1.35, showing that here is a person who, by virtue of the total picture, is not as bad as he is painted at present. Since being incarcerated he has worked with the administration insofar as one on the "inside" can do, and has helped the welfare worker in many less obvious ways by subtly directing the inmates' attention toward good books and good points in the Sunday message from guest speakers.

Case No. 27: white male, 32, of German background and good education. An intelligent person but afflicted at present with a psychosis. He was brought in for entering a closed summer cottage and attempting to make away with the furnishings with intent to sell. He was found to have escaped from a mental hospital one week previous to arrest. The CLI rating on information compiled about and from him (he was quite rational) was 7, mediated—.59, indicating a none too promising case. As more information of his past was brought in, the CLI was substantiated.

The writer submits these cases not with the idea that he is proving the validity of his contentions but rather in illustration of how the CLI can help the prison worker. A little experimentation will be necessary in adapting this or devising a similar instrument. Run off with the aid of adding machine and slide-rule, the CLI lends itself easily to trial.

The scientific study of social institutions and social beliefs has just begun and a low-hanging cloud of misunderstanding and prejudice still obscures the horizon. Accordingly, the pioneer must prod around with his staff in the dark for solid ground until he can see his path. But no matter what prodding the prison worker may do, no matter what may be the length of his staff, he must also keep in mind that his rehabilitative work with the inmate has its limitations. As L. W. Fox writes in "The Modern English Prison":²⁷

"One might still hesitate to give a confidential answer to the question whether in any circumstances a prison system, rigid and standardized as it must be, and inevitably associated with the idea of punishment, is capable of bringing effectively to bear such influences as will bring about the change of mind or heart, that repentance, re-education, re-orientation or whatever we understand by 'reform.' For this of all things is a matter for a rather delicate individual touch: reform will come to the offender in different shapes and by different methods of approach, but *it must come from something inside the man*—it is not a panacea which can be prescribed by the chaplain from the prayer book or by the medical officer from the pharmacopoeia."

(Italics ours.)

It is hoped that the prison treatment of the future will have in it a definite place for such instruments as the medical examination, the intelligence test, the personality inventory, the criminal-liability index, and similar evaluatory indicators; and will have a staff emphasizing rehabilitation instead of punishment.

There is a legend chiseled over the doorway of the Catholic reformatory for children in Rome, built in 1710:

"It is useless to punish unless we also educate."

²⁷London: 1934, p. 34.