Journal of Criminal Law and Criminology

Volume 26
Issue 5 *January-February*

Article 11

Winter 1936

Current Notes

CURRENT NOTES

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Law Schools Committee Report—The Committee on Survey of Crime, Criminal Law, and Criminal Procedure of the Association of American Law Schools made the following report at the Association's Annual Meeting in New Orleans, December 27, 1935.

Most committee reports accumulate dust from the hour of their filing. The 1931 report of the Association's committee on the survey of crime is a notable exception. That committee submitted a report outlining an ambitious program for the improvement of the formal criminal law and for the advancement of the administration of criminal justice. The committee urged participation by this Association, the American Law Institute, and the American Bar Association in a program for the creation of a basic code of criminal law and the improvement of personnel and method of law enforcement. It suggested that piece-meal patching of existing laws would be less useful than the effective administration of the present laws; consequently, toward the diverse objectives of complete revision and adequate administration, the attention of practitioners, judges, and law professors was directed. As a result, the committee of 1935 finds that in reporting the accomplishments of the current year, it is in large measure reporting accomplishment, in whole or in part, of those things which were recommended only four years ago.

During the year, the American Law Institute has undertaken the great task of building a code of criminal law, thus fulfilling the prediction that effective development in the field of the substantive law must encompass the entire scope of criminal law as a device in social control. Thus, this new code, although built upon the experience of the past, is not to be a restatement, rather it is to be built from those methods and procedures, both old and new, which appear adaptable to and useful in the society we now have and for the society which we can only imperfectly anticipate. The time allotted for the completion of the work—fifteen years—is illustrative of the magnitude of the undertaking. The American Law Institute's program is clearly the outstanding activity of the year in the field of criminal law.

In improving the administration of criminal justice inquiries have been made into three major problems: (1) personnel (2) method and (3) coordination and cooperation. In the matter of personnel, the American Bar Association and the United States Department of Justice have taken the lead. The Report of Professor Waite as Chairman of the American Bar Associa-

tion Committee on Improvement of Personnel in Criminal Law Enforcement focused attention upon the problem. The Department of Justice, both by providing scientific training for their own investigators and more by establishing schools for the training of state and local police and probation officers have led the way in a practical manner toward scientific crime detection and offender supervision. The length of the waiting list for admission to these schools attest both the desire of police officers for instruction and the need for making instruction more readily available.

The requirement of trained personnel not only assure better "inherent" qualifications but also better enforcement methods. Personnel and method improve each other. The activity of the Department of Justice, of the United States Treasury Department, as well as of many state enforcement agencies, speak of an aroused interest in administration.

The Department of Justice has inaugurated a new individual case system of recording data on all pending and closed Federal cases. By this method the Department not only will be able to keep currently informed concerning the status of all litigation, but will be provided with a detail of information heretofore unobtainable. Likewise, the Treasury Department, concerned with law enforcement in more than one-half of all federal criminal cases, has established an organization for coordinating enforcement activity. Through this agency inventories of cases, apprehension, litigation, and adjudication are maintained for each enforcement process, each enforcement area, and each judicial district, to the end that the planning of enforcement activity may proceed from objective data and not merely from equivocal experience in the administration of individual cases. In scientific administration of criminal justice, these Federal departments, as well as many agencies of state and local government, have made a real advance during the year.

The benefits of trained personnel and scientific method bear fruit largely as they receive popular support. The Attorney General's Conference on Crime sought to organize and coordinate the popular and professional demand for an improved administration of criminal justice. Coordination was vitalized by the creation of the Attorney General's Advisory Committee on Crime, directed by Mr. Justin Miller, the former chairman of this Association's Committee on Crime. Through the Advisory Committee a carefully planned program of coordinated action by legal and social scientists, by federal, state and local governments, by legal and non-legal organizations, has been outlined. Already bar association conferences, such as the outstanding meeting of the Cincinnati Bar in cooperation with the Cincinnati University Law School, mark the manner in which interchange of idea and energy may stimulate and improve administration. Popular interest and support also is being sought through the campaign of addresses and radio talks of the Criminal Law Committee of the Junior Bar Conference of the American Bar Association.

An aroused public opinion, plus a thoroughly effective program of activity sponsored by the Advisory Committee, the American Bar Association and state and local bar associations will do much to keep alive interest and action in the field of criminal law administration. But

eventually, there must be some coordination of effective fiscal inducement to insure the adoption of law, personnel, and methods by the many subdivisions of government which are now charged with law enforcement. Today actual cooperation in enforcement (as distinct from cooperation in talking about methods for improving enforcement) is largely dependent upon the personal relationships between particular state and local, or federal, state and local officials. In some communities, local politics, personal jealousies, or the desire for publicity has not only been a bar to cooperation but has, on occasion, made the local authority as real an opponent of the state or federal enforcement official as the criminal himself. Between the poles of active cooperation and open hostility lies the great negative field of duplicating activity, Without coordination or uniformity, this duplication of effort not only is costly but is an open invitation to irresponsibility and inaction.

Occasionally, remedies have been suggested which look toward the absorption of local police into a statewide police system; but the exigencies of politics, local prides, and the variations in local conditions, will no doubt prevent the complete coordination of function in this as in other fields of government. Thus coordination must come, for the most part, from voluntary cooperation by local organizations, stimulated perhaps by state fiscal contribution. In many states today, the state government contributes all or a substantial portion of the support of the local judge, clerk, and at times of the prosecuting attorney and the sheriff. For this support it exacts no return; no standard of service must be met in order that the community receives the revenue; no additional amount is supplied for superior service; no deductions are made for unsatisfactory performance. By the slightest change in our existing system, by the conditioning of payments now made upon the compliance by the local authority with state determined standards, the improvement of personnel and method could be greatly stimulated. Great Britain has long used this device in the regulation of its police administration, and, indeed, for most of the supervision and maintenance of its complicated local government organization. Perhaps by a similar device, augmented by carefully drawn standards and formulas. similar beneficial results might be obtained in this country. It is suggested that cooperation of the various associations concerned with the problem of criminal justice and of state and local governments be solicited in the consideration of this method for the purpose of gaining greater effectiveness for the program outlined in 1931 and which during the year 1935 has gone forward so brilliantly.

The Association, through the activity of individual members, has participated in the program of the American Law Institute, the American Bar Association, and in the law enforcement of federal and state administrations. Some members have raised the question whether the Association should participate directly in the movement for more adequate criminal law enforcement. Thus, in recommending that this committee be continued for another year, it is suggested that the Association consider the extent to which it wishes to participate in the program of reform for criminal law and administration.

Respectfully submitted,
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Crimes Round Table—At the meeting of the Association of American Law Schools held in New Orleans, December 28, 1935, the "Crimes" section heard the following papers: "Confessions of a Former Teacher of Criminal Law." Joseph Beale, Harvard University. Discussion led by Livingston Hall, Harvard University. "The Metaphysical Jargon of the Criminal Law." Henry Weihofen, University of Colorado. Discussion led by Henry Cabot, Harvard University. "Edward Livingston and His Louisiana Penal Code," Jerome Hall, Louisiana State University. Discussion led by J. J. Robinson, Indiana University. Professors in charge of the program were: Sheldon Glueck, Harvard University, *Chairman,* Pendleton Howard, University of Idaho, Mason Ladd, University of Iowa.

Model Interstate Acts—Following are the four acts recently approved by the Interstate Commission in Crime at the meeting in New York City, November 30, 1935. They were sent to the Journal by Hon. Richard Hartshorne, Chairman of the Commission.

An Act to Make Uniform the Law on Close Pursuit and Authorizing This State to Cooperate with Other States Therein.

Be it enacted, etc.

Section 1. Any peace officer of another state of the United States, who enters this state in close pursuit and continues within this state in such close pursuit of a person in order to arrest him, shall have the same authority to arrest and hold in custody such person, as peace officers of this state have to arrest and hold in custody a person on the ground that he has committed a crime in this state.

Section 2. If an arrest is made in this state by an officer of another state in accordance with the provisions of Section 1 of this act, he shall without unnecessary delay take the person arrested before a judge of a court of record who shall conduct a hearing for the sole purpose of determining if the arrest was in accordance with the provisions of Section 1, and not of determining the guilt or innocence of the arrested person. If the judge determines that the arrest was in accordance with such provisions, he shall commit the person arrested to the custody of the officer making the arrest, who shall without unnecessary delay take him to the state from which he fled. If the judge determines that the arrest was unlawful, he shall discharge the person arrested.

Section 3. Section 1 of this act shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful.

Section 4. For the purpose of this act the word State shall include the District of Columbia.

Section 5. Upon the passage and approval by the Governor of this act it shall be the duty of the Secretary of State (or other officer) to certify a copy of this act to the Executive Department of each of the states of the United States.

Section 6. If any part of this act is for any reason declared void, it is declared to be the intent of this act that such invalidity shall not affect the validity of the remaining portions of this act.

Section 7. This act may be cited as the Uniform Act on Close Pursuit.

Section 8. This act shall take effect immediately.

Note. This act has been drafted by the Interstate Commission on Crime composed of official representatives concerned with the administration of criminal law from every state in the Union, as well as the Federal Government. It is being presented concurrently herewith in the legislatures of every state now in session.

The purpose of the act is to prevent the state boundaries from permitting a criminal to escape. The act accomplishes this in simple fashion by clarifying the common law doctrine of close pursuit, which permits an officer to cross a boundary and make an arrest of a criminal while in such close purusit, the act further providing for the return of such criminal thereafter.

Uniform Act to Secure the Attendance of Witnesses from Without the State in Criminal Proceedings.

Be it enacted, etc.

Section 1. Witness—as used in this act shall include a person whose testimony is desired in any proceeding or investigation by a Grand Jury or in a Criminal Action, Prosecution or Proceeding.

The word State shall include any Territory of the United States and District of Columbia.

Section 2. Summoning witness in this state to testify in another state. If a judge of a court of record in any state which by its laws has made provision for commanding persons within that state to attend and testify in this state certifies under the seal of such court that there is a criminal prosecution pending in such court, or that a grand jury investigation has commenced or is about to commence, that a person being within this state is a material witness in such prosecution, or grand jury investigation, and that his presence will be required for a specified number of days, upon presentation of such certificate to any judge of a court of record in the county in which such person is, such judge shall fix a time and place for a hearing, and shall make an order directing the witness to appear at a time and place certain for the hearing.

If at a hearing the judge determines that the witness is material and necessary, that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other state, and that the laws of the state in which the prosecution is pending, or grand jury investigation has commenced or is about to commence, will give to him protection from arrest and the service of civil and criminal process, he shall issue a summons, with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending, or where a grand jury investigation has commenced or is about to commence at a time and place specified in the summons. In any such hearing the certificate shall be prima facie evidence of all the facts stated therein.

If said certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting State to assure his attendance in the requesting State, such judge may, in lieu of notification of the hearing, direct that such witness be forthwith brought before him for said hearing; and the judge at the hearing

being satisfied of the desirability of such custody and delivery, for which determination the certificate shall be prima facie proof of such desirability may, in lieu of issuing subpoena or summons, order that said witness be forthwith taken into custody and delivered to an officer of the requesting State.

If the witness, who is summoned as above provided, after being paid or tendered by some properly authorized person the sum of ten cents a mile for each mile and five dollars for each day, that he is required to travel and attend as a witness, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this state.

Section 3. Witness from another state summoned to testify in this state. If a person in any state, which by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions, or grand jury investigations commenced or about to commence, in this state, is a material witness in a prosecution pending in a court of record in this state, or in a grand jury investigation which has commenced or is about to commence, a judge of such court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. This certificate shall be presented to a judge of a court of record in the county in which the witness is found.

If said certificate recommends that the witness be taken into immediate custody and delivered to an officer of this state to assure his attendance in this state, such judge may direct that such witness be forthwith brought before him; and the judge being satisfied of the desirability of such custody and delivery, for which determination said certificate shall be prima facie proof, may order that said witness be forthwith taken into custody and delivered to an officer of this state, which order shall be sufficient authority to such officer to take such witness into custody and hold him unless and until he may be released by bail, recognizance, or order of the judge issuing the certificate.

If the witness is summoned to attend and testify in this state he shall be tendered the sum of ten cents a mile for each mile and five dollars for each day that he is required to travel and attend as a witness. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this state a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the court. If such witness fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this state.

Section 4. Exemption from arrest and service of process. If a person comes into this state in obedience to a summons directing him to attend and testify in this state he shall not while in this state pursuant to such summons or order be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons.

If a person passes through this state while going to another state in obedience to a summons or order to attend and testify in that state or

while returning therefrom, he shall not while so passing through this state be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons or order.

Section 5. Uniformity of Interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it.

Section 6. Short title. This act may be cited as "Uniform Act to Secure the Attendance of Witnesses from Without the State in Criminal Cases."

Section 7. Inconsistent laws repealed. All acts or parts of acts inconsistent with this act are hereby repealed.

Section 8. Constitutionality. If any part of this act is for any reason declared void, such invalidity shall not effect the validity of the remaining portions thereof.

Section 9. Time of taking effect. This act shall take effect .....

Note.—This act has been drafted by the Interstate Commission on Crime, composed of official representatives concerned with the administration of criminal law from every state in the Union, as well as the Federal Government. In general, it is based upon the act proposed by the National Conference of Commissioners on Uniform State Laws, which act is now in effect in seven states. Only a few relatively minor variations from such act have been made. This act is being presented concurrently herewith in the legislatures of every state now in session.

In brief, the act provides for reciprocal action between this state and all others to remove from other states to this state witnesses needed here in criminal proceedings; this state at the same time to remove from this state to others, witnesses similarly needed there. These witnesses are fully protected by the requirement of the payment of substantial witness fees, by the provision that they are exempt from arrest or service of process when so removed, and finally that they shall not be removed in any event if same will cause them "undue hardship."

An Act Providing That the State of ..... May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole.

Be it enacted, etc.

Section 1. The Governor of this state is hereby authorized and directed to enter into a compact on behalf of the State of ..... with any of United States legally joining therein in the form substantially as follows:

A Compact

Entered into by and among the contracting states, signatories hereto, with the consent of the Congress of the United States of America, granted by an Act entitled "An Act Granting the Consent of Congress to any two or more States to enter into Agreements or Compacts for Cooperative Effort and Mutual Assistance in the Prevention of Crime and for other purposes."

The contracting states solemnly agree:

(1) That it shall be competent for the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state"), to permit any person convicted of an offense within

such state and placed on probation or released on parole to reside in any other state party to this compact (herein called "receiving state"), while on probation or parole, if

(a) Such person is in fact a resident of or has his family residing within the receiving state and can obtain employment there;

(b) Though not a resident of the receiving state and not having his family residing there, the receiving state consents to such person being sent there.

Before granting such permission, opportunity shall be granted to the receiving state to investigate the home and prospective employment of such person.

A resident of the receiving state, within the meaning of this section, is one who has been an actual inhabitant of such state continuously for more than one year prior to his coming to the sending state and has not resided within the sending state more than six continuous months immediately preceding the commission of the offense for which he has been convicted.

(2) That each receiving state will assume the duties of visitation of and supervision over probationers or parolees of any sending state and in the exercise of those duties will be governed by the same standards that prevail for its own probationers and parolees.

(3) That duly accredited officers of a sending state may at all times enter a receiving state and there apprehend and retake any person on probation or parole. For that purpose no formalities will be required other than establishing the authority of the officer and the identity of the person to be retaken. All legal requirements to obtain extradition of fugitives from justice are hereby expressly waived on the part of states party hereto, as to such persons. The decision of the sending state to retake a person on probation or parole shall be conclusive upon and not reviewable within the receiving state: Provided, however, that if at the time when a state seeks to retake a probationer or parolee there should be pending against him within the receiving state any criminal charge, or he should be suspected of having committed within such state a criminal offense, he shall not be retaken without the consent of the receiving state until discharged from prosecution or from imprisonment of such offense.

(4) That the duly accredited officers of the sending state will be permitted to transport prisoners being retaken through any and all states parties to this compact, without interference.

(5) That the governor of each state may designate an officer who, acting jointly with like officers of other contracting states, if and when appointed, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact.

(6) That this compact shall become operative immediately upon its ratification by any state as between it and any other state or states so ratifying. When ratified it shall have the full force and effect of law within such state, the form of ratification to be in accordance with the laws of the ratifying state.

(7) That this compact shall continue in force and remain binding upon each ratifying state until renounced by it. The duties and obligations hereunder of a renouncing state shall continue as to parolees or probationers residing therein at

the time of withdrawal until retaken or finally discharged by the sending state. Renunciation of this compact shall be by the same authority which ratified it, by sending six months' notice in writing of its intention to withdraw from the compact to the other states party hereto.

Section 2. If any section, sentence, subdivision or clause of this act is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Section 3. Whereas an emergency exists for the immediate taking effect of this act, the same shall become effective immediately upon its passage.

Section 4. This act may be cited as the Uniform Act for Out-of-State Parolee Supervision.

Note.—This act has been drafted by the Interstate Commission on Crime composed of official representatives concerned with the administration of criminal law from every state in the Union, as well as the Federal Government. Tbis act is being presented concurrently herewith in the legislatures of every state now in session.

In brief, the act authorizes the Governor of this state to enter into a compact for this state with other states of the Union whereby such other states will there supervise on probation or parole their residents convicted of crime here in return for the reciprocal action of this state in similarly supervising here its citizens convicted of crime there. The reciprocal terms of such compact are set forth in detail with provisions for the necessary administrative action. Such act and compact will effectuate the prime purpose of probation and parole to wit, rehabilitation to good citzenship of the person convicted. From the standpoint of the convicted person, obviously this can be better accomplished under proper supervision among home surroundings rather than among strangers. From the standpoint of the authorities, the state where such person resides has a greater responsibility for his conduct, and consequently his supervision, than the state to which he goes to commit a crime. The act accords substantially with the Indiana statute, Laws 1935, Chapter 239, Page 1441, and the compact in that regard just signed by that state and Michigan, and a similar one now being negotiated by the States of Maryland and Illinois.

An Act to Make Uniform the Procedure on Interstate Extradition.

Be it enacted, etc.

Section 1. Definitions. Where appearing in this act, the term "Governor" includes any person performing the functions of Governor by authority of the law of this state. The term "Executive Authority" includes the governor, and any person performing the functions of governor in a state other than this state. The term "State," referring to a state other than this state, includes any other state or territory, organized or unorganized, of the United States of America.

Section 2. Fugitives from justice; duty of governor. Subject to the provisions of this act, the provisions of the Constitution of the United States controlling, and any and all acts of Congress enacted in pursuance thereof, it is the duty of the Governor of this state to have arrested and delivered up to the executive authority of any other state of the United States any person charged in that state with treason, felony, or other crime, who has fled

from justice and is found in this state.

Section 3. Demand; form. No demand for the extradition of a person charged with crime in another state shall be recognized by the Governor unless in writing alleging that the accused was present in the demanding state at the time of the commission of the alleged crime, and that thereafter he fled from the state, except in cases arising under Section 6, and accompanied by a copy of an indictment found or by information supported by affidavit in the state having jurisdiction of the crime, or by a copy of an affidavit made before a magistrate there, together with a copy of any warrant which was issued thereon; or by a copy of a judgment of conviction or of a sentence imposed in execution thereof, together with a statement by the Executive Authority of the demanding state that the person claimed has escaped from confinement or has broken the terms of his bail, probation or parole. The indictment, information, or affidavit made before the magistrate must substantially charge the person demanded with having committed a crime under the law of that state; and the copy of indictment, information, affidavit, judgment or conviction or sentence must be authenticated by the Executive Authority making the demand.

Section 4. Investigation by Governor. When a demand shall be made upon the Governor of this state by the Executive Authority of another state for the surrender of a person so charged with crime, the Governor may call upon the Attorney-General or any prosecuting officer in this state to investigate or assist in investigating the demand, and to report to him the situation and circumstances of the person so demanded, and whether he ought to be surrendered.

Section 5. Extradition of persons imprisoned or awaiting trial in another state or who have left the demanding state under compulsion. When it is desired to have returned to this state a person charged in this state with a crime, and such person is imprisoned or is held under criminal proceedings then pending against him in another state, the Governor of this state may agree with the Executive Authority of such other state for the extradition of such person before the conclusion of such proceedings or his term of sentence in such other state, upon condition that such person be returned to such other state at the expense of this state as soon as the prosecution in this state is terminated.

The Governor of this state may also surrender on demand of the Governor of any other state any person in this state who is charged in the manner provided in Section 23 of this act with having violated the laws of the state whose Governor is making the demand, even though such person left the demanding state involuntarily.

Section 6. Extradition of persons not present in demanding state at time of commission of crime. The Governor of this state may also surrender, on demand of the Executive Authority of any other state, any person in this state charged in such other state in the manner provided in Section 3 with committing an act in this state, or in a third state, intentionally resulting in a crime in the state whose Executive Authority is making the demand, and the provisions of this act not otherwise inconsistent, shall apply to such cases, even though the accused was not in that state at the time of the

commission of the crime, and has not fled therefrom.

Section 7. Issuance of warrant of arrest by governor; recitals therein. If the Governor decides that the demand should be complied with, he shall sign a warrant of arrest, which shall be sealed with the state seal, and be directed to any peace officer or other person whom he may think fit to entrust with the execution thereof. The warrant must substantially recite the facts necessary to the validity of its issuance.

Section 8. Execution of warrant; manner and place thereof. Such warrant shall authorize the peace officer or other person to whom directed to arrest the accused at any time and any place where he may be found within the state and to demand the aid of all peace officers or other persons in the execution of the warrant, and to deliver the accused, subject to the provisions of this act to the duly authorized agent of the demanding state.

Section 9. Authority of arresting officer. Every such peace officer or other person empowered to make the arrest, shall have the same authority, in arresting the accused, to command assistance therein, as peace officers have by law in the execution of any criminal process directed to them, with like penalties against those who refuse their assistance.

Section 10. Rights of accused person; application for writ of habeas corpus. No person arrested upon such warrant shall be delivered over to the agent whom the Executive Authority demanding him shall have appointed to receive him unless he shall first be taken forthwith before a judge of a court of record in this state, who shall inform him of the demand made for his surrender and of the crime with which he is charged, and that he has the right to demand and procure legal counsel; and if the prisoner or his counsel shall state that he or they desire to test the legality of his arrest, the judge of such court of record shall fix a reasonable time to be allowed him within which to apply for a writ of habeas corpus. When such writ is applied for, notice thereof, and of the time and place of hearing thereon, shall be given to the prosecuting officer of the county in which the arrest is made and in which the accused is in custody, and to the said agent of the demanding state.

Section 11. Penalty for non-compliance with preceding section. Any officer who shall deliver to the agent for extradition of the demanding state a person in his custody under the Governor's warrant, in wilful disobedience to the last section, shall be guilty of a misdemeanor and, on conviction, shall be fined not more than $1,000.00 or be imprisoned not more than six months, or both.

Section 12. Confinement of accused in jail when necessary. The officer or persons executing the Governor's warrant of arrest, or the agent of the demanding state to whom the prisoner may have been delivered may, when necessary, confine the prisoner in the jail of any county or city through which he may pass; and the keeper of such jail must receive and safely keep the prisoner until the officer or person having charge of him is ready to proceed on his route, such officer or person, however, being chargeable with the expense of keeping.

The officer or agent of a demanding state to whom a prisoner may have been delivered following extradition proceedings in another state, or to whom a prisoner may have been delivered after waiving

extradition in such other state, and who is passing through this state with such a prisoner for the purpose of immediately returning such prisoner to the demanding state, when necessary, confine the prisoner in the jail of any county or city through which he may pass; and the keeper of such jail must receive and safely keep the prisoner until the officer or agent having charge of him is ready to proceed on his route, such officer or agent, however, being chargeable with the expense of keeping; provided, however, that such officer or agent shall produce and show to the keeper of such jail satisfactory written evidence of the fact that he is actually transporting such prisoner to the demanding state after a requisition by the Executive Authority of such demanding state. Such prisoner shall not be entitled to demand a new requisition while in this state.

Section 13. Arrest of accused before making of requisition. Whenever any person within this state shall be charged on the oath of any credible person before any judge or magistrate of this state with the commission of any crime in any other state and, except in cases arising under Section 6 with having fled from justice, or, with having been convicted of a crime in that state and having escaped from confinement, or having broken the terms of his bail, probation or parole, or whenever complaint shall have been made before any judge or magistrate in this state setting forth on the affidavit of any credible person in another state that a crime has been committed in such other state and that the accused has been charged in such state with the commission of the crime, and, except in cases arising under Section 6, has fled from justice, or with having been convicted of a crime in that state and having escaped from bail, probation or parole and is believed to be in this state, the judge or magistrate shall issue a warrant directed to any peace officer commanding him to apprehend the person named therein, wherever he may be found in this state, and to bring him before the same or any other judge, magistrate or court who or which may be available in or convenient of access to the place where the arrest may be made, to answer the charge or complaint and affidavit, and a certified copy of the sworn charge or complaint and affidavit upon which the warrant is issued shall be attached to the warrant.

Section 14. Arrest of accused without warrant therefor. The arrest of a person may be lawfully made also by any peace officer or a private person, without a warrant upon reasonable information that the accused stands charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year, but when so arrested the accused must be taken before a judge or magistrate with all practicable speed and complaint must be made against him under oath setting forth the ground for the arrest as in the preceding sections; and thereafter his answer shall be heard as if he had been arrested on a warrant.

Section 15. Commitment to await requisition; bail. If from the examination before the judge or magistrate it appears that the person held is the person charged with having committed the crime alleged, and, except in cases arising under Section 6, that he has fled from justice, the judge or magistrate must, by a warrant reciting the accusation, commit him to the county

jail for such a time not exceeding thirty days and specified in the warrant, as will enable the arrest of the accused to be made under a warrant of the Governor on a requisition of the Executive Authority of the state having jurisdiction of the offense, unless the accused give bail as provided in the next section, or until he shall be legally discharged.

Section 16. Bail; in what cases; conditions of bond. Unless the offense with which the prisoner is charged is shown to be an offense punishable by death or life imprisonment under the laws of the state in which it was committed, a judge or magistrate in this state may admit the person arrested to bail by bond or undertaking, with sufficient sureties, and in such sum as he deems proper, conditioned for his appearance before him at a time specified in such bond or undertaking, and for his surrender, to be arrested upon the warrant of the Governor of this state.

Section 17. Extension of time of commitment, adjournment. If the accused is not arrested under warrant of the Governor by the expiration of the time specified in the warrant, bond, or undertaking, a judge or magistrate may discharge him or may recommit him for a further period of sixty days, or a supreme court justice or county judge may again take bail for his appearance and surrender, as provided in Section 16, but within a period not to exceed sixty days after the date of such new bond or undertaking.

Section 18. Bail; when forfeited. If the prisoner is admitted to bail, and fails to appear and surrender himself according to the conditions of his bond, the judge, or magistrate by proper order, shall declare the bond forfeited and order his immediate arrest without warrant if he be within this state. Recovery may be had on such bond in the name of the state as in the case of other bonds or undertakings given by the accused in criminal proceedings within this state.

Section 19. Persons under criminal prosecution in this state at time of requisition. If a criminal prosecution has been instituted against such person under the laws of this state and is still pending, the Governor, in his discretion, either may surrender him on demand of the executive authority of another state or hold him until he has been tried and discharged or convicted and punished in this state.

Section 20. Guilt or innocence of accused, when inquired into. The guilt or innocence of the accused as to the crime of which he is charged may not be inquired into by the Governor in any proceeding after the demand for extradition accompanied by a charge of crime in legal form as above provided shall have been presented to the Governor, except as it may be involved in identifying the person held as the person charged with the crime.

Section 21. Alias warrant of arrest. The Governor may recall his warrant of arrest or may issue another warrant whenever he deems proper.

Section 22. Fugitives from this state; duty of governors. Whenever the Governor of this state shall demand a person charged with crime or with escaping from confinement or breaking the terms of his bail, probation or parole in this state, from the Chief Executive of any other state, or from the chief justice or an associate justice of the Supreme Court of the District of Columbia authorized to receive such demand under the laws of the United States, he shall issue a warrant un-

der the seal of this state, to some agent, commanding him to receive the person so charged if delivered to him and convey him to the proper officer of the county in this state in which the offense was committed.

Section 23. Application for issuance of requisition; by whom made; contents.

I. When the return to this state of a person charged with crime in this state is required, the prosecuting attorney shall present to the governor his written application for a requisition for the return of the person charged, in which the person so charged, the crime charged against him, the approximate time, place and circumstances of its commission, the state in which he is believed to be, including the location of the accused therein at the time the application is made and certifying that, in the opinion of the said prosecuting attorney the ends of justice require the arrest and return of the accused to this state for trial and that the proceeding is not instituted to enforce a private claim.

II. When the return to this state is required of a person who has been convicted of a crime in this state and has escaped from confinement or broken the terms of his bail, probation or parole, the prosecuting attorney of the county in which the offense was committed, the parole board, or the warden of the institution or sheriff of the county, from which escape was made, shall present to the Governor a written application for a requisition for the return of such person, in which application shall be stated the name of the person, the crime of which he was convicted, the circumstances of his escape from confinement or of the breach of the terms of his bail, probation or parole, the state in which he is believed to be, including the location of the person therein at the time application is made.

III. The application shall be verified by affidavit, shall be executed in duplicate and shall be accompanied by two certified copies of the indictment returned, or information and affidavit filed, or of the complaint made to the judge or magistrate, stating the offense with which the accused is charged, or of the judgment of conviction or of the sentence. The prosecuting officer, parole board, warden or sheriff may also attach such further affidavits and other documents in duplicate as he shall deem proper to be submitted with such application. One copy of the application, with the action of the Governor indicated by endorsement thereon, and one of the certified copies of the indictment, complaint, information, and affidavits, or of the judgment of conviction or of the sentence shall be filed in the office of the secretary of state to remain of record in that office. The other copies of all papers shall be forwarded with the Governor's requisition.

Section 24. Costs and Expenses.

Note.—The provisions in this regard will so vary with the different states that same must be drafted separately in each state.

Section 25. Immunity from service of process in certain civil actions. A person brought into this state on, or after waiver of, extradition based on a criminal charge shall not be subject to service of personal process in civil actions arising out of the same facts as the criminal proceeding to answer which he is being or has been returned, until he has been convicted in the criminal proceeding, or, if acquitted, until he has had reasonable oppor-

tunity to return to the state from which he was extradited.

Section 25-a. Written waiver of extradition proceedings. Any person arrested in this state charged with having committed any crime in another state or alleged to have escaped from confinement, or broken the terms of his bail, probation or parole may waive the issuance and service of the warrant provided for in Sections 7 and 8 and all other procedure incidental to extradition proceedings, by executing or subscribing in the presence of a judge of any court of record within this state a writing which states that he consents to return to the demanding state; provided, however, that before such waiver shall be executed or subscribed by such person it shall be the duty of such judge to inform such person of his rights to the issuance and service of a warrant of extradition and to obtain a writ of habeas corpus as provided for in Section 10.

If and when such consent has been duly executed it shall forthwith be forwarded to the office of the Governor of this state and filed therein. The judge shall direct the officer having such person in custody to deliver forthwith such person to the duly accredited agent or agents of the demanding state, and shall deliver or cause to be delivered to such agent or agents a copy of such consent; provided, however, that nothing in this Section shall be deemed to limit the rights of the accused person to return voluntarily and without formality to the demanding state, nor shall this waiver procedure be deemed to be an exclusive procedure or to limit the powers, rights or duties of the officers of the demanding state or of this state.

Section 25-b. Non-waiver by this state. Nothing in this act contained shall be deemed to constitute a waiver by this state of its right, power or privilege to try such demanded person for crime committed within this state, or of its right, power or privilege to regain custody of such person by extradition proceedings or otherwise for the purpose of trial, sentence or punishment for any crime committed within this state, nor shall any proceedings had under this act which result in, or fail to result in, extradition be deemed a waiver by this state of any of its rights, privileges or jurisdiction in any way whatsoever.

Section 26. No immunity from other criminal prosecutions while in this state. After a person has been brought back to this state by extradition proceedings, he may be tried in this state for other crimes which he may be charged with having committed here as well as that specified in the requisition for his extradition.

Section 27. Interpretation. The provisions of this act shall be so interpreted and construed as to effectuate its general purposes to make uniform the law of those states which enact it.

Section 28. Constitutionality. If any part of this act is for any reason declared void, such invalidity shall not affect the validity of the remaining portions thereof.

Section 29. Repeal. All acts and parts of acts inconsistent with the provisions of this act and not expressly repealed herein are hereby repealed.

Section 30. Short title. This act may be cited as the Uniform Criminal Extradition Act.

Section 31. Time of taking effect. This act shall take effect on the ... day of ....., 19....

Note.—The basis of present interstate extradition of fugitive criminals is Article IV, section 2, subdivision 2 of the Constitution of the United States. In 1793 Congress set up a general framework for the extradition process, but left many matters incident to extradition to be dealt with by the states. As to all of these matters there is undesirable variation in the provisions of law of the several states and in their interpretation.

This diversity hinders state cooperation and the administration of justice. It is imperative that each state adopt and enforce regulations which will satisfy its own views as to the safeguards to be afforded accused persons, and as to the precedence to be given its own criminal and civil proceedings, which will also give the most efficient aid possible to other states; and that such regulations be uniform throughout the United States and therefore reciprocal in their operation.

In 1926 the Conference of Commissioners on Uniform State Laws adopted a draft of a Uniform Criminal Extradition Act. This Act has been the basis of legislation in the following ten states: Alabama, Idaho, Maine, New Mexico, North Carolina, Pennsylvania, South Dakota, Utah, Vermont and Wisconsin. The Commission has incorporated certain slight modifications and additions in the draft herewith, which are intended simply to supplement and round out the Uniform Act.

The Act as approved by the Interstate Commission on Crime brings uniformity as to such matters as the form of requisition and the documents to accompany it, the arrest pending requisition as well as after requisition, bail, habeas corpus proceedings, confinement in transit, and the right to withhold extradition while a criminal prosecution is pending in the asylum state against the person claimed or while he is serving a sentence there. It also recognizes and regulates waiver of extradition. It gives to the governor of an asylum state the very important power to extradite, in his discretion, one who was not in the demanding state when the crime is alleged to have been committed—a power not covered by the Federal provisions as to extradition, but which may be exercised by each state under its constitutional residuum of sovereignty in its cooperative warfare on crime. It gives to the governor the power to extradite a person who has come into the state involuntarily. It provides for requisition of a person, already under prosecution or undergoing punishment in another state, so that he may be prosecuted in the demanding state while the evidence is still fresh, but with the understanding that at the termination of the prosecution he will be returned to the state which extradited him. The Interstate Commission on Crime has studied the Uniform Act with care and strongly urges its immediate general adoption.

Criminological Research Bulletin—Again Professor Thorsten Sellin of the University of Pennsylvania has rendered great service to scholars in the field of criminology by editing the fifth Criminological Research Bulletin. The first four Bulletins were published by the Bureau of Social Hygiene and though that organization went out of existence early in 1935 funds were granted for the fifth Bulletin. Hereafter the Journal of Criminal Law and Criminology will publish the Bulletin. The same general classification of

the previous Bulletins was used in this one. For carrying out this project Professor Sellin is deserving of the warm appreciation of all research workers because such a Bulletin not only acquaints scholars with the studies of their co-workers, but often prevents useless duplication of effort. While not presented as a complete list of current criminological research, Professor Sellin discloses an amazing array of studies under way or completed during the past year. Copies may be obtained from the editor at the price of 25 cents.

Comment on the Berlin Congress—An editorial appearing in the "Penal Reformer" published by the Howard League for Penal Reform and the National Council for the Abolition of the Death Penalty in October, 1935, criticized the conduct of the recent International Penal and Penitentiary Congress.

"The proceedings at the International Penal and Penitentiary Congress held in Berlin completely justified the Howard League in its refusal to participate. The Congress from first to last appears to have been used by its German hosts in an attempt to commit the foreign delegates to approval of Nazi ideas on criminal law and administration. Germany, as host, according to the practice of previous Congresses, largely determined the nature of the agenda. Full use was made of the opportunity and the main discussions were centered on the ideas of the new Germany.

"One of the most important debates took place on a report which approved pure repression as the central aim of prison administration. Great efforts were made to commit the Congress to its support. It was 'packed' with German delegates voting unanimously in favor (450 of them to 270 of all other nations!) and on a delegate vote the report was approved by a huge majority. This result was challenged and a vote by nations secured. In the result the report was rejected by ten nations to nine (all the fascist and semi-fascist countries following the German lead). It was then agreed that the issue must be left undecided! Under such conditions it is not surprising that the proceedings were reduced to futility. A special word of appreciation is due to Mr. Alexander Paterson, Mr. Bing and others of the British delegation, for their splendid stand for reason and humanity under specially difficult conditions."

Bates Report—The report of the Berlin Conference, written by Hon. Sanford Bates, Commissioner on the part of the United States on the International Penal and Penitentiary Commission, has been printed and widely distributed after the State Department authorized its publication. While it deserves publication in this Journal, it is thought that its availability elsewhere makes it inadvisable to reprint it in full. However, Mr. Bates' conclusion is given below:

"It is always somewhat difficult to measure the value of an international congress such as the one held in Berlin. There are the language difficulties which are very real to Americans. There is always a kind of international politics played at these meetings which is rather difficult for an American to understand. There is the very real difficulty of expressing the same idea in three different languages and there is also a fundamental differ-

ence in the basic civilizations, traditions and practices of the various countries. There were times when it seemed as though it was rather useless to attempt to bring out a resolution on which all countries could agree and concessions were frequently made which entirely destroyed the force of the resolution as statements of advanced penal policies. The principal value, it seems to me, is not in the resolutions that are passed but in the opportunity which is afforded to visit foreign institutions, to meet and talk with representatives of foreign nations and in an intangible way to realize that the problem of what to do with the prisoner is a world wide one."

Pennsylvania Department of Corrections—Mr. Leon Stern, Secretary of the Pennsylvania Committee on Penal Affairs of the Public Charities Association reviewed Pennsylvania Legislation for 1935 in the Prison Journal of October, 1935. He made the following comment upon the failure of the Pennsylvania Legislature to provide for the proposed Department of Corrections:

"The proposal to establish a separate State Department of Corrections framed by the Pennsylvania Committee on Penal Affairs of the Public Charities Association, and introduced with the support of the Pennsylvania Prison Society, Pennsylvania State Chamber of Commerce, Pennsylvania Federation of Democratic Women, American Legion, Philadelphia Committee on Public Affairs, and the Allegheny County Committee on Public Affairs, did not become law. Althoguh to the astonishment of its proponents it came out of Committee after a well attended and satisfactory public hearing, its life on the floor was very brief and it was soon buried by the Committee.

"Had the bill to establish a separate Department of Corrections been enacted into law, it would have taken from the Department of Welfare the administration of State prisons, inspection of county prisons, etc., and placed them in the new Department with a Secretary in charge. The supervision of parolees now in the hands of the Department of Justice also would have been transferred to this new Department.

"Our correctional services cover a wide range functionally and geographically—prison labor, parole, commutation, State penal institutions, State reformatories, advisory service on probation to the county courts, supervision of local penal institutions—split up between the Department of Welfare and the Attorney General's office, with resulting difficulties of coordination and division of action and policy. Recent developments, resulting in the political discharge and hiring of parole and correctional officers, have demonstrated again the need for adequate personnel standards.

"A separate State Department of Corrections would make it possible tc set up adequate personnel standards, and to unify our State correctional policy and to work out a State penal program which is now certainly lacking. The expanding penal services of the State require strengthening and coordination in a responsible State department with clear-cut authority and with qualified and trained leadership.

"The States of New York and Massachusetts have shown us what can be accomplished in the correctional field when loosely organized services are replaced by a centralized State department with authority

on policy making and program. We also have the outstanding example of the United States Government itself in the Department of Prisons in control of penal and correctional policies.

"Even though the Department of Corrections bill did not pass, it attracted State-wide attention to the correctional situation and aroused much discussion and thinking by taxpayers and citizens which is bound to have its effect on the State's program. Those who have a concern in these matters must continue the effort to put Pennsylvania's penal system on a level with those of other progressive States and the Federal Government."

Northwestern University School—Fifteen states were represented at the Third Annual Northwestern University Traffic Officers' Training School, held at Evanston, Illinois, October 21 to November 2. There were fifty-four police officers in attendance, representing such widespread points as Seattle, Washington; Baltimore, Maryland; Birmingham, Alabama; Omaha, Nebraska; Oklahoma City, Oklahoma; Minot North Dakota and Topeka, Kansas. The enrollment included six chiefs, six captains, four lieutenants, eighteen sergeants, nineteen patrolmen, and one investigator.

The success of the school was so outstanding that serious consideration is being given to extending this course next year. Plans for an advanced course are also being considered to meet the needs of those who have satisfactorily completed the basic course.

The Committee on Police Training which sponsors this traffic school, made up of members of Northwestern University faculty and the Evanston Police department, consists of Professor A. J. Todd, of the Sociology department, who acts as chairman; Professor A. R. Hatton and Dr. Earl DeLong, of the Political Science Department; Professor Robert H. Gault, of the Psychology Department; Professor Leonarde Keeler, of the Scientific Crime Detection Laboratory; Professor Newman F. Baker and Dean Leon Green, of the Law School, all of Northwestern University; Chief William O. Freeman and Lieutenant F. M. Kreml, both of the Evanston Police Department.

During the two weeks' session the students worked with every phase of the traffic problem which is causing nation-wide concern. Detailed studies in such subjects as Organization and Training of Traffic Police, Maintenance and Analysis of Accident Records, Accident Investigation, Traffic Arrests and Court Work, Traffic Safety Education, Problems of the Driver, Traffic Planning and Engineering and First Aid, made up the curriculum.

Stress was laid, not only on theory, but also on the practical aspects of the problem. Field work consisting of motorcycle demonstrations, accident investigation procedure, and traffic planning studies, played a large part in the course. General discussion also afforded an opportunity for exchange of ideas and experiences. Facilities of the Evanston Police Department were utilized during the session.

Outstanding experts on the faculty were Burton W. Marsh, Directors of Safety and Traffic Engineering, American Automobile Association, who, as dean of the school, did an excellent job of coordinating the various courses offered; Raymond P. Ashworth, Captain of Police, Wichita, Kansas; Maxwell N. Hal-

sey, Assistant Director, Bureau of Street Traffic Research, Harvard University; F. C. Lynch, Director, Kansas City Safety Council; Harold F. Hammond, Traffic Engineer, National Bureau of Casualty and Surety Underwriters; Sidney J. Williams, Director, Public Safety Division; Earl J. Reeder, Traffic Engineer; and J. Stannard Baker, Secretary, Committee on the Driver, all of the National Safety Council, Chicago; C. F. Cahalane, Police Consultant, Port of New York Authority, New York City; Professor J. J. B. Morgan, of the Psychology Department of Northwestern University. Officer A. J. Hagel, of the Evanston Police Department, directed the course in First Aid. Lieutenant Kreml, besides acting as director of the school, taught the course on Investigations, Arrests and Court Work.

Juvenile Criminality in Hamburg—Official Juvenile Court records for Hamburg show that the total number of youths dealt with in 1934 were only 566, as compared with 810 such cases in 1925, 625 in 1929, 711 in 1930, 732 in 1931, 989 in 1932 and 658 in 1933. As compared with the total number of youth in Hamburg, this represents a criminal element of 1.3 per cent for 1925, 1.4 per cent for 1931, 1.9 per cent for 1932, 1.8 per cent for 1933 and 1.3 per cent for 1934. The high percentage in 1932 is to be attributed to the social and economic crisis.

Most of the acts of delinquency committed by youth between the ages of 14 and 16 years, belong chiefly in the category of minor misdemeanors but in those committed by youth 16-18 years of age, actual criminal tendency is apparent. Statistics show a gratifying 28 per cent decrease of juvenile crimes in 1934 as compared with 1932. This improvement is attributed to participation in the voluntary work service and membership in the Hitler Youth Organization. Approximately 12 per cent of youthful offenders are girls. Another significant and gratifying development is the decrease in the number of repeating offenders, which fell from 13.3 per cent in 1930 to 3.9 per cent in 1934.

A large percentage of youthful offenders come from "incomplete" families, i. e., they are illegitimate, fatherless, motherless, orphans, with divorced or separated parents. In 1931 these represented 47 per cent, in 1932, 43.8 per cent, in 1934, 40.9 per cent of all juvenile offenders (in Hamburg). It is interesting to note that fatherless offenders are in the majority, especially when the loss of the father occurred at the age of puberty.

S. W. D.

Hawaii Notes—The Honolulu Police Department is working toward the plan of appointing all of their 240 police officers from the ranks of university graduates, thoroughly trained in police work before they join the department. Toward that end, fourteen of the last sixteen men employed have had this training at the local University of Hawaii, School of Police Administration.

Col. A. G. Clarke, head of the School, has added a new course this year, Traffic Safety Education. It is designed mainly for school teachers that have charge of 1,200 Honolulu Junior Traffic Police.

A course in Criminology has also been added to the curriculum being taught by D. Ransom Sherretz, Personnel Officer of the Honolulu Police Department.

New York Conference Proceedings—At the closing session of the Governor's Conference on Crime, The Criminal Aid Society, held at Albany, N. Y., on October 3, 1935, Governor Herbert H. Lehman stated that the entire proceedings of the Conference would be printed as promptly as possible. The proceedings appeared early in December and consist of a complete transcript of all the work of the Conference. The volume, attractively printed, consists of 1,198 packed pages and in making the transactions of the New York Conference available to non-attendants of other states Governor Lehman's co-workers have rendered signal service. The Governor's foreword is found to be quite true:

"Here is contained the experience, criticism, suggestion and recommendation of a group of particularly expert and skilled police officials, sheriffs, district attorneys, judges, lawyers, penologists, probation and parole officers, educators, spiritual leaders and social workers and also representatives of business, labor and civic associations, all of them vitally concerned and deeply interested in devising a more effective mechanism to combat the arrogant and destructive activities of organized crime."

Minnesota Examination—Professor August Vollmer of the University of California has sent in a copy of the notices recently announcing a civil service examination for "expert criminologist" held by H. F. Goodrich, Civil Service Commissioner of St. Paul and J. B. Probst, Chief Examination. The notice, which follows the customary English practice, reads in part as follows:

December 12, 1935

EXPERT CRIMINOLOGIST

(Residence requirements waived)

PRESENT SALARY LIMITS: $203.00 to $246.75 a month.

MINIMUM ENTRANCE REQUIREMENTS: Applicants must be under 55 years of age (unless already in the employ of the City or eligible for reinstatement thereto) and must meet the following additional requirements:

Graduation from a college or university of recognized standing, with a degree in chemistry or in science, and not less than two years' experience as a forensic chemist in a police department (or in connection with police cases).

NOTE: One year of satisfactory qualifying special training in legal chemistry, microscopy, photomicrography, and ballistics may be substituted for one of the two years of experience required.

DUTIES OF POSITION: Under administrative direction, to investigate and prepare for presentation in court all such cases handled by the Bureau of Police which require a scientific analysis and investigation.

This EXAMINATION will consist solely of a rating of the applicants' past training and experience.

APPLICATIONS for this examination will be received until 5:00 p.m. on Thursday, December 12, 1935.

CIVIL SERVICE SCHOOLS: The Civil Service Bureau has no connection whatever with any so-called "civil service school"; the Bureau does not recommend or advocate the taking of "civil service" courses. Information regarding civil service rules, examinations, appointments, etc., may be obtained without cost at the office of the Bureau.

Professor Vollmer says: "this is the first time in the history of America that a Civil Service Examination will be held for an Expert Criminologist. While it is true that there are scientific investigators attached to a number of the police departments, this is the first time that the position has been labeled 'Expert Criminologist,' and is probably the first time that the entrance requirements were as definitely fixed as they are in this examination."

Answer to Attacks on Probation— The November, 1935, issue of "Ye News Letter," edited by Joel R. Moore, Supervisor of the Probation System, U. S. Department of Prisons contains an interesting "Answer to Ill-Founded and Misleading Attacks Upon Probation," which shows that there were 33,859 probationers under supervision last year, and of this number only 670 were probation violators. The following statement appears:

"Sad to say, it seems to be popular now for many officials, journalists and others to express forceful opinions adverse to probation. At great national gatherings, or in special articles for newspapers or magazines, men of high standing vigorously denounce probation. Their statements are seized upon and publicized in flaming headlines and editorials.

"Analysis of their statements by persons who are actually informed in regard to the uses, misuses and abuses of probation—particularly as to relative proportions of the misuse and abuse to the proper use, never fails to reveal the fact that such critics show only the rotten spot on the apple.

"This is not fair. The undiscriminating reader or listener is usually misled, his emotions of hatred and fear harrowed up, by the stabbing editorial or the shrieking cartoon. He remains uninformed of the sound part of the apple. He knows not of the great volume of good work done, of the large proportion of probationers who respond properly and successfully."

The official reports are summarized as follows:

Fiscal Year	*Number of Violators*	*Percentage of all Discharged*	*Percentage of all Received*	*Percentage of the total Supervised*
1931	444	13.5	4.0	2.8
1932	728	12.6	4.8	2.5
1933	1,244	11.9	6.6	2.9
1934	868	5.4	10.0	2.2
1935	670	4.2	6.1	1.9

Crimes by Parolees— The Fourth Annual Report to the Governor of the Board of Prison Terms and Paroles of California, covering July 1, 1934 to June 30, 1935, has recently been printed. The following interesting statement is included:

The Parole System and the Crime Problem

One of the great handicaps to prison administration generally and tc parole administration in particular is the wide-spread public misunderstanding of, and lack of authentic information about prison conditions. Due to extensive publicity, occasioned by the news value of certain criminal cases, the public has been led to believe that parole and particularly parole violations

constitute a very important part of the crime problem of California. Figures gathered from impartial sources would indicate that this is not the case. During the fiscal year which ended June 30, 1934 (the last year for which figures are available) 36,304 felony crimes were reported by the peace officers of this state. During the same period there were 23,720 felony arrests, 8,184 felony convictions, and 2,638 commitments to prisons. In the same period 74 parolees violated their parole by committing a new crime. It will therefore be seen that approximately three-tenths of one per cent of the felony arrests in that year were concerned with men on parole. On June 30, 1934, there were a total of 2,413 prisoners on parole. While the Members of the Board have no sympathy for a paroled man who commits a new crime and takes prompt action to deal with him, they are nevertheless of the opinion that the commission of a new offense by but 74 out of 2,413 prisoners who have already served a term in a penal institution proves the success rather than the failure of the parole system.

Maryland Legislation—The principal change in the Maryland penal statutes during 1935 was the creation of the Department of Maryland State Police. Theretofore the State Police had been technically only deputies of the Commissioner of Motor Vehicles with the primary function of enforcing the motor vehicle laws. The new enactment separated the force from the Motor Vehicle Department, provided for a Superintendent with the rank of Major, and gave to the members of the force the powers of peace officers in all save four counties of the State.

Cincinnati Proceedings—So much has been written about the Cincinnati Conference on Criminal Law Administration held November 2, 1935, that a note on the Conference would hardly be "current" at this date. It should be pointed out, however, that the proceedings have been printed in the November, 1935, issue of the University of Cincinnati Law Review and cover pages 317 to 468. Copies may be obtained from the Law School at a cost of 60 cents.