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TWELVE THOUSAND CRIMINALS

JAMES ASA SHIELD¹

A study by our psychiatric department of the criminals admitted to the Virginia State Penitentiary has revealed findings that should be of value in a more logical handling of this major community problem. It is fair to say that the criminal as a whole is an inadequate personality. He is inadequate in some phases of his personality development. He cannot or will not meet the problems that present themselves as his adequate neighbor does. In his attempt to maintain security and to carry on his self-preservation, he has not been able to play the game according to the rules and customs that have as their purpose a social orderliness which in turn will give to the individual and to the mass the greatest happiness.

The psychiatric department is concerned about the forces motivating abnormal reactions, or crime, in these cases. We have constantly attempted to keep before us the problem of the individual as an organism. Thus, in our present civilization this organism is constantly in a state of reaction to its environment. The way in which one reacts to environment is, as I have observed, more dependent upon the organization of the individual than the stimulus to which one reacts. The monotonous repetition of the stress and strain of unusual circumstances—broken homes, foreign born, feeble-mindedness, worry, and financial difficulties—is recorded and tabulated with the greatest exactitude as causative factors of crime. We cannot overlook the large number of individuals who have gone through all of the above so-called causes of crime who have never committed crime. Furthermore, we cannot close our eyes to the fact that the individual who has committed crime continues frequently to commit crime. Thus I cannot help but conclude that criminal reaction is not wholly explained by the nature of the stimulus, but is dependent primarily upon the individual—his original endowments plus the changes which have been caused by past experiences and disease. Crime is motivated by processes of mentation and the forces operating to produce these reactions are to be attacked if we are to prevent crime.

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The most important factor in an adult's life is his security. For one to get along in the present day civilization he must have social security, economic security, emotional security and, if married, conjugal security. Every individual realizes that for his social security other people must respect him and have confidence in his honesty, sincerity, integrity, and loyalty. His economic security is more or less interwoven and dependent on his social security; however, he must be able to procure the necessary things for himself and for those dependent on him and in so doing maintain his self-respect and the respect of his fellowman. Emotional security in our highly organized society of today is dependent upon one's ability to harmonize himself with those with whom he comes in contact in a manner that satisfies the multiple factors that enter into our being an integrated organism. His conjugal security depends on his ability to maintain his own respect and the respect and confidence of his family. An individual cannot afford to gratify wishes that will jeopardize one's natural desire for social esteem unless, like the criminal, he becomes willing to gamble with the security that he has in hand for the security that a successful completion of the crime will bring him.

The above may be considered as a pattern of life so outlined and controlled as to give satisfaction to the development of one's ego which, of course, is essential to one's useful stability. Criminal conduct is made more possible when the normal ego development mechanisms lose control and the individual drive for a healthy security is interrupted by an attempt to secure this security by a short cut,—crime against property and person. Short cuts are taken by those who do not have the equipment and the capability to take the longer and normal way of accomplishment. Thus crime is an attempt to satisfy the ego. We, of course, have eliminated the mentally sick in this discussion.

The Virginia State Penitentiary receives yearly from the courts of Virginia a certain proportion of our population who have been convicted as offenders against our social order. An analysis of the Virginia State Penitentiary population, revealing some of my observations in a study of over 12,000 criminals, may be of value in aiding us in our understanding of criminal behavior and the criminal.

I shall first discuss an analysis of the 3,747 prisoners at the Penitentiary as of July 2, 1935. Of these, 39 were in the hospital for the insane. There were 216 under 20 years of age, 1,862 between

the ages of 20 and 29, 1,057 between 30 and 39, 350 between 40 and 49, 161 between 50 and 59, and 62 over 60 years of age. A comparison of the prison age groups with the general population age groups indicates that those in the age group of 20 to 39 years, and more particularly in the group of 20 to 29 years, show a predominance. The largest number of prisoners is found at the age of 24 years.

The past criminal history of this group revealed that 26% of the white males now serving time had previously served a penitentiary sentence. Thirty per cent of the colored males had previous penal incarcerations. If we include in the recidivism (repeaters) percentage those who have served terms in reform schools and jails then we will have an increase in this felony recidivism percentage of 28.2% to over 60%.

An analysis of offenses by sex and color reveals that in the case of males, both white and colored, the majority of offenses are those against property, while in the case of females the preponderating number of offenses are against persons. Colored males and females are heavier offenders than white males and females in crimes against persons. The reverse applies against property.

We further noted that of the male prisoners 59.9% were guilty of offenses against property, 38.79% were guilty of offenses against person, and 1.31% were guilty of such offenses as perjury and the violation of the prohibition law. For the entire population, the offenses most frequently appearing are those of "breaking in," 25.46%, robbery 13.19%, second degree murder, 12.62%, assault 12.46%, first degree murder 10.39%, larceny 9.65%, burglary 3.16%, and so on.

The most frequent offense committed by the white males who have had no previous criminal record is second degree murder. Next in order are the crimes of "breaking in," robbery, and first degree murder. For the recidivist the most frequent crime is that of "breaking in." This is followed by larceny, robbery, and assault. Among the colored males, first offenders show up most frequently in second degree murder, followed in order by first degree murder, "breaking in," and assault. Colored recidivists appear most frequently in the offense of "breaking in," followed in order by assault, robbery, and grand larceny.

One finds that 61% of crime was against property in the age group of 15 through 24. As age advances the offenses against property diminish relatively, while those against persons increase. In

the age group of 45 and over, 63% of the offenses are against persons and 37% against property. Most notable is the rise in the incident to sex crimes, 4% in the age group of 15 to 24 and 10% in the age group of 45 and over; also in second degree murder, 10% in the age group of 15 to 24, and 22% in the age group of 45 and over.

We shall now analyze the picture presented by the prison population on admission. I shall take for this study a five year period, beginning July 1, 1930, to June 30, 1935, during which time we studied 8,484 individuals, 3,654 white and 4,830 colored. There were 15.55% under 20 years of age, 55.15% between the ages of 20 and 29 (34.5% between 20 and 24 years), 19.61% between 30 and 39, 6.1% between 40 and 49, and 3.59% 50 years and over. We must note the number of offenders who are sent to the prison before 20 years of age and between 20 and 24 years especially, as over a third of the admissions fall in the latter group.

In our department we like to consider as a recidivist anyone who has been sent to a reform school, jail, or penitentiary. We want to know the influences of his previous conviction and sentence, if any, upon his present difficulty. We cannot always get a satisfactory life history in reference to his encounters in the courts; thus we realize that our records are not all-inclusive of previous convictions. However, we find that over 60% are recidivists and I think 70% would be closer to the actual facts.

An analysis of offenses that bring the prisoner to the penitentiary showed that crime against property accounted for 5,061 and crime against person accounted for 2,576. This leaves 847 that were sent for miscellaneous crimes and those of dual nature against both person and property. Crime against person is committed more frequently by the colored than by the white.

"Breaking in" leads with 3,323 (1,924 colored and 1,399 white) of the 8,484 crimes, larceny is next with 1,218, murder 653 (much more common with the colored), robbery 584, assault 341, rape 208. These are just some crimes picked to show how crime against property predominates. The year ending 1935 showed that 42.53% of the admissions were white, but they only committed 36.4% of the crimes against person.

I shall not attempt to analyze at this time in detail the mental equipment of the entire group. The year ending 1935 we found in a total of 749 white prisoners, 21 with a mental age of 14 and over, and in 1,043 colored prisoners only 2 of that rating. In 1934 we

found in 702 white prisoners, 20 with a mental age of 14 and over, while none of the 974 colored prisoners tested 14. In 1933, 16 white prisoners out of 846 and no colored prisoners of the 1,065 tested 14 or over. In the crime of housebreaking, we find a larger number of low grades, 111 of the colored prisoners had a mental age of 7 and below of a total of 267 in the year 1935, and 91 of the 244 in 1934.

The mental age of those sent to the penitentiary is low. The majority of the white offenders have a mental age of 11.5 and under and in the negro prisoners we find the majority of offenders are in the mental age bracket of 10 and below.

The occupation of laborer, farmer, truck driver, and miner are listed by about two-thirds of the prisoners; miners more often by the white and truck drivers more frequent by the colored. Their education, if any, has been that of only the first grammar grades in 91.4% of the admissions; 8.6% of the prisoners had completed the fifth grade and higher.

The above analysis of our studies at the penitentiary gives us pertinent information concerning the criminal, his actions, and potential reactions. This knowledge, which leads to some understanding of the causative factors in criminal conduct, will enable us to rationalize our prevention of crime.

It is true that security is an important factor in a well-ordered life. Experience has taught us that the individual is going to attempt to get and maintain his security the best he can in one way or another.

Is there any reason to believe that those we have studied at the penitentiary have had more difficulty in the normal development of their ego which is essential to a useful stable life? Have they attempted crime in the hope of better security, social, economic, emotional, or conjugal? Has this been due to inadequacy on the part of the criminal to adjust himself in our organized society? Has he been primitive in some of his reactions to situations? Has he been able to develop a workable pattern of life? If he has not, why not?

We have pointed out that this group represents our young citizenry and the average chronological age is less than twenty-five. About sixty out of each hundred have had one or more encounters that brought about convictions. Some of them have had many such convictions. The histories of the prisoners on admission reveal the fact that frequently they have been in juvenile courts, many of

them have been educated in the reformatories, most of them have been in the police courts, and many of them have been schooled in the art of crime in reformatories and jails and previously had a post-graduate course at our penitentiary. I recall one man at the Virginia State Penitentiary now who has had seventy-two convictions. This high percentage of recidivism can be interpreted only as meaning that either the treatment that has been prescribed by the courts for the cure of the individual has been ineffective, or that the individual himself has an incurable trouble. A study of these prisoners reveals definitely that the vast majority of them have no vocational training and no consistency of purpose on their part in the past to give them a claim to efficiency in any particular line of work. The majority of the prisoners admitted to the penitentiary are recruited from the ranks of the so-called laborer and in this group many transients are found, those individuals who roam about the country, traveling by freight train and thumbing rides from passing motorists. The average criminal's educational accomplishments are nil. This may be due to the fact that he did not make an effort, but I rather believe it is due more to the fact that he was not capable of learning like his playmate who advanced from grade to grade. The fact that he was not accomplishing anything in school likely made for discontentment, the teacher lost interest, he lost interest, his retardation placed him in classes with younger boys and girls which led to embarrassment and this in turn to his stopping school. Thus his education amounts to little. He was not given training in some vocation; the school system passed him by. It may be that he was born in a home with parents who had little inclination, and perhaps little ability, to teach their children. This individual grows up with cravings and wishes which cannot be supplied. Not being able to maintain his securities, not being able to accomplish an adjustment in a normal way, his ego cannot develop as well as that of his more adequate fellowman. He turns to the right or to the left and attempts to procure material things in order to satisfy his cravings. It is the young whose crime is that of larceny. His social adjustment satisfies him as he does not demand much, he finds little difficulty in satisfying his emotional drives, but his attempt at the material adjustment precipitates his crime against property.

The crimes against persons are often the offenses of the mentally limited individual. He is not able to avoid situations which demand of him, with his processes of mentation, revenge. Antici-

pation of the reaction is not a developed mental mechanism with him. He has been wronged; his reaction is primitive; this primitive reaction is revenge.

We shall now proceed to a little different group that may be of a slightly higher mental order. We find this group getting into difficulty perhaps in the third or fourth decade. The individual has maintained his economic security in some kind of a way, his love security has not disturbed him particularly, his social security is the most vulnerable. He perhaps has carried for a long time the feeling that some individual has been unfair to him, unjust to him, and this feeling gets out of control as his ego development is not normal and the result is that he commits crime against persons. He reacts in a primitive way to get his security.

Now we shall turn to the individual of the fifth and six decades of life. This individual has gotten along fairly well in his social security, fairly well with his economic security, but often at this stage of life sexual incompetency appears and it is perhaps the act of compensation that leads him to the various sex crimes which we see predominating at this age.

I have briefly outlined above the value of individual security. I have attempted to show that social security, economic security, and emotional and conjugal security play an important part in the precipitation of crime. Thus it seems logical to conclude that the efforts at the prevention of criminal conduct must be directed toward that group of individuals who commit crime. Who are the individuals who commit crimes? The majority of them are young, the majority of them are unintelligent, uninformed, and lack a means of making an adequate living, and in turn, of maintaining their economic security. They cannot procure the material things of life. We should make an attempt to educate the school teachers and the parents to appreciate these inadequacies in children. The school teacher should be emphasized because the parents of this type of child, I do not imagine, can be approached nor are they as capable of recognizing the inadequacies of their children. These children should be referred to mental hygiene clinics for study. The clinics must be able to determine their ability or inability to continue in school due to mental limitations on the part of the subject or to some environmental influence. Vocational training should be recommended for those of certain mental limitations, environmental correction for others, and those with inborn or developmental traits which would classify them as untreatable in our pres-

ent understanding could be handled in a way to safeguard society from them and to protect these unfortunate individuals from themselves.

A movement having as its purpose the prevention of criminal conduct could turn its attention to the recidivists and here our efforts could be definite, as the group to be worked with are known and the problems which they present are understandable. I do not mean to state that every recidivist by proper regimen could be prevented from future crime, because there are certain inborn characteristics that our efforts could not overcome, but these could be segregated and prevented from returning to society. The treatable would be returned to society when cured of their maladjustment. In the past we have taken the criminal, put him here or there, and at the end of some named period said to him, "You have served your sentence, now you can go." It is my opinion that this which we style as justice to the criminal for his crime is often an injustice to society and to the criminal.

The individual is sent to the reform school, the jail, the penitentiary, because of inadequacy in some phase of his personality or inadequacy in the handling of some social problem. What are these institutions actually doing to adjust the individual to more adequacy on the day of his discharge? Remember that 97% of all prisoners incarcerated are discharged. For the most part in Virginia at the time of their discharge from such institutions they still have their inadequacies, plus a bitterness toward society for having sent them there, plus the influences of association for a period of time with an asocial group. It should be borne in mind that the prisoner has added to his already inadequate personality a criminal record and this is his recommendation for a new start in some particular location. We give him no guidance by any parole system, no real help in adjustment at the time of his discharge in most instances. What happens? Back to prison he comes. He has broken in,—he has stolen,—or he has committed larceny,—he is a recidivist. It must follow that the guidance and control of discharged prisoners would give to our communities more protection.

Perhaps more important than the question of the recidivist and parole is probation. Educational efforts could do much in securing laws that would allow for the probation of the adolescent criminal for minor offenses that occur during his stormy adjustment period. This in turn would mean less of an additional adjustment and would allow a better development of his normal securities to say nothing

of the avoidance of a term in prison which only leads to further maladjustment in crime in most instances.

The people of our communities should demand security from crime. The present system of treating criminal behavior is antiquated. The so-called punishment treatment has absolutely failed, because our courts have not accomplished the impossible. Who is the mortal man that can predict the day or the year when he or she is cured of crime? I have said, "About 97% of all sentenced criminals are discharged," and most of them at some stated time. Little regard is given whether he has recovered from his anti-social illness, and less concern is manifested about his re-establishment in community life. He has been punished, society is satisfied. We have neither thought of his treatment, his recovery, nor our future protection. He leaves the prison without control or aid and too frequently with his same illness, inadequacy, in one of its many phases.

The time of a prisoner's discharge should depend on his cure. Has he now the equipment and the capability to take the longer and normal way of accomplishment? Is he conditioned to obtain his needs in a lawful, fair, equitable, and justifiable manner, that is, in a manner that will give satisfaction to himself and others? Let our courts determine the minimum sentence and the prisoner's capacity for normal adjustment. determine his maximum sentence.

It is by our understanding of criminal behavior and its causative factors alone that we can make a logical approach to the care of criminals and the prevention of crime. A program that would have as its purpose the education of the people so they would demand justice and protection from crime is the suggestion that I would like to make.

Why not put a fence at the edge of the cliff instead of an ambulance at the bottom?