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Current Notes

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CURRENT NOTES

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Prisoners, 1936—The Bureau of the Census, U. S. Department of Commerce, has recently issued an 83 page report, profusely tabled, which presents the results of the annual census of prisoners in State and Federal institutions for the year 1936. The report was prepared under the supervision of Dr. Leon E. Truesdell, Chief Statistician for Population, assisted by Ronald H. Beattie, who prepared the text, and Harriet M. Cheney, who had immediate charge of the collection and compilation of the data.

The data presented in this report cover sentenced prisoners in State prisons and reformatories and in Federal civil prisons, reformatories, and prison camps, during the calendar year 1936. Detailed information concerning prisoners under sentence committed to and released from the reporting institutions was received from 9 Federal prisons and reformatories, 5 Federal prison camps, 1 Federal hospital for defective delinquents, 1 Federal narcotic farm, and 99 State prisons and reformatories. No reports were received from Georgia, Alabama, or Mississippi prisons.

The introduction concludes: "The great variety of factors which have some bearing on the number of persons sentenced to prison, and the differences that are found be-

tween States in laws, procedures, and penal facilities must be kept in mind when considering prison statistics. Interstate comparisons on the basis of prison figures alone are apt to be misleading or at the best unsatisfactory and should be made with great caution.

Statistics do have value and significance despite these limitations. Such statistics show certain facts in regard to sentences imposed and to the methods of releasing prisoners. They give information on the characteristics of the prisoners themselves. Such prison statistics can offer considerable insight into penal administration. They show how our law enforcement machinery operates with reference to those convicted of offenders who are sentenced to State penal institutions. They show more particularly what actually happens to prisoners serving sentences, how long they serve, and by what method they are returned to society. There is a tremendous national interest in the problems surrounding the release of prisoners back into society. A great deal of criticism has been directed at parole and other release procedures. One of the difficulties that has been faced in this widespread discussion is the dearth of factual information concerning the actual releasing of prisoners from our penal institutions. Statistics of

prisoners admitted and released from our State and Federal institutions should furnish much of the factual data needed for an intelligent consideration of these problems."

Part of detailed Table No. 9 is reproduced below. It is quite significant to find so few Federal offenders guilty of assault, homicide, burglary, and robbery.

ishment in presenting such valuable criminal statistics.

Sex Crimes—A most interesting Bulletin was issued recently by the Citizens Committee for the Control of Crime in New York. It dealt with "Sex Offenses in New York City." The figures showed an increase in offenses other than rape

TABLE 9

PRISONERS RECEIVED FROM COURTS, BY OFFENSE, 1936

	<i>Federal prisons and camps</i>	<i>State prisons and reformatories</i>
All offenses	11,459	49,466
Homicide	31	3,700
Robbery	144	5,156
Aggravated assault	15	2,261
Other assault	40	1,015
Burglary	111	11,544
Larceny, except auto theft	514	10,434
Auto theft	1,062	2,116

Hence, it is obvious that Federal agencies, including the Federal Bureau of Investigation, do not handle a significant part of serious criminality. The figures listed above will dispel the impression given by an artificially created prestige wave.

Other figures demonstrating that Federal agencies have to do with lesser criminality are shown in the length of sentences of prisoners received from courts under definite sentence. Of the 11,459 Federal prisoners received only 374 had a sentence of more than five years. On the other hand 22,926 state prisoners received definite sentences, and of these 4,002 received a sentence of more than five years.

The Bureau of the Census is to be congratulated for its accom-

in the year 1937. This interesting comment was made and it should interest any student interested in newspaper "crime waves" and the subject of publicity and crime: "Shocking as the increase from 1936 to 1937 is, warning of its coming was given long ago, though evidence is lacking that any of those with official or lay concern in the matter paid heed to the portents. So indifferent had they been, indeed, that last August when the community was led to believe that a "wave" of sex crimes was sweeping the city no one was prepared to set forth the facts. The facts were that both April and May had been marked by more sex offenses than August—April with 175, May with 211 and August with 159. When the clamor of August

had died down, when the newspapers had ceased to publish every complaint of a real or suspected sex offense made to the police, when officials no longer were making statements regarding the situation, when laymen had turned from their rhetoric, September passed August's mark by 18 cases, and no word was spoken of it."

So often we hear that the sex offender is a natural recidivist, and it seems taken for granted that men out on parole are dangerous as probable sex offenders. But the New York study has this to say:

"Recently Gov. Lehman had an examination made of the records of the New York State Division of Parole to discover what they might show with respect to this matter. In the seven years since the present parole system was established 925 men convicted of sex felonies had been released under parole or upon the expiration of definite sentences. Of these 925 only 33 had been arrested for new sex felonies, and of these 33 only eight were found guilty. The Division itself found 24 others delinquent 'for suspected misconduct.' The whole number of offenders among the 925, then, was 57, barely 6 per cent.

"Our own study of the sex cases disposed of in New York City from July to November, inclusive, justifies conclusions that square with these above.

"Of the 657 defendants involved 82 had prior records. Twenty-two of these 82 men had been charged with sex offenses, four of them with two offenses each. Eleven convictions had resulted from these 26 charges.

"One only of the whole number of 657 defendants was on parole—from the New York City Peniten-

tiary—and this man is now in Kings Park Hospital for the Insane.

"Thirteen of the 22 men previously charged with sex offenses were convicted of the new charges, one was committed to Napanoch as a mental defective, and one died while awaiting trial. One was dismissed by the arraigning magistrate, four were discharged by Grand Juries, and two were acquitted on trial."

Georgia Reforms—In an article submitted to the Osborne Association and printed in its April "News Bulletin" we learn of numerous changes taking place in the State of Georgia.

Under the old system there had never been any major effort at classification of prisoners, segregation of prisoners, or any constructive plan for the rehabilitation of prisoners. Industries were conducted with a production aim rather than a joint aim of production and training of prisoners for trades.

The first step in the reform program, following the purchase of Tattnall County Prison, came when the legislature created two-boards—one to look out for the management and operation of prisons, the other to handle paroles, probation, and the general rehabilitation of prisoners.

The three members of the old Prison Commission became, by legislative act, the members of the Prison and Parole Commission. Management was vested in a five-member Board of Penal Administration, the members of which were made appointive.

Where the old Prison Commission had conducted all of its opera-

tions from a central office in Atlanta, the new Administration Board established its headquarters in the new prison at Reidsville. From there it will direct the new prison program, and the major function will be the rehabilitation of prisoners.

County camps will continue in existence. However, the board plans to change the general condition of camps regarded as undesirable, and to establish an entirely new system of assigning prisoners to the camps, henceforth to be known as Public Works Camps.

All prisoners will be received at Reidsville. There each will be studied by a psychiatrist for assignment to the prison routine or prison in which he will have the best chance for rehabilitation.

Segregation of prisoners by classes will be followed strictly for the particular benefit of the youthful first offenders.

For decades, Georgia has talked of a prison system pointed more toward rehabilitation of the criminal than to the administration of punishment. The entire scheme of the new system is directed toward this goal, and is the first time the State ever has actually had such a system.

The Prison and Parole Commission will have sole control of all forms of clemency with the exception of pardon and commutation, vested by the constitution in the Governor.

Hitherto, the Prison Commission has had power only to make recommendations for clemency, the final granting of any form being in the hands of the Governor. In asking for the new legislation affecting parole and probation, Governor Rivers frankly criticized the poli-

tical angle injected into the exercise of the power, and asked for a system removing the parole and probation power from the Governor's office.

Under the old system under the Prison Commission, the only cases considered were those in which applications for clemency were filed. Under the new system, the Parole Commission is charged with reviewing the record of each prisoner at least once a year, and of granting supervised freedom to any prisoner whose record shows he will follow a law-abiding life if granted clemency. Rather than the prisoner having to seek clemency, the commission will seek those prisoners whose debt to society will be best paid by rehabilitation into useful citizens.

Probation Study—Mr. Frank W. Hagerty, field representative of the National Probation Association, recently completed an intensive survey of juvenile delinquency and its treatment in Springfield, Illinois. It discusses conditions which produce delinquency, and the efforts of social agencies to combat these conditions. Broader than the usual survey and covering 153 pages it has been published by the Association at the price of fifty cents.

Overcrowding in Ohio—R. E. Miles of the Ohio Institute at Columbus, Ohio, has prepared an interesting report entitled "Overcrowding in Ohio Correctional Institutions for Men and Factors Affecting Their Future Population." Verna Thomas prepared the voluminous tables attached thereto. Mr. Miles' state-

ment of *Remedial Measures* are of interest. They are given, in part, below:

"The requirements of state correctional institutions can be ascertained only through an understanding of the function of the institutions in relation to the larger program of which they are a part. The general features of a constructive program to meet the situation are well known to those who have studied the problem carefully. They may be briefly summarized as follows:

A—For the reduction of crime, all sound preventive measures should be encouraged. Better housing, recreational facilities, child guidance clinics, juvenile delinquency programs, parental education, and other measures should be energetically developed and maintained.

B—Improvement in the organization and administration of the agencies of criminal justice is of course to be encouraged, so as to bring about greater certainty of law enforcement, which is generally considered to be a greater deterrent to law violation than severity of punishment.

More extensive use of probation in suitable cases is desirable. Few counties of Ohio now have proper facilities for administering this type of supervision. It is possible that a state grant-in-aid or even state administration should be considered, in view of the restricted revenue now available to counties. In some counties, state parole officers now accept supervision over men placed on probation by the courts.

C—The question of how long the period of imprisonment should be has no easy answer. Clarification is needed on the following points:

(1) What are the purposes of imprisonment?

(2) By what methods are these purposes to be accomplished?

(3) To what extent have these methods already been applied?

(4) What results have been obtained?

So long as offenders are in prison they are, of course, prevented from committing further crimes. But, since all prisoners excepting a very few are released sooner or later, the real problem, so far as they are concerned, is how to prevent their committing further offenses—in other words, how to recondition their physical and mental attitude. It is to this end that the modern program of examination, classification, education, industry, and parole supervision is directed: examination of each prisoner to discover both his defects and his potentialities; classification into groups, for each of which appropriate forms of treatment are provided; education to develop whatever capabilities may be found; industry to establish sound work habits and the ability to earn a livelihood; and supervision while on parole to assist in readjustment to normal community living. While accurate statistical measures of the effectiveness of such a program are as yet wanting, no alternative offers a better probability of success.

Such a comprehensive well-articulated program is as yet largely lacking in Ohio. If fully adopted, its effect upon the state's institutional requirements cannot be forecast until further information is available. Into how many and what groups should prisoners be classified? What proportion of the prisoners belong in each group?

What type of facilities are appropriate for each group?

A thorough analysis of these problems should be made before additional facilities are constructed, if costly mistakes are to be avoided. The temptation to immediate action by building more of the same kind that we now have should be resisted. . . . It seems highly probable that Ohio already has enough general maximum security facilities—steel cells and high walls, which are the most expensive type of accommodation. In whatever expansion may be found necessary, both economy and efficiency point rather to different types of accommodation for special groups.

Careful study of the problems involved may lead to the conclusion that some prisoners should be kept longer than they now are, while others may, with an improved institutional regime and under supervision, be released earlier. The net result may be a smaller total institutional population.

While a general outline such as the foregoing is not difficult to state in broad terms, it should be manifest that a complicated program of this kind cannot be actually initiated and developed without the leadership and guidance of a competent and experienced man continuing over a considerable period of time. Under the present set-up, the managing officer of each institution is responsible directly to the director and assistant director of the state welfare department, both of whom change with the political tides and neither of whom ordinarily possesses the special knowledge or experience required. Without constructive leadership, each institution and service agency functions largely in a routine man-

ner. No comprehensive picture of the whole correctional problem and its needs is presented by any official to the governor or the general assembly. Under these conditions, it is not surprising that the problem has not been properly met. The remedy for this defect is the creation in the state department of public welfare of a division of correction, with a permanent administrative head selected solely on the basis of qualifications. Without this strengthening of the departmental organization, little fundamental improvement is to be expected."

Bennett on Juvenile Procedure—

In writing the foreword to the April issue of "Federal Probation," the quarterly issued by the United States Probation System, James V. Bennett, Director of the Federal Bureau of Prisons, made the following statements:

"Since I first became acquainted with the problem of the juvenile offender in the Federal system of justice I have been impressed with the need of redesigning our procedure. At the White House Conference on Child Health and Protection, the Children's Charter demanded 'for every child who is in conflict with society the right to be dealt with intelligently as society's charge, not society's outcast.'

"In line with this charter right most States have removed juvenile delinquency from the strictly legalistic procedures which are utilized for adults. But the Federal Government still approaches the young offender in the habiliments of the old common law. As the Federal Government has assumed an ever widening jurisdiction over criminal acts, it has been more and more

apparent that the existing machinery is sadly in need of revision. Nothing could be more out of tune with the modern concept of juvenile delinquency than our present system of bringing the juvenile before a committing magistrate, remanding him to jail, presenting him to the grand jury, trying him in open court, and then incarcerating him in some remote institution.

"We have attempted to overcome some of the difficulties connected with establishing a modern juvenile court procedure in the Federal system of justice by diverting cases of juvenile delinquency to local juvenile courts whenever the spirit, procedure and resources of the State systems are such that this plan seems to the best interest of society and to the juvenile offender. It is, however, becoming increasingly apparent that our present system is not working as satisfactorily as was hoped when it was originally put into effect by Congress in 1931.

"Last year almost 2500 juvenile cases were tried in Federal courts under the awkward procedures I have indicated. There is a considerable number of juvenile Federal offenders who cannot for various reasons be diverted to State authorities. They ought to be treated in Federal courts in a manner analogous to the best juvenile court practice. A way must be found to detain juveniles in places other than the unsatisfactory county jail. Isn't it absurd for the Federal Government to place a boy or girl who is awaiting hearing on a Federal charge in a lock-up or jail when State statutes forbid the use of such crime breeders for the cases over which it has jurisdiction? Is the central

government maintaining its alleged leadership when one may still witness the public trial of a Federal juvenile offender in accordance with criminal procedure and methods which have been prohibited for violators of parallel State statutes?

"It may be that an answer to these problems can be found only in new legislation. But meanwhile improvements in our present methods and administrative techniques can go far towards relieving the situation. I ask, therefore, that all of our probation officers give careful study to the problem as they see it in their own localities and commend to them the articles appearing in this issue of Federal Probation. It must be remembered that behind every adult criminal is the shadowy outline of a juvenile delinquent and that it is the job of the probation officer to reduce crime through an intelligent approach to the problem of juvenile delinquency."

Philadelphia Report— The 1937 Annual Report of the Philadelphia Criminal Justice Association calls for a police school for that city. It states: "The importance of a police school is not generally realized. The Philadelphia police force consists of a fine group of men who are generally honest, brave and alert. The efficiency of the force could be greatly increased, however, by education in modern methods of crime prevention and crime detection. An interesting illustration is afforded in the results obtained in Wichita, Kansas, where, by the application of these methods the intelligence of the police force as measured by the Army Intelligence Test was raised

in ten years from 79.03 to 131.27, and arrests for major offenses were increased from 23% to 55%.

"Another interesting and important comparison is in the proportion of persons arrested for serious offenses who are later imprisoned. In Baltimore this proportion is 53%, in Washington, 46%, and in Philadelphia only 38%. This 38%, however, is an increase from 31% in 1934, and 35% in 1935. . . . It has been six or seven years since Philadelphia had a police school to which all members of the police bureau were sent periodically for instructions. The small number of younger men added to the force during that period has resulted in bringing the average age of Philadelphia police up to 44 years, which is appreciably higher than it should be. The statistics show the results of a lack of knowledge of modern scientific methods of detection."

Small Arms Act Proposed — On March 23, 1938, there was introduced in the House of Representatives a bill providing for the registration of all pistols, revolvers and gas guns. This bill also would impose a tax of one dollar upon the transfer, by purchase or otherwise, of any such small arm. The bill is patterned on the National Firearms Act which was approved on June 26, 1934, and which requires the registration of machine guns, sub-machine guns, shotguns and rifles with a barrel of less than eighteen inches in length, and silencers for any type of weapon. Both the National Firearms Act and the new bill levy taxes on manufacturers, importers, dealers and pawn brokers.

The taxes imposed by the new bill are as follows:

- (a) An annual tax on importers or manufacturers of one hundred dollars a year.
- (b) An annual tax on dealers or pawn brokers of five dollars a year.
- (c) A transfer tax on all transfers of pistols, revolvers and gas guns of one dollar upon each transfer.

The registration provisions of the act require that within six months after the effective date of the act every person possessing a pistol, revolver or gas gun shall register it without any cost on a short form which shall be filed with the Collector of Internal Revenue in the district in which the person resides. No fingerprints are required upon registration.

When the gun is transferred, however, by purchase or otherwise, the person who is to secure the weapon must furnish fingerprints. Other provisions of the bill require that manufacturers and importers of such small arms shall identify them with a number or other identification mark to be approved by the Commissioner of Internal Revenue. The penalties for violation of the act are a fine of not more than five hundred dollars or imprisonment for not more than one year, or both, in the discretion of the Court.

Pennsylvania Parole Plans—In the 1938 Report of Francis Fisher Kane, President of the Pennsylvania Prison Society, he states that Governor Earle of Pennsylvania has appointed a commission to study probation and parole and to make recommendations for im-

proving the service. In a brief submitted to this Commission by the Pennsylvania Society the following statements appeared:

"Parole, as we see it, is a necessary incident in the administration of our penal laws. Weak and ineffective though it be, we are infinitely better off with parole than we should be without it. What we greatly need is a strengthening of parole, not an impairment of its many helpful features. It should be regarded as the final part of the Court's sentence, closely related to the earlier part which is served in prison. Ideally, the 'parole plan' worked out while the man is still in prison should be only the final step in the social rehabilitation of the prisoner, the first step being completed in the prison.

"There are three parts in an adequate parole set-up, and all of the three have an important bearing on the quality of a parole service. The three steps or parts are (1) Preparation, (2) Selection, and (3) Supervision.

Preparation

"Preparation for parole should begin as soon as the convict enters, and whether the sentence be long or short the training and activity program for the prisoner should, so far as possible, bear relation to the plan which will be eventually adopted for parole. It is when the period of training in prison has been satisfactorily completed and the parole plan worked out that the prisoner should be ready for parole. The training program in the prison, as well as the parole plan for the man on his release, will necessarily concern itself with the personality of the prisoner, his past history, and his future possi-

bilities. Only by a careful consideration of these elements can the training of the man in prison, as well as his subsequent parole, be made effective and the community properly protected. All of Pennsylvania's State penal institutions now have 'clinics,' or technical staffs, capable of giving the necessary advice. These 'clinics' are sound in their method of organization and should be expanded and equipped so as to assume responsibility for the parole planning of every State prisoner.

Selection

"Selection for parole should be determined solely on the basis of the candidate's fitness. His past history, his response to the prison program in his case, the adequacy of the parole plan to be followed and an estimate of the man's sincerity and capacity to cooperate and make the parole plan effective, should all be considered by the paroling body, and the paroling body should be in the first instance the 'clinic,' its recommendations being approved by the superintendent of the institution and its Board of Directors

Supervision

"The period of supervision is perhaps the most important in the whole process of parole. Everything depends upon the supervision being adequate. The parolee carries on his own shoulders the responsibilities of a law-abiding citizen. He is not always a good risk. He may be, and generally is, socially inadequate. Manifestly he comes out of prison at a disadvantage, and the parole officer must help to see him through—he must act in the capacity of 'guide, phi-

losopher and friend.' The job calls for skill and training—for guidance and leadership, which now take the place of the custodial restrictions incident to prison life."

Four Point Program—As a result of a recommendation of the Section of Criminal Law the American Bar Association approved the "Four Point Program" set out below. The Section Chairman, Professor Rollin M. Perkins, states that copies have been sent to the Presidents and Secretaries of the State Bar Associations and all local Associations represented in the House of Delegates of the Association.

THE FOUR POINT PROGRAM

"RESOLVED, That the American Bar Association hereby goes on record in favor of, and urges the various State and local Bar Associations to give their active support to, the enactment in every State of the Union of the four-point legislative program of the Interstate Commission on Crime of the Council of State Governments, consisting of: First, the act for the fresh pursuit of criminals across State lines; Second, the revised act for uniform extradition; Third, the revised uniform act for the removal of out-of-state witnesses; Fourth, the act for the supervision of out-of-state parolees and probationers; and finally, the execution of the Interstate Compact under such last-named act, to the end that our sovereign States may actively cooperate to control crime and protect the citizens; and that a copy of this resolution be sent to the officers of the Section of Criminal Law, and to the Chairman of the Conference of Commis-

sioners on Uniform Laws, to the Interstate Commission on Crime, and given to the press."

At the end of 1937, 23 states had adopted the Fresh Pursuit statute; 19, Extradition; 23, out-of-state witnesses; 23, parolee supervision. The number of states adopting part of the program grows constantly.

A. L. I. Report—In November, 1937, the American Law Institute appointed an Advisory Committee on Criminal Justice. The members were Joseph H. Beale, Sheldon Glueck, William Healy, William E. Mikell, Timothy N. Pfeiffer, Charles Poletti, Thorsten Sellin, Horace Stern, Edwin H. Sutherland, Joseph N. Ullman, John Barker Waite, and Max Winsor. This Committee examined the Report of the study made under the auspices of the Delinquency Committee of the Boys' Bureau of the Charity Organization Society and the Association for Improving the Conditions of the Poor, this Report being designated "Youth in the Toils." They were asked to formulate general principles for the treatment of youthful offenders.

They reported back on February 12, 1938, and their suggestions have been printed and circulated among members of the Council of the Institute. In approving the Report, "Youth in the Toils," the A. L. I. Committee made the following statements:

". . . it was considerations such as these which led the compilers of the report on 'Youth in the Toils' to conclude that the failures of our existing system of criminal justice are mainly due to the persistence of the idea that the object of the criminal law is to punish the crim-

inal. They believe that until this idea is discarded, there will be no real improvement in existing conditions.

"Your committee finds itself in accord with this opinion. We believe that retributive punishment as such has no place in a modern system of criminal justice though we recognize that punishment has a place where its therapeutic value can be demonstrated. We believe also that:

- (1) Retributive punishment as a method of dealing with criminals is not sufficiently effective for the proper protection of society.
- (2) The punitive method has in fact already largely given place to practices based on other ideas.
- (3) Methods of treatment based on the characteristics of the offender and other causal factors of his conduct can and should be devised.

". . . We believe that:

- (1) It is highly desirable to give systematic expression to the principles embodied in the various laws and administrative proceedings which evidence the present drift away from punishment as the basic method of protecting society.
- (2) If the identity of potentially anti-social persons can be determined in their youth and if officials delegated to deal with such persons are permitted a wide variety in methods of treatment, instead of being limited to the one method of punishment, it will be possible in an increasing proportion of cases

to render those persons no longer dangerous.

- (3) Retributive punishment to protect society fails of its objective as completely when applied to adults as when inflicted on youth. Eventually society, for its own safety, must discard the whole idea of retributive punishment as its chief weapon in the prevention of crime and must adopt a broad range of treatments designed to correct or control the behavior of dangerous persons, whether those persons be young or old. We recognize, however, that certain practical obstacles would make it difficult at this time to obtain change in the method of treatment of offenders in general. Therefore, we confine our recommendations to the treatment of persons under twenty-one years of age, both because it seems more likely that youth can be successfully rehabilitated than can persons of greater age and because twenty-one is the conventionally accepted dividing point between youth and adulthood.
- (4) The court's function of determining guilt should be separated from its function of determining the treatment of the person found guilty.
- (5) The treatment of offenders after their guilt has been determined is by no means the only part of present methods which need correction. Innocent youth is not infrequently arrested, subjected to detrimental newspaper

publicity, to degrading treatment, to morally injurious association with vicious prison mates, and to other influences tending to break down self-respect, destroy moral fibre, and encourage bitterness and hostility toward society. Guilty youths, too, may be made more difficult to deal with, less amenable to correction by these influences to which they are subjected while awaiting determination of their guilt.

- (6) The foregoing observations apply to the treatment of all offenders regardless of sex.

"In view of these considerations we recommend that the Institute undertake the drafting of appropriate legislation relating to offenders under twenty-one years of age and not within the jurisdiction of existing Juvenile Courts, such legislation to cover all proceedings from the moment of arrest."

Prison Conditions—At a special meeting of the Board of Directors of The American Prison Association, held on Tuesday, March 15, at its office at 135 East 15th Street, New York City, it was emphasized that increased public interest and action are necessary before the American people can expect a more effective and dispassionate treatment of the crime problem.

The serious problem of prison labor and its relation to the rehabilitative function of correctional institutions was a topic for discussion. It was disclosed through a study of forty-one prisons, having a total prison population of

41,000, that only enough industrial production was available to employ 8,000 of these prisoners. It was conservatively estimated by some of those present that there are approximately 90,000 to 100,000 prisoners idle in the state correctional institutions throughout the country. To this deplorable situation is added the fact that prisons all over the nation are hopelessly overcrowded. To illustrate this contention it was brought out that a recent calculation disclosed that of sixteen prisons in thirteen states, 42,500 persons were jammed into quarters designed to accommodate 27,700. To relieve this serious, dangerous and demoralizing situation the Board of Directors again urged the Federal government to assist those states concerned, through the granting of sufficient funds to enable them to develop their physical facilities. To emphasize the need of immediate relief it was reported to the conference that of seventy state prisons, 42 were over fifty years old, thirteen of this number being well over the century mark but still operating far beyond their normal capacities. A similar situation was noted with relation to state reformatories for younger offenders, with well over one-quarter of those now in operation over fifty years of age. A bill now pending in Congress, introduced by Representative John J. Boylan of New York, for the purpose of securing Federal aid to state correctional systems has the unified endorsement of The American Prison Association.

The Board members agreed that if the American people expect the penal and correctional institutions of the country to perform their basic functions of protecting so-

ciety and rehabilitating the offender, considerable added progress must be noted with relation to intelligent classification systems and educational programs for those confined. The correctional institution with a well-rounded, adequately supervised and financed classification and educational program was considered to be the exception to the rule and in no manner representative of the average American prison of today.

Soviet Correction—Some of the aims of the correctional labor policy as stated in the Soviet correctional labor code are:

a. "The putting of convicted criminals in conditions which bar them from the opportunity of carrying on activities harmful to Socialist construction. b. The retraining and readapting of prisoners to conditions of a life of toil in society by directing their labor to socially useful ends, and by organizing their labor on the principle of a gradual conversion of obligatory labor into something approaching voluntary labor on the basis of Socialist competition." Punishment is to be regarded not as "retribution according to deserts" but as a corrective measure in the interest of society. Hence the system of preliminary warnings and mild measure of admonitory correction before any actual conviction. It is only for the gravest crimes that Soviet courts sentence criminals to correction by means of confinement and other severe measures of penal repression. Statistics for the second half of 1935 covering convictions in the lower courts show that: 5% were sentenced to pay fines; 7.3% to court censure, 46.2% to correc-

tional labor and 39.4% to confinement. Of this latter group 1.4% received sentences up to one year, 20.5%, from one to three years, 15.7% from three to ten years and only 1.8% a ten-year sentence. This number is still further reduced by the fact that prison sentences up to a year are served as correctional labor under guard but without confinement and that a number of sentences were lightened upon appeal.

According to Soviet law 10 years is the maximum period of imprisonment. Even when sentences are served consecutively on a number of convictions, their total may not exceed 10 years. A great many special features of the criminal law operate to shorten the nominal length of prison confinement. The term depends entirely upon the prisoner's work and behavior during his prison stay. His term may be reduced as much as one-half in return for days of work. Such special and normal reductions of sentence range from several months to two years. Furthermore the provision for early release on probation under Article 461 of the Penal Procedure Code also shortens the term of a prisoner's confinement as well as release by special amnesty under certain conditions.

Prison regime is further regulated by Article 9 of the general principles of the penal policy of the R. S. F. S. R. which provides that "measures of social defense may not aim at inflicting physical suffering or lowering human self-respect and they do not set retribution and punishment as their task."

Released prisoners are to be given every opportunity to reenter society. Their physical health must not be undermined, their

spirit must not be crushed, their human self-respect must not be outraged.

Among the rights guaranteed to all prisoners in correctional labor institutions are: visits, correspondence, the possession of a number of personal articles and of food, the receipt of money, food, clothing and other articles, free use of money and the right to wear one's own clothing. Even when clothing is issued by the administration, it must not be of unusual cut or pattern. After working hours, prisoners are permitted free movement on prison premises and free association with other prisoners and with the administration.

The entire regime in Soviet correctional labor institutions is directed toward "reforging" prisoners, of transforming them before the expiration of their term into worthy honest citizens. For this same purpose the administration conducts a program of educational work, both in its schools and study circles, in its libraries and current events study groups.

The major factor in this correctional regime is labor, which is compulsory in Soviet labor correctional institutions, but compulsory only in the first stages of accustoming the prisoner to work. As the prisoner realizes the productive value of his labor the necessity for compulsion disappears. Every effort is made not only to instill in the prisoner a desire to work but also to equip him with a trade or special vocation. The range of such vocational training is extremely wide and varied.

However, the responsibility of the institution does not end with rehabilitation and vocational train-

ing of its prisoners; it must assist the released prisoner in finding his place for a life of honest labor. Hence released prisoners are given free railway fare to the places they themselves choose as well as money for other expenses of the trip. Although the prisoner, on his release, has to his credit the amount he has earned by his labor minus such sums as he has received for current expenditures, he is frequently granted further financial aid by the administration, which also makes every effort to find jobs for released prisoners.

According to Soviet statistics for 1935 the record for recidivists as compared with all other convictions was as follows: Those sentenced for crimes of the same type as their former ones, 4.6%; those given second sentences for new crimes, 9.3%. (Cf. *Moscow News*, 1937 (Nov. 7), 7:8, 49).—S. W. D.

National Probation Association—
The National Probation Association will hold its annual meeting in Seattle on June 24 to 29.

Addresses have been announced on subjects as follows:

The Newspapers and Crime

Speaker to be announced

A State Crime Prevention Program

Lowell J. Carr, Secretary, Michigan

Delinquency Prevention

Council, Ann Arbor, Michigan

Qualifying Workers for the Correctional Field

Philip A. Parsons, Professor of

Sociology, University of Oregon,

Eugene, Oregon.

Understanding One Another

Dr. Samuel W. Hartwell, Profes-

sor of Psychiatry, University

of Buffalo Medical School,

Buffalo, New York.

- The Use of Group Activity in Probation Work
 Kenneth I. Wollan, Director, Citizenship Training Department, Juvenile Court, Boston, Massachusetts
Discussion by Howard L. Gee, Chief Probation Officer, Juvenile Court, Salt Lake City, Utah
- Ideals and Realities in the Probation Field
 Charles L. Chute, Executive Director, National Probation Association
- A National Program to Develop Probation and Parole
 Judge Joseph N. Ulman, Supreme Bench, Baltimore, Maryland; Member of the Board of Prison Industries Reorganization Administration
- Training for and on the Job
 Joseph P. Murphy, Chief Probation Officer, Essex County Probation Department, Newark, New Jersey
 Victor C. Passage, Director of Probation, Juvenile Court, Bridgeport, Connecticut
- Rural Probation Work
 B. H. Robinson, Secretary, Juvenile Court and Probation Commission, Salt Lake City, Utah
 Mabel E. Wilkes, Probation Officer, Juvenile Court, Bellingham, Washington
 Mrs. Vera H. McCord, Field Supervisor, State Department of Social Security, Spokane, Washington
 Robert C. Edson, Director of Probation and Parole, Jefferson City, Missouri
- Psychiatry in the Court and the Institution
 O. F. Close, Superintendent, Preston School, Ione, California.
 Allan W. East, Supervisor, Psychiatric Social Work, Oregon University Medical School, Portland, Oregon
- Improvement of Juvenile Court Laws
 Judge George W. Smyth, Westchester County Children's Court, White Plains, New York.
 Judge Edwin Gruber, Juvenile Court, Bellingham, Washington
 Judge Helen Gregory MacGill, Juvenile Court, Vancouver, B. C.
- Recreation as Crime Prevention
 Glen Grant, Western Representative, National Recreation Association
- The "Why" of Bad Boys
 Judge J. M. Braude, Municipal Court, Chicago, Illinois
- The School and Prevention of Delinquency
 Worth McClure, Superintendent of Schools, Seattle, Washington
- Community Coordination, Its Philosophy, Principles and Terms
 Dr. Harry A. Wann, Supervising Principal of Public Schools, Madison, New Jersey; Vice-Chairman, National Committee on Community Coordination
- Discussions*
 David H. Holbrook, Secretary, National Social Work Council
 Ralph J. Reed, Executive Secretary, Community Chest, Portland, Oregon
- "Mrs. Pennywit Joins the Council"
 —(A dramatization depicting a coordinating council in action.)
 Presented by representatives of Seattle coordinating councils.