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EDITORIAL

PAROLE FOR REPEATERS?

Since World War number 1 some ideas concerning the characteristics of criminals have faded out. Prior to that time the majority of these folk were alleged to be by nature very short on intelligence. Some of us began to think that they should be treated as patients and that we should build an institution at every cross-roads in which to house and feed children of low mental level in order to nip criminal careers upon which such youngsters were all but fated to enter if they were at liberty to go their own way.

But the guns had not long ceased firing when in many states it began to be pointed out that the mental level of the population of penal institutions was very like that of recruits in the United States army—and the soldiers were a good cross-section of the whole population of the nation: of men of military age anyhow.

Those who stay in the game however—repeaters—recidivists who come again and again before the criminal courts for “one rap after another:” surely they must be of very low level—in-capable of learning from experience that the way of the transgressor is hard—that crime doesn’t pay?

Now comes A. A. Hartman, Psychologist until lately in the State Prison Diagnostic Depot, Joliet, (now in the Psychiatric Division of the Cook County Juvenile Court) with something important in the last number of this *Journal*. He reported about 4,188

repeaters, all felons from northern Illinois, and all of them native whites who had been committed by the courts during five years ending July 1st, 1939.

These repeaters are more intelligent than first offenders. Among them are a greater proportion of superior and very superior individuals than among those who were only one-time offenders. The difference held in respect to all types of offenses excepting sex, they have no relation to being of older or younger age, and the differences between repeaters and first-time criminals, as Mr. Hartman has found them, are so wide and consistent that they must be considered as reliable from the viewpoint of statistical science.

This is something for Parole authorities everywhere to think about. If repeated criminals are such an intelligent lot they are all the more dangerous when they have even partial freedom to play around. Considering everything, including the small proportion of criminals who are even apprehended, perhaps “CRIME DOES PAY” as Dr. Max Huehner argued in this *Journal* in November, 1939. The repeater may be the fellow who is intelligent enough and sufficiently determined to keep on re-shaping his methods on the theory that he can get through the holes (commit a perfect crime) more often than he is blocked.

But repeaters and recidivism aren’t so simple as all that. The one word “guilty” from the Court and the sen-

tence, whatever it may be, creates a moral hazard that the culprit must overcome or be beaten by it. This hazard is a social stigma. It is a great obstacle to employment and to neighborly intercourse. It has little concourse with intelligence.

In a monograph entitled: *The Criminality of Youth* prepared for The American Law Institute (October 1940) Professor Thorsten Sellin discusses the findings of Sheldon and Eleanor T. Glueck in their *One Thousand Juvenile Delinquents*.

They reported reliable personal histories of 923 of their 1,000 Boston cases, covering five years after each one had completed his period of parole. Of this number 798 were delinquent again within the five years and 97 percent of these had committed offenses that brought them before the Police Courts.

Are we confronted here with the effect of intelligence or of social stigma or both? Professor Sellin speaks of the social stigma or moral hazard that follows upon conviction and punishment and remarks as follows: ". . . a person once punished for a crime is, from a statistical point of view, much more likely to commit a crime than one who has never been punished." He goes on, moreover, to cite statistical evidence which indicates that if a person has been convicted and punished within a given decade the probability that he will be convicted anew within the succeeding year is seven times greater than if, within that decade, he had suffered no conviction and punishment. From the same sources, furthermore, he finds evidence that the probability of a first

offender's being re-convicted is but one-fourth as great as that of one who has had five or more previous convictions.

What of it? This in part: we need to look continuously and more carefully toward preparation for successful parole, which amounts to the elimination of recidivism. Only public feeling or attitude—not just opinion—can remove the social stigma that attaches to the parolee. It is of slow growth. In the meantime we have to bear down hard upon a program for strengthening and equipping convicted folk to the end that in themselves there may be the strongest possible bulwark against the stigma and the best possible preparation for going ahead in spite of it.

This is one of the aims of The American Law Institute's proposed "Youth Correction Authority." Co-ordinate the agencies that deal with delinquents during both pre-parole and parole periods. Reduce or eliminate overlapping of functions. Unify educational and training programs. We are a long way from that ideal.

The correction of delinquency and the success of parole demand the greatest educational skills and wisdom that men can summon. Correctional schools must be superbly equipped with materials and personnel to the end that delinquents may most easily and naturally establish strong, friendly, personal relationships with their instructors and discover at the same time, it may be the first time in their lives, that they can *do something that wins enthusiastic social approval*.

ROBERT H. GAULT.