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Editorials

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EDITORIALS

GEARING PRISONERS INTO DEFENSE INDUSTRY

The following paragraphs are from a letter to the Editor, dated February 21, 1942, from Mr. James V. Bennett, Director of the Bureau of Prisons in Washington. It is a reminder of a slogan that was effective, fortunately, in the course of World War I: "Keep the home fires burning." It would be a useful project to make detailed records of the effects of the "gearing" upon prisoners. This war may yet furnish a pattern for prison discipline.—[Ed.]

"The impact of the war upon prison affairs in this country is just beginning to be felt. So far we have not had to deal very seriously with the problems of evacuation and black-outs which the English have been able to handle so effectively. Fortunately, prison administrators in those areas which may be subject to attack are preparing to meet these eventualities should they arise. The most immediate effect of the war upon prison administration will undoubtedly be the increasing pressure for reduced costs of maintenance and operations.

"Obviously, we cannot look forward to expanding programs of treatment, to increased building facilities, or increased personnel. Prisons in this country have always suffered from the inadequacy of each of these three important items. While this war will entail a period of privation and depri-

vation for all Americans, we, as prison officials must not permit it to become a period of stagnation. We must not permit this war to black-out everything we have accomplished, nor can we afford to wait until the end of the war to pick up the strings again. We must and can make a virtue out of necessity.

"In fact, never has this country been faced with so dire a need for man power, skill, and production. The American prison represents a source of all three. I am glad to note that prison administrators and officials have not lost sight of this opportunity. At the last Congress of the American Prison Association held in August, 1941, Mr. Sam Lewisohn read to us a paper which he called 'Gearing Prisoners into the National Defense Program.' None could have predicted at that time, that within the next few months Mr. Lewisohn's remarks would strike home with such telling effect.

"Actually, Mr. Lewisohn has outlined for us a program of action which is practicable and realistic. All that is necessary now is a concerted attack upon the problem to infuse life and substance into the program, and a Committee on Prisons and National Defense has been organized by the officials of the American Prison Association to do just that. The ever increasing diversion of raw materials into war production will mean idle prisoners and idle

equipment unless some plan is now developed whereby the productive potentialities of the entire American prison system can be geared into the war production program.”

(Signed) James V. Bennett.

EX-CONS AND THE NAVY

There was laid on my desk this morning a Record of Supervision in the case of a young man tried before me on a charge of attempted rape in January, 1939. When Amato (which is not his name) appeared in court I was struck at once by his attractive personality. He was then less than seventeen years of age, a handsome youth, evidently in a state of great apprehension about the outcome of his trial. The evidence against him was clear and convincing. He had been caught in the act of committing a sexual assault upon a four-year-old child, the daughter of a neighbor. There had been some manipulation causing an inflammation of the child's body in the genital area but with that exception she, the child, was uninjured.

I found Amato guilty under a simple assault count in the indictment and referred the case to our Medical Officer for investigation. After a few days he reported that Amato was mentally and physically normal and that his criminal act was due to an unusual degree of inquisitiveness about sex. He had feared to indulge his normal desire lest he contract a venereal disease or cause pregnancy. Having been found guilty, even though on a relatively minor count of the indictment, he felt himself disgraced, wanted to leave Baltimore, and was in almost pathologically low spirits. His mother was outraged by his conduct and extremely unsympathetic.

I determined that a sentence should be imposed and held over Amato's head as a potential consequence of his act, but that the case was properly one for probation. As against this plan there were two obstacles to be overcome. Therefore I sent for Amato's mother and for the mother of the little girl whom he had assaulted. I spoke to these ladies, first separately, and then in the presence of each other. Strangely enough I found the mother of the little girl the more amenable to reason. She agreed readily that it would be a great pity to wreck this young man's life by sending him to prison and that it would be far better to attempt to rehabilitate him under probation. But his mother was very bitter. Fortunately, her sense of family disgrace had led her, before the case was finally disposed of, to move to a distant part of the city where her son's outrageous misconduct would not be the subject of neighborhood gossip. Thus young Amato was automatically removed from any possible temptation to repeat his exploits with his little girl victim.

I imposed a sentence of six months, suspended sentence, and placed the defendant on probation for a period of three years. Fortunately, I was able to assign the case to an extraordinarily intelligent and sympathetic probation officer; and it is his final report that I now have before me.

Amato has made good. He has had no further conflict with the law, has been continuously employed in five successive jobs each at a better wage than the one that preceded it, and is now making twenty-six dollars a week in a congenial occupation. Moreover he has attended night school and appears to be on his way to a good white-collar job. The probation officer reports that his greatest difficulty was with Amato's mother. For a time it was necessary to arrange that Amato lodge and board away from home while the probation officer continued to impress upon the members of his family his need for their sympathy and help. Finally they came round and at present Amato is living in the home, a respected and reconstructed member of his family.

But the most striking passage in the final report reads as follows: "For a long time probationer did not associate with girls. I talked to him about this many times and was finally able to persuade him that it was not a wholesome interest in young girls that got him into trouble. Recently he has become friendly with a young Polish girl and has had her to his home. She is a cheerful person with a high school education and probationer says he derives a great deal of pleasure from going out in mixed company. His sex attitudes seem to be those of a normal person. He has been encouraged by his mother and brother to marry but wants to wait until he is established on a better financial basis."

Amato is now nearly twenty years of age and we are at war. His experience with American institutions as illustrated by the Probation Department

of the Criminal Court of Baltimore has made him not only a good citizen but an enthusiastic American. He wants to enlist in the Navy. I am sure he would render efficient and patriotic service. But he is not eligible—he has a criminal record, and of the worst type because he has been a "sex offender." Is the Navy right in turning him down?

In the first place I realize fully that there must be general administrative rules. Men with criminal records ought not be foisted upon the Navy or placed in the Army if their presence in the armed forces is likely to damage morale. Sex offenders especially ought not to be thrown into close association with decent young men who are themselves subjected to the uprooted and unnatural pattern of military life. Perhaps it is too much to expect that during the exigencies of actual war recruiting officers should be required to make individual case studies and to deal with each case on its individual merits. Perhaps it is safer and wiser for the Navy simply to turn thumbs down on all convicted sex offenders.

Nevertheless I wonder if this policy of exclusion by categories is inevitable. In the case of Amato a short typewritten report from a responsible civic agency speaks for itself. Amato is an "ex-con." He is a "sex offender." But he is also an able-bodied, clean minded, patriotic youngster eager to do his bit for his country. Can we not hope for individualization of standards for admission to the Army and the Navy that will at least go hand in hand with individualization of treatment in our criminal courts?

JOSEPH N. ULMAN.