

1948

## Current Notes

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### Recommended Citation

Current Notes, 38 J. Crim. L. & Criminology 518 (1947-1948)

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## CURRENT NOTES

V. A. Leonard, *Editor*

**New Approach to the Divorce Problem**—Marriage clinic counselors, influenced by both public attitudes and internal pressure, have gone on the assumption that every marriage should be held together, that always "divorce is bad and marriage continuity good". Arguing that the time has come in this period of increasing divorce rates to regard the situation of many couples more realistically, William J. Goode of Wayne University in a talk at the Michigan Conference on Family Relations, suggested a new viewpoint based on the acceptance of divorce as the best ending for some marriages. The right place to stop divorce, in Mr. Goode's view, is before marriage, and it must be granted that "incompatible matings will undoubtedly increase for some time, bringing with them the rise in divorce rates." Illustrating his discussion with the particular marriage hazards of veterans, an area where the divorce increase shows a marked jump, the author says: "Contrary to the easy assumption of middle class morality, those who contemplate divorce are not necessarily unstable or immoral personalities. It is often true that continuing in an unhappy marriage may make them so, as it is likewise true that the process of divorce may sometimes have a similar effect. What innumerable personality tests must show is that many of these couples are not abnormal but are merely incompatible."

Helping individuals adjust to divorce at the point where the break seems inevitable or even the most desirable solution to the impasse, may properly be a function of a marriage clinic. The worker can help "to lessen the shock of separation, divorce, and later readjustment in or out of marriage." We sometimes overlook the fact that many individuals incompatible in one marriage are capable of happy marriages to others, and that a broken marriage is less devastating if years have not been spent in futile attempts at adjustment. The change the author emphasizes is chiefly in the attitude of the counselor who has to decide on the basis of the individual situation. "To the charge that this seems presumptuous, it must be recognized that it appears no more presumptuous than advising a couple to stay together, or indeed advising them on any personal matter."

Legal advice, consultation on financial matters, advice on the care of children and adjustments that must be made for them, are properly a part of such service. With this approach, "a considerable amount of explanation would be devoted to the emotional aspects of the divorce process, in particular the situation of jealousy, of sexual readjustment, of long emotional dependence and consequent feelings of helplessness after the divorce, or remarriage etc. The clinic has a real task in preventing the deep personality distortions which often result, using its therapeutic and information services in ways calculated to bridge the gap between maladjustment and adjustment."—*Newsletter*, August 1947, Professional Council of the National Probation Association.

**Public School Administration and the Offender**—The school program in the State of Washington, as in other states, tends to be geared for

normal children. Eighty to 90 per cent of our youth are able to go to school and learn together. The curriculum is built to challenge the intellects of the majority. Ten to 20 per cent of our school age children are either unable to adjust or able to adjust to a degree, to the educational opportunities included within the school program for the majority. These children are atypical. They differ from normal children to the extent that special provisions must be made in order to challenge them. Part of this group represent the genius. They find the regular school program both uninteresting and unappetizing. For the most part, the levels of instruction and the levels of the materials are so far below their ability patterns that often such reactions as inattentiveness and emotional displays result. This unadjustment may increase and affect their lives and lead to unhealthy mental conditions.

Another portion of the 10 to 20 per cent are on the other side of the intelligence distribution scale. The usual classroom curriculum is far too difficult for them and in many instances by the time these children reach adulthood, third or fourth grade level work is still beyond them. It is difficult to adjust these children in the regular classroom. Another group of atypical children includes those who are physically handicapped. These children are the blind, the deaf, the partially sighted, the hard of hearing, the spastic, the tubercular, the crippled, the victims of paralysis, and the cardiac. It is estimated that there are 20,000 children in the State of Washington of school age who fall within this category. In many cases, the educational program of the regular classroom is not suited to their needs.

Another group within the 10 to 20 per cent are the emotionally unstable, the anti-social and reformatory groups. These children may be normal in intelligence and school achievement but are unable to adjust in the regular classroom situation. Some of these children have uncontrollable tempers. Others manifest such tendencies as completely unhappy states, nervous ties and remaining within dream worlds. Still others are given to chronic stealing or fighting and are potentially dangerous to normal children. Educational programs for these children require special effort and talent combined with association with normal children as much as possible. They need careful study to determine the underlying causes for their difficulties. Often such factors as poor vision or reading difficulty have resulted in anti-social behavior. The services of technicians such as clinical psychologists, psychiatrists and medical case workers are essential. It is estimated that there are approximately 40,000 school-age children in the State of Washington in need of help not ordinarily included in regular school activities. During the past year an excellent survey of educational institutions was conducted by Mr. George D. Strayer and a staff of experts drafted from leading colleges and state departments in the nation. The survey indicated, in common with similar surveys in other states, that enormous expansion was needed for the education and care of our mentally, socially and physically handicapped children. "Society has two important objectives", says the report, "in making special provision for all of these groups; the protection of society itself from the economic and social effects that inevitably result from their neglect, and the development to the fullest extent possible of such handicapped persons as happy and useful members of society."—Dr. Eldon A. Bond, *Our Educational Facilities For Handicapped Children*;

Mental Health Today, Nov.-Dec. 1947, published by the Washington Society for Mental Hygiene, Seattle, Washington.

**The Borderline and Mentally Defective Prison Inmate**—One of the major duties of the psychiatrist engaged in penal work is to acquaint the custodial staff with the individual inmate, his intellectual capacity, his personality make-up, his constitutional predisposition, and his mental and emotional state. The mental state of the inmate may be organically determined as in paresis, brain tumor, the post-encephalitic states, cerebral arteriosclerosis, senility and other neurological disorders. In such conditions the handling of the inmate must be individualized as to quarters, work, dining, and therapy. Inmates with neurological disorders function best if assigned to work well in keeping with their disabilities. Inmates with functional, mental and nervous disorders must be begun on a limited program which can gradually be expanded.

The importance of intellectual capacity and its recognition cannot be over-estimated. The borderline defective inmate constitutes a special problem in prison. He is not severely enough retarded to be clearly selected as feeble-minded and he is frequently regarded as dull-normal. There is a tendency to consider the separating line between mental deficiency and normality as a sharp one and having determined whether an inmate is in one or the other group, the prison officer may proceed to treat him in the manner appropriate to that group. Certain types of conduct and defense reactions are more or less common to the borderline and mentally defective groups. These individuals frequently find adaptation to prison life trying. The borderline defective is not defective enough to overlook the situation at hand and not intellectual enough to act with discretion. He keeps one ear to the wall for grape-vine gossip and patronizes the jail-house lawyers. These inmates have poor control over their basic drives, and are quick in aggression against others. Feeble-minded individuals and those of borderline intelligence have considerably limited mental agility. They have difficulty unlearning ways of doing things and of reacting that have become habitual. Mental defectives are gamblers because they cannot balance the factors in a situation, and gambling involves either the ignoring of some elements or the inability to appreciate them.

Mental deficiency is in itself not the cause of maladjustment in prison. Often it is only one factor. Since it is a factor that cannot be changed very much, one should be on the alert for other factors in the situation which will lend themselves to remedial measures. The institutional program of the inmate must be adapted to his personality and his physical state in addition to his intellectual capacity. Rehabilitation is a process designed to bring out what is in the individual inmate. To be able to do this, one must first find what is in him, and then bring it out. Aptitude testing of all individuals entering penal institutions would be a big step forward. Prison officials often do not appreciate what the individual inmate is fitted to do, and thus inhibit possibilities that he possesses by lack of encouragement toward their development. It sometimes happens that prison officials try for years to bring out what is not present in an inmate. Later the inmate is released on his own, untrained in any vocation and predisposed to remain a social misfit. Prison workers must keep in mind that there are mental and adjustment levels depending upon the

intellectual capacity, personality, and mental and emotional state of the inmate.—Harry R. Lipton, M. D., *The Borderline and Mentally Defective Prison Inmate, The Military Surgeon*, January, 1947.

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**Probation and Parole Merger**—With the extension and improvement of probation and parole services throughout the United States as their announced objective, the National Probation Association and the American Parole Association have joined forces. Operating as the National Probation and Parole Association, the organization will be administered from the Probation Association's headquarters at 1790 Broadway, New York, where the merger received final approval from the organization's Board of Trustees. The Parole Association had voted on the merger at its annual meeting in Long Beach, California, in September of this year.

"Improvement of standards in probation and parole services, effective treatment and prevention of juvenile delinquency and crime are the aims of the Association," said Charles L. Chuge, who has served as executive director of the Probation Association since its inception in 1921. Mr. Chute added that under its new name, the Association will continue its intensive work in the field of probation, at the same time extending its program to include studies and surveys leading to the improvement of parole services in every state. Public misunderstanding of parole has hampered many state boards in the intelligent use of this important tool for the reduction of crime. To correct this situation, a digest of practices and procedures used throughout the country is planned and field consultation and survey services will be made available to all states to help in the development of better parole systems. The new Parole Division of the organization will operate under a director experienced in parole administration, with the assistance of an Advisory Council on Parole composed of leaders in the field drawn from all parts of the country. Advisory service on parole, publications, institutes for training workers and discussion forums at regional and national conferences will be developed by the Association with the help of the Council.—*News release of the National Probation Association.*

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**Probation and Parole at the Congress of Correction**—The seventy-seventh Annual Congress of Correction, sponsored by the American Prison Association and affiliated organizations, was held in Long Beach, California, September 10 to 16. Over 1,000 registered, predominantly official representatives of state correctional departments, prisons, juvenile institutions and probation and parole departments from all parts of the country. At the general sessions and afternoon group meetings of the Congress, all phases of correctional work were discussed. Harold E. Donnell, Superintendent of Prisons of Maryland, dealt realistically in his address with community responsibility for crime, the general theme of the conference. Probation and parole had a leading place throughout the sessions. Prominent among the distinguished speakers who appeared on this occasion were Richard A. McGee, Commissioner of Corrections of California and President of the conference who spoke of California's new program and its needs; Walter A. Gordon, chairman of the California Adult Authority, who voiced a fine philosophy for correctional workers; Joseph Y. Cheney of the Florida Parole Commission on the progress in

many parts of the country toward an understanding of probation as scientific diagnosis and rehabilitative treatment through the use of improved techniques and personnel; Austin H. MacCormick of the Osborne Association of New York who spoke of the community and its responsibility for the treatment of crime; Walter C. Reckless of Ohio State University, whose voice commands authority in the correctional field, spoke on the training of probation and parole personnel; Joseph P. Murphy, CPO in Newark, New Jersey, on the resources of probation as a method of treatment; Thomas J. McHugh of the New York State Division of Parole, on parole and its relation to other agencies; and three other speakers on parole—Reuben C. Brustuen of Minnesota, Francis R. Bridges of Florida and Hathaway Cross of North Carolina. All of these addresses will appear in the proceedings of the Congress or in the publications of the Association.—*From galley proof of a release of the National Probation Association.*

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**New Legal Periodical Appears**—Students of criminal justice administration will welcome the appearance this year of Volume I, Number 1 of *Texas Law and Legislation*, 173 pp., which marks an important addition to legal literature in this country. The new journal will be published twice a year, in the spring and fall, by the University Press of Southern Methodist University, Dallas, Texas. In a foreword to the first issue, Arthur T. Vanderbilt, former President of the American Bar Association, and Dean and Professor of Law, New York University School of Law, comments in part as follows: "The students of the School of Law of Southern Methodist University are to be congratulated on their new publication. Legal periodicals edited by law students are no novelty; the Harvard Law Review is the prototype of scores of similar publications. Periodicals written as well as edited by students are relatively new arrivals in the law school world. The *Intramural Law Review of New York University*, founded in 1944, publishes some of the best of the law notes that the school requires of all its students. Much to the surprise of its contributors, the magazine has been in demand far beyond the walls of their law school; a set of it is to be found, among other important places, in the Library of the Supreme Court of the United States. I am delighted that the experiment of this particular type of legal periodical is to be made in Texas, the vast stretches of which are sufficient to furnish wide variety in the application of a rule of law combined with that degree of unity in action which is essential to the operation of a mature system of jurisprudence. I am glad that the journal has been instituted in a state which is known in other jurisdictions for its willingness to consider and weigh rational suggestions for improving the law, while still insisting that the existing rule be given an opportunity to defend itself. It is significant that the first number of *Texas Law and Legislation* is devoted to the need for a revision of criminal procedure in Texas. Law students have generally had a tendency to ignore criminal law, and particularly criminal procedure, in favor of the great topics of private substantive law. This, of course, is a great mistake, for many of our most cherished civil liberties depend for their ultimate vindication on the work of the criminal courts and the procedure followed therein. There is a wide variety of types of criminal procedure, ranging from technical common-law practice to tangled statutory compilations, from

simple practice acts to complicated codes, from sixty brief rules of court procedure as in the federal system to the more formal code of criminal procedure of the American Law Institute. For some years the tendency has been in the direction of simplification and flexibility in criminal procedure through the exercise of the rule-making power by the courts, either through their innate power or by legislative direction. The reasoned views of the oncoming generation of lawyers in this important field of the law will be awaited with much interest."—*The Editor*.

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**Salary Structure in Probation and Parole Fields**—Thousands of competent professional workers in the United States are grossly underpaid. A survey of salaries of probation and parole officers in this country recently completed by the National Probation Association reveals these glaring discrepancies. Salaries for these positions are unstandardized and range all the way from \$1116 yearly, paid in a Pennsylvania county, to \$12,000 for a New York City chief probation officer. While seven other executives are in the bracket from \$7000 to \$10,000, the gap between these few high salaries and those paid other chiefs, assistants and staff workers is much too wide. The study covered 291 local probation departments in 41 states, only cities having a population of 25,000 or more being included. Fifty-one per cent, or over half of these local departments reporting, pay probation caseworkers salaries under \$2400, and only 16 per cent pay over \$3000. Salaries of directors or chiefs for these departments exceed \$5000 annually in only 16 per cent of the communities reporting this item.

In the parole field the story is much the same, although salaries are slightly higher. The top average annual salary for state parole officers is paid in New York, \$3750. The lowest is a meager \$1800 paid in Colorado. Thirty-eight parole departments reported salaries of directors or chiefs, 71 per cent of whom receive less than \$5000 a year. The highest salary for a state parole executive is \$10,000, again paid in New York; the lowest, a flat \$3000, is paid in Iowa. In 1945 the National Probation Association issued a pamphlet, "Standards for the Selection of Probation and Parole Officers" in which a beginning salary range from \$2600 to \$3000 per year (a variation based on regional differences in living costs) and payment of necessary expenses was set as a minimum. In the light of these minimum standards, the majority of probation and parole officers, many of whom have had specialized training and years of experience, are giving their communities devoted service at a personal loss. Of 291 local probation departments providing information for the study, 63 specifically stated that no regular or dependable provision is made for salary increases. Eighty reported that no pension or retirement plan was operative. This study also shows a wide discrepancy in salaries paid to Negro and white officers holding the same relative positions. In most cases, Negro officers receive \$300 to \$500 less per year than their white colleagues. A similar discrepancy exists in salaries paid to men and women.

Probation and parole services are imperative in the prevention and treatment of delinquency and crime. If such supervision of the offender is to be successful, a qualified worker must be paid in accordance with the importance of his work. Adequate salaries for probation and parole

workers bring dividends in the form of fewer delinquents and criminals.—*Probation*, October 1947, National Probation Association.

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**Parental Responsibility for Sex Offenders**—Parents who stand to lose the most when the sex offender strikes, hold the key to his elimination, Arthur J. Snider, Chicago Daily News staff science writer, states in a recent article. The article, one of a series published by the News, was based on an interview with Dr. Lester A. Kirkendall, director of the Association for Family Living. Dr. Kirkendall was prominent in the 1947 annual Conference On Delinquency Prevention sponsored by the Illinois Department of Public Welfare in Chicago last April. "It is in the hands of parents to prevent the rise of sex offenders in their own families," Dr. Kirkendall declared. He continued, "They can do so by developing an understanding and confidential relationship with their children on sex matters, a relationship that should begin almost at birth, even before the child begins asking questions." Home education should be supplemented by courses in schools and churches, Dr. Kirkendall believes. Unfortunately, he points out, too few parents and teachers are themselves qualified to do a good job on sex instruction. To meet that deficiency he suggests there be set up a service to help young people entering marriage. He recommends that more universities offer courses to teachers in this field. Dr. Kirkendall, who studied the problem of sex behavior in various parts of the country for the U. S. Office of Education during the war, has found there is a direct relationship between the kind of sex education received by individuals and the kind of premarital sex experience they have had.

Do youngsters want sex instruction or do they prefer to get their information from the street corner? An overwhelming number are eager for formal education, Dr. Kirkendall has found. Discussing the method of approach, he stated, "We try to help them understand all of their questions relating to sex and sex development. We get the best results when we put sex education in a broader setting. We do it in two ways—by helping the individual understand himself and his processes of growing up and relating it to the achievement of a successful marriage and family life. We show how sex is related to normal living. Too often, the physical side of sex has been emphasized to them. We try to show there is an emotional and social side as well." Dr. Kirkendall pointed out that some critics contend children aren't ready for sex education; that when the subject is broached, the youngsters snicker. "That reaction only indicates that they have needed sex instruction long before," the psychologist explained. "Rather than being too early with too much, we are being too late with too little."—*Parents Hold Key On Sex Offenses, Welfare Bulletin*, September 1947, Illinois Department of Public Welfare.

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**Increase in Military Prison Population**—During the years 1944 and 1945, there was a marked increase in the number of military prisoners admitted to federal prisons, such as the U. S. Penitentiary, Atlanta. The percentage increase was from about six per cent to twelve per cent of the total population. The number of inmates incarcerated for rape and attempt to rape increased ten fold, from .4 to 4 per cent. The num-

ber of inmates incarcerated for murder and second degree murder increased from .8 per cent to 2.4 per cent, a three-fold increase. Increases in other crime classifications were also noted.

The adjustment of the military prisoner to prison as a whole is rather poor. Rarely does one come across a military prisoner who is reconciled to his sentence, or who has plead guilty to the charge on which he has been court-martialed and convicted. The plea is almost always "not guilty" regardless of the evidence on hand. This may be because most soldiers believe that pleading guilty to any statutory charge automatically brings upon them a stiff sentence, and that the plea of "not guilty" is their only hope of escaping long imprisonment. The majority are bitter and preoccupied with the alleged gross injustice that has been done them. Most all feel that they should be released from prison and restored to duty. This attitude prevails even in the cases of those who have been A. W. O. L., or otherwise in difficulty on a number of occasions prior to their most recent court-martial, and have spent much of their time in the guardhouse. The incidence of acute mental disorders is approximately fifty per cent higher than among civilian prisoners. Anxious, depressed, psychoneurotic states accompanied by suicidal attempts are common reactions.—Harry R. Lipton, M. D., *Notes on the Military Prisoner, The Military Surgeon*, No. 2, August 1946.

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Medicolegal Congress Convenes—The Pan-American Medicolegal Congress met in St. Louis, January 19, 20 and 21, 1948, with an imposing list of talent on the program to mark the launching of this new professional association. Among the papers presented and their authors, were: *Outline of Purposes and Suggestions for Organization*, by R. B. H. Gradwohl, M. D., Director, Research Bureau, St. Louis Police Department; *Standardization and Organization of Police Science Technics*, by Assistant Professor Ralph F. Turner, Department of Police Administration, Michigan State College; *Blood Alcohol—Its Applications and Pitfalls, from a Medicolegal Standpoint*, by Dr. I. M. Rabinowitch, Montreal; *The Use of the Intoximeter*, by Dr. Lemoyne Snyder, Lansing; *Forensic Psychiatry*, by Dr. Lowell S. Selling, Jacksonville, Florida; *The Psychopathic Personality as a Social and Psychiatric Problem*, by Drs. Alex J. Arieff and David B. Rotman, Chicago; *The Sex Criminal*, by Dr. Val Satterfield, Assistant Professor, Clinical Psychiatry, Washington University Medical School and Consulting Psychiatrist for the St. Louis Police Department; *Blood Grouping of Blood Stained Evidence in Medicolegal Examination*, by Dr. B. J. White, Federal Bureau of Investigation; *The Use of Blood Tests in Cases of Disputed Parentage*, by Dr. Alexander S. Wiener, Serologist, N. Y. Medical Examiner's Office, New York, N. Y.; *Toxicities and Hazards of the Newer Insecticides and Rodenticides*, by Dr. John R. Wood, Army Chemical Center, Md.; *A Rapid Procedure for the Detection and Estimation of Alkaloids in Body Materials with Demonstration of a Simple Tilting Extractor for this Purpose*, by Professor R. N. Harger, Indiana University Medical School; *The Barbiturate Problem*, by W. J. R. Camp, M. D., Professor of Pharmacology, University of Illinois; *The Treatment of Barbiturate Poisoning with Intravenous Amphetamine Sulfate*, by Dr. A. W. Frierich, Malverne, N. Y.; *The Use of the Polygraph*, by Dr. Leonarde Keeler, Chicago; *Sudden and Unex-*

*pected Natural Death*, by Dr. Milton Helpert, Pathologist and Assistant Medical Examiner, New York, N. Y.; *Legal Loopholes in Toxicological Investigations*, by Mr. Orville Richardson, A. M., J. D., St. Louis; *Temperature Variations with Respect to the Specific Gravity of Glass Fragments*, by Assistant Professor Donald F. McCall, Department of Police Science and Administration, State College of Washington, Pullman, Wn.; *Firearms Investigation*, by Dr. George W. Keenan, Rochester. Speakers whose subjects were unannounced at this writing included Dr. Delio Garoia Romeu of Havana; Dr. Nerio Rojas of Buenos Aires; Dr. Israel Castellanos, Director of the National Bureau of Identification, Havana; Dr. Jose A. Dias Padron, also of Havana; and Professor Guillermo Uribe Cualla, Director of the Institute of Legal Medicine, Bogota, Colombia. Inquiries relative to the meeting should be addressed to Dr. R. B. H. Gradwohl, 3514 Lucas Avenue, St. Louis 3, Missouri.