

1953

## Current Notes

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### Recommended Citation

Current Notes, 44 J. Crim. L. Criminology & Police Sci. 217 (1953-1954)

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## CURRENT NOTES

V. A. Leonard, *Editor*

**Oregon Adopts a Sex Deviate Law**—In response to popular demand the Forty-Seventh Legislative Assembly of Oregon's 1953 legislature passed a committee drawn measure—House Bill No. 712 which was signed by Governor Paul L. Patterson, Oregon's first legislative action toward meeting the local sex crime problem.

The measure was drafted and introduced by the Committee on Statute Revision, after they had considered three other proposed measures.

The first section of the new law follows—"Sec. 1. No person over the age of 16 years shall wilfully and wrongfully and forcibly detain in any place, or wilfully induce into any place of concealment or conveyance, any child under the age of 15 years with intent to commit with or upon such child any act punishable under section 23-420 or 23-910, O.C.L.A." (section 23-420, O.C.L.A. covers rape and statutory rape, section 23-910, covers sodomy).

The law further provides that upon conviction and before sentencing the convicted person may upon an order of the court be given a psychiatric examination by *one* psychiatrist appointed by the Superintendent of the Oregon State Hospital. The examining psychiatrist is required to report his findings to the trial judge and copies of the report must be furnished to the convicted person's attorney and the district attorney. A pre-sentence hearing is provided at which the psychiatrist may be examined by both the district attorney and the convicted person's attorney. Statements made by the convicted person in the course of the examination by the psychiatrist cannot be used in any civil proceeding or in any other criminal proceeding. Violation of section 1 provides a maximum sentence in the state penitentiary for a period not exceeding five years. Violation of Section 1 of the Act or sections 23-420 or 23-910, O.C.L.A. of a person previously convicted of any one of the three sections, may upon conviction be sentenced for a period not exceeding the natural life of such person.

The law is an extremely poor attempt to meet the sex offender problem. It does not provide any plan or program for the rehabilitation or treatment for persons convicted for its violation, nor is it in any manner or degree in keeping with the modern scientific approach to the problem.

One of the tabled measures which was designated as House Bill No. 208, if it had been passed, would have put Oregon out in front with one of the most modern and progressive sex offender laws in the nation. The story behind this measure supports the above statement. The measure was in its original form drafted by Portland Police Sergeant, Earl R. Biggs, a recognized police authority on sex crimes. State Representative Phillip J. Roth (former Deputy District Attorney) became co-author of the second draft. In the preparation of the third draft they were ably assisted by Mrs. Claire A. Argow, executive secretary of the Oregon Prison Association and Mr. Melvin L. Murphy, executive director of the Mental Health Association of Oregon. Copies of the third draft were then submitted to Judge Morris Ploscowe of the New York bench and author of "Sex and the Law"; Mr. Richie Davis, legal associate of Dr. Alfred C. Kinsey, Indiana University; Karl M. Bowman, M.D. Medical Superintendent of the Langley Porter Clinic of the University of California Medical School and director of California's sex offender research program. All three nationally known authorities on the subject. Each of them responded with suggestions and criticisms which were considered and used in a

final draft of the measure. It can be said here that few state laws have been drawn with the assistance of such capable persons. It is to be regretted that a measure so carefully prepared and drawn could not have been adopted.

The other two proposed measures were quite properly tabled because neither were any improvement over then existing laws or the measure that was passed—(From a communication to the Editor).

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**Criminology Directory Being Revised**—Professor Frank M. Boolsen, Chairman of the Department of Criminology, Fresno State College, Fresno, California, reports that he is currently revising the *Directory of University and College Criminology Programs*, and requests the cooperation of individuals charged with the direction of organized or planned criminology pre-employment training programs leading to an academic degree or certificate. The first Directory was published on May 1, 1950, and contained the names of twenty universities and colleges whose training resources had been brought into effective contact with the personnel needs of law enforcement administration. Since that date, courses and programs have undergone some revision, and a number of other institutions have entered this training field, indicating the necessity for a revised Directory. The JOURNAL joins with Professor Boolsen in requesting the assistance of all program directors in this general subject area. Copies of institutional catalogs, bulletins and other descriptive materials will be especially helpful. Address all communications to Professor Boolsen at the above address—*The Editor*.

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**The Nation's Criminal Record**—Major crimes in the United States and its possessions climbed above the two million mark in 1952. The upsurge was reflected in all crime categories for an over-all increase of 8.2 percent over the 1,882,160 estimated crimes in 1951. Crimes of violence rose 10.2 percent while burglaries and thefts increased 8 percent. The total of 2,063,510 major crimes estimated for 1952 reflected a continuance of the general rise in crime noted at the mid-year point. Crime in cities rose 8.1 percent in 1952 with increases reflected in each crime classification for the first time in seven years. A study of cities arranged by location reflects increases from 2.2 percent to 14.8 percent. Aggravated assaults and robberies lead other crimes with increases of 12.5 percent and 11.2 percent respectively. City crimes in 1952 were 32.9 percent above the 1937-39 prewar average. These long range trend figures show all crimes in excess of the base years 1937-39 with increases from 7.4 percent for negligent manslaughters to 116.5 percent for aggravated assaults. Rural crimes in 1952 were 8.6 percent above 1951 with robberies showing the greatest increase, 13.5 percent. Only negligent manslaughters decreased in rural areas (1 percent).

Except for criminal homicide and rape the rural trends were generally similar to those for individual crime classes reported by the police in urban areas. Robbery showed the most pronounced rise, 13.5 percent over 1951, while aggravated assault increased 9.4 percent; burglary 9.2 percent; larceny, 8.4 percent; and auto theft 7.7 percent. Criminal homicide in rural areas showed very little change from 1951 to 1952, murder going up 0.9 percent and negligent manslaughter decreasing 1 percent, while in urban communities murders rose 8.5 percent and negligent manslaughters were up 6.2 percent. On the other hand, the 1952 rural rape figure was 5.6 percent over that for the previous year while only a 0.3 percent rise was registered for these crimes.

Of the 1,110,675 arrests reported by 232 cities over 25,000 in population,

86,128 or 7.8 percent were of persons who had not yet reached their eighteenth birthday while 13.3 percent were under 21 and 23.1 percent were under 25 years of age. As an indication of the participation of youth in crimes against property it is observed that while only 7.8 percent of all persons arrested were 17 years of age or less, this group accounted for 19.4 percent of the arrests for robbery, 36.9 percent of the arrests larceny, 47.8 percent of the arrests for burglary, and 52.6 percent of all auto theft arrests. Nearly half (48 percent) of all persons arrested for crimes against property involved people who had not reached their twenty-first birthday.—*Uniform Crime Reports, ANNUAL BULLETIN, 1952.*

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**Handbook Now Available**—The American Prison Association's committee on classification and casework, under the chairmanship of Dr. Norman Fenton, deputy director (Classification and Treatment) of the California Department of Corrections, has recently published another in the committee's series of handbooks. The most recent, entitled *Handbook on the Inmate's Relationships With Persons Outside the Adult Correctional Institution*, is now available at the price of one dollar per copy, or sixty-five cents in lots of ten or more copies. The preface to the handbook outlines its purpose in the following words: "This Handbook has been prepared by the members of the Committee on Classification and Casework of the American Prison Association in order to bring together in convenient form a description of desirable policies and procedures with reference to the inmate's all-important relationships with persons and agencies from the outside world. The recognition of the fact that *practically all inmates are released from prison* has focused attention upon the use of persons and agencies from outside of the institutions in connection with programs of treatment within the prison."

The chapter headings give indication of the wide scope of this handbook: I—*Some Principles Underlying the Administration of the Inmate's Relationships with the Outside World*; II—*Policies and Procedures with Inmate Correspondents*; III—*Policies and Procedures Concerned with Visits to the Individual Inmate*; IV—*The Selection and Control of Other Individuals and Groups Who Visit the Prison*; V—*Other Procedures for Consideration in Fostering Inmate's Relationship with the Outside World*; Appendix A—*Publications and Forms for Use in Contacts with Persons from the Outside*; Appendix B—*Bibliography*. Copies of the handbook may be ordered through the office of the general secretary of the American Prison Association, E. R. Cass, 135 East 15th Street, New York 3, N. Y.

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**Dr. Gregory Zilboorg Receives the Isaac Ray Lectureship Award**—Dr. Gregory Zilboorg of New York City has received the Isaac Ray Lecturing Award. This lectureship was created by members of the American Psychiatric Association to honor the memory of Dr. Isaac Ray, who was one of the original thirteen founders of the American Psychiatric Association and who was one of the early Presidents of that organization. He was one of the pioneers in the field of medico-legal psychiatry and was author of "A Treatise on the Jurisprudence of Insanity" published in 1938.

Dr. Zilboorg is clinical Associate Professor of Psychiatry at the New York State Medical College and is in charge of Residents there. He is the author of "Legal Aspects of Psychiatry," published in "One Hundred Years of American Psychiatry," Chairman of the Committee on the History of Psychiatry of the American Psychiatric Association, and author of many papers dealing with medico-legal problems as well as other aspects of psychiatry.

The award is given on the condition that the recipient obligate himself to deliver between three and six lectures on some aspect of the relationship between psychiatry and jurisprudence in order to promote better understanding between these two professions. The lectures are to be given in a university containing both a law school and a medical school. Dr. Zilboorg's lectures will be given at Yale University on October 14, 21, 25, and November 4, 11 and 18.

Dr. Zilboorg is the second person to receive this award. Dr. Winfred Overholser, Superintendent of Saint Elizabeths hospital, Washington, D.C., received the award in 1952 and delivered a series of lectures at Harvard University in November, 1952. His lectures have been published under the title "The Psychiatrist and the Law" by Harcourt, Brace and Co., who have also arranged to publish Dr. Zilboorg's series.—*From a communication to the EDITOR.*

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**The Citizen and the Crime Problem**—Crime commissions in a dozen large cities have organized the National Association of Citizens' Crime Commissions with headquarters in New York. Cities represented besides New York are Chicago, Philadelphia, Baltimore, Kansas City, Jacksonville, Miami, Tampa, St. Louis, Washington, and Burbank, California. Crime Commissions in Cleveland, Dallas and Detroit will also affiliate with the group.—*Public Management* (Journal of the International City Managers' Association) April, 1953.

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**Chief of Korean Uniformed Police Visits U. S. Provost Marshal General**—When Chief Chi-Hwan Choi of the Korean Uniformed Police met with Major General William H. Maglin, the Provost Marshal General of the U. S. Army in Washington recently, it was the meeting of an old teacher-pupil combination. In November, 1945, General Maglin, then Colonel, had been sent to Korea to be Director of the Department of Police under Military Government. Among his first moves was the creation of a Police Training Academy. Included in the first group of students was young Choi who progressed rapidly after graduation to become superintendent of the academy. The Korean police, unlike any other police force in the world, has been in continuous combat since the North Koreans poured across the 38th parallel in June, 1950. Korean police trained at the academy have distinguished themselves as guerilla fighters in the Korean war. Chief Choi has been decorated twice for meritorious action as a commander of the Korean combat police. His visit with General Maglin marked the end of a five-month tour of American police installations conducted under the auspices of the Governmental Affairs Institute, in conjunction with the State Department's exchange of persons program. Meeting with him in Washington were General Hak Sung Whang, Chief of the National Police College, Republic of Korea; Colonel Ki Young Suh, Principal of the Metropolitan Police Academy, Seoul; and Colonel Jackie Kim, Chief of the Public Information Office, National Police Department of Korea.—*The Police Chief*, April 1953.

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**Seventh Regional Forum on Jail Problems**—The National Jail Association held its seventh Regional Forum on Jail Problems on Friday and Saturday, June 5 and 6, at Roanoke, Virginia, the second regional forum sponsored by the Association this year. Others are to follow in various sections of the country. The Roanoke sessions included discussions in the following subject areas: Basic Elements of Jail Security, Juveniles in Jails, Methods of Supervision,

Treatment Programs, and the Planning and Promotion of New Jails. The program was under the chairmanship of Walter M. Riddle, chief jailor, Danville City Jail, Danville, Va., and panel discussion leaders included Myrl E. Elexander, assistant director, U. S. Bureau of Prisons, Dr. Ellen Winston, commissioner, North Carolina Department of Public Welfare, and Major Rice M. Youell, director of the Virginia Division of Corrections.—*THE PRISON WORLD*, March-April 1953.

### Illinois Academy of Criminology

The fourth meeting of the Illinois Academy of Criminology for the year 1952-53 was held on Monday, March 23rd, in the State of Illinois Building in Chicago. The program dealt with the general topic, "Crime Prevention in the Community," and was moderated by Mr. Fred K. Hoehler, Executive Director of the Citizens of Greater Chicago. Each of the three speakers was provided an opportunity to describe briefly the work of the organizations with which he was associated as it relates to crime prevention.

Before introducing the first speaker, Mr. Hoehler made several comments on the objectives of the organization, Citizens of Greater Chicago. He pointed out that it is not possible to fight crime with sideshows. There is a fundamental job to be done of promoting community education and action. It is possible to elect better judges, better officials and better legislators. For this objective we must prepare the way by more careful education and training in schools concerning the civic responsibilities of citizens. The conservation of our communities from progressive deterioration is a problem which must be squarely faced, along with the necessity for continued improvement of our community resources. Mr. Hoehler also noted the importance of continuously being alert to the possibilities for improving our governmental structure and the quality of our elected officials through the action of an organized and responsive citizenry.

The first speaker, Mr. Anthony Sorrentino, Supervising Sociologist for the Institute for Juvenile Research and the Chicago Area Project, described the work of the Institute with which he is associated. He pointed out that there were two general types of community programs, one of which stressed the formation of coordinating councils organized on a community basis, and the other stressing the development of youth centers as outposts of crime prevention in delinquent areas. Mr. Sorrentino indicated that the Chicago Area Project was based on a view of crime as a product of social life, rather than the expression of inherent defects in the personality. As a consequence, the focus of attention is directed toward affecting the social life of community neighborhoods.

The Chicago Area Project operates in terms of the basic principle that a thorough job of crime prevention could only be effectively carried out through the active participation and direction of local leaders in the community. As a result, the Area Project seeks to form citizen groups into coordinating councils which are actively indigenous to the life of the community. These groups are autonomous and their essential characteristic is that they represent a genuine concern by people in the area about crime conditions of the area.

The Chicago Area Project has promoted such activities as the establishment of store-front meeting places and recreation centers, the building, organizing and quipping of summer camps, the formation and development

of local interest groups, such as Parent-Teachers Associations, and increased concern and activity toward remedying housing conditions in the community area. The Project has worked with both boys' gangs and also older adult offenders. The program has involved working with these groups in their own neighborhoods and has stressed the necessity for involving and redirecting delinquent persons into constructive activities rather than imposing a rigidly prescribed program upon them.

Much of this work proceeds informally through advising delinquents, and involving them in on-going activities of the community. At the present time, all adult offenders who return to the area are referred to the area groups and encouraged to participate in the area programs. Though evidence of the effect of such a program is difficult to secure directly, Mr. Sorrentino stated his conviction that the area's projects had made a considerable contribution to crime prevention and was now solidly established as an essential part of any effective community program.

The second speaker on the program was Mr. G. Lewis Penner, Executive Director of the Juvenile Protective Association. He pointed out that the Juvenile Protective Association in Chicago is concerned with certain aspects of crime prevention as they are reflected in protective case work. This organization sees a great deal of the parents of children who are abused, neglected or rejected. Approximately one hundred complaints are received each month, and at the point of intake diagnoses are made for referral or for carrying on case supervision by the Association. Mr. Penner noted that in submerged communities there tended to form a cohesion of hostility of minority groups against majority groups. He pointed out that parents today frequently find themselves in such communities, isolated and alone, in the midst of a revolt against Victorian standards of the home communities from which they come. Much of this neglect results in turning the children toward neurotic outlets rather than aggressive delinquency.

Mr. Penner felt that delinquents in our society have a very difficult time. Judges play an inadequate father role, and often display needless sadism. He pointed to the need for strong public responsibility, and a concerted effort to close the gap between the youngster and the school. He suggested the necessity for expanding greatly the visiting teacher program of the schools, since the schools are a tremendous resource, and often the best barometer of the early mental maladjustments of children. Protective case work should be a function of all social agencies, and in the final analysis the lay citizen must help carry the ball.

Mr. Penner described the work of the Association with drug addicts, which takes the form of close case work supervision and counselling. This work resulted in the finding that addicts were most frequently deprived in childhood. Once addiction occurs, there is a necessity not only to work with the individual, but to provide adequate means for the protection of his family. Mr. Penner felt that more effective prevention calls for a broader acceptance of responsibility among lay citizens, as well as social agencies, and that protective case work represents one of the most effective tools for reducing the waste of delinquency and crime.

The third speaker on the program was Mr. Julian H. Levi, Executive Director of the Southeast Chicago Commission. Mr. Levi pointed to the necessity for the beginning of community action at various points. He recognized that Southeast Chicago was only a part of Chicago, and that it alone could not solve problems which belonged to the city as a whole. He pointed

out, too, an increasing cynicism in the community about the ability for getting anything done in solving the problems of crime and delinquency, and also suggested the presence of an increasing skepticism of expert advice. Mr. Levi felt that it was highly important to attempt to secure success, even in one limited area, if for no other reason than to establish the possibility that reforms can be successful.

He then briefly reviewed certain of the accomplishments which he attributed to the work of Don T. Blackiston in the Southeast Chicago area. He pointed out that in the 6th Police District, offenses had decreased considerably over those of a year ago, and clearups per month had increased. This proved to be true in spite of the fact that more crimes were reported directly to the Southeast Commission office than was formerly the case, and reporting techniques and recording of complaints have been improved. He pointed out that the Commission had assisted in the preparation of area maps, card indexes and routine analysis which resulted in a more efficient deployment of the police force in the area, though no more police were in the District than were there a year ago.

Police morale has been raised by providing lockers, improved working conditions, and assistance in seeing that complaining witnesses appear in court. The mere presence of the Commission, and community awareness of the Commission's work, has led to the feeling among the police that political pressure will not be used against them. Precinct captains appear to be acquiring a greater interest in law enforcement, and voters were informed when precinct captains tended to get out of line.

The Commission has urged business in the area to police itself. The taverns in the area have now formed an association and a clearing house by which people who cause trouble are barred from their establishments. Hotels are also cooperating. Mr. Levi cited an instance in which a narcotic-infested hotel in the area, which has been raided by police forty times, was effectively cleaned up. The device employed was to notify the mortgage company and fire insurance company. As a result, no further insurance was issued, and the mortgage foreclosed. Since then the hotel has changed hands. A central register for narcotic addicts is kept in the area, and known addicts are refused hotel accommodations.

The Commission has also studied the problem of juvenile delinquency. It found that there were as many delinquents in the area today as during the decade 1930-1940. It found a sharp difference between the children who were warned, and those who were sent to juvenile court. It found the Park District Police more effective than the City Police in dealing with delinquency. A list of eighty delinquents over the last few months were checked against the files of social agencies. It was learned that in 47 to 53 percent of the cases there was a history of contact with some social agency, and yet these agencies were not aware of the recurrence of delinquency. On the other hand, the police were not informed of the previous interest of the agency in the families of the delinquents. Mr. Levi felt that this lack of coordination need prompt correction.

He concluded by pointing out that many problems arise from the living conditions of the area. Building codes are not enforced, and deteriorated and over-crowded housing provide the spawning ground for delinquent acts. The Commission is endeavoring to stem the tide of illegal conversions in Southeast Chicago, and to provide greater stability in the residency of the area. Mr. Levi felt hopeful that the work of the Commission, though only begun, might serve as a pilot project which would point the way by which



other communities might take some effective action on the problems of their area.

The meeting concluded with an active and interested discussion of the possibilities of effectively preventing crime in the community by means of the alternative approaches presented by the three speakers.

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