

1954

## Current Notes

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## CURRENT NOTES

V. A. Leonard, Editor

**Administration of Criminal Justice**—The proposed study project of the Special Committee of the American Bar Association on the Administration of Criminal Justice was the focal point of the discussion of this subject at the meeting of the Criminal Law Section of the A. B. A., in Boston on August 26. Mr. Justice Jackson who heads the Committee, described the tentative outline of the project (as set forth in the A. B. A. Bulletin, Vol. 39, p. 743) and urged members of the Association and all others who are interested to submit comments and suggestions either to the Executive Director of the Study (Professor Arthur H. Sherry, of Berkeley, California) or to him.

It was emphasized that the project will be limited to a careful sampling of a few states, and will probably have to be confined to the actual mechanisms of criminal law enforcement, as opposed to any concern with the economic, social or psychological factors which underlie crime. Also, the Committee will try to stay out of contiguous areas, such as penology, juvenile delinquency, etc., whenever it appears that duplications of the efforts of others would be involved.

Mr. Justice Jackson noted that the public tends to judge both the bench and the bar primarily by their respective performances in the handling of criminal cases, and that delays and procedural difficulties in the enforcement of the criminal law have caused seriously adverse public reactions. He suggested that the public itself—the “good people”—responds irrationally, vacillating between sentimentalism and savagery, sometimes encouraging laxity in law enforcement and sometimes demanding tougher sentences and more and more vindictive punishment. Problems which the study will attempt to appraise and solve include the paucity of reliable crime statistics, the exorbitant delays and hollow technicalities that sometimes tend to obstruct justice, and the effects of intense publicity on the accused's right to a fair trial. An initial grant has been received by the Committee from the Foundation that will back the project, to be applied solely to programing the full undertaking. It is anticipated that at least a year will be devoted to this preliminary stage. Thereafter additional funds have been promised to execute the plans which are to be carefully worked out in this manner.

Commissioner of Corrections Reuben L. Lurie, of Massachusetts, the second speaker, made the telling point that neither lawyers nor judges have been notably associated with any of the great reforms and improvements that have been worked out in our penal system in the past. He urged the profession to associate itself vigorously with the work of this new Committee and to remember through the years ahead that the workings of the nation's law enforcement machinery is primarily the responsibility of the bench and the bar.

Judge Jerome N. Frank addressed himself to the problem of what he called “unruly elements” in law enforcement, urging that the study should take full account of human weaknesses and individual limitations that tend to cause any system to work erratically from time to time. He emphasized the heavy burden which falls on judges in trying constantly to understand, offset, and overcome these elements and their consequences. Secretary of the Criminal Law Section of the A.B.A., Washington, D. C.

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**A New Indian Journal**—The first number of Volume I of *Crime Prevention* (Quarterly—Lucknow), just received, contains an article which will interest

American penologists because of our strong trend toward minimum security institutions, if for no other reason. It is entitled, "Probation Officers at Sampurnanand Camp." The author is Sri P. B. Saxena, Editor of the *Penal Reformer* (Lucknow), Chief Probation Officer for Uttar Pradesh, Organizing General Secretary of the All-India Crime Prevention Society, and National Delegate for India appointed by the International Society of Criminology. He has lately been visiting in the United States at the invitation of the State Department.

The Camp has been named for the U. P. Minister for Police and Jails. He writes of it, in part: "The Sampurnanand Camp is an unique experiment. The scheme provides for the employment of convicts on the construction of a dam over the river Chandra Prabha at a point about 12 miles from Chakia Tehsil of Banaras district where the river rises in the Vindhyan Plateau. The spot is situated in a forest infested by wild animals like tigers, leopards, bears, etc. The scenery is picturesque. The climate is good and invigorating. Here the inmates who are all convicts work in the open and live in a camp without any walls, having complete freedom of movement and association. There are no guards watching them at all hours of the day and night.

"The Camp provides tents in which the labourers live and sleep on the ground; satisfactory arrangement for feeding; a canteen where they can spend a part of their earning; a hospital for the treatment of minor ailments; recreation in the shape of music, drama, volleyball, etc. The education officer attached to the Camp is introducing a scheme whereby the inmates may have facilities for becoming literate. A trained and well-equipped fire-fighting unit has been posted at the Camp, and a wireless station has also been installed. All the staff in charge of the Camp also live on the premises and the workers and the staff mix freely so that they may be able to understand each other better and thereby live a corporate life. All prisoners selected have been vaccinated against small-pox, and inoculated against cholera, typhoid and plague. The Camp site has been cleared of jungle and D. D. T. sprayed. Arrangements for an adequate supply of clean filtered water have been made. Electricity has also been provided in the Camp.

"The plan is that out of the total daily wages earned by a laborer, a part will be kept as savings to be handed over to him on release. The laborer pays for his meals. The rest is given to him so that he may spend, if he likes, in buying up to a certain limit, tea, cigarettes, biris, etc., from the canteen. This is calculated to provide an incentive for them to co-operate in making the scheme a success."—*The Editor*.

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**A Suggested System for Classification of MMPI Profiles of Prison Inmates—**The Minnesota Multiphasic Personality Inventory (MMPI) has been given to over 8,000 incoming inmates at the Texas Prison System. The MMPI has been found to give maximum information regarding the nature and degree of certain neurotic, psychotic, and psychopathic characteristics. The Inventory is designed to measure the similarity, in response to the MMPI items, of persons taking the inventory to individuals diagnosed as exhibiting personality disorders indicated by the following scale names: Hypochondriasis, Depression, Hysteria, Psychopathic Deviate, Paranoia, Psychasthenia, Schizophrenia and Hypomania. Three validating scales L, F, and K are used as internal checks to indicate the extent to which a person tested falsifies his answers to place himself in a more favorable position, how careless and uncooperative he may have been, and to show the extent to which he has been over critical of himself.

One of the chief handicaps to the extensive use of the MMPI has been the lack of an adequate system of profile analysis. The development of a classification system was imperative due to the large number of inmates entering the prison each year. Accordingly the profiles were inspected with classification in mind, and it was observed that the trait represented by the psychopathic deviate (Pd) scale was the most prominent among inmate abnormalities. This finding was not considered anomalous, as the Pd scale was devised to measure the degree of deviation of the subject from persons showing inability to profit from experience, poor control of emotional response, and poor adaptation to the social mores.

In an effort to classify inmate profiles on the basis of the Pd trait a survey was made of suggested subdivisions of psychopathy. The systems used by Moyes, Kahn, and Henderson and Gillespie proved inadequate when applied to the inmate profiles. The tentative system suggested by Schneck provided a clue to the system currently in use in the Texas Prison System. Schneck's classification failed to eliminate the accumulation of divergent profile patterns in the same category, ambiguous profiles, and a large residue of unclassified profiles. The original categories were revised and divided into sub-categories with more precise criteria and new categories were created in a manner consistent with the original four.

Each category includes two elements, type and class. Type is determined by the prominent interrelationships of scores within the profile. Types I, II, III, and IV have Pd scores higher than all others, while in Type V one or more of the scores in the neurotic syndromes, hypochondriasis, depression, and hysteria are higher than the other scores. Type VI profiles includes those in which the highest score is on one or more psychotic scores, paranoia, psychasthenia, or schizophrenic. Type VII profiles have both neurotic and psychotic scores higher than the psychopathic deviate score.

Class is determined by the position of the Pd score. If the scores are abnormally high—above a T score of 70 they belong to Class A, while Classes B, C, and D represent correspondingly lower Pd scores. Thus the system classifies profiles ranging between varying degrees of normality and pathology, both as to the nature and the intensity of the predominant personality traits. However it should be definitely stated that these labels of types are not used as clinical diagnoses but are merely characterizations of certain profile types.

The following table shows the classification of 5,449 profiles of consecutive admissions received since November 1, 1948.

MMPI CLASSIFICATION OF 5449 INMATES OF THE TEXAS PRISON SYSTEM

Class	A		B		C		D		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
I .....	448	8.21	210	3.86	19	.35	1	.02	678	12.44
II .....	522	9.58	224	4.11	27	.52			773	14.21
III .....	231	4.24	31	.57	2	.04			264	4.85
IV .....	539	9.89	104	1.89	5	.09			648	11.87
V .....	282	5.18	219	4.02	48	.88	4	.07	553	10.15
VI .....	127	2.33	174	3.19	54	.99	7	.13	362	6.64
VII .....	184	3.37	294	5.39	137	2.52	31	.57	646	11.85
Invalid .....	1062	19.49	454	8.33	8	.15	1	.02	1525	27.99
<b>TOTAL .....</b>	<b>3395</b>	<b>62.29</b>	<b>1710</b>	<b>31.36</b>	<b>300</b>	<b>5.54</b>	<b>44</b>	<b>.81</b>	<b>5449</b>	<b>100</b>

Invalid profiles are those which have a L, F or K score above the T score of 70. While these scores are technically invalid, many accurately reflect the

bizarre behavior of the convict. Another factor contributing to invalid scores is the inability of some men to comprehend the meanings of the words used. A brief study showed that the number of invalid profiles increased when educational achievement scores are below 6.0.

The above system of classification of MMPI profiles of inmates of the Texas Prison System has been developed through daily use, experimentation and revision. This classification has proved to be valuable in making initial work and security assignments, in selecting trustees, in detecting potential trouble-makers and escape risks, as well as pointing out those who are in need of counseling or psychiatric treatment.

While this study is primarily concerned with a practical problem in prisoner classification, there are underlying theoretical implications that need further consideration. Is personality mal-adjustment a correlate of criminal behavior and does the MMPI have the capacity to measure it? Would these data support the hypothesis that there are psychological criminal types? Can it be postulated that individuals having a stated profile type on the MMPI exhibit behavior in keeping with the expectations assumed in the classification presented herewith?—From Rupert C. Koeninger, Ph.D. Director of the Bureau of Classification, Texas Prison System.

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**Time Lag in Large Courts**—An average of 11.5 months elapses from the time a civil case is "at issue" in a principal trial court until it is brought to trial before a jury according to a recent survey made by the Institute of Judicial Administration (see Pick of the Month). The study included 97 principal trial courts of general jurisdiction and showed generally that the greater the population of the county area comprising the court's jurisdiction, the longer the delay in bringing a case to trial before a jury for a civil action. The time lag ranged from one month for the district court in Oklahoma City to 53 months for the supreme court of King's County, New York (borough of Brooklyn). A time lag of 30 months or more was reported for ten courts. Four of these courts serve boroughs in New York City, and the other six serve county areas for Boston and Worcester, Massachusetts; Chicago, Illinois; Hartford, Connecticut; Milwaukee, Wisconsin; and Manchester, New Hampshire. The Institute of Judicial Administration plans to conduct a similar study annually for the next five years to show the comparative status of court calendars for the 97 trial courts included in the study.—*Public Management*, October, 1953.

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**Institute of Correctional Administration**—The fourth Institute of Correctional Administration was conducted by the College of General Studies in the George Washington University from October 19 to December 4, 1953. The program has been set up to meet the growing demands for specialized instruction at the university level for the following groups: officials of state and federal correctional institutions, probation and parole officers, and officials of retraining centers established by the Federal Department of Defense.

The program of instruction extends over six weeks, five days weekly. It is designed to give officials who are responsible for the administration and supervision of correctional institutions the basic instruction which underlies rehabilitative work. It affords such officials the opportunity to become acquainted with correct practices and policies in correctional work as these are being carried on in the United States and elsewhere.

The Institute is under the immediate direction of Howard B. Gill, who for three years was in charge of the Curriculum in Correctional Administra-

tion at the University of Wisconsin. Dr. George Killinger, Chairman of the Federal Board of Parole and Richard A. Chappell, LL.B., Chief of Probation in the Administrative Office of U.S. Courts, conducted the course in "Probation and Parole." They were assisted by Thomas O. Grover, Parole Executive, and Victor H. Evjen and Louis J. Sharp, Assistant Chiefs of Probation in the Federal service. Herman L. Goldberg, Senior Case Analyst, and Robert G. Crosswhite of the Correction Branch in the Adjutant General's Office assisted in the courses in Clinical Criminology and Treatment of Offenders. Ruth H. Osborn assisted in the course in Social Pathology and in the general administration of the Institute. Special lectures on various phases of the treatment of offenders was given by staff members of the Federal Bureau of Prisons.

The program was centered around the following five basic courses of instruction, supplemented by daily discussion groups, special weekly sessions for military personnel, inspection of correctional establishments, both civil and military, and weekly meetings with correction leaders.

Political Science: Organization of Criminal and Military Justice

Sociology: Treatment of Offenders

Sociology: Probation and Parole

Sociology: Social Pathology

Sociology: Clinical Criminology.—*The Editor.*

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Canadian Arson Investigation School—Provincial Fire Marshal William Scott of Toronto, Ontario reports that Lt. Col. Edward J. Desjardins, Fire Marshal, Canadian Army, Department of National Defense, Room 4039 "C" Building, Ottawa 1, Ontario, Canada, has been appointed chairman of the Canadian Arson Investigation School Committee. It is stated that plans are being made to operate a five day school to be sponsored by the Association of Canadian Fire Marshals and The Fire Underwriters Investigation Bureau of Canada, and that the facilities of the Royal Canadian Mounted Police have been offered. The first session was held during the Fall, 1953 at Regina. It is to be an annual affair with sessions alternating between Regina and Ottawa. Marshal Scott also reported that Mr. D. E. Barrett, Director of the Ontario Fire College, 210 Huron Street, Toronto 5, Ontario, Canada will be able to furnish information to interested persons regarding the school. News Letter, International Association of Arson Investigators, Vol. IV, No. 1 July-August-September, 1953.

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Musical Activities in Twelve American Prisons—In the Spring of 1953, 22 state and Federal prisons were contacted by questionnaires in reference to organized musical activities carried on by them. They were selected at random. The purpose was to ascertain in some measure the opportunity in such institutions for trained musicians, the relation of music to other aspects of the recreation program, and the present state of knowledge about actual or potential contribution of musical activity to rehabilitation.

Twelve of the thirteen institutions which replied have some form of organized musical activity, divided as follows: one reformatory for boys, one for girls, three for women; four U.S. penitentiaries and four state prisons. The most ambitious of these programs appears to be the Illinois prison at Joliet, in which musical activity is a full-time assignment. 50 bandsmen rehearse every morning. Afternoons are devoted to sectional study, orchestra, voice training, harmony and arranging courses, and a class in instrument repair, guitar and accordion.

Every respondent judged the musical activity to be successful. Several kinds of evidence were submitted: (a) comments of participants and inmate audiences; (b) pleasure and instruction received from classes; (c) continuous high enrollment; (d) "outlet for the men"; (e) "very little discipline problems arising from this group" (Alcatraz); (f) realization by the outside from weekly radio shows that "prisoners are people, many of them with a high degree of musical talent".

There is little doubt that music has proved its value in penal life as a factor in morale, self-expression, education, vocational rehabilitation, entertainment, and public relations. Further study is warranted in regard to more specific conclusions on effects upon prison or post-prison behavior. The wide range of existing practices on numerous aspects of musical activity suggest the importance of the specific situation. However, while such standardization of practices as now found in public schools may not be possible, more basic thinking on principles, objectives, and methods seems desirable. Active interest in this field is suggested for music schools, recreation leaders, and prison administrators. A dual approach to music is suggested by the reports: one, accepted professional approaches to bands, orchestras, etc.; two, the recreational approach, which emphasizes attitudes rather than perfection, and uses musical experience on all levels of taste. Assuming that those who did not reply to our letter have little or no organized music, we might predict that about half the state and Federal prisons do have such activity.—From Max Kaplan and Ferol M. Tomlinson, Assistant Professors of Sociology, University of Illinois.

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**Youth in Crime**—Of the 1,110,675 arrests reported by the 232 cities over 25,000 in population 86,128 or 7.8 per cent were of persons who had not yet reached their 18th birthday while 13.3 per cent were under 21 and 23.1 per cent 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 per cent of all persons arrested were 17 years of age or less, this group accounted for 19.4 per cent of the arrests for larceny, 47.8 per cent of the arrests for burglary, and 52.6 per cent of all auto theft arrests.

Nearly half (48 per cent) of all persons arrested for crimes against property involved people who had not yet reached their 21st birthday.—Uniform Crime Reports, 1952.

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**High School Students' Questions**—The current interest in juvenile delinquency, as well as in crimes committed by adults, is reflected in numerous recent enquiries addressed to the Editor by high school students. Among others are those that show a wholesome interest in the type of children who commit homicide as compared with those who commit other offenses.

It so happens that these questions have been easily answered by quoting the substance of what has already been published in *Focus*, as long ago as July, 1950, as follows:

"Published material on juvenile homicide is too often, unfortunately, only the reporting of a sensational case. A recent pamphlet, *A Group Study of Juvenile Homicide*, is a welcome addition to the sparse literature on the subject. The pamphlet, written by C. H. Growdon, research director for the Ohio State Bureau of Juvenile Research, is based on a study of 54 such cases referred to the bureau for study and observation during 1921 to 1947, inclusive. The group studied was made up of 43 boys and 6 girls ranging in age

from nine to nineteen years, of whom 42 were white and 12 were Negroes. The 1940 census reports and a group of unclassified delinquents similarly studied by the bureau were used as comparative data. The outstanding observation of the study was the great similarity between children involved in homicide and those involved in other types of delinquency. It was difficult to establish that the homicide group is materially more inferior, or more unusual or more abnormal than juvenile delinquents involved in other offenses. But victims of juveniles were found to include in comparison with those of adults more blood relatives and fewer of those slain in connection with other crimes. Revenge (12 cases) led the list of motives most clearly established in the 54 cases. The pistol was the weapon most frequently used, and murder was seldom premeditated over a long period of time. The treatment history of the group leads easily to the assumption that, given the same degree of constructive attention given to other delinquents, children who commit homicide are as good a social risk as those who commit any other form of serious delinquency."

Other questions concerned statistics and statistical method. Two had seen "Accounting Plan for Juvenile Probation" by Giesecke and Ramseier (this Jour. 43, 1953), and *Manual of Criminal Statistics* by the American Prison Association's Committee on Research and Planning. Under the Chairmanship of Dr. Walter C. Reckless of the School of Social Administration, Ohio State University, the committee has expressed the hope that the manual ". . . will help to stimulate the collection of statistics on the adult offender in a more uniform and realistic way." Compiled by Ronald H. Beattie of the California Department of Corrections and a member of the publishing committee, the author states that the manual attempts to "present the basic factors which must be considered in any plan to set up a system of criminal statistics." Three chapters are broken down as (1) the scope of criminal statistics, (2) a central bureau of criminal statistics and (3) the collection of criminal statistics. Those familiar with the field of criminology have long realized the need for vast improvement in the collection of adequate as well as accurate statistics. The publication of this manual is a noteworthy step forward.

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## PROFESSIONAL SOCIETIES

### ILLINOIS ACADEMY OF CRIMINOLOGY

The first meeting of the Illinois Academy of Criminology for the year 1953-54 was held on Monday, October 26, 1953. The program dealt with the topic of adolescent misbehavior and its significance in modern urban culture. The moderator of the program was Prof. Frank T. Flynn, School of Social Service Administration, University of Chicago. Participants were Col. Clifton E. Jones, Assistant Principal Moseley Special School Chicago Board of Education; Miss Mary L. Pyles Regional Representative Childrens Bureau U.S. Dept. of Health, Education & Welfare; Dr. George L. Perkins, M.D. Clinical Director Institute for Juvenile Research.

Dr. Flynn introduced the general problem and indicated the focus of the meeting as centering upon known scientific information about misbehavior among urban adolescents. What are the realities of the current alarm at what is popularly regarded as an increase in vandalism, violence, and serious delinquency among urban teen-agers? What scientific knowledge can be brought to bear on this problem? The panel was given the task of inter-

preting the motivation of such behavior and the effectiveness of prevailing remedies.

Col. Jones pointed out that the problems of misbehavior are problems of the community, and of the individual not of the individual alone. It is the task of all the agencies involved to obtain information regarding causation, and to institute treatment measures. Delinquent behavior reflects failure in every agency all along the line.

Miss Mary L. Pyles discussed the nature and extent of misbehavior among adolescents. Delinquency, as reported by 342 Courts in 16 states shows a 29 percent increase since 1948. This figure needs to be critically evaluated. Many children, who, in terms of their behavior, could have been subjected to Court procedure, are carried under the jurisdiction of other social agencies. Since 1951-52, there has been a 10 percent increase in the delinquency rate. As for the nature of such behavior it is now widely understood that the behavior is symptomatic, and that causation is multiple. Delinquency is both a social and psychological phenomenon. Current alarm about the delinquent adolescent emphasizes the small group who get into difficulties. We must recognize that the needs of delinquents are the same as those of all children and that treatment for delinquents must, therefore, meet these common needs.

Dr. Perkins began with a statement about the inter-disciplinary approach. How can we channelize the alarm and reaction of the general public to effect practical recommendations? Dr. Perkins suggested that the emotional threats of present day life, such as the draft call, may be a factor in producing greater adolescent unrest. He pointed out that psychiatry in recent years has developed in the direction of treating the inhibited neurotic individuals rather than towards treating the acting out type seen in courts. Psychiatry has developed techniques for determining causation and personality dynamics, but we need to implement this knowledge. One practical suggestion is that the various persons involved in dealing with adolescents should establish better communication and liason. We need to alter or improve agencies in the direction of greater interaction of all disciplines. As an example, there might well be considerable expansion of diagnostic and treatment facilities within the school.

The meeting was then opened for discussion by Dr. Flynn, who also pointed out, with reference to the statistics of delinquents, that there is a considerable numerical increase in the adolescent age group. For every 100 children now in this age range, there will be 142 by 1960. This fact alone would account for an increase in delinquency even if all other factors remain constant. Some of the comments and discussion follow:

*Mr. Stulken:* An increase in diagnostic and treatment services for the school is obviously desirable, but the City could not stand the extra cost. Any additional social service workers or psychologists, or any reduction of the present teacher-student ratio would increase costs tremendously.

*Dr. Flynn:* The point at which services are most effective is where the troubles begin; for example, in the regular school, rather than in the special or parental school.

There was some discussion at this point on the recent series of newspaper articles on delinquency, and the question was raised as to how the Academy or other formal groups could present a more scientific picture for the general public.—A. A. HARTMAN, Secretary-Treasurer.

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## SOCIETY FOR THE ADVANCEMENT OF CRIMINOLOGY

The Society is sponsoring a panel in conjunction with the American Association for the Advancement of Science in Boston, Wednesday, December 30th:

CHAIRMAN: Donal E. J. Mac Namara, Vice-President, S.A.C.

SUBJECT: A Scientific Approach to The Problem of Delinquency

SPEAKERS: Dr. James Brennan, Director of Research and Planning, Juvenile Aid Bureau, N Y C Police Department

Dr. Melitta Schmideberg, Executive Chairman, Assn for Psychiatric Treatment of Offenders

Col. Mahmoud EL SEBAL, Chief of Police, Alexandria, Egypt

Dr. Marcel Frym, Director of Criminological Research, Hacker Foundation  
Richard Arther, John Reid Associates, will give a lecture-demonstration on  
THE USE OF THE LIE DETECTOR IN QUESTIONING JUNVENILES.

At the same meeting Dr. Richard Ford, Department of Legal Medicine, Harvard University, will present a SYMPOSIUM ON FORENSIC SCIENCE. Dr. Ralph Turner, Michigan State College, will represent the S. A. C.

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The Society for Criminal Biology—The 8th session of the “Kriminalbiologische Gesellschaft” (Society for Criminal Biology) will take place at Graz, Austria, from the 26th September to the 29th September 1954. The main subjects of the scientific program will be the criminal types and the complexity of crime causes as a problem. The particular reports will be announced later on. Applications and inquiries should be addressed to the office of the Society, *Kriminologisches Universitätsinstitut, Graz, Mozartgasse 3, Austria.*—Communication from the Secretary of the Society.