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## Abstracts and Notes

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## ABSTRACTS AND NOTES

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**Notation on a German Penology Motion Picture**—The Committee on Audio-Visual Facilities of the Association of American Law Schools has recently formed a Sub-Committee on Comparative Law Audio-Visual Facilities. This sub-committee is charged with the task of conducting a world-wide survey to ascertain the availability of motion pictures dealing with the law of procedure (primarily criminal, but also civil) in foreign legal systems. Such motion pictures could be useful as teaching and research tools in subjects like Criminal and Civil Procedure or Comparative Law. There is some hope that a number of particularly valuable film strips might be combined in a composite motion picture on Comparative Criminal Procedure.

In the course of the survey the sub-committee obtained a copy of a recent German motion picture of significance in the field of penology. The film was shown at the December 1956 convention of the Association of American Law Schools, in Chicago. The name of this professionally produced motion picture is *Weg in die Freiheit* (Road to Freedom). Its production was sponsored by the German Shell Oil Corporation (Deutsche Shell A.G.), as a public service. The 16 mm sound film is 175 meters long and runs 18 minutes.

The theme of this excellent motion picture is the contrast between imprisonment of juveniles for major felonies in penitentiaries, as had been the practice in the past, and detention for work education and resocialization under the new West German Juvenile Court Law of August 4, 1953, BGBI. I 751. The film was produced at the Juvenile Detention Home of the City-State of Hamburg, at Hahnoefersand, an Elbe river island. Commitment to the institution is made when "educational measures . . . are insufficient . . . or when according to the gravity of the deed punishment is necessary." (§17, Juvenile

Court Law) This does not imply that education is no part of the theory on which institutions like Hahnoefersand are resting. Quite to the contrary, education and work, or work- and character formation through education are the principal methods, dispensed with only when repeated efforts at resocialization show no results whatsoever in a given case and when regular detention on the island will be substituted for participation in the education program. During his stay in the institution the juvenile convict experiences a period of strictest discipline, supervision and work onus in the beginning, followed by a gradual decrease of supervised training and work onus, coupled with a gradual increase of individual and group responsibility and freedom. During the last stage of their stay the juvenile felons live in an unsupervised village with pleasant buildings, well decorated individual or group rooms, and enjoy all benefits of self government and recreation. "By executing the penalty [in this manner] the prisoner shall be educated to lead a law abiding and responsible life in the future." (§91.1. Juvenile Court Law) The philosophy and theory on which this new law rests and the manner of its execution at Hahnoefersand, as shown by this motion picture, closely parallel the Swiss theory practiced at the Work Education Institution Uitikon, Zurich.<sup>1</sup>

The idea of resocialization for the major juvenile (age fourteen and up) offender is not at all popular yet in Germany, though it is gaining favor. (Note that Uitikon is restricted to misdemeanants and minor felons!) But the motion picture *Weg in die Freiheit* certainly will help to smoothen the path for resocialization of the major juvenile and adolescent offender in Germany. The picture is propaganda, but it is

<sup>1</sup> See MUELLER, *Resocialization of the Young Adult Offender in Switzerland*, 43 J. Crim. L. & Crim. 578 (1953).

excellent propaganda, and it is honest, conceding that the success of the undertaking cannot be guaranteed.

The film should prove its usefulness as an audio-visual supplement to an advanced university course in Penology or Criminology. The comparatively few spoken words in the picture are easily understandable and mostly not even essential to a grasping of the issues involved.

This reviewer would like to indorse the predicate which has recently been bestowed on the film by the German Motion Picture Evaluation Board: "Especially valuable!"—Persons interested in obtaining free loan copies of the film should direct inquiries to Mr. Pawlowski, Deutsche Shell A.G., Hamburg 36, Alsterufer 4-5, German Federal Republic.—Gerhard O. W. Mueller, Assoc. Prof. of Law, West Virginia University, Chairman, Sub-committee on Comparative Law, Audio-Visual Facilities, Com. A.-V. Facilities, Association of American Law Schools.

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**Washington State Achievements in Parole and Probation Services**—At the request of Governor Arthur B. Langlie, Professor Norman S. Hayner, sociologist, has been on leave from the University of Washington for the past five years, helping to improve probation and parole services in the state. In the beginning, financial assistance for probation and parole improvements came only from the governor's emergency fund, but finally in 1955 the legislature granted a substantial increase in the departmental budget. Riots in the reformatory and penitentiary had helped by focusing attention on correctional needs. Professor Hayner was chairman of the Washington State Board of Prison Terms and Paroles at the time he returned to the University in September, 1956.

This board is composed of three full-time members appointed by the governor for staggered terms of six years each. It is responsible for the administration of parole services, provides probation officers for the superior court judges, sets minimum sentences and screens for parole.

The governor encouraged the board to seek

quality in its staff. The minimum standards of the National Probation and Parole Association, which include a college degree and one year of case work, have been followed. A tough written examination is taken by all approved candidates. Each candidate who survives this written test is subjected to a searching oral interview conducted by competent persons from outside the department. Those who pass this hurdle are interviewed by the board. New probation and parole officers are selected from candidates with the highest scores. For the first time in the history of the state, a professional probation and parole staff is provided.

During the past five years, the number of parole officers has been increased from 14 to 38 and the supervisory staff from 2 to 7. Average case loads in 1951 were better than 180. Since it was difficult to keep a record of so many, this is aptly referred to as the "bookkeeping" stage. By the end of 1954, the case load had been cut to about 120 and a "surveillance" stage had been reached. With this case load, it was possible to keep an eye on what probationers and parolees were doing. By August of 1956, the case load had been reduced to 80 and the beginnings of a "treatment" stage were apparent. Although still above the NPPA recommendation of 50, this load does make possible individualized correctional case work with part of an officer's clients.

The same period has witnessed an increase in beginning salaries for parole officers from \$285 per month to \$349 per month. It is now possible for a parole officer to earn salary increases up to a top of \$432 per month. Supervisors now have a salary range from \$432 to \$492 per month; assistant chief parole and probation officers from \$492 to \$586; the chief parole and probation officer from \$586 to \$698.

When the number of parole officers was small, probationers, who make up two-thirds of the case loads, were regarded as stepchildren of the department. Only in selected cases were they contacted in the field. Now the services provided to judges in the supervision of probationers are comparable to those provided for parolees. Each man must be visited at least once a month outside of the office.

Pre-release sessions are held by staff members with prisoners who have been approved for parole. The conditions of parole and some of the realities the men will be facing are explained. Eventually, these sessions will be combined with a broader pre-release program that is being developed by the Division of Adult Corrections.

In Washington State, a superior court judge tries each felon, and if the man is guilty, imposes a maximum sentence, the length of which is largely determined by statute. After study of a professional case summary, it is the responsibility of the Board of Prison Terms and Paroles to interview the man and set the minimum sentence. If the record shows a *pattern* for homicide, assault, indecent liberties with a female child, burglary, forgery, or some other crime, a longer minimum term is usually indicated. Crucial questions are: Is this man a menace or "just a nuisance"? What is his attitude toward the recommendations made for him in the reception and guidance unit? Does he accept responsibility for what he has done? In most cases, the minimum sentence is reviewed and the inmate interviewed again after he has served one-third of his time. Does the progress report prepared by an institution parole officer show an excellent work and conduct record from the beginning or a clear-cut

change for the better? What is the prognosis for success on parole? If written reports and the impressions gained from this interview are favorable, a prisoner's minimum can be reduced and a parole date set.

During the past year and a half, informative articles about parole in both metropolitan and local newspapers have helped to change the social climate in this field. Occasional attendance at board sessions by persons professionally interested in correction has also helped to increase understanding of board problems.

In August, 1956, Governor Langlie issued a proclamation placing this department on a merit system. What is needed now is a law, which we hope will be passed by the 1957 Legislature, that will prevent any future governor from returning this department to the spoils system. A budget that would cut case loads to 65 in 1957, and to 50 in the 1959 Legislature, would be desirable. Eventually, salaries of parole board members should be raised from \$9,000 to equal those of superior court judges (\$12,000) and preparation in academic training, or practical experience for a profession related to correction should be required.—Communication to the Editor from Dr. NORMAN S. HAYNER, Chairman, Washington Board of Prison Terms and Paroles.