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Abstracts and Notes

ABSTRACTS AND NOTES

(Immediately following are abstracts of four papers which were read on December 27 and 28, 1958 before the fifteenth annual meeting of the American Society of Criminology in conjunction with the 125th. annual meeting of the American Association for the Advancement of Science. The sessions were held in Washington D. C. Abstracts of other papers which were read on that occasion will be published in future numbers—EDITOR.)

1—SIX YEARS OF A VALIDATION EXPERIMENT ON THE GLUECK SOCIAL FACTORS PREDICTION TABLE OF JUVENILE DELINQUENCY

Since October 1952 the New York City Youth Board has been conducting an experiment in predicting juvenile delinquency. With the financial assistance of the Ford Foundation, this study is examining the applicability of a predictive instrument devised over a ten-year period by Sheldon and Eleanor Glueck of the Harvard Law School. In particular, an attempt is under way to see whether the Glueck Social Factors Prediction Table can select the juvenile delinquent long before he has exhibited his anti-social behavior.

A total of 303 elementary school boys were brought into the study at the ages of 5½ to 6½ years, while they were attending kindergarten or first grade in four New York City public schools. In contrast, the Glueck prediction table was developed by looking back into the histories of 500 matched pairs of delinquents and non-delinquents whose ages at selection ranged from 11 to 17 years. In the Youth Board study, nearly three out of every five boys were of Negro or Puerto Rican origin, whereas not one Negro or Puerto Rican was to be found among the Glueck selections. The Gluecks have indicated that such differences in age and ethnic origin are needed in an experimental group to provide definitive conclusions on the validity of their predictive instrument.

The predictive instrument being studied is based upon an evaluation of five social factors operating within the family; they relate to the amount of affection shown by each parent toward the boy, the type of discipline or supervision exercised by the father or mother, and the extent of family cohesiveness. Through home interviews and information collected from social agencies, a prediction rating to indicate each youngster's chances of delinquency was assigned, using the scoring system developed by the Gluecks.

For the past six years the teachers of 223 of the boys (Sample 1) have been interviewed to ascertain the boy's behavior in terms of conduct, relationships with his teacher and other children, personality patterns, as well as attitudes and achievement. Concurrently, police records were checked to determine which boys had been known to the police and/or courts, and the nature of the offenses. They also were cleared through the Social Service Exchange for additional official and unofficial agency data. The outcome of these investigations has been summarized in the table herewith, within the framework of the four delinquency prediction classes.

Delinquency was defined as persistent delinquent behavior in accordance with the Gluecks' definition and not merely as isolated delinquent acts. Youngsters so classified may or may not have had a police contact. Those boys termed predelinquent or anti-social were those exhibiting seriously hostile and disruptive behavior. Many are serious attendance problems.

The 39 boys classified under "disruptive behavior" were those who were doing little or no school work. They were inattentive, hyperactive, pesty, attention-getting, non-conforming and mischievous in behavior. We call them our "suspended judgment" group.

The majority of the 157 boys classified as "no serious problem" included those youngsters who appeared to the teacher as basically well adjusted, even though they might present some type of mildly deviant behavior. We have also included in this group those boys showing neurotic symptoms, such as shyness and timidity.

Of the 156 boys whose prediction score classes indicated that they were "not likely" to become

TABLE I

DISTRIBUTION OF SAMPLE 1 BOYS BY DELINQUENCY PREDICTION SCORE CLASS AND BEHAVIORAL STATUS AFTER SIX YEARS

Prediction Score Class (Chances of Delinquency)	Total		Behavior Classification *For Six Year* Period				Behavior Classification in Sixth Year For 207 Boys Termed Non-Delinquent					
			Delinquent		Non-Delinquent		Pre-Delinquent Symptoms		Disruptive School Behavior		No Serious Problem	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Total, Sample 1	223*	100.0	16	7.2	207	92.8	11	4.9	39	17.5	157	70.4
8.2	111	100.0	2	1.8	109	98.2	2	1.8	15	13.5	92	82.9
37.0	45	100.0	1	2.2	44	97.8	0	0	11	24.5	33	73.3
8.2 and 37.0	156	100.0	3	1.9	153	98.1	2	1.3	26	16.7	125	80.1
63.5*	48	100.0	5	10.4	43	89.6	7	14.6	7	14.6	29	60.4
89.2	19	100.0	8	42.1	11	57.9	2	10.5	6	31.6	3	15.8
63.5 and 89.2	67	100.0	13	19.4	54	80.6	9	13.4	13	19.4	32	47.8

* One of the boys who scored 63.5 not located.

Note: Classifications explained in text.

delinquents (8.2 and 37.0), only three boys, or two percent have failed so far to bear out the prediction. At the same time, 13, or 19.4 percent of the 67 boys who scored as "likely" to become delinquents (63.5 and 89.2), have actually fulfilled that prediction. If, in addition to the 16 confirmed delinquents, the 11 youngsters who are currently exhibiting serious pre-delinquent traits also turn delinquent, the combination would yield the following results:

Three percent of the group predicted "unlikely" to become delinquent, (five out of 156) would have failed; and nearly one-third (32.8 percent) of the group predicted as "likely" to achieve delinquency, would have borne out that prediction (22 of the 67).

In general, the results so far suggest that this prediction table may select future delinquents at the time children are entering school.

It is still much too soon to reach any definitive conclusions on the validity of this instrument, since the boys have not yet attained the age level characteristic of many juvenile delinquents. The Glueck investigations disclosed that 41 percent of the delinquents were from 13 to 16 years of age at the time of their first court appearance. None of the boys in the Youth Board experiment have reached that age bracket. It is the Youth Board's intention to continue to follow up and study the progress of the 303 boys until it can reasonably be determined that they have either become, or are not likely to become, delinquent.—Mrs. Maude M. Craig, Director of Research, New York City Youth Board.

2—CAPITAL PUNISHMENT OR CAPITAL GAIN

Experimentation on human beings has, of necessity, been limited to volunteers during normal times whether it involves prisoners or others. However there is always a limit in such cases which curtails the means to any medical end, which detracts from the total of knowledge which might be obtained from the undertaking.

Capital punishment as it exists today offers a golden opportunity to break those limits by introducing into the situation an involuntary factor without destroying the necessary safeguard of consent. I propose that a prisoner condemned to death by due process of law be allowed to submit, by his own free choice, to medical experimentation under complete anaesthesia (at the time appointed for administering the penalty) as a form of execution in lieu of conventional methods prescribed by law. After his choice has

been made, let the condemned deliberate at his leisure, and have professional consultation at his request, and even let him reverse his decision within the week before the date set for execution.

The experiments should be very seriously outlined and should deal with questions that can be investigated under usual clinical circumstances on laboratory animals. They should be submitted from research scientists of many nations to an agency of the United States composed of reputable researchers who would select those deemed exceptionally promising. The same agency would then arrange for the research team to travel to the nation in which a prisoner has chosen to die under anesthesia. Thus the medical genius of all civilized nations can participate in a program of benefit to us all.

The medical, legal, and moral principles involved can best be discussed by considering the advantages and disadvantages to the parties concerned.

The disadvantages:

(1) For the condemned there is none. The choice is entirely his.

(2) For medicine, too, there is none. Physicians could not be executioners because their aim is not to kill but to learn. Ultimate death could be induced by an overdose of anaesthetic given by a layman.

(3) For law one might say that the plan ostensibly tampers with the formality of law which stipulates executions in a prescribed manner. However, the plan simply offers a new form of execution which promises much more than the bleak aim of ending a criminal's life.

(4) For society it would mean tax dollars to run the agencies. But these costs need not be great, and a few human experiments would make allocations of funds for much animal work now in progress a complete waste of time and money.

The advantages:

(1) To the condemned it allows the dignity inherent in being permitted to decide how he is to die. The only immediate rewards he can expect are the feeling of utility through death and the avoidance of a potentially harsh death (in contrast to non-condemned volunteers who usually anticipate special consideration at parole hearings). Furthermore, it would actually lengthen the condemned's life and create hitherto unthinkable "thirteenth" and even "fourteenth" hour chances for commutation.

(2) For medicine it would mean rapid progress in those fields where animal work cannot help (for one example, anatomy of the human brain). It also would make available a final and indispensable means of screening every new drug, device, or procedure before ultimate trial on sick patients.

(3) Law would acquire another beneficent aspect of enormous potential good to humanity. The plan would detract somewhat from the purely negative nature of capital punishment per se engendered by law.

(4) For society this proposed "judicial euthanasia" for the first time introduces the concept of recompensing into a matter now of pure vengeance. It offers a means of restoring some honor to the family of the condemned and of imparting positive significance to the death of his victim if he be a murderer. And it offers the ultimate means of assuring all of us and our descendants of improving health and lengthening life.

The plan differs markedly from the Nazi crimes of World War II which, in themselves, were wartime atrocities under the auspices of a demented government. The victims were unjustifiably condemned under makeshift "laws" on racial or political grounds; they were not asked for consent and were not anesthetized. The medical objectives were frivolous—the scientists sadistic.

The pros and cons of capital punishment are not at all involved in my proposal. My only contention is that so long as it is practiced, and wherever it is practiced, there is a far more humane, sensible, and profitable way to administer it. I have substantiated this through interviews with two men now facing electrocution, one of whom eloquently confirmed it in writing. Whether or not the plan is practicable on a worldwide basis remains to be seen. But it is feasible, and I hope that one of the states of our country which endorse capital punishment will legally allow a condemned man the *choice* and thereby set an example for the world to follow.—Jack Kevorkian, M.D., Pontiac, Michigan.

3—PROBATION AND PAROLE: THEORY VERSUS PRACTICE

In probation and parole, good theory evolves from practice and good practice uses theoretical considerations as guides from which the professionally competent practitioner can deviate to accommodate exigencies specific to a situation. The congruence of theory and practice is dependent upon (1) the practitioner's knowledge of theory, his sensitivity to generalized and specific factors in the case, and his competence to focus the resulting effort toward the desired objective, and upon (2) environmental factors which militate against the application of theory, such as overwhelming caseloads or unsympathetic administrations, colleagues, or related agencies.

The variations between theory and practice are especially wide in probation and parole, particularly in the areas of treatment or quality of supervision. Quality of supervision is by far the most important aspect of either probation or parole and is the crux of the entire process. Yet, these treatment aspects are much more difficult to evaluate and supervise than are the more tangible results of the work, such as pre-sentence investigation reports and other needed paper work. This leaves possible the greatest variations between theory and practice in the most crucial phases of probation and parole, which are the most difficult to detect by ordinary methods of supervision.

A major discrepancy between theory and practive appears in the proportion of inmates paroled from prison. In the United States, approximately 55 percent are paroled, varying from 100 percent in the State of Washington to about eight percent in Oklahoma and South Carolina. Over 40 percent are released outright by discharge. Theory asserts that all prisoners should be released to some sort of supervision, rather than being abruptly discharged to the community after a long period of incarceration. Therefore, all prisoners should be paroled, regardless of their offenses, if they are to be released at all, though the timing may be long after the expiration of the minimum term but sufficiently prior to the maximum expiration date to permit controlled and supervised readjustment. Parole is not a reward for good behavior, any more than is penicillin a reward for good behavior, but is an integral part of the total correctional process. Releasing nearly half of all prisoners in the United States without benefit or protection of follow-up supervision is a glaring discrepancy between theory and practice.

There is some disagreement on whether parole and probation functions can or can not be handled by the same person. When it is attempted, the size of the caseloads forces the emphasis to be placed on the preparation of pre-sentence investigation reports and on supervision of parolees, thereby ignoring the most important contribution of probation: the supervision of probationers. Poorly trained officers who perform both functions have reported that probationers are more difficult because they engage in more immature and nuisance activity, while parolees do not require so much attention from the supervising officer. Well trained officers have reported the reverse; that probationers are easier to supervise because their defenses are less well systematized and they can be easier reached in the case work process, while the parolees have been previously screened out as being so disturbed that prison was indicated; they had been conditioned by it, and their defenses had been so well systematized that it became difficult to break through them and establish a therapeutic working relationship. In good practice, it is obvious that different approaches need to be used in supervising probationers and parolees, although in the more prevalent poor practice the methods are undifferentiated.

Much of the variation between theory and practice comes in the changing philosophy and improving programs that bring in new ideas and personnel and threaten old ideas and personnel. The major organizational problem in bringing practice into closer agreement with improved theory is either (1) entrenched leadership resisting new methods rising around them or (2) line resistance from untrained staff protecting themselves from the newer and unfamiliar methods and approaches being promoted by an enlightened administration.

In order to integrate theory and practice in probation and parole, it will be necessary to (1) select new officers for their correctional philosophy and entrance education, supplemented with in-service training and liberal exposure to professional conferences; (2) develop "correctionally oriented" administrations aware of and sensitive to their overall purpose and the improving methods by which it can be achieved, without being lost in

daily routines and reports, and (3) case loads for each officer sufficiently small that case work and group therapy can have optimum or, at least, some effectiveness. The achievement of these objectives will require considerable movement from the present status in the United States, but are necessary if ever probation and parole are to avoid references to theory *versus* practice.—Vernon Fox, Professor of Criminology in Florida State University.

4—CORRECTION'S SACRED COWS

Twentieth Century criminology includes the whole social process of crime control. This process begins even before a crime has been committed with the concept of prevention and continues in the work of detection and apprehension, the trial and disposition of the offender by the court as well as the supervision of the convicted person under imprisonment, probation, and/or parole. In the evolution of this process over the past 200 years, there have developed certain notions which are often taken for granted by the average citizen, regarded as sacrosanct by those engaged in the process, and accepted with little question by those who purport to speak professionally for criminology in the texts. These are correction's sacred cows. Conclusions regarding them follow:

1. That crime prevention is primarily the function of the police is not only unrealistic but it is dangerous in that those other agencies in society whose job prevention really is and who are especially trained and qualified for it, are inclined to "let George do it." The police may discover, refer or repress crime hazards, and then cooperate in their elimination; they cannot prevent. This is the job of the home, the school, the church, and other character-building agencies in society.

2. That the "broadened social concept" of police work results in the police giving less and less attention to crime and criminals and more and more attention to non-criminal activities until in some areas 90 percent of the time and energy of police is devoted to such activities. Since the police are not doing too good a job at the primary functions of detecting and apprehending criminals, it is suggested that this big, gentle, cow-like concept of police work be avoided in favor of the stern, firm, and authoritarian figure—the terror of wrong-doers.

3. That the mangiest, orneriest critter in the correctional field is the criminal law. Called a "disgrace" by the late Chief Justice Taft, the criminal law is regarded as a dirty, sordid business by society and by law schools. The concept of "deterrence" and the notion that criminality is an entity in itself which can be curbed or controlled by will-power or by force, are sacred cows which need to be slaughtered to restore the criminal law to its proper place. Instead of these outmoded concepts we need a new concept of criminal justice based on an understanding of modern sociological and psychological factors, and programs of training in the criminal law which will appeal to students in these fields.

4. That an out-moded "prison discipline" including the concepts of non-communication, degradation and deprivation, hard labor, treating every prisoner alike, subservience to petty rules, fraternization, non-participation of convicts in prison affairs, still lingers on with its herd of sacred cows, and should be replaced with a new prison discipline.

That the housing of convicts in massive, monastic, mediaeval, monolithic, monumental monstrosities is not only a sacred cow but plain monkey-cage penology; and future construction of such institutions, both Federal and State, is both unnecessary and unsound.

5. That social work should not become a sacred cow of probation.

6. That making rehabilitation a sacred cow of prisons has resulted in omitting from parole one of the essentials for success, namely the intermediate plan used by the founders of the Irish System. Decidedly limited as to personnel and facilities, prisons by their very nature can perform only a limited service; they can keep, observe, diagnose, plan and train a little; they cannot rehabilitate. Rehabilitation occurs only under normal conditions in the normal society to which the offender belongs.

If the United States is ever to halt the extravagant and useless addition of more and more costly institutions for offenders, we must first trim the prison down to size and then supplement it with a program of servitude in the community under strict and continuous supervision

just as soon as the offender and society are ready for it. If such an "Intermediate Plan," as the Irish called it, or "Private Pre-Release" as it is now called in Sweden, Norway, and other European countries, is established, parole will naturally follow for those prisoners who "make good," and the present weaknesses in some present parole systems will be greatly reduced, if not eliminated.

7. To meet these and other problems at this mid-century point in American correctional administration, a three-point program is suggested.

(1) That co-ordinated crime control programs which will include all six areas of the correctional process-prevention, police, courts, prisons, probation, and parole—, be established at Federal, state and municipal levels.

(2) That professional coordinators of the highest calibre be chosen to direct these programs.

(3) That such programs be placed under the Judicial branch of the government, thus restoring the criminal law to a place of dignity and service, and giving to the correctional process a professional leadership now so sadly lacking.—Howard B. Gill, Director of the Institute of Correctional Administration, American University, Washington, D. C.

THE EIGHTH INTERNATIONAL PENAL CONGRESS

The Eighth Congress of the International Association of Penal Law will be held in Lisbon, Portugal, in September, 1961.

Four broad questions are included in the program: (1) Problems posed in modern penal law by unintentional violations; (2) Methods and technical procedures employed in elaboration of the penal sentence; (3) Problems posed by the publicity given to criminal acts and penal procedures; (4) Application of penal law by the courts in one nation to citizens of a foreign country.

Persons who wish to participate in the program by presenting reports are asked to address their requests in triplicate (not more than five pages) to: M. le Doyen Pierre Bowzat, Secretary General of the International Association of Penal Law, Faculty of Law, Rennes, France.—From Paul Cornil, President, Brussels, Belgium.

MACNAMARA HEADS FOES OF DEATH PENALTY

Donal E. J. MacNamara, Dean of the New York Institute of Criminology, has been unanimously elected President of the AMERICAN LEAGUE FOR THE ABOLITION OF CAPITAL PUNISHMENT (National Headquarters: 14 Pearl Street, Brookline, Massachusetts) at the annual meeting of the National Board of Directors held in New York City on January 23rd, 1959.

Dean MacNamara is vice-president of the American Society of Criminology and a Fellow of the American Association for the Advancement of Science. He succeeds Dr. Miriam Van Waters, noted Massachusetts penologist, who becomes Honorary President. Elected Vice-Presidents are: Rev. Dr. John Haynes Holmes, Community Church, New York City; Mrs. Eleanor Roosevelt; Austin MacCormick, University of California penal expert; Dr. Karl Menninger of Topeka, Kansas; Professor Thorsten Sellin, internationally recognized penal reformer of the University of Pennsylvania; Sara Ehrmann, President of the Massachusetts Committee to Abolish the Death Penalty; Dr. Clarence Pickett of the Friends Service Committee; and Hon. Clinton Duffy of the California Adult Authority. Dr. Percy Ryberg, New York psychiatrist, was reelected Treasurer and Mrs. Sara Ehrmann of Massachusetts renamed Executive Director. Directors (elected or reelected): Professor Hugo Adam Bedau of Princeton University; Mrs. John Burbank of Stamford, Conn.; Herbert Cobin of Wilmington, Del.; Dr. Leo E. Deets of Hunter College; Dr. Neal B. De Nood of Smith College; Dr. Gunnar Dybwad of the National Assn. for Retarded Children; Arthur Goldsmith, NYC attorney; Rev. Lester Kinsolving of Pasco, Washington; Dr. James A. McCafferty of the U. S. Bureau of Prisons; Rt. Rev. Msgr. J. P. Moreton of Midvale, Utah; Prof. Albert Morris of Boston, (Boston University); Jerome Nathanson, Administrator of the Society for Ethical Culture; Dr. Winfred Overholzer, St. Elizabeth's Hospital, Wash., DC; Dr. Charles Francis Potter, Euthanasia Society of America; Raymond S. Rubinow, Kaplan Foundation; J. Lewis Taliaferro, Memphis, Tenn., attorney; Paul Thurlow, Joliet, Ill., attorney; Mrs. William E. Walling of NYC; Edmund Goerke Jr. of the Society of Friends; Al Vorspan of the Union of American Hebrew Congregations; Sol Rubin, attorney, National Probation and Parole Association; Harry Golden of North Carolina (author of "Only in America");