

Summer 1961

## Reports and Announcements

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

---

### Recommended Citation

Reports and Announcements, 52 J. Crim. L. Criminology & Police Sci. 90 (1961)

This Note is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

tile robbery and safe burglary policy. On appeal, the insurer contended that the trial court erred in excluding the testimony of an "experienced expert burglar" as to how a professional outlaw would have conducted a bona fide safe robbery, it being the insured's theory that the loss in question resulted from a "faked inside job." The Court of

Civil Appeals affirmed, holding that there was nothing in the record to indicate that all or most professional or expert specialists in the field of robbery and burglary would employ identical or similar techniques in the same circumstances and, furthermore, the evidence was speculative and not a proper subject for expert opinion evidence.

---

## REPORTS AND ANNOUNCEMENTS

---

**Citizen Action for Abolishing Capital Punishment.**—A considerable part of the success in Delaware in abolishing capital punishment on April 2, 1958, was attributable to the preliminary educational work done by citizens with those groups which came in contact with offenders and administered criminal justice. A Report was prepared consisting of a study and summary relating to all persons who had been executed in Delaware since 1902; conclusions of the Royal Commission of England and the California Judiciary Committee Study with excerpts from some of the evidence; the study of Dr. Thorsten Sellin and Donald Campion, S.J., on police safety; and quotations from wardens, judges, psychiatrists, religious groups and others. The Report was accompanied with a letter of Mr. Cobin, then President of the Prisoners Aid Society of Delaware, former Chief Deputy Attorney General and a Wilmington, Delaware, attorney, suggesting consideration of the Report in the light of six listed practical reasons why life imprisonment should be substituted for capital punishment.

A copy of the Report and letter was sent to each of the trial judges concerned with capital offenses, the Superintendent of the Delaware State Police and the Chiefs of Police of the larger cities, the Attorney-General, the Director of Corrections, the Superintendent of Mental Institutions, each member of the Legislature, the Governor, certain political leaders, newspaper editors and columnists and radio commentators. Conferences were had with the above persons, including key members of the Legislature. This individualized basic approach produced results. It became known that the Judges, individually, favored abolition. The police, impressed by the evidence that there was no deterrent value to the death penalty and abolition created no greater hazard to police, agreed

not to oppose abolition. The Attorney-General approved abolition in principle. The Director of Corrections and the Superintendent of Mental Institutions were in favor of abolition. The two largest newspapers in Delaware, with a long history of favoring improvements in the administration of justice and in rehabilitation efforts, endorsed abolition and their columnists supported it with great vigor. Individual members of the Legislature were spoken to by citizens, public officials and ministers in their own districts. The geographical location of the member did not determine his attitude toward the death penalty. It was the individualized approach to each member, patiently pointing out the evidence and answering questions, which finally produced a favorable response. The point was not to force conclusions but to have each member face up to and accept the evidence and in the process discard his earlier misconceptions. A sub-committee in each legislative district is helpful. There must be purposeful and intelligent coordination of efforts of all groups with some one person or group at the top giving it direction and control. Citizens with knowledge and enthusiasm can help to stimulate others.

HERBERT L. COBIN

905 Bank of Delaware Building  
Wilmington 1, Delaware

**A Method of Developing University Research Programs in Correctional Institutions<sup>1</sup>**—It is difficult to find a study dealing with penology which does not call for further research on the topic under discussion. Nothing is said, however, regarding the personnel who should conduct such

<sup>1</sup> The writers wish to acknowledge the assistance of Dr. Roy G. Barrick, State Criminologist, Diagnostic Depot, Illinois State Penitentiary, Joliet, Illinois, in the preparation of the basic philosophy presented in this paper.

future research. This is a crucial point, since most research is carried on either by the personnel of the correctional institution or by the staff or students of nearby universities, although the latter have not been fully utilized. It is the thesis of this paper that given proper conditions, universities can serve as a powerful resource for research in penology.

It is generally agreed that university personnel can contribute to an understanding of both the inmate and the treatment process. Yet, little or nothing has been written about methods of facilitating continuing programs of research within correctional institutions by university personnel.<sup>2</sup> The university person may come to the prison, reformatory, or training school requesting permission to conduct a project, and no one is quite certain as to how to proceed. Questions as to confidentiality of records, types and levels of investigation, publication of results, etc., may arise, and frequently will be neither clearly presented nor answered. Too often, the experience is mutually distasteful to all concerned. What ultimately occurs is that the gap between the correctional and the educational institutions grows even greater.

In general, these correctional institution-university misunderstandings occur because of a basic lack of familiarity and understanding on the part of each with respect to the other's functions. There is a tendency for some university people to believe the practicing penologist is overly concerned with security and discipline, unsympathetic to basic research, interested only in maintaining the *status quo*, and desirous of ignoring or minimizing criticism. On the other hand, penal administrators may feel university people ignore the realities of maintaining security and discipline, are more interested in criticizing than developing programs, pursue projects with no practical value, and take delight in violating or mocking institutional protocol. Unfortunately, more than a grain of truth is present in all of the above statements. However, if we are to improve our techniques for treating the inmate, the university and the correctional institution need each other. It might be noted here that no attempt is being made to minimize the efforts of the small band of criminologists associated with universities and colleges who have

contributed to our understanding of the inmate. However, it is our contention that not enough individuals of varied disciplines are working with correctional institutions. Our purpose is to describe the procedure we have used in processing requests from university personnel to conduct research projects. This approach has provided an atmosphere conducive to further research proposals. In other words, it is our contention that this or a related method will induce university personnel to engage in penological research.

While not the concern of this note, it should be pointed out that a history of cooperation has existed between the Menard State Penitentiary and Southern Illinois University. Starting with the traditional visits by sociology classes, the relationship has been broadened to include extension courses offered inmates for University credit, Great Books discussion groups, basketball and baseball games between inmates and students, and presentation of university plays to the inmate population.

Given this background of cooperation, it became apparent that graduate student interns could provide the penitentiary with some measure of service if they utilized prison data to satisfy requirements for a thesis.<sup>3</sup> It was soon equally apparent that some procedure must be established to gain institutional approval for proposed research projects since approximately ten graduate students planned to collect all or part of their data from the prison population.

The primary assumption underlying discussions regarding proposed procedures was that university personnel should train graduate students, not attempt to run the penitentiary. By the same token, the chief function of prison officials was to operate the penitentiary, not to teach students research methodology. Given this understanding, however, it has been found that prison personnel have provided students with thesis topics, as well as leads and insights which have contributed to both training and the completion of research projects. On the other hand, research findings have provided helpful data for prison officials.

When the graduate student has selected a research topic, he prepares a short prospectus or overview which is submitted to the penitentiary by the major professor. In effect, the professor is

<sup>2</sup> An even greater problem is the totality of relationship which may or should exist between correctional and educational institutions. Included in addition to research would be training and service programs.

<sup>3</sup> The procedures described below were originally developed with graduate trainees in Rehabilitation Counseling who were employed in the prison's diagnostic depot.

indicating that the proposed work can be handled by the student and does have academic merit. Prison officials then evaluate the proposed project to determine whether security will be jeopardized. Naturally, a study which has immediate practical implications is more beneficial, although this is not a criterion for acceptance or rejection. Obviously, records never leave the penitentiary and complete anonymity is maintained for the inmates.

At this point, in the State of Illinois, projects approved by the Warden are referred to the State Criminologist who in turn obtains approval of the Director of the Department of Public Safety. This procedure not only serves the purpose of alerting the top administration of the nature of the project but also may bring forth additional suggestions regarding the research design.

When the prospectus is returned, it is then possible for the student to proceed with an approved research project. However, this is the crucial area where cooperative programs are most likely to go awry unless the researcher is oriented to prison protocol. A great deal of time is spent by both the university personnel and the administrative and professional staff of the prison in acquainting the student with the folkways and mores of prison life. Unless the student does have an understanding of the behavior expected of him, it is possible for untoward events to occur which would prohibit future research relationships.

The outline presented here is quite simple. It does, however, facilitate requests of university personnel to conduct research projects within a penitentiary. More important, it has created an environment where both the staff and students of a university can feel secure while studying various aspects of inmates behavior. Only through some technique of this kind can universities contribute to further knowledge of the social system of the correctional institution. In the final analysis, however, more important than the procedures described here is the creation of a philosophy or set of attitudes of understanding and cooperation between the personnel of the two types of institutions.

ALBERT J. SHAFTER

Associate Professor of Sociology and Guidance,  
and Assistant Director, Rehabilitation Institute,  
Southern Illinois University, Carbondale,  
Illinois

ROSS V. RANDOLPH

Warden, Illinois State Penitentiary, Menard  
Branch, Menard, Illinois

**American Society of Criminology Holds 20th Annual Meeting**—The 20th Annual Meeting of the American Society of Criminology was held in the Waldorf-Astoria Hotel, New York City, on December 26–27, 1960. Dr. Jacob Chwast, Secretary-Treasurer of the Society, has provided the following summary of the meeting:

The six sessions of the American Society of Criminology's 20th annual meeting were well attended (200 to 300 participants) and spirited. Among the more important areas of discussion were the following. Society defeats the rehabilitative objectives of even the best prison programs by its open hostility to the ex-convict, but society itself is legitimately concerned about the low level of protection it receives from the attacks and other depredations of the offender group (Melitta Schmideberg). Judicial decisions, rulings, and sentences are conditioned not only by the politico-socioeconomic backgrounds of the judges but by their mental and physical health, age, perceptive capacity, prejudices, and personality quirks (Charles Winick, New York University). Female homosexuals can be cured by long-term psychoanalytic therapy, but the prognosis is very poor for the more masculine type (Richard C. Robertiello). The patients seen at the New Jersey Diagnostic Center are largely the minor sex offenders, often immature and inadequate, while more dangerous sex offenders, arrested and convicted of crimes usually not considered "sex crimes" (arson, assaults, and homicide) are frequently institutionalized (or released) without diagnosis (Eugene Revitch). Citizens' crime commissions can be ineffective and can even impede the proper administration of criminal justice if they are organized solely for political purposes, are improperly staffed, or are unrealistic and unsympathetic in their approach to the problems of police and prosecutors (Alvin J. T. Zumbrun). The influence of the communications media (radio, television, moving pictures, comic books, newspapers) on crime and delinquency patterns has been grossly exaggerated by Wertham *et al.* Not only is there no demonstrable cause-and-effect relationship between crime and the violence and sex presented in these media but a strong, logical case might be made for the proposition that, by identifying with the antisocial protagonist, even the disturbed and potentially dangerous individual might well satisfy his lusts vicariously and become less of a threat to society (D. E. J. MacNamara, New York Institute of Criminology). Only in an

interdisciplinary center, organized along non-authoritarian lines and truly collegial in its approach, can effective studies of delinquency and its associated phenomena be carried on (Kenneth Kindelsperger, Syracuse University). The apparently motiveless homicide, if intelligently and intensively analyzed, can be understood in terms of the developmental influences and stresses peculiar to the murderer (James M. Reinhardt, University of Nebraska).

Also, state programs in delinquency prevention and control should be largely coordinating and supportive (Milton Luger, New York State Youth Commission). Both social workers and police officers must make greater efforts to understand not only each others' problems but the differential backgrounds and training which lead at times to seemingly conflicting approaches to the same general objectives (Russell Hogrefe, Chicago Youth Centers). Leaders of antisocial (fighting) gangs should be identified early and isolated for psychiatric treatment; referring to them as "psychos" instead of "hoods" will lower their prestige and status among the large, amorphous gang membership (Lewis Yablonsky, University of Massachusetts). The gang-leadership project of the New York City Youth Board has proved, even though it has been inadequately financed and staffed, that the antisocial energies of even very violent youth gangs can be redirected toward more socially acceptable activities (Hugh Johnson, New York City Youth Board). Changing the vacation schedules of attendance officers, recreation leaders, and teachers specially trained in the handling of delinquents, and using all school facilities at maximum capacity during the summer period, resulted in drastic reductions in summer delinquency statistics (Arthur Clinton, New York City Board of Education). With rare exceptions, conditions in juvenile detention facilities throughout the United States are depressingly inadequate: staffs are poorly selected, poorly paid, poorly trained, and poorly supervised; overcrowding makes rehabilitative programs impossible; and inadequate classification and segregation make some institutions veritable "crime schools" (Sherwood Norman, National Council on Crime and Delinquency). Extremely high positive correlations have been established between drinking and the commission of the felony for which convicts were serving sentences in Raiford (Florida) State Prison (Shaw Grigsby, University of Florida).

Also, containment is posited as a new operational theory for criminology (Walter Reckless, Ohio State University). A scientific concept for criminal responsibility is perhaps the most crucial issue in contemporary criminology (Frank Hartung, Wayne State University). A complete reorganization and reorientation of the Liberian National Police becomes effective in 1961, reflecting the influence of an ICA survey and the increasing urbanization and westernization of the Liberian population (Stephan Horton, Liberian National Police). International exchange of information is as basic to advances in criminal law and criminology as it is to advances in other scientific fields (Horst Schroder, University of Tübingen). The International Penal and Penitentiary Commission contributed significantly to advances in penology during the past century, and its files and reports, now indexed, are a gold mine for penological researchers (Thorsten Sellin, University of Pennsylvania). August Vollmer introduced scientific experimentation and professional standards to American policing and is outstanding among 20th-century contributors to criminological and police science (John Kenney, University of Southern California). Study of some 600 murders during a 4-year period in Philadelphia has introduced new methodological techniques of value in criminological research and has called into question certain commonly held, though unvalidated, assumptions as to the previous arrest and conviction records of murderers (Marvin Wolfgang, University of Pennsylvania).

The 1959 annual award of the American Society of Criminology was presented to Thorsten Sellin, president of the International Society of Criminology, for distinguished contributions to the science of penology. August Vollmer awards for research in criminology were presented to Paul Bohannon, Northwestern University anthropologist, for his *African Homicide and Suicide*, and to Marvin E. Wolfgang (University of Pennsylvania) for his *Patterns in Criminal Homicide*.

Officers of the American Society of Criminology for 1961 are as follows: president, Donal E. J. MacNamara (dean, New York Institute of Criminology); vice-presidents, Karl Menninger (Topeka, Kansas), Sheldon Glueck (Harvard), Gordon Barker (University of Colorado), and Pedro M. Velez (director of special investigations, Commonwealth of Puerto Rico); executive board member, John Kenney (University of Southern California); secretary-treasurer, Jacob Chwast

(chief consulting psychologist, Educational Alliance, New York). Marcel Frym, the outgoing president, was named principal program consultant for the 5th international Congress of Criminology, to be held in Los Angeles in 1962. Charles Newman (University of Louisville) was appointed coordinator of research and studies for the congress, and Clyde Vedder (Northern Illinois University) was appointed liaison officer, to work with the sociology departments of American universities.

**Northwestern Law School Schedules Conference for Criminal Court Judges and Lawyer-Legislators with Particular Interest in Criminal Law Administration**—In an effort to bring about a better understanding between the police and the courts, as well as between the police and the legislatures, Northwestern University School of Law scheduled two conferences for the Spring and Summer of 1961. One—a Conference of Police Officials on Understanding the Attitude of the Courts and Legislatures Regarding Investigation Procedures and Fair Criminal Trials—was held at the Law School in Chicago on May 15, 16, and 17. Of particular interest to members of the Bar will be the second conference:

*A Conference of Criminal Court Judges and Lawyer-Legislators with a Particular Interest in Criminal Law Administration*

July 6, 7, and 8, 1961

(Chicago, Illinois)

The principal purposes and objectives of the Conference of Judges and Lawyer-Legislators are:

1. To explore and evaluate the practical difficulties the police encounter with respect to the court and legislative restrictions imposed upon them.
2. To consider the question whether there should be further legal controls over the news media regarding crime news reporting.
3. To examine the issue of whether there should be a revision in the prevailing concepts regarding the ethical obligations of prosecuting attorneys and defense counsel.
4. To present to the attending judges and lawyer-legislators information regarding the possibilities and limitations of some of the more important modern forensic science techniques.

The specific subject matters to be discussed are:

- I. *Are the Courts and Legislatures Handcuffing the Police?* (This discussion will involve a consideration of the restrictions placed upon the police regarding Detention, Questioning, Frisking, Arrest, Interrogation, Search and Seizure, and Electronic Eavesdropping.)
- II. *The Court and Legislative Controls Regarding Prejudicial News Coverage of Criminal Cases.*
- III. *The Social and Ethical Obligations of Prosecuting Attorneys and Defense Counsel, and the Role of the Bar, the Courts, and the Legislatures Regarding those Obligations.*
- IV. *The Role of the Forensic Scientist in the Administration of Criminal Justice.* (Outstanding experts will discuss the possibilities and limitations regarding modern methods of scientific criminal investigation and scientific proof.)

For a copy of the Conference program or for further information write to: Professor Fred E. Inbau, Northwestern University School of Law, 357 East Chicago Avenue, Chicago 11, Illinois.

**Cambridge Establishes Post-Graduate Course in Criminology**—Dr. Leon Radzinowicz, Wolfson Professor of Criminology in the University of Cambridge and Director of the University's Institute of Criminology, has forwarded the following announcement to the *Journal*:

The University of Cambridge has established a Post-graduate Course in Criminology, to be given by the Institute of Criminology. The first course will commence on October 1, 1961. It will be held during the three terms of the academic year and will end in July, 1962.

A Diploma in Criminology will be awarded by the University to those who have diligently attended the course, and who, at its completion, have successfully passed a written examination in five papers covering the subjects prescribed for the course.

The Programme of Teaching will consist of lectures, seminars and practical work: 105 lectures and 90 seminars will be given dealing with all the major aspects of criminology, with particular reference to the development of criminological and penological thought and practice; the methodology of criminological research; the psychological and psychiatric context of criminal conduct; the sociology of crime; the principles of criminal

law and procedure; the sentencing process, and the effectiveness of punishment and other methods of treatment; the noninstitutional and institutional treatment of juvenile, young adult and adult offenders; and certain aspects of the prevention of crime.

Practical work, during vacations as well as term time, will be undertaken by the students at penal and psychiatric institutions, probation and after-care centres, and other agencies concerned with the prevention of crime and the treatment of offenders. Individual work will be required at the seminars; and the International Library of Criminology of the Institute will be available to those who attend the course.

Instruction will be given by the Wolfson Professor of Criminology; by the Senior Staff and Visiting Fellows of the Institute; by other members of the teaching staff of the University of Cambridge; by visiting lecturers; by experts from the Home Office and the Home Office Research Unit; and by others with particular experience in the administration of criminal justice.

Admission to the course will be open to those who already hold a university degree in any subject, not necessarily in law. In very exceptional circumstances, candidates who do not hold a university degree may be considered for admission, if they have either made an important contribution to criminology by research or gained outstanding practical experience in administration. The number of admissions in any one year will be

limited in order to maintain the highest possible standard. Those admitted to the course will be made members of the University, and will be expected to seek admission to a college.

Application forms for admission to the post-graduate course are available from the Secretary, Institute of Criminology, 4 Scroope Terrace, Cambridge, England. The completed forms, together with evidence of necessary qualifications, should reach the Secretary by May 15, 1961, or soon after, for the course commencing in October, 1961.

---

APTO Reception Honors Dr. Gault—On August 31, 1960, the Association for Psychiatric Treatment of Offenders held a reception in honor of Dr. Robert H. Gault, Editor Emeritus of this *Journal*. The reception, which commemorated Dr. Gault's long service as Editor-in-Chief of the *Journal*, was held in the Empire Suite of the Statler Hilton Hotel in New York City.

---

Massachusetts Requests Material Relating to Sex Offenses and Offenders—The Division of Legal Medicine, Department of Mental Health, Commonwealth of Massachusetts, is compiling a bibliography on sex offenses and sex offenders. The Division requests that material consisting of articles or unpublished papers in this area be sent to Norman A. Neiberg, Ph.D., Director of Psychological Research, Division of Legal Medicine, 33 Broad Street, Boston, Massachusetts.

Northwestern University's  
Fourth Annual  
SHORT COURSE FOR DEFENSE LAWYERS IN CRIMINAL CASES  
will be held in Chicago  
July 17-21, 1961

For a copy of the program or for further information, please write to Professor Fred E. Inbau, School of Law, Northwestern University, 357 East Chicago Avenue, Chicago 11, Illinois.