

Summer 1963

Notes and Announcements

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NOTES AND ANNOUNCEMENTS

NDAAs Holds Annual Meeting, Elects Officers—
The National District Attorneys' Association held its Thirteenth Annual Meeting in Philadelphia, August 16-19, 1962. Keith Mossman, County Attorney of Vinton, Iowa, was elected to succeed James A. DeWeese as President of the Association.

Other officers elected to serve for 1962-1963 are as follows: *executive vice-president*, Garrett H. Byrne, Boston, Massachusetts; *treasurer*, Daniel P. Ward, Chicago, Illinois; *secretary*, John G. McCutcheon, Tacoma, Washington; *vice-presidents*, Emory L. Carlton, Tappahannock, Virginia; William F. Frye, Eugene, Oregon; Richard E. Gerstein, Miami, Florida; Albin P. Lassiter, Monroe, Louisiana; William B. McKesson, Los Angeles, California; Frank H. Newell, III, Towson, Maryland; George M. Scott, Minneapolis, Minnesota; *vice-president at large*, William J. Raggio, Reno, Nevada; *historian*, Thomas L. Smith, Salem, New Jersey; *executive board members*, James H. DeWeese, Troy, Ohio, immediate past president; Edward S. Silver, Brooklyn, New York, past president; Paul Alexander, Jackson, Mississippi; Raymond C. Baratta, Poughkeepsie, New York; Frank Briscoe, Houston, Texas; Robert L. Marrs, Hamilton, Ohio; Ben F. Railsback, Pekin, Illinois; Melvin G. Rueger, Cincinnati, Ohio; and Charles Walker, Charleston, West Virginia.

NDAAs Presents Furtherance of Justice Award to Edward S. Silver. At its 1962 Annual Meeting, the National District Attorneys' Association presented its Annual Furtherance of Justice Award to Edward S. Silver. Mr. Silver is District Attorney of Kings County, Brooklyn, New York.

Previous recipients of the Award are J. Edgar Hoover, Frank Hogan, Frank E. (Ted) Moss, and Fred E. Inbau.

The plaque presented to Mr. Silver in recognition of the Award reads as follows:

"Furtherance of Justice Award
to

Edward S. Silver

District Attorney of Kings County, N. Y.

For his outstanding record and service as a District Attorney, exemplifying by his courage and humanity the highest ideals of justice;

For his devotion and outstanding efforts toward

the betterment of the administration of criminal law and law enforcement in all its branches throughout our country;

For his dedication and devotion to his duties as a member, officer, and president of our Association and for his tireless efforts which have greatly enhanced its growth and standing;

For his warm friendship and his readiness to give his time, advice and wisdom, whenever and wherever needed.

Presented at Thirteenth Annual Meeting, at Philadelphia, Pa., on August 18, 1962."

In his acceptance address, Mr. Silver spoke on the subject "Public Apathy and Law Enforcement." With respect to the cost of crime, he stated as follows:

"Perhaps the greatest stumbling block in our work is the lack of information and interest in all segments of our population, and most emphatically, *not* excluding the legal profession, in the problems of the administration of criminal law. Our citizens become interested in this field only if they are victimized or someone close to them becomes embroiled with the law.

"The general public has no conception what the administration of the criminal law costs them or what they are getting in return for their money. The cost is conservatively put at 22 billion dollars a year—about one-half the cost of our defense program. In New York, for example, the cost of the administration of criminal law, not considering capital outlay, is \$400,000,000 a year—exceeded only by the outlay for education and welfare.

"Perhaps one of the reasons for this is that they do not know what they are—or perhaps more accurately—what they are *not* getting for their money. If, for example, \$100,000,000 is spent for a road, they ultimately see a road built. So it is with school buildings or dams or hospitals. Take hospitals for example. What would the public think of a hospital where 70% of the patients found their way back into the hospital not long after they were discharged. There would be a great hue and cry—you may be sure. Yet 70% of the inmates of our jails are persons who have been there before, at least once. There is no question that there is need for

much improvement in the operation of our penal institutions—but the public takes very little or *no* interest in the problem. Here are some of the things the public should want to know. Are long sentences effective? Are sentences too short to give penal institutions an opportunity to accomplish effective rehabilitation? Should we have smaller and more jails to enable us to better classify prisoners? Are there prisoners who are discharged that under no circumstances can be rehabilitated? Are parole boards too easy or too tough? Are jails “schools for crime”? Should all sentences be indeterminate? How and who should fix the place and duration of sentence?

“The answer to all of these questions affects the public weal and what our people are getting for their money. None but a few are really interested.”

Mr. Silver emphasized the need for better training in law enforcement, better pay for law enforcement officers, and increased interest in the law enforcement effort. As to the need for the latter, he specified the narcotics situation as an example, stating

“... This room could barely hold the printed material of the hearings that have been held on the subject year after year. Yet those of us whose hands are calloused with the problem know what could be done. But it will not be done until those in high places who make the laws and control the coffers begin to feel that the people *really want* something to be done about it. The Federal Government points to the States, and the States point to the Federal Government. When the people say ‘a plague on both your houses. Get to it,’ something will be done—and not before.”

In closing, Mr. Silver stressed the importance of due process for the public, as well as for the accused:

“In a recent bank robbery case in Brooklyn, where a bank guard was shot and killed, one of the robbers, it was thought, was wearing a small transistor receiver through which he was receiving bulletins from his lookout. Yet, law enforcement has been deprived of the use of intercepting telephones used by criminals in aid of committing their criminal acts.

“When recently at the American Bar Association meeting in San Francisco, where I participated in a panel, moderated by Supreme Court Justice Brennan, I asked a prominent criminal lawyer what he thought of the propriety of ask-

ing a question which he knew was improper and would be ruled out by the Court to give the jury a fact which he knew it should not properly have. He answered, ‘I take the fifth.’ I need not tell you that the Bar Associations throughout the land do nothing about this or similar tactics by Defense Counsel. The general public unfortunately thinks it’s ‘smart’ to do it.

“Altogether too often, legislators sit not as representing their constituents, but as lawyers whose actions are determined more by their own interests than those of the people they represent. This would not be so if their constituents took more interest in the laws that are passed as well as those *not* passed.

“Let me say in conclusion that our Association can render a great service to our country if we can devise methods, and it will not be easy, to get the general public and the lawyers through their Bar Associations interested in the problem of the administration of the criminal law. The press, radio, and television can render great service in this important problem. Indeed, I feel they have a duty to do so. Every matter of importance cannot have 36-24-36 measurements.”

American Society of Criminology Holds Annual Business Meeting and Announces Joint Meeting With American Association for the Advancement of Science—The American Society of Criminology held its Annual Business Meeting on December 29th, 1962, in the Burgundy Room of the Bellevue Stratford Hotel, Philadelphia, Pennsylvania.

The following officers were elected to serve in 1963: *president*, Donal E. J. MacNamara, Dean, New York Institute of Criminology; *vice-presidents*, Marvin Wolfgang, University of Pennsylvania; Clyde Vedder, Northern Illinois University; Lewis Yablonsky, University of California (Los Angeles); Jacob Chwast, New York University; *secretary-treasurer*, Charles Newman, Kent School of Social Work, University of Louisville; *executive council members*, John P. Kenney, University of Southern California; Marcel Frym, Immediate Past President.

The 1963 annual joint meeting of the American Society of Criminology and the American Association for the Advancement of Science will be held in Cleveland from December 26 through 31, 1963.

Berkshire Farm Institute Announces Training and Research Programs.—The Berkshire Farm

Institute for Training and Research has been established to provide training to persons planning to work in programs concerned with juvenile delinquency, to conduct relevant research, and to disseminate information about the causes, prevention, and treatment of delinquent behavior to interested persons. Field work placement opportunities will be offered for social workers along with internships for psychologists and psychiatrists and training for special teachers, guidance workers, sociologists, religious educators and pastoral counselors, and others. In addition to meeting the usual field work and internship requirements, the Institute's training program will include multidisciplinary seminars and courses planned to help trainees integrate their field experiences and relate their own disciplines to the special issues involved in work with delinquent youth, both within and outside of institutional settings. The Institute has embarked on a comprehensive multidisciplinary research program as well, and close integration of its training and research activities is planned. The Institute will also publish materials in areas of interest to the field.

The Institute director, George H. Weber, was formerly Chief of the Technical Aid Branch of the United States Children's Bureau. Current staff includes Jerome Beker, Research Psychologist, and Philip Kaminstein, Research Sociologist. Additions to the staff will be announced shortly. Persons interested in training opportunities at the Institute, its research activities, or any other aspects of the program are invited to communicate with the Director, Berkshire Farm Institute for Training and Research, Canaan, New York.

First Interamerican Conference on Legal Medicine and Forensic Science Meets in Puerto Rico.—The First Interamerican Conference on Legal Medicine and Forensic Science was held November 29–December 1, 1962, in Puerto Rico on the campus of the University of Puerto Rico. The Conference was jointly sponsored by the Department of Justice of Puerto Rico and the School of Law of the University of Puerto Rico. The Conference represented the first known attempt by a legal group to sponsor, on a broad scale, an interprofessional, intercontinental meeting designed to explore and analyze the joint problems of law, medicine, and science in the administration of justice. Considering that this was the first meeting of its kind, and also that the Cuban crisis kept

many people away from the Caribbean area around the time of the Conference, attendance was exceptionally good. Some 375 people were present as full time registrants, representing 16 countries of North America, South America, Central America, Europe, and Africa, and, in addition, over 100 students and faculty members of the University of Puerto Rico attended several of the meetings.

The principal speakers represented a cross section of the legal, medical, and scientific communities of the Americas and Europe. The scientists were represented by Dr. H. Ward Smith of Canada, Director of the Attorney General's Laboratory in Toronto; Dr. G. Uribe Cualla, Director of the Institute of Legal Medicine of the Department of Justice of Colombia; Dr. Paul Kirk of the School of Criminology of the University of California at Berkeley; Dr. Charles Umberger, Chief Toxicologist of the Office of the Medical Examiner of New York City; and Dr. Alan Curry, Chief Scientific Officer of Her Majesty's Forensic Science Laboratory, Harrogate, Yorkshire, England. Medical doctors on the program included Dr. Paul Dudley White of Boston; psychiatrists Henry Davidson of New Jersey and Gene Usdin of New Orleans; Dr. Milton Helpern, Chief Medical Examiner of New York City and President of the American Academy of Forensic Sciences; and Dr. James V. Lowry, Assistant Surgeon General of the United States. Representing the legal profession on the program were trial attorney Emile Zola Berman of New York; John Harty, Director of the University of Pittsburgh Health-Law Center; Richard Kuh of the New York District Attorney's Office; Larry Alan Bear, Director of the Conference; and Professor Helen Silving of the University of Puerto Rico. In addition, the Conference was privileged to hear Mr. Gilbert Yates, Director of the Division of Narcotic Drugs of the United Nations; Mr. Charles Wilson, Superintendent of the Wisconsin State Crime Laboratory, and Professor Robert F. Borkenstein, Chairman of the Department of Police Administration of the University of Indiana. The Conference was most fortunate in having as its dinner speaker The Honorable Walter V. Schaefer, Justice of the Supreme Court of the State of Illinois.

In addition to the main addresses, round table panels were held, utilizing the featured speakers and various Puerto Rican experts in the fields explored. The general areas discussed included (1) A Symposium on Legal Medicine and Forensic

Science Developments in the Americas (2) Presentation of Expert Medical Evidence in Court (3) Hospitals and the Law (4) Psychiatry and the Law (5) Narcotics, Narcotics Offenders and the Law (6) The Drinking Driver and the Law (7) The Forensic Scientist, the Forensic Science Laboratory and the Law.

The Conference proceedings, edited and with commentary by Larry Alan Bear, the Conference Director, with the assistance of Brian Parker, Conference Forensic Science Associate, will be published shortly in book form by the Charles C Thomas Company of Springfield, Illinois.

LARRY ALAN BEAR

Dept. of Justice of Puerto Rico
School of Law of the University of Puerto Rico

Twelfth International Course in Criminology, and Symposium, Held in Jerusalem, Israel; Resolution Adopted Encouraging Institute of Criminology of the Hebrew University of Jerusalem To Initiate Training Program in Crime Problems of Developing Countries—The Twelfth International Course in Criminology, and an International Symposium, were held in Jerusalem, Israel, from September 2 through 20, 1962. The subject of the Course and the Symposium was "Crime Causation and Prevention in Developing Countries."

There has long been awareness of the need for study and research in this area. In 1953, the Social Affairs Commission of the United Nations decided to include a project related with "the prevention of types of criminality resulting from social changes and accompanying economic development in less developed countries," as part of the program of activities of the United Nations for the period 1954-1955. This particular subject constituted the third item of the agenda of the Second United Nations Congress for the Prevention of Crime and the Treatment of Offenders, held in London in August, 1960. It was then agreed that "inasmuch as the topic was one to which inadequate attention had been given and on which insufficient data were available, its conclusions and recommendations could only be tentative and subject to verification based on sound research." Furthermore, the Congress concluded that "penal codes must be in harmony with and reflect social change, and that individualization of justice must be envisaged to allow rational adjudication and treatment which could take into consideration both the social order

and the special circumstances of the individual." Finally the Congress emphasized "the urgent need for research to assess the many factors of social change which are potentially contributing factors to criminality, as well as for research to evaluate the effectiveness of preventive measures." (See *INTERNATIONAL REVIEW OF CRIMINAL POLICY*, No. 16, October 1960, at p. 67.)

The General Assembly of the International Society of Criminology, meeting in London on September 18th, 1955, expressed the hope that scientific research should be advanced by "the definition of specific projects to be undertaken by the International Institute, such as the study of the development of crime in underdeveloped countries in relation to technical advances." (See *SELECTED DOCUMENTATION ON CRIMINOLOGY*, Reports and Papers in the Social Sciences, UNESCO, No. 14, 961, at p. 24.) On November 18th, 1960, Mr. Jean Pinatel, the Secretary General of the International Society of Criminology, sent official letters to several National Delegates of the Society of Criminology, asking them if they were ready to organize in their respective countries the first "colloquium" for the study of crime causation, prevention, and treatment in developing countries.

By the end of 1960, an agreement was reached to hold the Twelfth International Course in Criminology in Israel, centered upon this subject, and that immediately following the Course, an International Symposium would be held on the same subject.

The aim of the Course was to provide a platform where experts from abroad and from Israel might exchange opinions and experiences, compare techniques and methods, summarize research work, and plan projects for the future. The Symposium was also organized in such a way as to facilitate a confrontation of opinions based on different approaches, rather than to foster debate among representatives of antagonistic "schools" of a single and given field. Thus, judges had many opportunities to have friendly and useful discussions with psychiatrists, sociologists with psychologists, law enforcement officials with probation officers, and so forth.

The subjects dealt with during lectures and seminars were extremely heterogeneous, in spite of being connected with the central subject of the Course itself. A detailed summary is beyond the scope of these few lines. Only a few of the most important points will be mentioned. Stressed in