

1967

Book Reviews

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Recommended Citation

Book Reviews, 57 J. Crim. L. Criminology & Police Sci. 510 (1966)

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criminal activity (as I believe it to be), it seems reasonable to suppose that these decisions have played some part in that increase. Be that as it may, the alarming increase in crime throughout the nation should lead us to decline to weaken further the enforcement of the criminal law."

Student Prosecutors And Defense Counsel Approved—The Massachusetts Supreme Judicial Court has promulgated on June 25, 1966, Rule 11 of the General Rules of that court which now allows law students to conduct criminal cases on behalf of the prosecution and the defense. The rule reads, in part, as follows:

"LEGAL ASSISTANCE TO THE COMMONWEALTH AND TO INDIGENT CRIMINAL DEFENDANTS

(a) A senior student in a law school in the Commonwealth, with the written approval by the dean of such school of his character, legal ability, and training, may appear without compensation on behalf of the Commonwealth in criminal proceedings in any District Court, pro-

vided that the conduct of the case is under the general supervision of a member of the bar of the Commonwealth who is a regular or special assistant district attorney or a regular or special assistant attorney general.

(b) A senior student in a law school in the Commonwealth, with the written approval by the dean of such school of his character, legal ability, and training, may appear without compensation on behalf of indigent defendants in criminal proceedings in any District Court, provided that the conduct of the case is under the general supervision of a member of the bar of the Commonwealth assigned by the court or employed by an approved legal aid society or defender committee.

(c) The expression 'general supervision' shall not be construed to require the attendance in court of the supervising member of the bar. The term 'senior student' shall mean students who have completed successfully their next to the last year of law school study."

BOOK REVIEWS

Edited by
C. R. Jeffrey*

THE PRISON WARDEN AND THE CUSTODIAL STAFF.

By *Walter A. Lunden*, Springfield, Illinois; Charles C Thomas, 1965. Pp. ix, 112. \$6.75

This survey of tenure, turnover, and salaries of wardens in the United States; tenure and turnover of wardens in Canada; and turnover of custodial officers in state correctional institutions is the first comprehensive exploratory survey of its kind. Sixty-four tables and twenty-one charts simplify the presentation. The premise was that a high rate of staff turnover reflects ineffective selection, unsatisfactory conditions, poor administrative skills, low salaries, unwise promotion practices, undesirable retirement programs, lack of professional recognition or other corrosive factors. Most businesses have to establish a labor potential of over 2,000 men in order to keep 1,000 persons in

the various positions. The turnover rate in public employment would be between twenty-five and thirty-five percent. The thesis is that the fast turnover prevents the implementation of an effective program in corrections.

The average warden in 1956 was 53.9 years of age and had been appointed at 48 years of age. Their average tenure was 6.8 years. Of the 49 wardens who had been in correctional work prior to appointment, 22 had served as deputy wardens. Of the 630 state prison wardens who had completed their wardenships prior to 1956, the average tenure was 5.3 years. The shortest average tenure was in the western and southwestern states, while the longest tenure was in the coastal states from Maine to Florida. Thirty-three wardens in 20 state prisons were in and out of office, apparently based on political factors. The average tenure of 47 wardens in the six Federal Penitentiaries was 5.7 years. The average tenure for 22 wardens in four

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Federal Reformatories was 5.3 years. The average tenure of wardens in Federal Correctional Institutions was 4.3 years and in Federal Institutions for Youthful Offenders the tenure was 4.2 years. For those wardens still in office, tenure was 6.8 years in states and 3.8 years in the Federal Institutions. In Canada, 70 wardens who had completed their tour of duty in seven Federal penitentiaries averaged 8.0 years in office. The 31 wardens in five Provincial Institutions averaged 8.8 years per warden.

Of the 40,130 full-time employees in state correctional institutions in 1961, 25,915 were custodial employees. The turnover rate for custodial officers in 43 states who reported in 1961 averaged 24.8 per 1,000 officers. The highest rate of turnover was in the South Central states; while the lowest was in the West and North Central states, along with New York, Pennsylvania, and New Jersey. Some of the factors influencing turnover rates of custodial officers are working conditions, location of the prison, nearby competitive industry, increases or decreases in the inmate population, age distribution of the staff, changes in warden, inmate disorders and riots, economic disorders, unwise executive judgments, unwise selection of new staff and political change.

Salaries of wardens in state prisons are difficult to determine because of fringe benefits and non-monetary compensations. As closely as can be computed, the wardens and superintendents in 49 states in 1962 received salaries ranging from \$18,969 in Michigan to \$4,284 in Georgia. Custodial officers in 45 states in 1962, ranged from an annual income of \$8,196 in California, to \$2,628 in Georgia. There are, of course, considerable variations of salaries in states within geographic divisions. For example, Florida leads the South with the salary for wardens at \$14,400 while some other southern states pay among the lowest in the country.

Some states use inmates as custodial officers. This reviewer observed in Mississippi, for example, the inmates wearing vertical stripes carrying weapons to guard the inmates wearing horizontal stripes. The administration of the prison in Arkansas has reported to this reviewer that in the more than forty years of his memory, Arkansas has never had a civilian guard.

This study is the beginning establishment of a base from which to judge tenure and salaries of wardens and custodial officers in American correctional institutions. It is a simple, descriptive study.

There has been no effort at evaluating systems. The assumption was that the longer the tenure, the better the prison. On the other hand, this reviewer has regarded some instances of long tenure as having held back progress in a system for one or two decades. The merit of a simple exploratory study is that it may be politic at this time in American corrections. Wardens and correctional administrators tend to become defensive when their programs are evaluated. They consider that such evaluations have political overtones and there is distrust regarding how the results of such evaluations will be used. Diplomatic writing would have to attend any evaluation. In this study, some states, such as Mississippi, were considered to be "lowest" in ratio of custodial officers to inmates, while Arkansas, not having reported, was spared this distinction. This was mentioned in passing on page 81.

The contribution of this volume is in the beginning compilation of some basic information that needs to be gathered and recorded before the correctional field can go further and evaluate the accomplishments of its programs as opposed to the illusions of service and success so frequently reported in conferences and promotional writing. Dr. Walter A. Lunden has provided a solid base of information in the area of correctional administration and custodial tenure that merits the recommendation that all persons interested in corrections include in their libraries a copy of *The Prison Warden and the Custodial Staff*.

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INTERNATIONAL CRIMINAL LAW. Edited by *Gerhard O. W. Mueller* and *Edward M. Wise*. South Hackensack, N. J.: Fred B. Rothman & Co.; London: Sweet & Maxwell Ltd., 1965. \$20.00

This book, the second volume in the series of the Publications of the Comparative Criminal Law Project at the New York University, is a skillful compilation by the co-editors, Professor Gerhard O. W. Mueller, director of the Project and his former student and research assistant, Edward M. Wise, of selected essays and documentary materials in a field which, for some time now, has been fighting for recognition as a distinct legal discipline: international criminal law.

Introduced by such an eminent authority as Georg Schwarzenberger and divided into five chapters, the book acquaints the reader with a wide

panorama of subject matters, including for instance: principles and problems of jurisdiction; international standards of criminal justice, especially in relation to human rights; offenses against the law of nations, such as piracy and war crimes; international judicial cooperation, encompassing procedures and problems of judicial assistance, asylum, extradition, abduction and recognition of foreign penal judgments; proposals for an International Habeas Corpus and an International Criminal Court; the crime of genocide and offenses against the peace and security of mankind.

Each of the five chapters, with the exception of Chapter 2, dealing with international standards of criminal justice, is accompanied by a brief but useful bibliographical note.

While no attempt is made by the co-editors to tie the various chapters of the book closer together in a more systematic manner or to present an overall view or conclusion, nonetheless the compiled materials are helpful in furnishing the reader with some insights into the basic problems and procedures of a hitherto underdeveloped area of the law and as such should make an interesting reading assignment for teachers, attorneys and criminologists interested in the broader international implications of criminal law.

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ACTION PROGRAMS FOR DELINQUENCY PREVENTION. By *William E. Amos, Raymond Manella* and *Marilyn A. Southerell*. Springfield, Illinois: Charles C Thomas, 1965. Pp. ix, 137. \$6.75.

READINGS IN THE ADMINISTRATION OF INSTITUTIONS FOR DELINQUENT YOUTH. By *William E. Amos* and *Raymond L. Manella*, eds. Springfield, Illinois: Charles C Thomas, 1965. Pp. xiv 212.

The social climate of the nation today requires that considerable attention be paid to the problems of children and youth. This development has been stimulated, in large measure, by the civil rights activities of young people and, of course, by the plethora of welfare, education and training programs currently being sprinkled around the country by the national administration. It is appropriate, therefore, for these two volumes, reviewed here, to appear, for they are pertinent to our times. They complement each other, in some respects, for one of them deals with programs for

the troubled child in the community, while the other is concerned with the child in trouble who is confined to a correctional institution.

Early efforts to prevent delinquency were aimed principally at helping the individual child for there was a predisposition to view anti-social behavior as a reflection of an individual malady. It was felt that this conduct could be prevented by programs designed to provide intensive individual care for each child. The target for preventive action has shifted in recent decades, to the social setting that gives rise to delinquency. The volume dealing with Action Programs for Delinquency Prevention is in this tradition. The authors have selected local, municipal and country level prevention programs for review, in an attempt to illustrate the role of relatively small programs. It is their belief that "the most effective prevention programs are those which are organized and administered at the local level by professionals and interested citizens."

This thin volume describes in a rather concise and brief form twelve recently developed local programs that are scattered throughout the country. They range from projects that involve literally hundreds of children such as the Higher Horizons School program in New York City and the Youth Conservation Corps in Philadelphia, to more modest efforts for small groups of disadvantaged children such as the Ken-Gar Home Study program in Maryland and the Carson Pirie Scott Double EE program in Chicago. There are several common elements in these programs despite their diversity of form and their differences in geographic origin.

In almost every instance, these programs were not initially concerned with delinquency per se but rather with the paucity of opportunities for lower class children to secure jobs, complete their formal education, and to help themselves and their families to secure assistance from established public and private welfare agencies. Implicit in these programs was the recognition of the fact that it was not feasible to resolve the problem of delinquency without focusing on the related and perhaps more basic problems of effecting structural changes in the community.

A second common element was the fact that usually they were initiated by unattached, private individuals who were concerned and frustrated about the problems of lower class children, generally of minority group status. In some instances, young people themselves provided the impetus and oftentimes the concept that were subsequently

adopted by adults. The Youth for Service program in San Francisco and the Youth Council on Civil Affairs in Jacksonville, Florida are interesting examples of these efforts. In one or two instances they were started by a community leader who was able to focus attention on the problem principally because of his status and prestige in the community.

Another element was the insistence that volunteers be sought who were willing and able to donate their skills, services and time for fairly extended periods. Apparently there seemed to be very few difficulties in soliciting this type of aid. The response of enough individuals, at the outset, who participated was largely instrumental in getting these programs off the ground. Local citizens, adults and youngsters, exhibited interest and enthusiasm, in necessary and sufficient amounts to implement the ideas and concepts of the originators of the programs.

Early in the history of these programs the reality of the need for funds became apparent so that they were forced to seek financial assistance from public agencies but more frequently from private foundations. This was a common problem that was faced by the founders and one which was difficult to contend with. Usually, support was secured in large enough quantities to launch the project. It is interesting to speculate about projects that never materialize for lack of funds. The problem of why some programs are financed and others are not, in the initial stages, may be a function of the specialized interests of public officials and foundation trustees rather than the validity and efficacy of the programs.

A fifth element in the projects described in this volume was the attempts by the initial supporters to mobilize the assistance of established local leaders. Obviously community-wide programs require community-wide support for their survival. The trial and error efforts of the inexperienced volunteers tended to create serious administrative problems they could not cope with. As a result, professional paid help was sought and secured.

The introduction of trained persons tended to result in the expansion of the initial modest services to include fairly extensive educational, vocational training, work and welfare assistance programs. In this respect, many of the programs tended to become carbon copies of each other, despite the fact that the initial interest and intent of the volunteers varied considerably from one another.

One of the most intriguing and classic programs was established in a slum area of suburban Washington, D. C., the Ken-Gar, Maryland Home Study Program. It was initiated by a housewife from the District who became concerned about the plight of the school children in this community. She solicited and secured support from her own neighbors and friends. Her aims were to assist school children with their studies by providing homes where the children could do their homework, to seek volunteers who would serve as tutors and to secure the cooperation and participation of the parents in school activities. In time, the program was expanded to include not only elementary school children but high school students and preschool age children as well. Also, a paid professional person was hired to coordinate the activities of the children, their parents and the volunteers. One consequence of this program was the development of a civic association organized by the parents to deal with community problems. Although there was no formal evaluation of the program, it appears that "the delinquency rate has declined, the morale of the community has improved considerably and the children appear to be better prepared to deal with their school work."

Although these programs are interesting illustrations of what can be achieved by the concern, ingenuity and efforts of private citizens in organizing community programs for troubled children, it cannot be demonstrated that they are effective. Needless to say community action programs pose complex problems for the researcher. It is difficult to identify, isolate and control the pertinent variables much less to measure their relative impact. Delinquency prevention programs of the past were unable to produce definite results in terms of changes in delinquency rates. However, the fact that evaluations of recent prevention programs are not forthcoming routinely does not appear to have very much effect in deterring communities from initiating projects designed to ameliorate conditions that endanger their children. Even the authors are willing to take the position, in defense of these programs that "the extent to which these projects and demonstrations have curtailed or prevented delinquency is conjectural." They insist that, "the fact remains that something is being done, something is happening and there is at work a subtle process which involves a group of responsible and concerned adults and a group of children in need." (p. 13) This may be a reasonable position to take in initiating prevention programs,

but it is hardly a valid basis for perpetrating and duplicating them.

In our society children with problems often get officially defined and labelled as "juvenile delinquents" and, in many instances, about 65,000 each year, are committed to institutional care, usually to the traditional state training school, which is the subject of the volume of *Readings in the Administration of Institutions for Delinquent Youth* by Amos and Manella. The aim of these institutions, as stated by the editors, is "the alleviation of symptoms and removal or modification of these forces, factors or conditions which produced the delinquent act." (p. 7) They are quick to point out however that "in any discussion of the purposes of juvenile institutions one cannot overlook the serious responsibilities the institution assumes for the protection of the community, persons and property." (p. 11) These contradictory and conflicting aims and purposes are not the subject of these readings, however. The editors have attempted instead to present a manual which describes the various features of state training schools for delinquent youth.

Each of the seventeen chapters were written principally by persons with administrative experience in programs for committed boys and girls. There is a chapter dealing with each of the usual program elements that are found in the several state and federal training schools, from the reception and orientation of new admissions to the cottage life program and the pre-release preparation of children who are returning to the community. With one or two exceptions, each chapter is written from the point of view of instructing the reader on the "proper" way to administer each feature of the institutional program. In effect these readings constitute a manual on the operation of the program rather than an exposition of the problems and issues that confront the nation's training schools. These institutions were created, in many instances, in an earlier era, in our history, in response to the demands of reformers and legislators that separate correctional facilities be developed for children. Through the years, training school administrators have had to adopt their programs to meet three critical problems, overcrowding, staff shortages and the development of the "helping" disciplines. Without the opportunity to change the basic structure of the programs or the physical plant, these administrators have struggled to maintain the integrity of their programs. It is a

rare training school in this country that can claim it has resolved these problems.

The authors address themselves to a training school model which incorporates treatment, education, recreation, order, medical care and religious training as its basic features. There are chapters on physical plant design, construction concepts and standards, administrative structure, and institutional committees and training. Also there are separate sections that deal with the special problems of programming for the exceptional child, discipline and security, pre-release planning, and the state agency and the juvenile institution. It appears that many of the authors have relied to a considerable extent on a publication of the Children's Bureau (*Institutions Serving Delinquent Children—Guides and Goals*, Mo. 360, Revised 1962) for support of their positions and their concepts. A brief description of the basic concepts in this work would have contributed to a better understanding of the various presentations. However, these readings will be of interest to training school administrators and to students who plan careers in this field.

This brief manual should be supplemented by a careful, detailed examination of the role of the training school in dealing with the variety of children committed to its care. The goals of these facilities and their relation to the nature of their programs have yet to be examined in depth. Polsky's study of one cottage in a private treatment saturated training school raises important issues in this field that must be examined, particularly the relation of the treatment efforts of the staff to the destructive effects of the inmate culture. Other equally critical issues are (1) the conflicting goals of treatment and custody that dictate the hodge-podge programs that are found in many training schools; (2) the lack of any overriding theoretical principles to guide the staff and provide consistency in the lives of the children; (3) the role of the professional which, in most instances, turns out to be an attempt to insure humane, decent care and to protect the children from the arbitrary actions of the "untrained staff;" and, (4) the disturbing success of the inmate culture in neutralizing the efforts of the administration.

There are training schools which are attempting to deal with these problems such as the Wisconsin and New York Training Schools for Girls, the CASE program at the National Training School for Boys, and the Training School for Boys at Paso

Robles in California, to mention a few. A review of these programs would be enlightening to workers in this field.

These volumes have concentrated on the formal, organizational and administrative problems of a number of programs for children who "need" help. This is the traditional and I suppose necessary way to call them to the attention of private citizens and students who are interested in the efforts of communities to meet the problems of youth employment, education, and training. To this extent the authors have achieved their ends. Nevertheless, it might have been more informative and certainly more interesting, to find out how the children themselves viewed these programs and projects. There does not seem to be much doubt that many of the adults, particularly in the community programs, were gratified by their own involvement in them. Can as much be said for the disadvantaged and troubled children who provided this gratification?

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SCANDINAVIAN STUDIES IN CRIMINOLOGY, VOL. 1.

Published under the Auspices of "the Scandinavian Research Council for Criminology", Head Editor: Karl O. Christiansen, Editorial board: Johs. Andenaes, Knut Sveri, Patrik Toernudd. Tavistock Publications, Oslo and London 1965. 226 p. 40s.

THE DEFENCES OF THE WEAK, A Sociological Study of a Norwegian Correctional Institution, by Thomas Mathiesen. International Library of Criminology, Delinquency and Deviant Social Behaviour, No. 15. Tavistock Publications, London 1965. (Fred B. Rothman & Co. South Hackensack, N. J.). 259 p., \$6.00.

Since the Second World War, Scandinavian Criminology has rapidly developed; the first important step being the Textbook in Criminology, published by Professor Stephan Hurwitz which combined the Nordic traditions with continental experiences. Other names famous in criminology are those of the Swedish psychiatrist Olof Kinberg and the Finnish statistician Veli Verkko. Today, all Scandinavian countries except Iceland have criminological research institutes. Most of these institutes are attached to the faculties of law and are administered by a professor of criminal law, which is probably the best of all possible solutions because criminology is mainly connected with "crimen", the criminal law and the administration

of justice. The criminological research institutes are working closely together and on January 1, 1962 a Scandinavian Research Council for Criminology was founded. Each year the Council arranges a research seminar for about 50 participants. A part of the Council's efforts to develop closer contacts with international criminological research is the publication of the first volume of scandinavian studies in criminology, containing 10 research reports. The first of these contributions comes from Finland and deals with recidivism among criminals sentenced to life imprisonment. The records of all persons serving a sentence of life imprisonment in Finland from the years 1929 to 1958 were studied, a total of 482 men and 60 women. Within 13.2 years 50 per cent of the men were released, this level was reached much earlier for women. At the end of the 12th year, 8.7 percent of the males had escaped. The most interesting result of the study is that the frequency of homicide during the time of serving the sentence and after the release is equal.

Among the reports from Denmark, the most important is that about "a resocialization experiment with short-term offenders". The study shows that special treatment can be effective in an "intermediate group of slightly less persistent recidivists". Other studies from Denmark deal with recidivism among sexual offenders and the topology of crime. Among the Swedish contributions, I should like to draw the reader's attention to the "Study in self-reported delinquency among schoolchildren in Stockholm." Norwegian studies deal with crime and the press, group activity and the methods of criminological analysis. The author of the last study believes that criminology is "essentially" an empirical science and that "practically all major criminological works are based on statistical material." The reviewer, however, would claim that statistics, sociological methods and empirical science are only one less important way of criminological research and often not the best, quickest and cheapest of all ways. This has been demonstrated by the study of Mathiesen who shows that the inmates of a Norwegian preventive detention institution are characterized both by the absence of a deviant subculture and by a profound lack of solidarity. Mathiesen found that the inmates "defend" themselves by criticizing the staff for failure to adhere to its own principles of justice and efficiency. For this process of criticism the author has coined the term "censoriousness".

The value of every criminological study is measured by two objectives, 1.) if the results are new, and 2.) if they can be used in practice. After having read Mathiesen's study, the reviewer must answer both questions with no. The late Professor Gruenhut wrote in his classic book "Penal Reform" in the chapter dealing with men in prison: "In his relation to his fellow men and particularly to members of the staff, a prisoner is always suspicious and often a Pharisee, intolerant towards the slightest irregularity. His judgment on men is either black or white." (p. 173) Mathiesen apparently didn't read the criminological literature relating to his topic. Reading for instance the famous book of the Norwegian Bishop Berggrav about his experiences as a prison chaplain or the excellent study of Hugh Klare "Anatomy of Prison" would have been more helpful than making visits to the preventive detention institution for a year and interviewing the inmates—with or without elaborate interview techniques. It's an old experience of criminology that the "normal" inmate can hardly attribute to criminology, nearly all books about experiences of prison life are written by political prisoners from Dostojewsky to our days. Mathiesen didn't make use of this vast amount of important literature. Mathiesen's study reveals the weakness of much contemporary socio-

logical research. Too often sociological research means spending much money, involving many persons and much time, discussing problems of methodology over many pages and in a highly artificial language and lastly producing no results at all or trivialities or facts known to criminologists for a long time before. Modern criminology needs more ideas and less nose-counting. From Beccaria to Hans v. Hentig more stimulating results in criminology came from independent thinkers than from busy team workers feeding computers and holding endless meetings. Ideal criminological research lies probably in the midst; while America needs more original ideas, Europe needs more carefully planned empirical research. Looking over both books, the reviewer has the suggestion, the Scandinavian Research Council for Criminology may extend the topics of the published studies from one country to the other, for instance to study the criminal sentences to life imprisonment also in Denmark, Norway and Sweden or, what is very important in our time, to study the short term offenders in the other countries besides Denmark and to compare the results in all countries.

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