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EDITORIALS.

“OUR CRIMINAL PROBLEM FROM THE STANDPOINT OF CLASSIFICATION AND SEGREGATION.”

At the recent annual meeting of the American Prison Association, at Oakland, Cal., October 9th to 14th, a paper was read by Dr. Edith R. Spaulding, of the State Reformatory at Framingham, Mass., under the above title. The paper has been published in the Boston Medical and Surgical Journal of October 7th of the present year. It comprises a total of forty-six pages. In few papers of the sort is a profusion of data set forth so distinctly as in this one. Dr. Spaulding says in the introduction to her paper:

“Diagnosis of the individual delinquent is essential as a foundation for reform, and diagnosis is being found to resolve itself largely into a medical and mental problem. It is true that environment and training are equally important factors, but without the fair evaluation of the physical and mental factors other factors cannot be estimated in proper proportion. As in medicine a patient may recover without treatment or diagnosis, or a physician may administer proper treatment in spite of the wrong diagnosis, so in criminalistics reform may take place without the reformer’s help, or, empirically, with the reformer’s help but without the fundamental cause of his career being discovered. Nevertheless, as in medicine, the majority of cases of delinquency require treatment based on diagnosis, and that diagnosis calls for all the help which the combined forces of sociology, medicine, psychiatry, and psychology can give. To this end laboratories should be established in our courts and in our correctional institutions.”

The Massachusetts penal statistics for the year ending September 30, 1914, show that in the course of that year there were a total of 25,820 prisoners sentenced within the year, and that of these 14,817, or 57.4% of the total had served more than one sentence. The total number of previous commitments was 92,443, which makes an average of over six sentences for each of the repeaters. Such results as these show that our methods of reform not based on previous diagnosis are not encouraging, to say the least.

Dr. Spaulding, in this paper, is reporting particularly upon a study of 500 women prisoners in the Massachusetts reformatory. The diagnosis of these cases suggests a classification such as appears to the author to be suitable from the point of view of treatment. There is a
group comprising 24.8% of the total 500 who are in such mental and
physical condition that they require permanent segregation. At present,
however, the State of Massachusetts, just as most other states, for that
matter, does not provide sufficient institutions to segregate one-fourth
of her prisoners. This group is divided into two classes. The in-
stitutionally amenable comprise 95 cases, or 19% of the total, and the
institutionally incorrigible, or psychopaths, comprise 24 cases, or 4.8%
of the total 500.

A second class comprises 38% of the total, or 190 cases. These
are termed by the author as suitable subjects for the application of what
she calls a "truly indeterminate sentence." Those who belong to this
class require partial segregation. The indeterminate sentence now in
general use, as Dr. Spaulding well says, may more correctly be termed
an indefinite sentence. Under a "truly indeterminate sentence" a pris-
oner, once released from an institution, may be returned at any time,
provided he or she shows indications that society, either from the point
of view of health or peace, is unsafe by reason of his being at large.
It is like a period of parole that never ends in the course of the life-
time of the prisoner. The great difficulty with the present indeter-
minate sentence, Dr. Spaulding points out—and it is indeed one of
which we are all well aware—is that the sentence is not long enough in
most instances to give the prisoner sufficient time to recover, even in
the best of circumstances, from his indisposition, especially if that in-
disposition is based on an adolescent instability which may require years
of careful supervision and treatment to cure. This class comprises
three groups: the institutionally amenable, 74 cases, or 14.8% of the
total; the institutionally incorrigible, 60 cases, or 12% of the total;
the recidivists, 56 cases, or 11.2% of the total—making a grand total
of 38.5% of the cases in the second class.

In the third class we have 191 women, or 38.2% of the total 500.
This is the class that is eligible for parole, not necessarily because the
cases are hopeful, but because they present insufficient excuse for longer
sentence than is now provided by law for each offence. Here we have
again three sub-groups: the harmless defectives, comprising 13 cases, or
2.6% of the total; those whose reform is doubtful, comprising 70 cases,
or 14% of the total; and in the third place the reformable group, com-
prising 108 cases, or 21.6% of the 500 cases.

Dr. Spaulding has graphically and with surpassing clearness set
forth after the description of these three classes important facts re-
lating to the mental and physical condition of the prisoners. It is in-
teresting to observe that the average age of those who fall in the first
class above mentioned (the 24.8% who require permanent segregation),
is 25.2 years, while the average age of the two remaining classes is 31.1 years and 30.4 years respectively. This would seem to be an argument against the classification according to age which has been suggested in various states. The theory behind this age classification is that those women who are under 30 years present the most fertile field for reform.

Further charts point out graphically the prevalence of venereal disease. Gonorrhea, for example, in the three classes (those eligible for permanent segregation, for “truly indeterminate sentence,” and for parole) is found in 92.1%, 74.4% and 59.1% of the individuals in the three classes respectively. As to syphilitic infection, we find in the three classes respectively, 69.9%, 40.7% and 31.9% infected. This would seem to give us a view of the relative danger to the health of the community arising from the three classes of individuals. Once more, it is shown graphically that the cases with psychopathic tendencies lead all others in the proportion of disease which they have acquired.

Again, Class I, which is described as requiring permanent segregation, shows an average of 3.8 sentences and 5.9 arrests; Class II, 3.1 sentences, 4.9 arrests; Class III, 1.2 sentences and 1.9 arrests. This points to the relative danger to the peace of the community from the three groups described.

The statistics quoted above are drawn from Dr. Spaulding’s analysis showing the ideal disposition of the 500 cases studied. “If laboratories could be established as clearing houses in connection with our courts, many of these cases would never need to carry the unjustly imposed stigma of prison and could be sent directly to other institutions where they would receive appropriate treatment.” In the Municipal Court of Boston is the Psychopathic Laboratory, under the direction of Dr. Anderson; in the Municipal Court of Chicago is a similar laboratory under the direction of Dr. William J. Hickson. In neither Massachusetts nor Illinois are there sufficient institutions established to care for the hospital cases discovered in such a classification as this that is under review. Until such institutions are established, these individuals must be cared for in the various reformatories and prisons to which they may be committed. In these reformatories, then, the groups referred to above would be separated from a fourth group composed of first or second offenders without mental or nervous defect who present fertile ground for education and treatment. This group, then, would not be handicapped by the presence of defective individuals. It could be put under the influence of industrial, domestic and academic training, in a department of the institution in which normal discipline should be made to prevail. We quote here the conclusions which Dr. Spauld-
ing has drawn in this wholly admirable study, and add our confession that this review is entirely inadequate. Our readers will be amply repaid by, not one but several, careful readings of Dr. Spaulding's article. The conclusions follow:

"If the criminal problem is one of treatment of the individual for a deficiency rather than of punishment for the crime committed, the following fundamental provisions for the administration of such treatment are necessary:

"First, adequate provision by the State for the permanent custodial care of all committed cases of mental defect, whether or not they have a court record.

"Second, the establishment of laboratories in our courts and correctional institutions for the study and diagnosis of all offenders.

"Third, the equipment of all our institutions with facilities for classification and treatment of the various types which will remain even after the removal of the most defective. Such a classification will necessitate separate buildings, at least one of which should be equipped for hydro-therapy.

"Fourth, the adoption of an indeterminate sentence which shall enable us to treat patients until they are able to return with safety to the community.

"The physician has it in his power to do much towards educating the public to the need of fundamental measures of reform and to counteract the superficiality that is found among too many of our enthusiastic believers in universal reform. His knowledge of mental and physical defect enables him to see more than a cross section of a subject which is represented by the population at present confined in our penal institutions and to appreciate the social and economic waste which is the result of our base neglect of generations of inefficients in the community."

ROBERT H. GAULT.

EDUCATIONAL STANDARDS FOR MOVING PICTURES.

We call attention to a questionnaire at page 627 in this number of the Journal to which it is hoped every reader will make reply. It is addressed especially to those who are particularly interested in the educational and moral value of moving pictures for children and adolescents. When we recall the fact that thousands and thousands of young people in our cities, large and small, are frequenting the moving picture theatres, we will surely be impressed by the thought that the pictures, for good or ill, are having a tremendous educational influence upon the younger generation. Consequently it will be fairly assumed that when
we are giving so much attention to educational standards in the schools, we should not neglect thought of standards in out-of-school education. Educational and moral standards in connection with moving pictures are as tangible as similar standards in History and Literature.

Replies to this questionnaire should be addressed to Mr. Orrin Cocks, care of the National Board of Censorship, 70 Fifth Ave., New York City.

ROBERT H. GAULT.