Current Notes

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
Current Notes, 36 J. Crim. L. & Criminology 103 (1945-1946)

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.
North Carolina Amends General Statutes Relating to Evidence and Blood Grouping Tests in Determining the Paternity of Illegitimate Children—The North Carolina General Assembly ratified House Bill No. 22, on January 31, 1945, reading in part as follows: Section 1. That Section seven, Chapter forty-nine of the General Statutes of North Carolina be, and the same is hereby amended by adding a new paragraph at the end thereof as follows, to wit: The court before whom the matter may be brought upon motion of the defendant, shall direct and order that the defendant, the mother and the child shall submit to a blood grouping test; provided, that the court in its discretion may require the person requesting a blood grouping test to pay the cost thereof; that the results of a blood grouping test shall be admitted in evidence when offered by a duly licensed practicing physician or other duly qualified person. Section 2. That all laws and clauses of laws in conflict with this act are hereby repealed. Section 3. This Act shall be in full force and effect from and after its ratification.—Presented through the courtesy of the Secretary of State of the State of North Carolina.

Bill Establishing a National Neuropsychiatric Institute Presented to Congress—For several years the National Committee for Mental Hygiene has been on record in support of greater aid for psychiatric research, training and service. Whenever it has been invited to testify before Congressional committees on related matters, it has discussed the deficiencies in this field. In its surveys of hospitals, its field consultation to communities, its guidance to beginners in psychiatry, in fellowships for advanced work, or queries from families who refused to accept our scientific limitations, the need for a program of proportions far beyond the range of private initiative has been repeatedly in evidence.

The campaign against mental ill health has struggled against immense odds in its effort to make progress. Starting with asylums it was faced at the same time with converting them into hospitals and bringing into them the advantages of modern medicine. It had to contend with geographical isolation, laws based on criminal procedure, indifference of medical schools, poor financial support, haphazard training of personnel and half-hearted research. Small wonder that today many still remain as asylums and that very few of the larger institutions are hospitals equipped for the clinical approach.

H. R. 2550, presented to Congress by Representative J. Percy Priest of Tennessee, on March 9, offers the needed assistance to states and should do much to change this picture. It provides for Federal grants to states for clinical services that have been in long standing need of health, social and educational agencies, for the training of personnel for such clinics, and for research that should extend their technical capacities.

The bill establishes and defines a National Neuropsychiatric Institute under the United States Public Health Service. It would be an institute in the broad sense of a function, and not just a build-
This institute would include a research center at Bethesda, Maryland, where it could enjoy the laboratory and other research facilities of that location. In addition, this bill provides for grants-in-aid for research under other than the United States Public Health Service auspices. In many cases, if studies are to be valid, people must be studied where they are and as a part of their social setting. Research must be decentralized so that hospitals, universities, clinics and other facilities may be helped financially to pursue the research leads that their everyday work brings to them. The future of mental hygiene lies where mental health problems are generated and can often be forestalled: in the community. Grants-in-aid will enable many states to capture this future. Either through existing programs of states, the mental hospitals or as an independent function, states can be helped to provide clinical facilities on a broad scale.

But clinics and hospitals are no better than their staffs. The provisions of the bill, therefore, aim to facilitate the training of nurses, psychiatric social workers, attendants, psychologists, occupational therapists and psychiatrists.

Specifically, the bill states that the proposed establishment of the National Neuropsychiatric Institute is for the purposes of “con-ducting researches, investigations, experiments, and demonstrations relating to the cause, diagnosis and treatment of neuropsychiatric disorders; assisting and fostering similar research activities by other agencies, public and private, and promoting the coordination of all such researches and activities and the useful application of their results; training personnel in matters relating to neuropsychiatric disorders; developing, and assisting States in the use of the most effective methods of prevention, diagnosis and treatment of neuropsychiatric disorders.”

The administrative responsibility for the proposed program is vested in the United States Public Health Service and real authority is given to a special professional Advisory Council which would pass on all projects.—The National Committee for Mental Hygiene, April 3, 1945.

May Act Extended—The May Act, enacted by Congress in 1941, prohibiting the practice of prostitution in such zones around military or naval establishments as may be determined by the Secretaries of War and Navy, was extended by Congress on May 15, to May 15, 1946, or on the date of termination of hostilities in the present war, or on such earlier date as may be specified in a concurrent resolution of the House and Senate. The International Association of Chiefs of Police joined with other interested agencies and organizations in petitioning the Committee on Military Affairs of the House of Representatives to extend the life of the May Act for the duration of the War.—Police Chiefs' News Letter, June, 1945.

Yearbook Now Available—The 1944 Yearbook of the National Probation Association has been released under the title, Cooperation in Crime Control. The editor and the printer encountered many wartime delays but now we have it, a sizable volume of 320 pages, filled with readable, stimulating articles by outstanding people. It chiefly consists of papers given at the annual conference of the Associa-
tion, meeting in Cleveland in May 1944. The contents are divided into eight groups: "The Juvenile Court and Its Community Relationships"; "Understanding the Delinquent"; "Protective and Preventive Services"; "Community Responsibility for the Wartime Delinquent"; "Parole and the Institution"; "Special Problems of the Adult Offender"; "Legal Digest and a report of the year's work of the Association." The Yearbook is available at the headquarters office of the Association, 1790 Broadway, New York City.

Upward Trend in the Quality of Police Personnel—The results of a survey and reorganization of the metropolitan Police Department of Seattle, Washington, just completed, indicate that significant changes are taking place in the police forces of this country. The importance of this fact is directly related to the circumstance that between 85% and 95% of the total budget of the average American police department is represented by the payroll. During the course of this study, the Schrammel-Brannan Revision of the Army Alpha Test was administered to the total personnel (628) of the police department in this city of approximately a half million inhabitants. Thirty-seven percent of the total force (including the majority of command personnel) graded in the score range from 167 to 220 (very superior); thirty-one percent scored from 139 to 166 (superior); and seventeen percent of the force were found to be in the score range from 114 to 138 (high average). It is evident that the police services are beginning to attract better men than in the past. The above-results become significant when this quality of personnel is permitted to function within the framework of organization and management of a high order. Together, they provide the formula for a new era in the professionalization of police service. The study further revealed that eighty-six police officers in the Seattle Police Department had completed from one to six and one-half years of university training. One commanding officer wore the Phi Beta Kappa key.—Survey and Reorganization of the Seattle Police Department, June 1, 1945.

The Place of Youth Centers in the Treatment of Youth Problems—When social organization is in such a period of upheaval as at present, it is doubly difficult to distinguish the permanent from the froth, says William C. Morse of the School of Education, University of Michigan. Witness the multiplicity of agencies which have developed in any community during recent years, all with claims for wartime effectiveness and postwar carry-over. One of the first steps in evaluating youth centers is to examine the motivations which operated in their establishment. Adolescents are interested from one point of view, adults from another, and certain community institutions from still another. Adolescents who are potentially antagonistic to adults find it easy to slip into upbraiding their elders for the lack of opportunities. It becomes a struggle, the contention being sometimes a satisfying thing in itself, with the youth center merely the battleground. They are not old enough to join the service. They must still go to school. They need some point of focus for this vague emotionality. Attempts to by-pass it will not be tolerated. Many parents and youth workers state that they observe a precocious sophistication in young people. How far this is true,
and how far it is a projection of their own concern is open to question. The frequency and the intensity of the stimuli have increased; the demand for the exciting has increased. In order to gain attention the offering must be beyond the ordinary realm of behavior. Perhaps generalized anxieties, increased by the war, mount until they require some form of release. This unfocused anxiety is not likely to find sufficient sublimation in youth centers as many of them are now organized.

To the adult, the youth center in many instances becomes a mechanism of control that permits closer scrutiny and direction of the activities of the younger generation. For many adults it has become a pseudo-solution of youthful needs so that they can neglect real solutions. Agency motivations may follow the same general pattern, although certain groups have used the center activity as a means of carefully appraising their programs, studying young people, watching the effects of racial and economic mixing and the like. Not all of the agency interest is ephemeral by any means.

What are youth centers doing to lower the risk of delinquency? Neither the apologists nor the critics have much real evidence to offer. There is no reason to believe that many centers are not reaching some of the children who are especially in need of contact. Few centers have a consistent, planned program to reeducate the risks. The promoters just hope it will happen. On the other hand, some advisors are reluctant to encourage deviant youth to attend because they would rather not be forced to cope with the more severe problems. Many of them are untrained for this type of work.

Nor must we fall into the fallacy of implying that all young people need or would like center membership. A significant number are non-joiners because of various personality and privilege constellations. Also many youths are too busy with their own activities which are approved by parents and community to bother with the center. For some of the superior children the youth center hangout is not enough. They want creative outlets for special interests unprovided in many youth centers.

No youth center is a solution in itself. How it fulfills its function depends upon the conditions under which it operates. Its place depends upon its integration with other community agencies such as the school, camps, churches, law enforcement officials and others. The degree to which it serves the needs of the good-risk youth depends upon the insight and purpose of the adult leaders. In serving poor-risk youth, trained personnel with a responsibility for personal contact, for guidance and counseling is essential.—Youth Centers Their Place in the Treatment of Youth Problems, by William C. Morse, Probation, April 1945.

Delinquency Control Workshop Conference—An imposing list of state organizations in California are sponsoring the Delinquency Control Workshop Conference to be held in San Diego, June 28-29, 1945. This list includes the Attorney General's Office, Youth Authority, Department of Education, Department of Social Welfare, Department of Health, Peace Officers' Association, Congress of Parents and Teachers, American Legion, District Attorneys' Association, Conference of Social Welfare, School Superintendents' Association, Secondary School Principals' Association, Supervisors of At-
tendance and Child Welfare, Teachers' Association, Probation and Parole Officers' Association and the California War Council. The San Diego Conference is significant not only because of the number and character of the state departments and organizations cooperating in its sponsorship. It is important for another reason; it is the last of six conferences held under the sponsorship of the same state organizations and the same leaders during the month of June. By the time the conference leaders arrive in San Diego they will have accumulated a wealth of information regarding current delinquency conditions throughout California and the steps that are being taken to control the situation. Information concerning the proceedings of these conferences may be obtained from Kenneth S. Beam, in care of San Diego County Coordinating Councils, San Diego, California.—The Coordinator, April-May-June, 1945.

Legislation Relating to Dependent and Delinquent Children—The Legislature of the State of Washington enacted into law House Bill No. 462 (effective June 6, 1945), introducing significant procedural changes with respect to delinquents in custody. This bill reads in part: "When, in any county where a juvenile court is held, a child under the age of eighteen years is taken into custody by a parole, peace, police or probation officer, such child shall be taken directly before such court, or placed in the detention home or place under the jurisdiction of such court, or into the custody of the court probation officer: Provided, That if the parent, guardian, custodian or a responsible relative of the child furnishes the officer a signed statement agreeing to produce the child at the next juvenile court session, the child may be released to the signer of the statement. Any such signer who fails, without just cause shown to the court, to produce such child as agreed, shall be guilty of contempt of court and may be punished accordingly.

"The court may proceed to hear and dispose of the case in the same manner as if the child had been brought before the court upon petition as hereinbefore provided. In any such case, the court shall require notice to be given and investigation to be made as in other cases under this act, and may adjourn the hearing from time to time for such purpose. Pending final disposition of the case the court may make such disposition of the custody of the child as it shall deem for the best welfare of the child. If, upon investigation, it shall appear that a child has been arrested upon the charge of having committed a crime, the court, in its discretion, may order such child to be turned over to the proper officers for trial under the provisions of the criminal code.

"Nothing in this section shall be construed as forbidding any peace officer, police officer or probation officer from immediately taking into custody, without process, any child who is found violating any law or ordinance, or who is reasonably believed to be a fugitive from his parents or from justice, or whose surroundings are such as to endanger his health, morals or welfare, unless immediate action is taken. In every such case, the officer taking the child into custody shall immediately report the fact to the juvenile court and the case shall then be proceeded with as provided in this act.

"Neither the fingerprints nor a photograph shall be taken of any child under the age of eighteen years taken into custody for any
purpose without the consent of the juvenile court." Amending Section 12, Chapter 160, Laws of 1913 (Section 1987-12, Remington's Revised Statutes). This law serves to bring to a definite focus at one point the responsibility for disposition of all juvenile offenders taken into custody. The anticipated increase in the case load of juvenile courts in this state will place an additional premium upon adequate case work facilities at the disposal of this agency.—Editor.

University of Cincinnati Enters Police Training Field—Plans for a training program for returning servicemen in fire and police work, preparatory to entering municipal service are being worked on by officials of the city of Cincinnati and the University of Cincinnati. Arrangements are being made for the program to be in operation by the time larger numbers of servicemen return to civilian life. (Police Chiefs News Letter, June, 1945). There is increasing evidence that the universities and colleges of this country are turning attention to the professional training requirements of police service. The superb training resources of these institutions can be applied with important results in training men for this important branch of the public service. It has been demonstrated that every aspect of the police enterprise is as technical as medicine and engineering, and it must be obvious to all thoughtful persons that the only place where the necessary training for this professional service can be delivered is in the classrooms and laboratories of a university or college. Complete information concerning police curricula that can be instituted in any major educational institution has been assembled by the National Association of College Police Training Officials and can be obtained by addressing this association at 923 Euclid Avenue, Berkeley, California.—Editor.

Purdue University Also Active—More than 100 police and fire officials from 14 states attended a specialized training course in arson detection and investigation held at Purdue University in Lafayette, Indiana, May 22-24.

The course was held at the request of police and fire officials for the purpose of studying modern methods and procedures in arson investigation and detection. It also served to acquaint representatives of the police and fire services with their individual and cooperative responsibilities in dealing with this type of offender. The course was conducted by the Indiana Fire Service Training Schools, the Public Safety Institute of Purdue University, the Indiana Fire Marshal's Department and the Indiana Inspection Bureau. Local state and national organizations interested in arson investigation cooperated.

Professor J. L. Lingo, director of Purdue's Public Safety Institute, served as course coordinator. Outstanding specialists in arson investigation and detection participated as speakers and discussion leaders. These were supplemented by a number of leading authorities and experienced instructors from the police and fire services.—Police Chiefs News Letter, June, 1945.

Designs and Functions of the Juvenile Detention Center—All over the country concern about keeping children out of jail and providing better facilities for care in detention has been mounting steadily
during the past year. This interest has probably been stimulated by the wartime increase in attention being given the general subject of juvenile delinquency. Many communities are planning to build detention homes as soon as materials and labor can be released. Others are considering different types of care in detention, such as foster homes or the use of other agency facilities.

So many requests for help in the planning and construction of detention homes and in reorganization of detention care have come to headquarters of the National Probation Association that it has been decided to undertake a field study covering various kinds of detention homes and other methods of emergency care. While it is obvious that this study cannot result in recommendations for a "model" juvenile detention center, it can result in a manual; a compilation of practical material on the basis of which communities can do better planning. The Association has now organized a staff to implement this study and progress will be reported from time to time.—Probation, April, 1945.

Vollmer Comments on Youth Problems—Every juvenile is an extremely complicated piece of human machinery. An automobile, with fewer than 10,000 parts requires an expert to put it into order when it fails to function efficiently. The youngster's nervous system has more than ten billion parts, yet when it gets out of order, every tinkerer deludes himself into believing that he knows what is wrong and that he can correct the trouble. The truth is the direct opposite. The aid of behavior specialists, with all their scientific training and equipment, is required before it is possible to determine whether the problem child is a victim of defective heredity, some pathological condition, unwholesome environment, or a combination of multitudinous factors. Coordinating councils are demonstrating their ability to improve the physical and cultural environment in some of the worst sections of our cities. We cannot afford to rest with the statement that the parents are delinquent, or pre-delinquent children are responsible and should be held accountable for the fact that delinquency exists to so tragic a degree. For the home and the parents, are not only a part of the community, but are a result of community influences. Therefore, community efforts directed toward the establishment of scientific, professional service for study and treatment of conditions productive of delinquency are indicated.

As a part of community effort toward checking delinquency, citizens should request and encourage the schools to take advantage of their opportunity to recognize potential delinquency in problem children. School directors should be urged to create a fully manned child guidance clinic within the school system. The clinic should include full-time psychiatrists, clinical psychologists, and psychiatric social workers. The function of this clinic is to ascertain at the earliest possible moment what it is that causes the child to deviate from normal standards, and to set up the machinery for the correction of these early evidences of irregular behavior.—August Vollmer, Journal of Lambda Alpha Epsilon, June, 1945.
Training of Prison Officials in Mexico—The following notice appeared in the *Gaceta del Gobierno*, (Mexico), Vol. 58, February 19, 1944:

"In order to realize the aims of service and education envisaged by its founders the Institute of Police Sciences of the Mexican Republic has established, beginning with the present school year, a new career designation, that of 'Penitentiary Officer,' the need for which is obvious in present-day Mexico.

"Article 18 of our Political Constitution bases the penitentiary systems, both of the Federation and of the States, on labor as a reformatory medium, and in order to give vigor to this constitutional provision which until now has been a dead letter there is need for a scientific and pedagogical organization of labor in order to make it capable of reaching such a notable aim.

"Furthermore, the modern orientation of penology, especially with reference to the execution of punishments by imprisonment, fully recognized by all the progressive penal codes which are in effect today in the different states of the Republic, makes it necessary to furnish to the prisons where such punishment must be served a personnel which is adequate from a moral and technical point of view.

"Inspired by these reasons of evident social importance the Institute has prepared the following course of study corresponding to the career designation mentioned above:

- History of Prison Systems
- Penology
- Correctional Education
- Criminal Sociology and Biology
- The Organization of Penal Institutions
- Dactyloscopy
- 'The Spoken Portrait'
- The Elements of Criminal Law
- The Elements of Criminal Procedure

"The course is one year in length, and on its completion a diploma will be granted. Registration fee: 20 Pesos; Monthly fee: 20 Pesos."—From Thorsten Sellin, University of Pennsylvania.