CURRENT NOTES

V. A. Leonard, Editor

Hubert Winston Smith — Legal Medicine — Dr. Hubert Winston Smith, lately discharged from the medical service in the U. S. Navy, has become a member of the Editorial Board of this Journal. On leaving the Navy Dr. Smith was appointed Professor of Legal Medicine in the State University of Illinois under the Distinguished Professorship Fund. His responsibilities are divided between the College of Law and the College of Medicine in the University.

From July 1941 until he entered the Naval service Dr. Smith was Associate in Medical-Legal Research in the Harvard Medical and Law Schools. Some of the readers of this Journal will recall that in 1943 he prepared a symposium that covered an area of common interest to both medical men and legal scholars. He is now preparing a second symposium of similar character. Fifteen law and medical journals participated in publishing the earlier symposium and the like cooperation is being arranged to assure publication of the forthcoming material. An early number of this Journal will be devoted entire (that is, the space usually given to “Leading Articles”) to publication of such units in the coming symposium as fall within the scope of criminal law and criminology.

The final outcome of these symposia will be a treatise in several volumes under the general title: “Scientific Proof and Relations of Law and Medicine.”

Dr. Smith has not only the medical degree but he has been both a teacher and a practitioner of law. He is a member of the Texas Bar, Massachusetts Bar, the Bar of the Fifth Circuit Court of Appeals (New Orleans) and of the Bar of the U. S. Supreme Court.—R.H.G.

Measurement of Delinquency in the Community—In spite of sizable statistical projects in many communities and endless discussion of juvenile delinquency, a deep skepticism pervades the minds of those who have had contact with communities of various sorts and who know children and adolescents, as to the accuracy of figures that purport to indicate its prevalence. By accuracy is meant that quality of the figures which enlightens a given community on the number of its children whose behavior justifies serious concern.

One sometimes wonders about this passion for the measurement of juvenile delinquency. Probably it arises from admiration of the achievements of public health authorities in controlling acute transmissible diseases. But as Grace Abbott once said (Social Science Review, June 1936), “if in our consideration of delinquency we must have a medical analogy, it is with tuberculosis that the most useful parallel can be drawn.” The analogy would have been even better had she pointed out that the term “delinquency” is on a par with the term “sickness”, unmodified by any specification other than that it seems to justify calling the doctor. Except as they report general death rates, health departments seldom try to deal with so vague and diffuse a concept. Any condition of body or mind which does not lend itself to fairly precise identification either as to manifestation or etiology is a pretty poor candidate for statistical measurement.
One hastens to add that while this vagueness constitutes a bar to good statistical work, it is a compelling reason for more, rather than less work in individual treatment and study, for better initial observation and diagnosis, for more consistent and sustained follow-through to see and record the full course of the condition and thereby begin to establish a basis for prognosis under given sets of circumstances. It calls for more carefully controlled experimental work with authentically selected subjects and all of the other techniques of scientific study. Real studies of prevalence await this kind of initial analysis of the concept of delinquency and of the treatment of it.

Central registration of Delinquents. Some eight years ago two staff members of the Research Bureau of the Welfare Council of New York prepared a memorandum on the need for better organization of the forces in the city for dealing with children who exhibit problems of behavior. This memorandum recommended, in part, that as a beginning the educational authorities in New York City set up a central register of all children whose behavior causes grave concern and who are known to the several parts of the educational system,—teachers, principals, attendance officers, special services such as the child guidance clinics, classes for mental defectives and the others. Since almost all children are subject to continued observation by schools of various kinds, this list would be comprehensive and presumably would record early indications of behavior that causes concern. To it additions and corroborations would be made by the police, other public departments and voluntary agencies.

The very construction of such a list, if it were done at all intelligently, would force more precise specification of what is regarded as behavior sufficiently ominous to warrant the continued attention of public and voluntary agencies. Altogether, it would appear that the operation of such a central register would involve the performance of the following duties: a. Definition of the types of delinquent behavior that would bring a child into the registration system; b. Maintenance of a comprehensive information service on all agencies rendering specialized services to delinquent children; c. Maintenance of a central file with identifying information and diagnostic data about each registered case; d. Recording of the acceptance, rejection and closing of each registered case by the agencies affiliated with the system; e. Referral of cases reported as in need of treatment which the agency or person of original contact cannot provide or arrange for; f. Prompt preparation of reports to appropriate community planning agencies; g. Compilation of statistical analyses dealing with discovery, diagnosis, treatment and results.

Such a registry would constitute the beginning of a close-meshed system of case finding and of accounting for community efforts to modify the behavior of children who seem to be in danger. It would provide a basis for measuring prevalence of serious behavior problems that would stand up under critical examination. But even with our best efforts and most systematic administration there will still be some question as to whether all the children have been found who may later become dangerous members of society and whether the count is good enough to yield statistics that meet our criteria of comparability from time to time and place to place. The careful checking back to the list of adult persons apprehended as criminals would in time reveal the relation of adult criminal behavior to
juvenile delinquency and the reliability of the judgments of the agencies dealing with it.—Neva Deardorff, Assistant Executive Director, Welfare Council, New York City, Central Registration of Delinquents, Probation, June, 1945.

Editor's Note—See also Pre-delinquency by August Vollmer, this Journal, XIV, 2, Aug. 1923, pp. 279-283; and Do Problem Children Become Delinquents and Criminals? by Nathan Bodin, this Journal XXVII, 4, November-December, 1936, pp. 545-559.

California's New Penal and Correctional Program—Slightly more than a year has passed since the State of California created by law a new penal and correctional system. Administrators and students in the correctional field have expressed a great interest in this development. The new law has as its basic intent the creation of a unified State Department of Corrections for the purpose of integrating and correlating all of the correctional activities of the State. The new Department includes the Director of Corrections, the Board of Corrections, the Adult Authority, including the Bureau of Paroles, the Board of Trustees of the California Institution for Women, and the Youth Authority. This new Department succeeds to the powers and duties formerly vested in the following departments, agencies and officials: Department of Penology, State Board of Prison Directors, Board of Prison Terms and Paroles, Advisory Pardon Board, Bureau of Paroles, California Crime Commission, wardens and clerks of San Quentin Prison, Folsom Prison, California Institution for Men at Chino, and the California Institution for Women at Tehachapi.

The Director of Corrections is appointed by the Governor with the consent and advice of the Senate, and serves at the pleasure of the Governor. Governor Earl Warren chose his first Director of Corrections on the basis of a nation-wide competitive examination conducted by the California State Personnel Board. Mr. Richard A. McGee, formerly Supervisor of Public Institutions in the State of Washington, and Past-President of the American Prison Association, now holds this important position. The Director of Corrections is charged with the responsibility for the care, treatment, and training of persons confined in State Prisons. He is responsible for the administrative control and operation of all State institutions for adult felons.

The Youth Authority is a three-member board which has responsibility for the classification, care, and treatment of all cases committed to it by the Juvenile Courts of the State and for such other youthful offenders under the age of 21, as may be accepted for treatment by the Youth Authority from the criminal courts of the State. Neither the Director of the Youth Authority nor its members are administratively responsible to the Director of Corrections. They are appointed by, and are responsible to, the Governor. The relationship between the Youth and Adult divisions of the Department is one of mutual cooperation.

The Adult Authority is composed of three members, each of whom is appointed by the Governor, with the advice and consent of the Senate, for four years in staggered terms. Under the law, one member is to be an attorney-at-law, one shall have had practical experience in handling adult prisoners, and one shall be a sociologist in training and experience. The law requires that each member of
the Adult Authority shall devote his entire time to the duties of his office. The Adult Authority is a division of the Department of Corrections. While it is mainly concerned with matters pertaining to parole, it is observed that the law makes an effort to set up in the Adult Authority a case-work agency which is intended to exercise control over the professional treatment of prisoners from the time they are convicted until they are finally discharged from parole.

Of unusual interest to the advocates of better classification in penal and correctional institutions is the provision of the law which requires that the Director of Corrections shall establish a psychiatric and diagnostic clinic for the purpose of making a careful study and examination of each person committed to a State Prison. The clinic was established in September, 1944 at the San Quentin Prison, which at present is the receiving center for all newly admitted adult offenders. Newly admitted inmates are under the twenty-four hour-a-day observation and supervision of the Guidance Center staff for a period of from four to seven weeks, after which they are referred to the Adult Authority for transfer to the several institutional facilities of the Department.

Altogether, there are five major agencies in the Department, who are appointed by, and are responsible directly to, the Governor; namely, the Director of Corrections, the Adult Authority, the Youth Authority, the Board of Trustees of the California Institution for Women, and the Board of Prison Directors. The need for correlating these agencies and tying them together on a policy-making level is met by the creation of an eleven-member Board of Corrections, consisting of representatives from each agency.

Another very important advance made by the new law involves the mandate that all employees of the Department and its institutions shall be recruited and appointed in accordance with the State Civil Service Act. This provision of the law became effective January 1, 1945. The Department is now in the process of classifying its personnel under the provisions of this Act.

In addition to administrative reorganization, this first year has been marked by development of plans for modernization of service facilities at existing institutions, creation of a new medium-security institution, establishment of an intermediate reformatory-type installation for young offenders, and a Medical Correctional Institution. The California State Legislature has already appropriated a substantial part of the funds to cover these improvements.—The Prison World, May-June, 1945.

O. W. Wilson in Germany—Wearer of the Vollmer mantle as well as the insignia of high military rank, Colonel O. W. Wilson, former Chief of Police at Wichita, Kansas, and on leave as Professor of Police Administration at the University of California, is currently Director of the Public Safety Division of the United States Control Commission in Germany. Organization and administration of both fire and police services are under his direction. The dimensions of the task confronting police administration in that war-torn country are indicated to some extent by the fact that in the U. S. Zone of Berlin, the police department numbers 3,000 men, 2,500 of whom have been policemen less than 90 days and have received little or no training. Motorized transport is scarce and there is little gasoline to operate the few cars on hand. Police communication facilities
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were severely damaged during the period of hostilities with the result that communication controls are maintained principally with the aid of military police who travel in radio-equipped jeeps.

Friends of Colonel Wilson predict that this dynamic mentor of the American police field will give a good account of himself in carrying out this important assignment. German territory will not seem strange to him. Shortly before World War II, the Oberlander Award was bestowed upon him for distinction as the outstanding American Chief of Police, and he was sent abroad to study European police systems and methods. Readers of the Journal look forward to the completion of his present assignment and an early return to his former post as Professor of Police Administration at the University of California in Berkeley.

Mental Hygiene in a Community Health Program—Berkeley, California, is once again in the social science news with announcement of the formation of a community mental hygiene clinic as part of a comprehensive local operation planned to meet the needs of the mentally, physically or socially different individual in the formative years of life. Sponsored by community leaders, some nationally known in the field of behavior therapy, the organization will be financed during the first year of operation as follows: State Department of Public Health—$9,000; Rosenberg Foundation—$5,000; and City of Berkeley—$2,000.

The projected activities of the organization include: a. Create and maintain community understanding and support of the guidance center which the local Health Department will open the first of the year. The plan includes prevention, consultative and clinical services, and community education. b. Provide a medium through which all professions, agencies and organizations interested in the promotion of mental health can cooperate for the benefit of the community. c. Increase and spread knowledge of the principles of positive mental health. d. Encourage the application of the rapidly growing scientific knowledge about mental health to the prevention of social waste—family breakdown, delinquency, alcoholism, intolerance, disease.

The relationship of mental health to personal efficiency, and ultimately, to crime and dependency with their huge drain on the nation’s resources, should direct the attention of other communities to the promise of more effective results further upstream at points where behavior patterns are in the process of taking form. Enormous sums of money are spent annually in this country in a futile attempt to retrieve human loss at the level of the jail, criminal court, reformatory and penitentiary. Further information concerning the proposed program in this California city may be obtained from Miss Margery Carpenter, Secretary, Berkeley Mental Health Association, Berkeley, California.

Race Relations Institute—An institute on race relations and community organization was conducted at the University of Chicago during the summer under joint sponsorship of the University and the American Council on Race Relations. Proceedings of the institute are being prepared for publication. While the institute was in agreement on general principles of organization, areas of action
and fairly specific programs, it concluded that strategy and detailed techniques must be developed to fit local situations rather than strict conformance with a national plan. Reporting devices, in-service police training programs, allocation of the best trained officers to tension areas, promotion and recognition of officers successfully handling difficult interracial situations, and dismissal and transfer of officers who practice discriminatory tactics against minority groups, were suggested procedures for a police administrator to include in the police program for better handling of racial problems and situations.

The American Council on Race Relations, 32 West Randolph Street, Chicago 1, Illinois, maintains a clearing house of information on racial and minority group problems, and police officials as well as others interested in this important subject may obtain further data by addressing the Executive Director, A. A. Liveright.—*Police Chiefs News Letter*, August 1945.

Northwest Scientific Association—Scholars and scientists representing some of the nation's foremost research talent will assemble in Spokane, Washington, December 28 and 29, on the occasion of the annual meeting of the Northwest Scientific Association. Scheduled for presentation are papers in public health, the physical sciences, biological sciences, social sciences, and other areas of research. A large attendance is anticipated and panel discussion groups are being organized for each major field of interest. Dr. Wilson Compton, President of the State College of Washington, will address a general session of the conference.

Prisoners in the Armed Services—While complete figures are not available, it was stated before a session of the House Military Affairs Committee in Washington that there are about 100,000 former prisoners in the Army. According to figures released by the State Division of Parole in June, 2,097 parolees from seven New York State penal institutions were serving in the armed forces. The Selective Service Division became interested in the proposal that some effort be made to determine the conduct of former prisoners and undertook to make inquiry. To assist in the project, Major General Hershey, in accord with his power under the law, established a National Advisory Committee on Prison and Parole Matters Affecting Selective Service. Meetings of this committee were held to decide on procedure, the kind of information to be obtained and how it should be evaluated. There was effort made at these meetings also to induce the Navy to be more liberal in its consideration of former prisoners for service. It is recognized that the obtaining of an evaluation of the conduct of ex-prisoners is not an easy undertaking; however, General Hershey has assigned members of his staff to the project. It is expected that there will result sufficient findings to amply justify the decision to allow former prisoners, who have been carefully screened in accord with standards set up by the Selective Service System, to serve in the armed forces. This information should be of definite value for future use. In the development of these standards great credit is due the combined efforts of Colonel Edward S. Shattuck, General Counsel of the Selective Service System, and Mr. James V. Bennett, Director of the

Heredity of the Rh Blood Types—Further application of scientific blood determinations in cases of disputed parentage is reported by Alexander S. Wiener, M.D., and Eve B. Sonn, of Brooklyn, N. Y. A total of 197 families with 463 children have been tested for the Rh blood types with satisfactory results. To date, in 102 cases of disputed paternity, tests for the Rh types have been carried out together with the usual A-B-O, A_1-A_2, and M-N tests. In four cases the accused man was excluded by the Rh tests; in two of these cases he was also excluded by one of the other tests, but in two cases the woman's false accusation might have been believed had the Rh tests not been performed. These workers report that the value of the Rh tests in cases of disputed paternity can be gleaned from the fact that whereas previously, with the aid of the A-B-O and M-N tests, a falsely accused man had one chance in three of proving his innocence, the Rh tests have raised the chances of exclusion to approximately 45 percent.

The Rh blood types are also reported to be useful for the individual identification of fresh, wet bloodstains. The common blood groups and subgroups give rise to six types of blood; the agglutinogens M and N determine three types of blood; with anti-P serum two types of blood can be distinguished, while with the three varieties of anti-Rh sera and with anti-Hr serum, eight types of blood can be distinguished (disregarding the rare types Rh', Rh'' and homozygous Rh'), so that in all 6x3x2x8=288 varieties of human blood can now readily be differentiated.—Alexander S. Wiener, M.D., and Eve B. Sonn, Heredity of the Rh Blood Types, Medicolegal Application in Cases of Disputed Parentage, The Journal of Laboratory and Clinical Medicine, May, 1945.