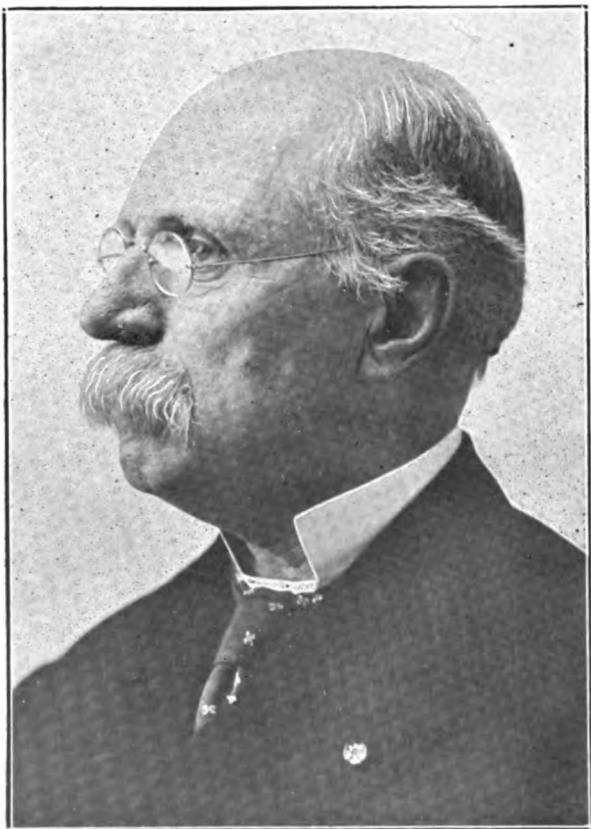
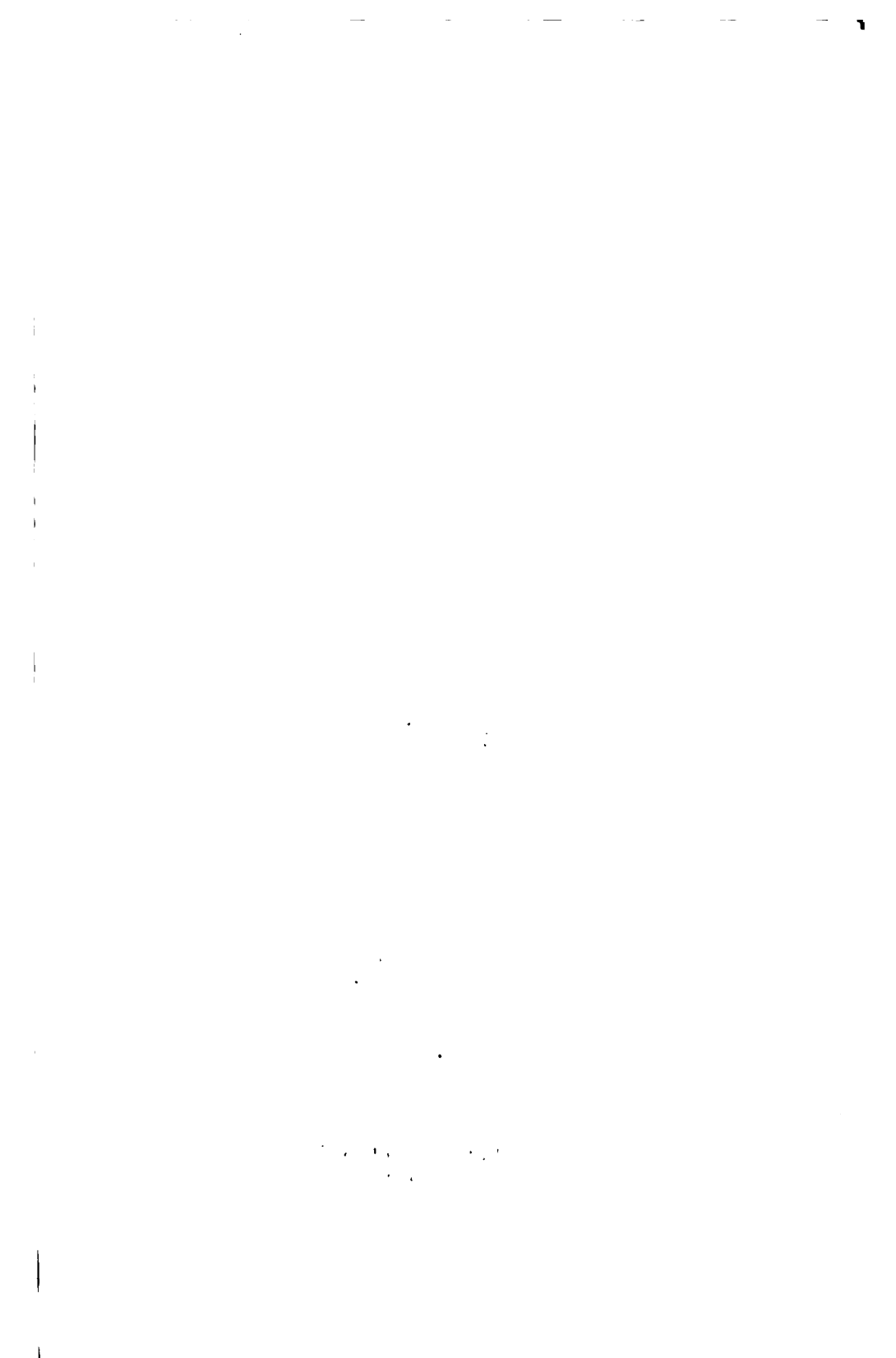




DR. HASTINGS H. HART
PRESIDENT AMERICAN PRISON ASSOCIATION
1922



Proceedings

OF THE

Annual Congress

OF THE

American Prison Association

Detroit, Michigan,

October 12th to 18th

1922

**Central Office, 135 East 15th Street
New York**

TABLE OF CONTENTS

	Page
PREFACE	5
ORGANIZATION FOR 1922	7
AUXILIARY ASSOCIATIONS	9
SCHEDULE OF PRISON CONGRESSES, 1870 TO 1922	11
OBJECTS OF THE ASSOCIATION	13
OPENING SESSION	15
THE TREATMENT OF DELINQUENT WOMEN. Mrs. Jessie D. Hodder	16
PSYCHOLOGY IN PRISON MANAGEMENT. Colonel M. H. Barnum	24
PENOLOGY AN EDUCATIONAL PROBLEM—PRESIDENT'S ADDRESS. Hastings H. Hart, LL. D.	33
CLASSIFICATION—WHAT HAS IT ACCOMPLISHED? Dr. Frank Moore	51
PRISON INDUSTRIES. Harry L. Hulburt	66
THE WORK OF A POLICEWOMAN. Eleonore L. Hutsel	73
WHAT THE COMMUNITY EXPECTS OF A STATE REFORMATORY. Anna M. Petersen	78
THE TRAINING OF THE DELINQUENT WOMAN. Mary Dewees	82
ADDRESS. Rev. Charles Parsons	91
OUR DUTY TO THE CRIMINAL CLASS. Mrs. J. A. Leavitt	92
WELFARE WORK AND PRISON REFORM LEGISLATION. Judge Hubert Utterback	94
SHOULD OLD PRISONS OF THE AUBURN TYPE BE ABANDONED AND MODERN INDUSTRIAL REFORMATORIES SUBSTITUTED?	
THE PRISONER'S VIEWPOINT. William J. Ellis	109
THE INSTITUTION AS A COMMUNITY. A. L. Bowen	112
FROM THE VIEWPOINT OF THE REHABILITATION OF PRISONERS. Adolph Lewisohn	119
THE PRISON LIBRARY. Rev. W. S. Bassett	134
THE BIG SISTER MOVEMENT. Katherine Hattendorf	141
MUSIC AS A MEANS OF DISCIPLINE. Willem van de Wall	150
MEDICAL ASPECTS OF WORK WITH DEFECTIVE DELINQUENTS. Dr. Walter N. Thayer, Jr.	160
THE PRISON PHYSICIAN'S WORK WITH DEFECTIVE DELINQUENTS. Dr. P. B. Battey	163
PROBATION AND THE CRIMINAL LAW. Hon. Ira W. Jayne	166
SOURCES OF DELINQUENCY IN SCHOOL CHILDREN. Elizabeth Farrell	183
DELINQUENCY AND THE NEW PSYCHOLOGY. Dr. E. R. Lindeman	193
CONGRESS SERMON—CHRISTIANITY AND CRIME. Rev. H. L. Hough	204
SUNDAY AFTERNOON MASS MEETING.	
THE FUNCTION OF RELIGION IN THE REDEMPTION OF THE DELINQUENT. Dr. Worth M. Tippy	216
"BOYS' NIGHT".	
ADDRESS. Dr. Charles H. Johnson	226
BIG BROTHERS AND BETTER BOYS. Rowland C. Sheldon	228
BOY SCOUTS OF AMERICA. James E. West	232
REPORT OF THE COMMITTEE ON CRIMINAL LAW AND STATISTICS. Hon. Sanford Bates	239
THINGS WE DON'T KNOW ABOUT CRIME. John Koren	245
TOWARD A SYSTEM OF CRIMINAL RECORDS AND STATISTICS. Sam B. Warner	256
SPORTS IN A PENAL INSTITUTION—LIMITS AND CONTROL. R. K. Atkinson	254
INDUSTRIAL INSTRUCTION FOR REFORMATORY INMATES. George C. Erskine	259
DO THE COURTS SEND PRISONERS TO THE RIGHT INSTITUTIONS. Dr. Katharine B. Davis	266
CLASSIFICATION OF PRISONERS FOR PURPOSES OF TRAINING, WORK AND PAROLE. Edgar A. Doll, Ph. D.	272
TUBERCULOSIS WORK IN THE STATE PRISONS OF NEW YORK. Dr. Julius B. Ransom	278
TUBERCULOSIS IN THE PENAL AND CORRECTIONAL INSTITUTIONS OF MICHIGAN. Dr. R. A. McGregor	287

	Page
CRIME WAVES AND PRISONS. Lewis E. Lawes	292
THE PUBLIC, THE PRISONER, AND PAROLE. Charles A. Vasaly	296
ADDRESS. Frederick C. Helbing	303
THE ATTITUDE OF THE COURT TOWARD THE INDETERMINATE SENTENCE AND PAROLE. Hon. Hugo Pam	305
THE INDETERMINATE SENTENCE AND PAROLE FROM THE VIEWPOINT OF A PAROLE COMMISSIONER. Dr. Henry C. Swearingen	311
THE FIELD OF THE PRISON PHYSICIAN. Dr. Guy G. Fernald	320
RECENT DEVELOPMENTS OF PSYCHIATRY IN DELINQUENCY. Dr. V. V. Anderson	329
PRISON DIETARIES. Dr. E. V. McCollum	335
THE RECORD OF THE NEW DEPARTMENT OF PUBLIC WELFARE OF PENNSYLVANIA. Dr. J. M. Baldy	345
STATE BOARDS OF CONTROL AND ADMINISTRATION VERSUS STATE BOARDS OF CHARITIES AND CORRECTIONS. Amos W. Butler	350
REPORT OF THE COMMITTEE ON CRIMINAL LAW AND STATISTICS. Sanford Bates	354
THE IMPORTANCE OF THE DEATH PENALTY FOR MURDER. Henry Barrett Chamberlin	355
THE DEATH PENALTY. George W. Kirchwey, LL. D.	363
MINUTES OF EXECUTIVE COMMITTEE MEETING, OCTOBER 12th	383
ANNUAL BUSINESS MEETING, OCTOBER 16th	391
REPORT OF THE COMMITTEE ON RESOLUTIONS	394
MEMORIALS.	
COLONEL CYRUS B. ADAMS	396
DR. ORLANDO F. LEWIS	396
REPORT OF COMMITTEE ON TIME AND PLACE	412
MINUTES OF EXECUTIVE COMMITTEE MEETING, OCTOBER 18th	413
TREASURER'S REPORT	417
CONSTITUTION	419
BY-LAWS	420
ORGANIZATION FOR 1923	421
AUXILIARY ASSOCIATIONS	424
LIST OF MEMBERS AND DELEGATES IN ATTENDANCE	426

PREFACE

This volume presents the Proceedings of the Fifty-Second Annual Congress of the American Prison Association. The subjects of the papers are of the widest scope, many relating not only to the administration of prisons and the treatment of prisoners, but to probation, parole, mental deficiency, juvenile delinquency, and other allied subjects.

The relations of the physical life to the moral, intellectual, emotional and social life either of the individual or of the aggregate community are still so undefined that we have not yet mastered some, perhaps many, of the elements necessary to organize a rational treatment of the criminal persons in our midst.

We need further exploring of the causes in the field of crime out of which the inventive faculty of a coming generation of experts in sociology can mold new devices in dealing with the unbalanced. We must cease to accept empirical systems, formal institutions, or well meaning statutes as finalities, but address ourselves to the study of men whether reputable, criminal or pauper, as components of a social tissue so closely correlated as to be incapable of disseverance. No mere casual acquaintance with the individual felon or tramp will do, still less this casting up of congregate units who chance to be in the jails or prisons and labeling them "a class", but a thorough knowledge of each person, his antecedents, his training, his associations, his motives, his congenital defects, the distribution of these elements of character in his relatives both lineal and collateral; and the action which established law, beliefs, customs, and physical surroundings produce on him and his reactions upon them.

Much that was said at Detroit has been necessarily omitted from these Proceedings for lack of space. Regret for these omissions is expressed to those whose contributions to the success of the meeting do not appear herein, and that regret will be shared by the members of the Association.

E. R. CASS,

General Secretary.

THE AMERICAN PRISON ASSOCIATION

ORGANIZATION FOR 1922

President.

HASTINGS H. HART, 130 East 22d Street, New York City.

Vice-Presidents.

CHARLES H. JOHNSON, Secretary,
State Board of Charities, Albany,
New York.

THOMAS C. O'BRIEN, District Attorney,
Boston, Mass.

CHARLES E. VASALY, Superintendent,
State Reformatory, St. Cloud, Minn.

LEON C. FAULKNER, Superintendent,
State Training School for Boys, Loch
Raven, Maryland.

J. S. BLITCH, Warden, State Farm,
Raiford, Florida.

General Secretary.

†E. R. CASS, 135 East Fifteenth Street, New York City.

Assistant Secretaries.

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State Reformatory for Women, Shakopee,
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H. H. SHIRER, Supt. Home for the
Aged, Sandusky, Ohio.

Treasurer.

D. M. SAWYER, 84 Llewellyn Road, Montclair, N. J.

Board of Directors.

The following ex-Presidents of the Association, as provided by the Constitution:

ALBERT GARVIN, West Hartford, Conn.
1905.

JOSEPH P. BYERS, Commissioner of
Public Institutions, Frankfort, Ky.
1915.

C. V. COLLINS, Troy, N. Y. 1906.

AMOS W. BUTLER, Secretary Board
of State Charities, Indianapolis, Ind.
1910.

*DAVID C. PEYTON, Jeffersonville, Ind.
1917.

*T. B. PATTON, Supt. State Reformatory,
Huntingdon, Pa. 1911.

REV. B. M. SPURR, Moundsville, W.
Va. 1918-19.

FREDERICK G. PETTIGROVE, Boston,
Mass. 1912.

GEORGE W. WICKERSHAM, New York
City. 1920.

†Was elected by the Executive Committee, March 1922, to succeed the late Dr. O. F. Lewis.

*Deceased.

And the following additional members:

- E. C. R. BAGLEY, Deputy Commissioner, Dept. of Correction, Boston, Mass.
 CHARLES A. BLANEY, Chairman, Michigan Prison Com., Kalamazoo, Mich.
 AMOS W. BUTLER, Secretary, Board of State Charities, Indianapolis, Ind.
 JOSEPH P. BYERS, Commissioner of Public Institutions, Frankfort, Ky.
 F. L. CHRISTIAN, Superintendent, State Reformatory, Elmira, N. Y.
 C. V. COLLINS, Troy, N. Y.
 MRS. M. P. FALCONER, American Social Hygiene Ass'n, New York City.
 ALBERT GARVIN, West Hartford, Conn.
 MRS. JESSIE D. HODDER, Supt., Reformatory for Women, Framingham, Mass.
 LEWIS E. LAWES, Warden, Sing Sing Prison, Ossining, N. Y.
 A. H. LESLIE, Supt., County Workhouse, Blawnox, Pa.
 MISS MAUDE MINER, Secretary, New York Probation and Protective Association, 130 East 22d Street, New York City.
 *T. B. PATTON, Supt., State Reformatory, Huntingdon, Pa.
 F. G. PETTIGROVE, Boston, Mass.
 *DAVID C. PEYTON, Jeffersonville, Ind.
 GEORGE L. SEHON, Supt., Children's Home Society, Lynden, Ky.
 GEO. A. H. SHIDLER, Supt., Indiana Reformatory, Jeffersonville, Ind.
 REV. B. M. SPURR, Moundsville, W. Va.
 A. H. VOTAW, Secretary, Pennsylvania Prison Society, Philadelphia, Pa.
 G. W. WICKERSHAM, New York City.

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 MRS. M. P. FALCONER, New York City.
 MRS. JESSIE D. HODDER, Framingham, Mass.
 LEWIS E. LAWES, Ossining, N. Y.
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 F. EMORY LYON, Chicago, Ill.
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*Deceased.

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 Third Vice-President—REV. M. J. MURPHY, Charlestown, Mass.
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First Vice-President—R. U. HASTINGS, Lancaster, Ohio.
Second Vice-President—MRS. EMMA S. JACKSON, Claymont, Del.
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President—FREDERICK C. HELBING, Randall's Island, New York City.
Vice-President—J. O. WOODMANSEE, Board of Parole, Des Moines, Iowa.
Secretary—W. G. BAXTER, Connecticut Prison Association, Hartford, Conn.

*Deceased.

SCHEDULE OF PRISON CONGRESSES—1870 to 1922

Date	Place	President	Secretary
1870—October 12-18.....	Cincinnati, Ohio.....	Rutherford B. Hayes, Ohio.....	Rev. E. C. Wines, New York
1872—January 21.....	Baltimore, Md.....	Horatio Seymour, N. Y.....	Rev. E. C. Wines, New York
1874—May 13-16.....	St. Louis, Mo.....	Horatio Seymour, N. Y.....	Rev. E. C. Wines, New York
1876—August 12-15.....	New York City.....	Rutherford B. Hayes, Ohio.....	William M. F. Round, New York
1884—February 27-29.....	Saratoga Springs, N. Y.....	Rutherford B. Hayes, Ohio.....	William M. F. Round, New York
1884—September 6-10.....	Detroit, Mich.....	Rutherford B. Hayes, Ohio.....	William M. F. Round, New York
1886—October 17-21.....	Atlanta, Ga.....	Rutherford B. Hayes, Ohio.....	F. H. Wines, Ill.
1886—November 6-12.....	Toronto, Canada.....	Rutherford B. Hayes, Ohio.....	F. H. Wines, Ill.
1887—September 10-15.....	Boston, Mass.....	Rutherford B. Hayes, Ohio.....	F. H. Wines, Ill.
1888—July 14-19.....	Nashville, Tenn.....	Rutherford B. Hayes, Ohio.....	F. H. Wines, Ill.
1889—November 16-20.....	Cincinnati, Ohio.....	Rutherford B. Hayes, Ohio.....	Rev. John L. Milligan, Pa.
1890—September 25-30.....	Pittsburgh, Pa.....	Rutherford B. Hayes, Ohio.....	Rev. John L. Milligan, Pa.
1891—October 10-14.....	Chicago, Ill.....	Gen. Rueliff Brinkerhoff, Ohio.....	Rev. John L. Milligan, Pa.
1892—December 3-7.....	St. Paul, Minn.....	Gen. Rueliff Brinkerhoff, Ohio.....	Rev. John L. Milligan, Pa.
1894—June 7-10.....	Denver, Colo.....	Gen. Rueliff Brinkerhoff, Ohio.....	Rev. John L. Milligan, Pa.
1895—September 14-18.....	Milwaukee, Wis.....	Gen. Rueliff Brinkerhoff, Ohio.....	Rev. John L. Milligan, Pa.
1896—September 26-30.....	Austin, Texas.....	Gen. Rueliff Brinkerhoff, Ohio.....	Rev. John L. Milligan, Pa.
1897—December 2-6.....	Indianapolis, Ind.....	Z. R. Brockway, New York.....	Rev. John L. Milligan, Pa.
1898—October 15-19.....	New Orleans, La.....	Major R. W. McClaughery, Ill.....	Rev. John L. Milligan, Pa.
*1899—January 21-24.....	Hartford, Conn.....	Major R. W. McClaughery, Ill.....	Rev. John L. Milligan, Pa.
1899—September 23-27.....	Cleveland, Ohio.....	Edward S. Wright, Pa.....	Rev. John L. Milligan, Pa.
1900—September 22-26.....	Kansas City, Mo.....	Joseph F. Scott, Mass.....	Rev. John L. Milligan, Pa.
1901—November 9-13.....	Philadelphia, Pa.....	Prof. Charles R. Henderson, Ill.....	Rev. John L. Milligan, Pa.
1902—September 13-17.....	Louisville, Ky.....	Henry Wolfer, Minn.....	Rev. John L. Milligan, Pa.
1903—October 3-8.....	Quincy, Ill.....	Charlton T. Lewis, New York.....	Rev. John L. Milligan, Pa.
1904—October 15-19.....	Albany, N. Y.....	Albert Garvin, Conn.....	Rev. John L. Milligan, Pa.
1905—October 21-25.....	Chicago, Ill.....	C. V. Collins, New York.....	Rev. John L. Milligan, Pa.
1906—September 15-20.....	Richmond, Va.....	E. J. Murphy, Ill.....	Rev. John L. Milligan, Pa.
1907—September 14-19.....	Seattle, Wash.....	Dr. J. T. Gilmour, Ontario.....	Rev. John L. Milligan, Pa.
1908—November 14-19.....	Washington, D. C.....	A. W. Butler, Ind.....	Rev. John L. Milligan, Pa.
1909—August 14-19.....	Omaha, Neb.....	T. B. Patton, Pa.....	Rev. John L. Milligan, Pa.
1910—September 29-October 8.....	Baltimore, Md.....	Frederick G. Pettigrove, Mass.....	Rev. John L. Milligan, Pa.
1911—October 14-19.....	Indianapolis, Ind.....	James A. Leonard, Ohio.....	Rev. John L. Milligan, Pa.
1912—November 9-14.....	St. Paul, Minn.....	Rev. S. G. Smith, Minn.....	Rev. John L. Milligan, Pa.
1913—October 11-16.....	Oakland, Cal.....	Joseph P. Byers, N. J.....	Rev. John L. Milligan, Pa.
1914—October 3-8.....	Buffalo, N. Y.....	Arthur Pratt, Utah.....	Rev. John L. Milligan, Pa.
1915—October 9-14.....	New Orleans, La.....	Dr. David C. Peyton, Ind.....	Rev. John L. Milligan, Pa.
1916—October 7-12.....	New York City.....	Rev. B. M. Spurr, W. Va.....	Rev. John L. Milligan, Pa.
1917—November 19-23.....	Columbus, Ohio.....	George W. Wickersham, N. Y.....	Rev. John L. Milligan, Pa.
1919—October 20-24.....	Jacksonville, Fla.....	Col. C. B. Adams, N. Y.....	Rev. John L. Milligan, Pa.
1920—October 14-19.....	Detroit, Mich.....	Dr. Hastings H. Hart, N. Y.....	Rev. John L. Milligan, Pa.
1921—October 28-November 3.....			Rev. John L. Milligan, Pa.
1922—October 12-18.....			Rev. John L. Milligan, Pa.

*Adjourned Meeting. 1In absence of President, F. H. Wines, New Jersey, presided.

OBJECTS OF THE ASSOCIATION.

1. *The improvement of the laws in relation to public offenses and offenders, and the modes of procedure by which such laws are enforced.*
2. *The study of the causes of crime, the nature of offenders and their social surroundings, the best methods of dealing with offenders and of preventing crime.*
3. *The improvement of the penal, correctional and reformatory institutions throughout the country, and of the government, management and discipline thereof, including the appointment of boards of trustees and of other officers.*
4. *The care of, and providing suitable and remunerative employment for, paroled and discharged prisoners and probationers, and especially such as may have given evidence of reformation.*

OPENING SESSION

THURSDAY EVENING, OCTOBER 12, 1922.

DR. HASTINGS H. HART, President of the American Prison Association, presiding.

INVOCATION BY THE REV. FATHER WOLL: In Thy Name, Oh Heavenly Father, we assemble this evening. Illuminate our minds with the light of Thy Holy Spirit and warm our hearts with love for Thee and our fellowmen. Inspire us with Thy Heavenly Guidance as we meet this evening for the uplift of the unfortunate, for the betterment of humankind.

Our Father, who Art in Heaven, hallowed be Thy Name, Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those that trespass against us. And lead us not into temptation, but deliver us from evil. To Thee be honor and glory forever and ever, Amen.

A brief address of welcome was made by Mr. Frank W. Blair, Chairman of the Local Committee.

PRESIDENT HART: One of the greatest questions of the present time in penology is the care and treatment of delinquent women. For a great many years in this country the women who were confined under sentence were kept in the same prisons with men. They were kept in county jails with men and have been without any proper separation. It is only a matter of modern practice that matrons have been provided in the larger police stations and in the jails, and to this day many police stations and jails are entirely without the attendance of women to care for the women prisoners. Within the past few years there have been established a considerable number of State Institutions for the care of delinquent women. The first of these institutions was established in the State of Indiana and the second one in the State of Massachusetts, and now within the past few years a large number have grown up. I think it only fair to say in this presence that the women are teaching lessons as to the quality of people needed to head these institutions. They are teaching us lessons as to the way in which such prisoners may be cared for with an absence to a very large degree of the ancient prison methods, and they are producing results which are exceedingly interesting. (Applause.)

One of the leaders in this movement is with us to-night, Mrs. Jessie Hodder, who is the Superintendent of the Massachusetts Reformatory Prison for Women. It has been my privilege to visit that institution repeatedly, and I have found there a spirit and method that is most illuminating, and Mrs. Hodder is to speak to us to-night on the subject of the Treatment of Delinquent Women. Mrs. Jessie Hodder. (Applause.)

THE TREATMENT OF DELINQUENT WOMEN

MRS. JESSIE D. HODDER, SUPERINTENDENT, REFORMATORY FOR WOMEN, SHERBORN, MASS.

There are three methods in practice in reformatory procedure for women delinquents to-day in America:—

First: That found where women prisoners are sent to county jails, houses of correction, or to prisons for men. There women and men as prisoners are in conscious proximity to each other, are a part of the same administrative policy which majors either in industrial output by the men or in killing time. It is not humanly possible to avoid making women subservient to men under these conditions, and so it results that women prisoners treated on this principle, major in mending, washing, ironing and sewing for men prisoners, with sometimes minor industries to occupy their surplus time, or sometimes card playing, gum chewing and gossiping to kill time. This method is undoubtedly only in use temporarily, either because a given state has not thought the problem through, or because there is division of opinion as to which units of government shall care for prisoners, or because government has ceased to think about the care of its delinquents, or because there are those who still believe that "hardened criminals" need cells and prison atmosphere. The method is not modern, not human, and so needs more of our attention at this time.

Second: That found in the two reformatories that were the first built in our country—at Indianapolis, Indiana, and Sherborn, Massachusetts, which were built as a revolt against sentencing women prisoners to jails, houses of correction, or to prisons for men. The building and governing policies followed that existing fifty years ago for men prisoners, except that comfortable rooms were built instead of cells, but we have congregate prison buildings with industrial training and output as the major activities.

Third: That found in the newer reformatories built on the cottage or farm colony plan with twenty to thirty inmates, a housemother and one or two assistants forming a group. The proponents of this method would have the groups as small as fifteen for purposes of treatment were it economically expe-

dient, which it should be. Household training and home making are the major activities of these institutions because to learn to love, plan and care for a home, is essential to the training of these young women who come mostly from broken or unhappy homes. The small unit permits classification and segregation, and approximates family life with its possibilities of character development. These institutions have for the most part followed the building and governing policies established by the older institutions, the juvenile reformatories for girls, verging more nearly to the boarding school than to anything one thinks of as a penal institution. Some have started in simple remodelled farm houses, all have farming or gardening among their activities, and all have established academic education, religious instruction, music, gymnastics and household arts. Graduates from these institutions are often excellent home makers and domestics; and those inmates who have shown special talents have been encouraged in their development.

Of the two latter methods is one right and the other wrong? The congregate building is wrong and should be abolished in favor of the cottage or farm colony plan. On their internal policies each type of institution is an expert in its specialty, and the delinquent woman should have what both can give. A union therefore of activities whereby industrial development and household arts training become an integral part of the institution curriculum would be more nearly ideal. No family could endure even for a short period with fifteen, twenty or twenty-five daughters perpetually training in household arts even of the most elaborate sort, and no reformatory should neglect to call to the fore and develop all the capabilities of such a group of buoyant young egotists.

It is apparently true that these women, never having been conscious of their best or had it unlocked and made available, have been swamped by their worst. With this clue as a foundation upon which reformatory work should be based, and knowing that woman and housework are no longer synonymous terms, that many women are finding a great happiness in industrial life, and that a reformatory fulfils its purpose in proportion as it duplicates the best in community life, it follows that the re-education necessary for these girls and women must be richer than that offered by a duplication of existing institutional academic and household training. They have lost out in love, home, religion, education, comradeship, wholesome interests and the right interpretation of the advantages of their community, and re-education must begin by deep probing into their spiritual and intellectual hungers and building from those findings.

Industry well equipped with high standards of workmanship and modern machinery can be gripping. The worker grows, gains power, overcomes a sense of failure and defeat, and learns more than one way of approaching life. Under the state use system of prison industries there is variety,—bathing suits for the public beaches (one's friends might use them), dresses for the insane, hospital johnnies, bedding and supplies for the sanatoria, stockings made on modern machinery, all for wards of the State unable to work for themselves. Flags too are made for the public schools, courts and State buildings. A worker grows skilful and is promoted to floor woman or inspector. She becomes interested in her output and possible earning power. Her skill in making flags and her poise merit promotion as head of the factory with no officer in charge and with new women to teach; and later, on parole, she takes a position at \$22 a week. A machine is gay, so they tell me. "I love mine; it sings to me." I have seen girls transferred from other institutions get balance, control, skill and a sense of success in our factories.

I believe therefore that with an *industrial department subservient to the school system which includes household arts training*, the output will meet the needs of the state use plan of prison industries, and the reformatory activities as a whole will more nearly meet the developmental needs of the inmates than does either system alone. But it is essential that human needs rather than output be the end sought, and that the educator should correlate the industrial and household arts training, using both as a basis for academic instruction. Many of the officers of the institution will become members of the teaching staff, thus adding interest to their work and strengthening their ambition for the inmates.

With this scheme carefully worked out it will be possible to present a printed curriculum to each girl on entrance, so that she may know something of the institution and its opportunities for her. Some courses will be elective and others, such as a share in the institution routine, will be obligatory, but everything will be planned for her development, for her future, and with the hope of destroying the fatal ideas of "serving time" and "paying the price for the wrong done", which wastes so much of prisoners' energies.

If a given State wishes to build a reformatory for women it should (under whatever system of government control of institutions it has found effective), appoint an advisory board of men and women who will *first* choose a woman superintendent in whom it believes, and whose leadership it will be happy in following. It will appoint her superintendent before choosing the site or building, and will authorize her to visit, study and report upon the best reformatories for women in the coun-

try and two or three of the best reformatories for men, the best departments of probation and of parole, a first class hospital for the insane, school for feeble-minded and epileptic colony, and some of the best and worst jails. She should likewise visit all such institutions in her own State and make herself familiar with the departments of State which can contribute to the reformatory effectiveness, such as the department of health, agriculture, public utilities and the university and school of agriculture.

She will learn that the State, not the county or city, is believed to be the best unit for the control, study and treatment of the delinquent; that women prisoners should be treated in small units in farm colony or cottage group institutions in no wise connected with or related to institutions for men prisoners; that the superintendent must be a woman of the highest possible type and education, a sane humanist, able to rally the best forces of the State about her work. She will learn that the institution land should be the best agricultural land of the State, free from swamp and rocks, with no highway running through it, accessible to water and light supply, sewage disposal and railway facilities. In selecting the site the department of agriculture should be consulted and thus avoid complications such as bad drainage and rocky land, which will increase the per capita costs as the years go on. The farm will not be too isolated as she will need the best type of employees, and they will have more to give the inmates if they have opportunities at normal recreation and development. She will need abundant land, at least 300 acres, for the growth of food, the occupation of inmates on the land, and as a protection from the encroachment of undesirable neighbors. If an abandoned farm is the site chosen, the existing buildings can be put into shape simply, perhaps by adding large two-story piazzas as day room and sleeping quarters, and the reformatory opened with a few girls who will help establish traditions of self-government and self-respect.

The superintendent should be governed throughout her building and developmental policies by simplicity, believing that to ask for money for the education and care of the prisoners and a high class personnel, research and medical departments is legitimate, but that to build a costly monument to herself or the governing board is no longer good form. She will urge the board to protect the new reformatory by law from becoming a dumping place by transfer of *undesirables, that is, the failures of other institutions, and will hold to the conception that a reformatory and its expensive equipment are only justifiable because it is for the treatment of acute

*See Journal of Criminal Law and Criminology. Vol. VIII, No. 4, for Mrs. Helen Worthington Roger's "Digest of Laws Establishing Reformatories in the United States".

conduct disorders, not chronics. She will report that the best reformatories are focussing on the health of the inmates as a reform measure; that the best physicians of the community are members of the institution consulting staff; that there is a resident physician and often a resident psychiatrist; that dental work, eye, ear, nose and throat work are done by visiting physicians, and that there is a visiting surgeon. This latter is more necessary in a woman's institution because of the ravages of venereal disease. These institutions have dropped the conception of penology as their job and are focussing intensively on the re-education of the individual for her future, and through a research department are studying criminology and challenging their work and its results, hoping to bring about a more intelligent penal system.

There is legitimate dissatisfaction abroad with the work done in existing reformatories and penal institutions, and with the "prison system". But how can it function satisfactorily when the impossible is expected of it? To criticize a superintendent for failing with such a scheme, or to accuse her of training prisoners for recidivism is to beg the question and shift responsibility. We are all to blame for tolerating a long discredited "prison system".

If fear governs us when we commit people to prison, perhaps the reflex is humiliation at our fear and anger at the "system" which holds the prisoner for our protection at our request! However that may be, in the maze of hesitation between swinging the pendulum too far, and terror at the "crime waves", and fear of we know not what, we continue to sentence as we have from the beginning of time—the crime to prison, and the individual be he imbecile, epileptic, psychopath or normal, goes along with the commitment papers.

Having been declared a criminal by the courts and committed as such, what can a reformatory do with the non-normal prisoners? It obviously should not punish and it has not the power to re-educate the feeble-minded, epileptic and psychopaths, who having been declared criminal by being committed to the reformatory for women, are by that very fact barred from transfer to an institution treating their basic defect. Surely it is not over-sentimentalism to want as few of our citizens as possible to bear the stigma of criminal and thereby reduce our criminal statistics which are alarming, not to say expensive.

In no other field of State activities does one see the anomaly of custody and control for the manifestations of defect or disease. Always the policy is to find the basic cause and to start treatment from that point. In the insane group for example, the disease insanity is treated, and whatever conduct manifestations arise are treated as a part of the disease in-

sanity, not as a matter of shame, degradation and stigma to one's self and one's family forever, as happens when we cast a feeble-minded or psychopathic person into a prison for his misconduct, instead of committing him to a custodial hospital-school for his disease or condition.

Two fears however possess us: first, the legislator and taxpayer; second, fear of psychopathic individuals. I have been unable to find whether in pre-insane hospital days it was believed that the insane could not be handled in one institution but must continue to be scattered in prisons, jails or almshouses, handcuffed and in chains. If that fear existed experience has proved it to be groundless. This fear possesses us now in regard to the psychopathic individual, and in some States we would legislate these unfortunates into reformatories or prisons on the basis of permanent custodial care, which means their doom and the obstruction of reformative treatment for the normal prisoner. But the taxpayer and the legislator can always be trusted to do more for the sick and infirm than for the bad, and can be won at once to the vision of hospital care for these defectives, if one but shows them the picture clearly. That these individuals are brutalized in prison; and that once you establish the principle that they shall be shut there for life; and that those now in hospitals for the insane and schools for the feeble-minded, who have committed no crime but are judged by the superintendent of said institution to be "unfit subjects" for their hospitals and schools, shall be transferred to the reformatory for life, you have done worse than defeat the reformatory; you have established class legislation (for this would never happen to the children of the rich). Thus you have struck a blow at the fundamentals of justice.

We want to indicate the reformatory as a highly specialized institution equipped to do intensive work in the development and return to the community of the non-custodial group of delinquent women, realizing that such a conception of its place in the public service demands other specialized institutions for other types of delinquent women which the police and social workers bring to the courts for disposition.

There are roughly, five groups of delinquent women whose conduct is of public concern:

1. The mentally and nervously normal, or near normal.
2. The psychopath.
3. The feeble-minded and imbecile.
4. The epileptic.
5. The rounder, which includes the women too old in crime and misconduct for any analysis to tell into which group they originally belonged.

Classification of these women should take place before commitment so that their treatment may be intelligent and effective. Under the present system the reformatory, which legally must receive all types, in practice either breaks under such a complex proposition or evades the issue by transfer, discharge or some other unscientific procedure. It does not keep all its prisoners because it cannot and live. The dull feeble-minded become the drudges; the normal-steadies help along the best ideals when not disturbed or distorted by the ever present psychopaths, who occupy the major time of the administration and the space of the disciplinary rooms. To classify before commitment means to face the criminal problem intelligently and scientifically; it means the disintegration of the reformatory and a freeing of its forces. This I believe to be one key to the reformation of the present penal system.

Classification before commitment has come to be the acknowledged intelligent procedure for juveniles in some States of our country and in Belgium. At the laboratory for the study of juveniles at Namur in Belgium last summer, I saw the girls who had been remanded by the courts to three months' observation, study and diagnosis before final commitment. They were in charge of psychiatrists, educators and physicians, and were encouraged in the most complete self expression in work and play. Anything that a girl could or would do was allowed expression and she was urged to indicate her ambitions. I saw on the wall and about the classrooms paintings, knitting, drawing sketches, lace, bookkeeping problems, stories, domestic articles and samples of the simplest homely big woolen socks. Each girl's expression of talent was discovered and her real self was known when the period of observation was over, and she was taken back to the court with the complete history and findings of the laboratory for disposition by the judge. Thus normals only go to the reformatory.

Unfortunately there is an antagonistic attitude toward adult delinquents which would deny them the faith shown juveniles. Partly this is,—that having ourselves reformed from our childhood vagaries we are impatient at adolescence for not growing up; partly the difficulty is that never having allowed the same skilful technique and untiring effort to be spent on adults that we spend on juveniles, we have not had the same good results and so have blamed them and not ourselves. There is as rich a harvest and as brilliant results as in the juvenile field for those who hold the faith high in reform work for adults, but it must be given equal opportunity in time, training and encouragement that is given to other human beings, who because of false vision, slow mental, moral or economic growth have fallen into crime.

If the above mentioned procedure were ours, of the five groups referred to, group 1 or "The mentally and nervously normal or near normal women" would be committed to the reformatory on the indeterminate sentence basis, with intensive training there and on parole, as outlined in "The Girl on Parole" by Edith N. Burleigh, until recently Superintendent of Girls' Parole Branch, Division of Juvenile Training in Massachusetts, we would have a reformatory whose policies would be crystal clear, for it would have re-education as its task and only re-educable material to work with. Group 3, "The feeble-minded and imbecile" would be committed to the schools for feeble-minded. Scientific studies show that 50% of prostitutes are feeble-minded, too feeble-minded to be economically or socially stable. Forced by lack of family protection to earn their livelihood they are too pretty to escape prostitution, given the lack of balance between their mental and chronological age. Group 4, "The epileptics" would be committed to the colony for epileptics. Group 5, "The rounder" would be committed to a custodial farm colony which could be run on the lines of a small village, with winter industries and summer truck gardening, with moving picture theatres, simple shops; indeed a home-like community all their own, for these are the dregs of the delinquency problem, the recruiting agents of crime and debauch in our communities.

Group 2, "The psychopath" presents a new problem, and I firmly believe needs a union of the forces of psychiatry, education and medicine for its solution, divorced absolutely from penology. These women have every right to be cared for as are other wards of the State, in an institution focussed on their basic defect. Such an institution by its medical-psychological approach would meet them at once on the hospital basis, which we believe is the only method which has any hope of solving the problem of the psychopath or so-called "defective delinquent" woman.

So long as reformatories remain catch-basins, so long will the "system" be abhorrent and the work accomplished be negative, with loose ends and misfits in jails, in prisons and on the streets. If the reformatory were a highly technical institution with a definite re-educational task to do and only normal prisoners, we should at last get away from the funny teeter-tottering with which we amuse ourselves now, with the public on one end of the teeter-totter, the warden on the other and the prisoner in the middle governing balances.

You newer States—have you the spirit of adventure? Can you seize a vision and holding it firm, build for us a new era in the treatment of delinquent woman which will spread far and shake to its foundation the present penology? Will you

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begin with a laboratory where every woman found guilty is remanded for study and observation by psychiatrists, educators and physicians? Will you place this laboratory or clearing house under your department of mental diseases under the court, or create if you wish a new department of research? Parallel with this establish a probation department of the highest order, for probation has never been developed to the limit of its possibilities. It will cost less to do it this way in money, in human degradation and in upkeep. It may be that you will never build a reformatory, for who can tell what probation might accomplish were there none but normal prisoners to be on probation!

PSYCHOLOGY IN PRISON MANAGEMENT

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Prison management may be divided into three phases: First, the physical upkeep and improvement of the plant; second, the financial management, and third, the handling of the prisoners. There is no psychology in the first or second phase, so we can dismiss them and consider only the third phase. The word psychology comes from two Greek words, the first meaning mind or soul, and the second meaning theory of. So psychology is defined by Webster as the science of the mind (or soul). As these are the agencies through which human nature expresses itself, we may consider psychology as the science of human nature.

To understand human nature one must be sympathetic with it. To be sympathetic with a person, must not be construed to mean condoning wrong doing, being sorry for him and commiserating with him. Such is far from the correct meaning. A parent is sympathetic with the child, but a good parent does not condone wrong doing; on the contrary, he punishes as severely as may be necessary, as being best for the child. A physician may be sympathetic with his patient and yet amputate his leg the moment it is known to be best for him. So a warden can be sympathetic with his prisoners and yet require the strictest discipline as being best for them, as they are men under training. Sympathy should therefore be construed not as *weakness* but as *understanding*.

The application of psychology to prison management will call for a thorough understanding of the guards and the prisoners, and the problems that confront each. To this end the management of women prisoners should be in the hands of women; the management of boys in reform schools should be in the hands of men who are young enough (in spirit) to understand boys—and who were once real boys themselves.

In a prison there are three classes:

First,—The Warden and Deputy,

Second,—The Guards or Officers,

Third,—The Prisoners.

The first two may be considered by some as one class, but inasmuch as the Warden and Deputy must control the guards, punishing them when necessary or discharging those who are inefficient, there is a material gulf between them. Therefore the personal equation will enter and should be studied.

In all problems of psychology there are two parties involved—the problem being for one party to “take the measure” of the other. Two problems may be going on at the same time; inasmuch as each party may be endeavoring to “take the measure” of the other.

In prison management the psychological problems may be stated as:

First: The Warden and Deputy endeavoring to get a full understanding of the guards.

Second: The Warden and Deputy endeavoring to get a full understanding of the prisoners.

Third: The Guards endeavoring to get a full understanding of the prisoners.

Fourth: The Guards endeavoring to get a full understanding or take the measures of the Warden and Deputy.

Fifth: The prisoners endeavoring to get an understanding of the guards and of the Warden and Deputy.

No effort will be made to touch on the fourth and fifth problems inasmuch as they are in a great measure the reflex of the others. If the first three are handled properly the last two will solve themselves. However, the Warden and guards should each realize that their measure is being taken by those under them, and that they must make sure that this measure shows as near as possible 100 percent. square deal and efficiency.

THE FIRST PROBLEM.

The Warden must command his guards by more than the force of his position; he must command their respect and even their admiration if the best results are to be obtained.

How is he to do this?

First: By setting an example for attention to duty.

Second: By being perfectly *square* in all dealings with them. No favoritism.

Third: By being firm in all policies—no wobbling.

Fourth: By being progressive and resourceful.

Fifth: By being considerate of their general welfare, including that of their families.

A Warden naturally wants to make good in the eyes of those over him, but he should be equally anxious to make good with those under him; that is, to command their respect and admiration. If he accomplishes this he will have such co-operation in his work that he is almost certain to make good with those over him. One may think that prison management is all a problem of handling prisoners, but a very little experience will bring out the point that the question of guards is almost as great a problem. They are a psychological study in themselves. Their mental and physical qualities must be studied with reference to their fitness for the particular work. All guards are not equally efficient; some are only just good enough to hold their positions. One of the problems of the Warden and Deputy will be to build up the morale of these weaker men. They must be made to understand clearly by examples, that failure to attain to the required standard of efficiency will cause them to lose their positions or receive other appropriate punishment. Such punishment should be unfailing in order to hold all to the standards.

It is well for the guards to mess together and even live together as far as possible, for by this intimate contact each will learn much from his associates. If a man is married and immediately leaves the prison as soon as his tour of duty is over he misses a great deal of this beneficial contact. To counteract this, especially if there are many married guards, the Warden should bring them together for conferences on stated occasions. At these conferences, he should, without mentioning names, point out the strong points in some guards and the weak ones in some others. He should not only state his views as to conditions but should invite the views of others and often times valuable suggestions will be offered. Before leaving a subject the Warden should announce his decision and the policy that will be followed. No guard should leave the conference with any doubt in his mind as to the Warden's wishes on the subjects discussed. If any guard has doubts in his mind he should ask for further explanation or instruction. When a guard performs a particularly worthy feat, he should be commended by name in orders or at a conference, in order that all may know that the Warden appreciates such special service.

The Warden should not only know every one of his guards personally, but should know whether they are married or single and if married something of their families; where they live, how they live, whether they are thrifty or improvident, etc. With such knowledge as this he will the better be able to judge when a guard should be given a day off or shown other indulgences and when he should be held strictly to his duty. Such things as these are the manifestation of an un-

derstanding on the part of the Warden of the problems confronting the guards and therefore constitute the practical application of psychology to them.

THE SECOND PROBLEM.

To practice psychology in managing the prisoners the Warden and his assistants must be able to enter into their thoughts and feelings; they must be sympathetic to those things that are worthy of sympathy. When there is this understanding on the part of prison officials, the prisoners quickly know it. It will manifest itself in many ways, some of which are hardly definable even though they are recognizable. It will be apparent in the acts of the officials, but will shade off into smaller things such as the tone of voice or expression of the eye.

When there is a lack of this understanding the prisoners also know that very quickly; they sense it, and many, if not all, will place themselves in a state of mental resistance to the authorities. The better men and stronger characters will resist and overcome this mental state and will not let it take form in bad behavior. But in a prison population, a great many will not so resist, and will allow it to manifest itself in many forms of bad conduct, thereby giving the prison authorities additional problems.

Sympathy or understanding many often best be manifested by strong repressive influence and action. It is well known how much a strong healthy man can influence a weak or unhealthy one. The prisoners look eagerly for any word from the Warden affecting the policy of the institution and quickly determine its bearing upon themselves. The Warden should therefore do very little talking and before doing any, he should weigh well what he is going to say. He should make no threats; these will only anger the better men and will not restrain the ones to whom the threats imply. He should announce his policy or give his orders and follow this, when necessary, by action. It is hardly necessary to add that he should make no idle threats of things which he has no intention of doing.

To practice psychology fully there must be the most complete knowledge possible of every prisoner—not merely of his prison record but of his antecedents even to childhood. This will involve considerable labor, especially if the number of prisoners is large, and will require an organization for its accomplishment. There should be a Department of Psychology in the prison just as there is a commissary department for feeding the men or a supply department for clothing them or a medical department for caring for the sick. There must

be sufficient clerical force to carry on the work. When a prisoner comes in, his history will not extend back over all his life, it will give only his criminal record. Letters will have to be sent to parents, relatives, friends, former employers, etc., to get his full history. The completeness of this history will depend largely on the extent of his co-operation in giving information and references. To his record thus obtained should be added his previous criminal record, his present prison record as it develops, and his work record. All of these should be at hand when the prisoner's case is being studied. The Warden is then prepared to act understandingly and can apply psychology. This refers to the special cases that come up from day to day.

But there is a much greater application of it in the daily and hourly contact of prison officials and guards with the inmates. The mental attitude of the prisoners should always be one of absolute obedience to the rules of the institution. The problem of the Warden and guards is, how to obtain this with the least amount of resistance—in other words how to get the prisoners to work with those in authority, instead of against them. It can be accomplished first—by having them fully understand the existing conditions, and second—through their self interest.

In every institution there will be a small number of men who cannot be controlled by these methods; who yield only to the sternest measures. These men become known by their prison records and should be placed in a class by themselves; they should be quartered separately, work separately, and provided for separately. They should have quarters that will separate them entirely from all other prisoners for they have a very contaminating influence. They should have their meals sent to them, and not to be allowed to go to the general mess hall; if sick the surgeon should visit them rather than have them go to the hospital—unless hospital care is necessary. They should have separate bathing facilities; the barber should go to them rather than allow them in the barber shop. By this complete separation they cease to contaminate other prisoners who would otherwise try to get along, and, having no gallery to play to, bad behavior loses much of its charm. It is well to separate the men in this class as much as the facilities of the institution will permit, for one bad actor excites another.

Returning to the other class of prisoners, viz: the great body who are trying to get along—it has been said that they should be controlled by understanding the conditions and by their self interest. The American is distinctly a thinking and reasoning man. Help him to think and reason correctly; the more he will do these the more readily he will yield to the

rules. Lay down for him the right premises. The more he thinks of these the more certain he will be to take the correct view of the situation in which he finds himself and to draw the correct conclusion.

The premises may be said to be:

First: That his being there is not an injustice but rather a necessity under the law. That he has done wrong and must expect to take his punishment. He must not go about harboring a grudge against the world and everybody in it. He must purge his mind of such thoughts. He must be square and honest with himself, admitting to himself that he has been in the wrong. This mental attitude is very necessary to enable him to develop into a healthy-minded man.

Second: That with much of his life still ahead of him, it is worth while to look to the future rather than think of the past; to plan ahead with the resolve to make something of himself.

Third: That to accomplish this he must behave himself and get out as soon as possible.

Fourth: That to conform to the rules will teach him three valuable things; first, self control; second, respect for constituted authority, and third, self respect. Things which if acquired there, will be worth much to him during the rest of his life.

Control through understanding will be greatly advanced by having all prisoners realize that the institution is not run simply to hold them as long as possible and to get as much work out of them as possible, but rather to hold them only as the law requires, that is, until they can be released to become good citizens. This will not apply to the hardened criminal who never will become a good citizen, but it will apply to the great majority of the population, especially to first offenders. Their understanding will tell them that the Warden and guards are there to perform a duty and must do it or lose their places. That they have no antipathy for the prisoners but on the contrary a strong desire to help them—in fact are most anxious to see them behave well and get out. In short, that they are their friends rather than their natural enemies. That they will help them in every way they can, as long as they conform to the rules. This attitude on the part of the Warden and the guards must be carried out in all sincerity—it cannot be put over as bluff—if it does not ring true the prisoners will soon know it and any false policy will do more harm than good. It may sound like a dreamy proposition to try to make prisoners feel that the Warden and guards are their friends, but control by understanding will demonstrate that this is the case and in time the prisoners will come to realize it in their hearts and

some will even admit it. Control through their self interest will come from impressing upon them that the better they behave themselves the sooner they will get out and the more privileges they will have while there. That to avail themselves of the opportunity to get schooling, if they are deficient, or to learn a trade will be worth a great deal to them after they are released, therefore they must so conduct themselves as to earn these opportunities, in other words they should work with the authorities and not against them. This must not be construed to mean that they are to become "rats", but that they obey the rules, and say a helping word to a comrade if they see him going wrong.

It would be most utopian to expect the foregoing to apply to all the inmates of a prison. But if it can be applied to half of them it will be well worth while and at the end of a year it may apply to 60 or 70 per cent. of them; and in time, it may be that 90 or 95 per cent. are working with the authorities rather than against them. When such a policy controls in the management of a prison, new men coming in will imbibe it at once, instead of having to have it injected into them, thus it will tend to propagate itself.

Sometimes a psychological chord can be struck in a body of prisoners by a radical change of policy. If discipline has been very rigid and punishment heavy for a considerable period without appreciable improvement, the desired result may be obtained by a radical decrease in the punishment for a time. Everyone may have been on a nervous tension and a period of relaxation may be good for all.

The Department of Psychology which has been referred to, should include a welfare worker perhaps a member of the American Red Cross. Some one who can help prisoners' families, or look after property on the outside, attend to legal matters and perhaps secure employment for them upon release. Prisoners will consult and confide in a person of this kind much more readily than they will in one of the prison officials. Such a person will have the assistance of an organization which would not be available to the prison officials. He may also have some funds that can be used to meet emergencies for which prison funds could not be used, such as sending telegrams, purchasing eye glasses, etc.

THE THIRD PROBLEM.

This is for the guards to understand the men under their charge and how to get the best results in handling them. It is believed that the easiest way for a guard to understand how a prisoner feels and thinks is for him to imagine himself in the prisoner's place. An honorable man may say that

he cannot think and feel as a criminal does, which of course is true in a measure, but as there is a great deal of human nature in all of us it is certain that a guard can approach his task in an understanding frame of mind if he will imagine himself in the place of the prisoner. A noted Englishman, John Bunyan, I believe it was, once remarked when he saw a prisoner being led to the gallows, "but for the grace of God there goes John Bunyan".

The best weapon with which a guard can be armed is the consciousness that he is right; of course this does not apply when he is handling a prisoner that is liable to use violence against him; in such a case other weapons are distinctly needed but even in these cases if a guard is absolutely right in all that he does it will almost to a certainty obviate the need of using other weapons. If a guard is absolutely right in all of his dealings with prisoners, he will be a strong guard, the prisoners will have respect for him, and he will have but little trouble with them.

Every Warden can recall to mind certain of his guards who handle prisoners with ease; they never use profanity and do not even raise their voice, and yet prisoners do just what they tell them. If we can determine just what it is that makes these guards so efficient, and can inculcate the same qualities in the others we shall have perfect guards. But we know that this is not possible; however, with the ideal guard in mind we should strive to make each one come as near to the ideal as possible. To be such a strong guard, he must,

First: Know his duty thoroughly, that is, he must understand all the orders and regulations of the prison.

Second: He must be alert and always on the job.

Third: He must treat all prisoners with firmness but with fairness.

Fourth: He should be absolutely truthful in all reports that he makes against prisoners.

Fifth: He must give prisoners the benefit of any doubt, showing that there is no desire to persecute them.

Sixth: He should show a desire to help prisoners whenever he can do so without interfering with the performance of his duty.

If a guard knows that he is right it gives him confidence, which is immediately felt by the prisoners and they do not resist. The converse is equally true, viz: that if a guard is wrong, he may take it for granted that the prisoners know he is wrong, and his effectiveness is greatly reduced. A guard is always right unless he is manifestly wrong; that is where there is room for doubt, as in cases of judgment or opinion or degree the guard should be considered as being

right. The Warden will always sustain a guard to the utmost; even if he is wrong he should not be corrected in the presence of prisoners. Perhaps the best general instruction that can be given to guards is to tell them to be sure that every prisoner gets a square deal. It is psychologically true that people act very much as they feel, so if prisoners feel that they are getting a square deal they will act squarely, that is, will behave.

Some guards, and perhaps this applies more particularly to new ones, may be inclined to abuse their power; they may never before have been invested with such absolute authority and in some cases it may go to their heads—in other words their judgment is a little unbalanced by the great power placed in their hands. Where such a condition develops the Warden will have to take the man in hand and give him further instruction in the performance of his duties. In making a report against a prisoner if there is some doubt in his mind, he should include this doubt in the report so that the warden may know exactly how to handle the case. It is a small man who isn't big enough to admit that he doesn't know everything concerning any particular situation; so that in making reports a guard should not feel that he is losing caste with the Warden simply because he admits that he does not know everything that he would like to know, and that the Warden would like to have him know. He must not assume to know things just to please the Warden and appear efficient in his eyes; that would not be giving the prisoner a square deal. In the desire and effort to help prisoners there must be nothing approximating familiarity or personal friendship; it must be entirely impersonal. A guard should strive to take an active interest in every prisoner in his gang or shop. He should study their differences of temperament and endeavor to control each one by those methods that will get the best results. In some cases absolute sternness is necessary, in others a word of encouragement may get much better results.

The Warden looks after the welfare of all the prisoners, therefore his understanding of each one cannot be very intimate, except in special cases, but the guards should be kept, as far as possible, with the same prisoners in order that they may understand each fully. Cases will arise where instead of having a sympathetic understanding a personal antagonism develops; this can best be met by changing the prisoners to some other gang or shop, but it should not be done without a careful investigation for it may be that the prisoner is just where he should be, viz: under a strong guard; one who controls him, and that is what he does not like. The change should only be made where the interests of discipline and those of the prisoner will both be served.

The foregoing are some suggestions that may enable a Warden to get the results that he wants with a minimum of friction. He and his guards will be working for the prisoners and the prisoners will be working for them; that is, all will be working in harmony.

PENOLOGY AN EDUCATIONAL PROBLEM

PRESIDENT'S ADDRESS

BY HASTINGS H. HART, LL. D.

For nearly forty years I have been a member of the American Prison Congress and a student of penology. I was an inspector of prisons for fifteen years and for more than twenty I have given special study to the treatment of the delinquent child, the juvenile courts, the probation system, and institutions for delinquent children. I shall offer some suggestions with reference to the educational phase of penology. In so doing I am not embarrassed, as these superintendents and wardens would be, by experience or responsibility, but I can speak with the assurance of the outside observer who is always able to tell the other fellow how the job should be done.

Almost all that I know about this subject has been learned from personal contact with wardens and superintendents like Z. R. Brockway, J. W. McClaughry, Albert Garvin, Henry Wolfer, F. L. Christian, Thomas M. Osborne, Calvin Derrick, Mrs. Jessie Hodder and Mrs. Martha P. Falconer, and with such prison chaplains as Dr. Albert G. Byers of Ohio, Dr. George Hickox of Michigan and Rev. William J. Batt of Massachusetts. I have learned also from personal association with such students of penology as President Rutherford B. Hayes, Governor George Hoadley, Frederick Howard Wines, Charles R. Henderson, General Roeliff Brinkenhoff, Amos W. Butler, Burdette G. Lewis, O. F. Lewis and George W. Kirchwey; and from the study of their writings and reports of commissions, surveys, and heads of institutions.

In preparation for this address I have visited during the past year more than 80 prisons and reformatories and have corresponded with about 70 wardens and superintendents in order to get the benefit of their first-hand experience and their close-up view.

Penology is a problem of government, a problem of criminology, of psychology and psychiatry, of administration, of discipline; it is also a housing problem. But first and foremost and all the way through it is a problem of education. This is true because administration, psychology, discipline,

medicine, and housing all depend for their successful solution on the education of the prisoner on the one hand and of prison officers, administrative boards, legislators and governors, and the public on the other.

The idea that it is the duty of society to educate the prisoner is not a new one. It has prevailed from the beginning of the modern prison system a hundred years ago. It is implied in such words as "penitentiary," "reformatory," "house of correction," "discipline," "probation," "parole," and "vocational training," all of which imply that the prisoner is to be taught, trained, and developed as a preparation for his return to community life.

EDUCATION SHOULD BE THE CHIEF PURPOSE OF IMPRISONMENT

The education of the prisoner is or should be the chief purpose of imprisonment. It is now generally agreed that the object of imprisonment is not vindictive punishment but the protection of society.* Society is protected in a measure by the confinement of the prisoner; but except in the case of life prisoners, that confinement is a matter of not more than three or four years on the average: then he goes back into the community. If society is to be protected, after his release, it must be by such a course of training during his commitment as will make him a good citizen or, at least, will tend to deter him from unsocial acts.

Education by Force and Fear.—In the early days, and for many years thereafter, and in some prisons even at this date, the prisoner was educated by force, fear, repression, shame and torture. When a new prisoner was received, it was the duty of the receiving officer to "put the fear of God in his heart"—to terrorize him to such a degree that he would not dare to violate the prison regulations.

The effort was to repress the normal instincts of manhood. The rule of silence was imposed and communication with his fellows was made a misdemeanor. He must not lift his eyes in the presence of visitors and he must observe abject humility in the presence of an officer. Some prison officers took pains to remind the prisoner frequently of his ignominy and to humiliate him as much as possible. He wore striped clothing, half of his head was shaven; if he had been a man of standing in the community, he was furtively pointed out to visitors. I saw in a prison in Pennsylvania, five or six years ago, a prison chapel which had been decorated by the zealous chaplain with choice Scripture quotations, such as "The way of the transgressor is hard"; "Fools make a mock at sin"; "Be sure your sin will find you out."

*See the "Declaration" of the First Congress of the American Prison Association, 1870, reaffirmed after 50 years at New York in 1919.

Cruel punishment prevailed. Flogging was used, not only for gross offenses, but for petty offenses; and even to this day in some prisons men are flogged for failure to perform appointed tasks. Torture was inflicted by allowing cold water to fall upon the prisoner's head drop by drop; by such punishments as "the slide" used at Sing Sing 35 years ago. This was tested by Warden Albert Garvin upon himself and he described it as an exquisite torture like pins and needles being run through the body.

Less than ten years ago, in the Virginia Penitentiary, a punishment called by the prisoners "the cross" was enforced. The prisoner lay upon a mattress, his hands outstretched were handcuffed to two rings in the floor and his feet to two others. The prison surgeon testified that men had complained to him but he did not know the effect of the punishment. From testimony it appeared that a phlegmatic man who could relax did not suffer acutely but that a nervous man suffered acute torture.

Two legislative investigations have been published in Texas during the last four years which showed that prisoners were not only flogged contrary to law, but that men were hung up by the wrists in chain handcuffs, which not only caused great suffering, but sometimes resulted in permanent injury. Sworn testimony declared that mounted guards sometimes rasped the backs of prisoners with their spurs.

The use of dark unventilated dungeons, with restricted diet and water supply as described by Thomas M. Osborne in his book, "Within Prison Walls," has been abandoned for the most part but still exists in some prisons. Vexatious and irritating rules existed in many prisons. In one prison I saw a list of 40 rules, violation of any one of which would contribute to extend the time of the prisoner's confinement, and he was kept in a constant state of anxiety lest he should inadvertently fail to button his coat, or get out of line, or fail to show his hand at the cell door. Often young and inexperienced prisoners would incur disfavor by carelessness, while old and hardened repeaters would go scot free because they knew the ropes.

A demoralizing feature in those days was the employment of "trusties," whose trustworthiness consisted chiefly in their willingness to "snitch" upon their fellow prisoners, whereby they earned special privileges and enjoyed an improved diet. The teaching was that the trustworthy man was the one who was willing to betray his fellows. Right-minded officers join with the prisoners in despising the snitcher and find legitimate ways to obtain necessary information without using him.

Mutual Education.—Prisoners educated each other, teaching their fellows how to deceive the officers and elude prison regulations. They devised telegraph systems; learned to converse without detection under the very eye of the guard; found channels of secret communication with outside friends, who smuggled in contraband articles, such as drugs, intoxicants, tools, and weapons; initiated each other in the arts of crime and planned criminal excursions after their discharge.

Secret communication was a recreation. During the days when prisoners were still kept in solitary cells in the Eastern Penitentiary of Pennsylvania, the chaplain told me that inmates had reported news to him before he had a chance to read it in the morning papers. In one prison it was stated that a man and woman, kept in separate parts of the institution, carried on a courtship and were married upon their discharge. (The warden of the Newcastle County Workhouse in Delaware recently opened a prison post office for correspondence between the men and women because he could not prevent such correspondence.)

A by-product of the old method of training prisoners by force and fear was the breeding of hatred and animosity in the hearts of many men who considered themselves unjustly treated and resolved to pay their score to society at the first opportunity.

The School of Letters.—Even under the old prison system some attempt was made to teach illiterate prisoners, at least to read and write. I remember Chaplain A. G. Byers (the father of Joseph Byers) telling of teaching an Irish prisoner the alphabet. Pointing to the book he said, "That is A." "An' is that A?" asked the prisoner as if he had met a long lost friend; but with that start the chaplain won the man and he became a good and worthy citizen.

Every prisoner has at least two hours of leisure out of twenty-four. Why should not those two hours be used for his improvement and upbuilding in manhood? The prisoner who has some education needs to improve those two hours quite as much as the illiterate and sometimes more because his mind is more active.

When Z. R. Brockway became superintendent of the Detroit House of Correction, after 13 years' experience in other institutions, he soon developed a new type of prison school. He says in his Autobiography: "Out of an average of a prison population of 335, for the year 1871, the average attendance in the evening schools was 291, or more than 75 per cent. of the prisoners."* He employed trained teachers from the Detroit schools. In 1870 he initiated a course of 30 lectures

*"Fifty Years of Prison Service." Charities Publication Committee. New York, 1912.

on such topics as: The Nobility of Work, The Restraints of Law are Good, Self-Conquest, Courage, Flowers, An Evening with Charles Dickens, and so forth. A course of 20 lectures on psychological subjects was very popular.

The Detroit House of Correction still maintains the best prison schools that I have seen in a convict prison. I visited them recently. At the present time 10 public school teachers are employed five nights a week to teach English, American history, government, arithmetic, singing, and so forth. Without suitable school rooms these teachers are doing highly efficient work and the prisoners are intensely interested.

Industrial Training.—Mr. Brockway did not confine his educational work to the school of letters. He organized industries on the state account plan, borrowing money for that purpose on his own credit. In the shops the prisoners did the kind of work done in outside factories. The state account system, under which the city of Detroit furnished the capital and carried on the business of manufacturing and selling chairs has been successfully conducted in the Detroit House of Correction from that day to this, and furniture made by the men has been sold successfully on the open market without serious interference by the labor interests. In the new House of Correction, now under construction, very large shops have been planned, arranged for manufacturing on modern principles, with modern machinery, where prisoners will learn to work exactly as they will be required to work in outside employment. The problem of industrial training is not an easy one, but it is being worked out in the Minnesota State Prison, the Indiana State Prison, the Michigan State Prison, the Detroit House of Correction, and the Massachusetts State Reformatories, under obstacles it is true, but with encouraging success.

It is extremely difficult to combine profitable production with practical instruction in the industrial arts. Many experienced prison men hold that the idea of profitable production should be abandoned in the interests of industrial training. This proposition need only be formulated to show its absurdity. In the outside world, it is expected that a working man, even a common laborer, will earn a decent living for himself, his wife, and two or three children; this notwithstanding loss of time through shutdowns, strikes, sickness, or even an occasional spree. The prisoner loses no time because of strikes or holiday dissipations. He is under constant medical oversight. He is usually sufficiently fed; he pays no rent. Is it not absurd to say that an able-bodied man under such conditions cannot earn the cost of his own maintenance up to the amount of a dollar or a dollar and a quarter per day? In order to do this it is necessary that

prisons be equipped with modern machinery and that the prisoners work under like conditions with outside labor; that a wage system be established, and that prisoners be studied as to their natural fitness for different employments and be systematically trained by competent foremen and instructors.

What prisoners can accomplish under such conditions was demonstrated in Alabama during the Great War when 155 prisoners in the state cotton mill at Speigner were officially reported to have earned for the state \$1,450 per prisoner, net. This was accomplished with a comparatively low grade of prisoners and under unfavorable living conditions. It was made possible partly by high prices prevailing during the war and partly by the double incentive of an appeal to the patriotism of the prisoners and the allowance of a small cash wage.

Spiritual Education.—Instruction in the school of letters and vocational training are not the whole of education. The prisoner must be educated on the spiritual side. In the early days of Mr. Brockway's work, great stress was laid upon preaching and Sunday School instruction, but gradually it became apparent that the greatest spiritual force for the redemption of prisoners was found in personal contact with upright, fair-minded, red-blooded men. Prison authorities have been slow to recognize this fact, but it is fundamental.

In the early days it was considered an impropriety to provide recreation for prisoners beyond special exercises on Christmas and the Fourth of July, with a theatrical play or some other entertainment two or three times a year and, in some prisons, the privilege of the yard on holidays. Even such limited privileges as these were often criticized by people who regarded them as coddling criminals.

In recent years we have come to realize that recreation is an essential element in normal human life and a vital factor in all true education. Brockway and his successors, Scott and Christian, made the gymnasium and the setting-up exercises a part of the regular curriculum and the athletic field and the baseball grounds came to be recognized as educational forces. It is there that the boy or the young man learns team work, fair play, respect for the decision of the umpire; to be a generous winner and a good loser. These lessons are an essential part of manly character. These same sports and other outdoor exercises are found educative for women prisoners as well as men. They promote physical and spiritual health. There has been criticism because moving pictures are shown every night at the Sing Sing Prison. They are shown not because the warden regards them as the most desirable way a prisoner can spend his

evening, but because the ancient cells at Sing Sing, three and a half feet wide, eight feet long and eight feet high, some of them only ten feet above tide water, breed rheumatism and tuberculosis, create a deadly depression, destroy men's health, shorten their lives, and drive them to insanity.

EDUCATION OF PRISON OFFICERS

If we are to educate prisoners on the lines that we have indicated,—in letters, in industry, in religion, in morals, in recreation,—then every officer in the prison must become a teacher: not only must the warden, the deputy warden, the chaplain, the physician, and the psychiatrist become instructors, but the storekeeper, the steward, the foreman, and all of the prison guards as well. They therefore should receive special training. These are the men who come into daily personal contact with the prisoners, and who exert a permanent influence upon their characters. Many prisoners have never come into close contact with an upright, straightforward, honorable man. If the guard is just, conscientious, kindly and sympathetic, his influence for good is incalculable; but if he is untruthful, tricky, cruel, unclean in his language and behavior, his influence is just as strong the other way. It is the character of the officer that determines his influence, and never doubt but that the prisoners know what kind of men their officers are.

I met recently in the Massachusetts State Reformatory, a foreman in the cabinet-making shop, a man with a marked foreign accent. A few minutes' conversation made it apparent that he was deeply interested in the men in his charge. He was working with all his might to awaken in their minds pride and enthusiasm for a first-class job: making a desk, a table, or a bookcase in just as thorough and workmanlike style as could be done by any free man. The upbuilding influence of such an officer is immeasurable.

In order to exercise such an influence, a man must be not only right-minded, but intelligent. He must understand and be in sympathy with the reformatory purposes of his superiors. He must be able to read the mind of the prisoner, to know how he thinks, how he feels and what motive will appeal to him. He must have such patience and self-control as not to be unduly biased or prejudiced by the mistakes or even the faults of the prisoners.

The superior officer of a prison can acquire a great deal of knowledge by reading, study, visiting other prisons and coming into contact with intelligent and progressive leaders; but the ordinary foreman or guard is on the job every day; he spends his working time in association with prisoners

whose society is neither uplifting nor inspiring. Much of his energy is consumed in watching lest they fall into mischief. He needs to get out of himself and to understand the real significance and usefulness of his job.

JAIL OFFICERS NEED TRAINING

Sheriffs, deputy sheriffs, superintendents of police, and jailers need training in penology.

The sheriff is made responsible for the administration of the county jail, which should be the most reformatory of all prisons because it deals with offenders at the beginning of their criminal career. But the sheriff is engrossed largely in the civil duties of his office, and the handling of prisoners is delegated for the most part to jailers and deputy sheriffs. These subordinates are almost invariably political appointees. Most of them are men of little education, chosen without reference to their qualification for the place, and with almost no instruction as to their duties beyond the injunction to keep the prisoners safe and to keep the place clean and free from vermin; but this latter duty is too often neglected.

TRAINING SCHOOLS FOR PRISON OFFICIALS

If the subordinate officers of the prison are to become teachers, they should have training for the work. The public schools and the private schools have long abandoned the untrained teachers and are demanding more and better training all the time. We have schools for clergymen, for doctors, lawyers, salesmen, veterinary surgeons, nurses, and policemen, but no schools for the responsible and difficult work of those who deal with people in our prisons who are unsocial, vicious, hostile, neuropathic, or feeble-minded.

In preparation for this paper, I sent a questionnaire to about 175 wardens and superintendents of prisons and adult reformatories, to which 66 replies were received. Among other questions I asked: "Do you know of any systematic training for prison officers?" The only systematic work I could learn of was that being carried on by Superintendent F. L. Christian at the Elmira Reformatory for the officials in that institution. One warden had heard that such training was given in California and another of a prison officers' school in Japan. Aside from Dr. Christian's, the most hopeful work appears to be that of the Association of Prison Officers in Massachusetts, of which the president is a guard in the State Reformatory at Concord Junction. In the winter of 1921-22, the Association conducted in Boston a course of "Lectures on Penology and Kindred Subjects" by leading penologists, prison wardens, judges and social workers, which was attended

by the officers of the leading prisons in the state. The Association is printing these lectures to form a textbook and is planning a systematic course of study for the coming winter. The New York School of Social Work has organized a department of penology and criminology under the leadership of Dr. George W. Kirchwey, formerly Dean of Columbia Law School, and ex-warden of Sing Sing Prison. This department is now offering work of great value to prison officers and it should attract ambitious young men who desire to make a profession of prison work. It is to be hoped that it will offer extension courses to groups of officers in convict prisons and reformatories and also organize a correspondence course for sheriffs and jailers who are even more in need of training.

A very interesting demonstration is being made in the city of Detroit as to the possibility of special training. There has been established a school for the employees of the psychopathic clinic. The staff consists of one psychologist, one director, two investigators and two special psychiatric nurses. Systematic courses for the training of these people were worked out last year. Each is required to take up these courses which call for about two hours' work per day. The work became so interesting that a course was established at the Michigan State University for students who are preparing for work in psychiatric clinics. A correspondence class is being carried on in Detroit as part of the extension work of the University. Dr. King, Superintendent of the Juvenile Detention Home, is conducting a class for the training of the employees in the Detention Home. I understand that all employees except the cook and janitor are required to take this course of instruction which covers physical training, the personal handling of children, and so forth.

A good many sheriffs would be glad to improve conditions but they do not know how to go about it. Here and there a man like John L. Whitman of Chicago, Frank Tracy of Montpelier, Vermont, or Cash Whipple of Rock County, Wisconsin, gets a vision of what jail administration should be and the public is astonished at the results accomplished.

Sheriffs' associations are organized in many of the states, but I never heard of one which made any earnest effort to establish standards of jail management. Anyone who will take the trouble to read the reports of jail inspection in Maine, New York, Indiana, or Illinois will discover at once the manifest defects of jail administration and the great lack of any recognized standards.

Many jailers are humane and kindly in their disposition but they do not know how to exercise that disposition so as to redeem the prisoner. Not only that, but a great many do not know how to administer their office so as to protect them-

selves from violence; and hundreds of jailers because of neglect of the most ordinary precautions, or because they have never been properly instructed in dealing with desperate prisoners, have been killed or injured by prisoners trying to escape.

A second inquiry in the questionnaire was: "Do you believe that it is practicable to establish training schools for prison and reformatory officers?" Replies were received from 61 officers as follows: "yes," 36; "doubtful," 11; "no," 14. It appears therefore that 60 per cent. of those replying believe in the practicability of such schools and only 17 per cent. regarded them as positively impracticable. Further on I shall offer concrete suggestions for the organization of such schools.

WHY PRISON OFFICERS NEED TRAINING

Leaving out of the account for the moment prison wardens and superintendents, the subordinate officers need education in penology: the deputy warden and his assistant, the chaplain, the physician, and the psychiatrist.

THE DEPUTY WARDEN

The deputy warden or assistant superintendent takes charge of the institution when the warden is absent. His chief duty is that of disciplinary officer; to maintain the prison morale. He directs the work of the guards, investigates charges of misconduct among the prisoners and assigns penalties therefor. But deputies usually come up from the ranks. Many of them although of high character and fine spirit, are of limited education. While some of the best wardens have served their apprenticeships as deputies and assistants, out of 52 wardens and superintendents who gave information on this point only eight had previously served as deputies or assistants.

The deputy warden must be a man of good judgment and unflinching courage because he usually has to meet the emergencies which arise when a prisoner rebels or when an insurrection is attempted. He must have the wisdom and tact to check such difficulties at their inception, or to quell them promptly with the least possible exercise of force.

In many prisons the deputy warden holds a daily "court" to adjudicate complaints made by the guards against prisoners. It is a very delicate and responsible matter to decide whether a prisoner is intentionally vicious, or whether he has offended through misunderstanding of the rules or sudden provocation. When an officer reports a prisoner the presumption is in favor of the officer; but sometimes a petty

officer is prejudiced against a prisoner or has a grudge because of some personal difference between them. In such cases the deputy warden must have the discernment to discover the rights of the case and not to allow the prisoner to suffer unjustly.

The deputy warden usually gets his promotion from the rank of prison guard on merit; but a way should be found to secure men of more education and training for the position in order that it may be a preparation for the office of warden. Such knowledge of prisoners and the problems of their behavior as a deputy warden gains as disciplinary officer is a great asset to a warden.

THE CHAPLAIN

Next to the warden, no prison office is more important than that of the chaplain. If prisoners are to be reformed and made over into decent citizens, they must not only have discipline, schooling, and vocational training, but they must be made over spiritually. The power of religion is a vital force in the remaking of character, and its value is almost universally recognized by experienced prison wardens; but there is danger of placing too much reliance upon formal preaching and religious instruction and too little upon the personal life and example of a man who loves God and looks upon a prisoner as a fellow man.

The task of the chaplain is one of great difficulty because the prisoner is under constant temptation to profess good purposes and religious convictions, hoping for some temporal advantage, especially that it may help him to gain his liberty. There came to a certain meeting of the American Prison Congress a young chaplain (a Ph. D.) who distributed with pride what he called "*Pastoral Letter No. 1.*" It began as follows: "TO THE INMATES OF THE PENITENTIARY:

Your chaplain has frequently been requested to issue character certificates for parole and pardon. . . . This can be gained only by a standard system of merit. . . . Therefore the chaplain hopes to inaugurate the following carefully drawn plan of certification, the value of which an inmate shall determine for himself by his respect for and diligent application to the enumerated *points for parole and pardon.*" Then followed a score sheet, as follows: "Physical exercise, 10 %; mental atmosphere, 15 %; moral attitude 20 %; religious experience, 25 %; conformity to discipline, 20 %; psychological analysis, 10 %; total merits possible, 100; *merits required for certification*, 80.

"Religious experience" was defined as follows: "Sincere confession of religious convictions, faithful attendance upon and

respectful attention to religious services will count 25%." That schedule was bound to produce a religious revival, since no prisoner could obtain a certificate with less than 80 points out of 100, and *religion counted 25 per cent.* Unfortunately, the worthy chaplain was dismissed after a few months so that the results of this interesting experiment could not be demonstrated.

There have been many prison chaplains who have accomplished wonders in redeeming the character of the men. Such a chaplain was Dr. Albert G. Byers, of the Ohio Penitentiary. He was a brilliant and entertaining speaker. I remember hearing him preach a wonderful sermon on "Paul, the Prisoner," in which he interpreted the experiences of Paul in the vernacular of the prison, to the amusement and profit of his prison congregation. And once when Dr. Byers was at Washington, an ex-convict who had become a prosperous business man, with home and family, came from New York to thank him, saying: "I owe it all to you." Later he insisted on entertaining Dr. and Mrs. Byers for several days in a fine suite of rooms at the Murray Hill Hotel in New York. As they were leaving, the head clerk said: "Dr. Byers, we were instructed to treat you like a prince. We have done our best and we hope that you are satisfied."

Chaplain George H. Hickox of the Michigan State Prison, was another great chaplain. Thirty years ago he was practicing many of the things which we now call modern prison reform. Among other things, he organized two literary societies. I attended a meeting where 200 prisoners, packed tightly in a small but well ventilated room, were holding an animated discussion on the question: "Which has the greater influence, example or precept?" A negro prisoner discomfited his white opponent and won the debate: "De man wat says example has mo' influence dan precep don' no wat he's talkin' 'bout," he declared. "Wy, Misto Pres'dent, how was it 'fo' de wah? De Norf dey set de Souf de example ob not havin' any slaves. What good did dey do? *Bimeby Ab'ham Lincoln he gib de precep!*"

Hundreds of prisoners were reclaimed and started in a new life under the administration of Chaplain Hickox.

Warden General Feagin of Alabama, recently substituted an active wide-awake clergyman for the elderly chaplain who used to preach monthly sermons in the different prison camps. The new man holds title of "Welfare 'Yorker," but during the week he drives in his Ford from camp to camp, mixing with the prisoners personally, and infusing into them his manly and unselfish spirit. He preaches on Sundays, but his chief work is the week-day administrations.

PRISON MEDICINE

The prison physician and the prison psychiatrist need training less than any other prison officer. In their outside practice they are brought into contact with human life in its abnormal aspects. The physician knows the vices and weaknesses of men, and a patient confides in his doctor as he does not in his minister or his wife. The right-minded prison physician has a powerful regenerating influence. We have learned this fact in the state of New York, where the superintendents of the State Reformatory at Elmira, the Women's Prison at Auburn, and the Woman's Reformatory at Bedford are all physicians.

Fortunately the technical schools for physicians and psychiatrists give a training which sufficiently meets the need of these officers.

THE PRISON WARDEN

The prison warden should be a man of education and training. He above all others needs education in penology; needs all the education that he can get. If he is a college graduate, so much the better, but whatever his previous education may have been, it is absolutely necessary to his success that he shall have been trained in the school of experience. No inexperienced man, however well educated, can qualify as a first-class warden. He needs at least two years of actual experience in the work.

There is no public officer who works under greater disadvantages than he. He is handicapped by imperfect legislation, antiquated buildings, an impossible labor system with worn-out machinery; and above all by the fact that from time immemorial his office has been part of the spoils of party politics, so that in many states his subordinates are not selected on merit but are imposed upon him by partisan leaders in furtherance of political schemes. It is necessary also that he shall study other prisons than his own and come in contact with competent progressive wardens in order to profit by their successes and failures. He needs to be familiar with the literature of penology, criminology and psychology, in order to deal wisely with the difficult and intractable human material under his charge.

The warden carries a very heavy responsibility. He holds practically the powers of the captain of a great ship at sea. He must be prepared to act promptly and decisively in emergencies. He should be able to suppress a riot by the power of his personality, but he may even have to order men shot down in their tracks.

He must be a competent administrator, capable of selecting and directing a large staff and administering a complicated industrial plant and extensive farming operations. At the same time he should be a competent prison governor, understanding the workings of the prisoner's mind and able to control prisoners without undue exercise of force. He should be qualified to devise and execute a program for dealing with human beings who are unsocial, abnormal, temporarily segregated from the community but soon to return to ordinary life.

He must be a man among men. He represents his institution to the public. He must be able to present his plans and ideas clearly and intelligently to his managing board, to the Governor of the State, and to the legislature, and to command the approval and support of these bodies.

The Warden should be a gentleman. Colonel Richard P. Williams, Commandant of the United States Marine Corps Barracks at Paris Island, South Carolina, did not put it too strongly when he said, in reply to my questionnaire: "The most necessary qualification for the superintendent of a prison is that he be first, and above all things, 'a gentleman'". By gentleman I mean a well-bred man of education, refined in feelings and manner; in addition he must be forceful, practical, and have had experience in handling men. He must be interested in his work for the work's sake."

The warden must be a man of decision, of character, and of absolute fairness. However crooked a prisoner may be, he is always ready to demand a "square deal". He is quick to discern and resent unfair dealing from his superiors, and a warden who is not himself upright and straight is powerless to inspire uprightness in a prisoner. No man is fit for the position who is not interested heart and soul in his job and who is not eager to qualify himself for it by every means in his power. The great prison superintendents and wardens of the United States, like the Pillsburys, Brockway, Tufts, McClaughry, Garvin, Wolfer and Scott have been men of this sort.

Wardens are often criticized and condemned for conditions over which they have no control, and sweeping condemnation is often pronounced upon them as a class. See, for example, the statements made in a recent magazine article namely, that "the small henchman from which the average warden is recruited, is not an expert in anything"; that "he is usually ignorant"; and that there is hardly a college man among the wardens of our penal institutions. I have known wardens who were ignorant, cruel, intemperate, and vicious; I have known those who were visionary, emotional, and over-sympa-

thetic. But the average warden, as I have known him, is a good citizen, an honorable man, the father of a family, reasonably intelligent and desiring to do what is right and just. Many have been practical psychologists who knew the heart of the prisoner, dealt with him as a human being and did real reformatory work.

It is not too much to say that the position of state superintendent of prisons, or of prison warden, is equal in responsibility and importance to the position of state superintendent of education, or the presidency of a college, and should command the service of a man of like character and ability.

As we shall see, 40 per cent. of the prison wardens and superintendents out of the 60 who furnished educational information in reply to my questionnaire are graduates of colleges or military schools, and 40 per cent. of high schools.

TABLE 1.—EDUCATION OF PRISON WARDENS AND ADULT REFORMATORY SUPERINTENDENTS

	Institutions for Men		Institutions for Women		Totals	
	No.	Per cent.	No.	Per cent.	No.	Per cent.
Common school education	11 (a)	24 %	1	7 %	12	20 %
High school graduates	18 (b)	39 %	6	43 %	24	40 %
College graduates	17 (c)	37 %	7	50 %	24	40 %
	46	100 %	14	100 %	60	100 %

- (a) These eleven wardens include at least four with high records of efficiency.
- (b) Several high school graduates studied also in normal or professional schools.
- (c) Including a graduate from West Point and one from Annapolis.

As to the matter of experience, answers to the questionnaire showed that out of 52 prison wardens and superintendents replying 26 had had previous institutional experience and 26 had had none. Of those who had had previous experience eight had been deputy wardens and five had been wardens or superintendents of other institutions.

Information was obtained by a special questionnaire as to the terms of service of 235 wardens and superintendents since 1890, with the following results:

TABLE 2. TERMS OF SERVICE OF 235 PRISON WARDENS AND ADULT REFORMATORY SUPERINTENDENTS

	Number of Wardens	Total Years of Service	Average Term Served
1 year or less	44	35	0.8
1 to 2 years	30	55	.....
Total 2 yrs. or less	74	90	1.2
2 to 3 years	26	68	.....
Total 3 yrs. or less	100	158	1.6
3 to 4 years	40	157	.....
Total 4 yrs. or less	140	315	2.2
4 to 5 years	23	112	.....
Total 5 yrs. or less	163	427	2.6
5 to 6 years	17	101	.....
Total 6 yrs. or less	180	528	2.9
6 to 7 years	12	73	.....
Total 7 yrs. or less	192	601	3.1
7 to 8 years	11	87	.....
Total 8 years or less	203	688	3.4
8 to 9 years	5	44	.....
Total 9 yrs. or less	208	732	3.5
9 to 10 years	3	30	.....
Total 10 yrs. or less	211	762	3.6
10 to 15 years	17	217	.....
Total 15 yrs. or less	228	979	4.3
More than 15 years	7	151	.....
Grand total	235	1130	4.8

It will be seen from this table that out of 235 prison wardens and superintendents, reported after expiration of their services:

44 (19 per cent.) served one year or less; average 0.8 years.

74 (31 per cent.) served two years or less; average 1.2 years.

100 (44 per cent.) served three years or less; average 1.6 years.

140 (60 per cent.) served four years or less; average 2.2 years.

If the opinion already expressed is correct, that it will require two years' experience to qualify any man, however able, for the position of prison warden, it appears that about half of these wardens never served the minimum training period of two years and that 60 per cent. of them were dropped and their service was lost to the institution as soon as they had completed the necessary training period.

The brief term of wardens in some prisons is indicated by the following list, compiled from answers to the special questionnaire:

TABLE 3. BRIEF TERMS OF SERVICE

	Number of years	Number of Wardens	Average years of Service
Texas	7	5	1.4
New York, Sing Sing (a)	12.5	7	1.8
Michigan	16	7	2.3
New Mexico	21	9	2.3
Nevada	14	6	2.3
New York, Clinton	14	6	2.3
U. S. Ft. Leavenworth	14	6	2.3
New York, Bedford Hills	20	6	3.3
Totals	118.5	52	2.3

(a) Sing Sing Prison is reported to have had 36 wardens in 72 years.

Out of 235 wardens and superintendents whose term of service in that capacity was reported in reply to the special questionnaire 19 had a record of more than ten years of service, as follows:

TABLE 4. LONG TERMS OF SERVICE

Zebulon R. Brockway, New York	50 years
Albert Garvin, Connecticut	43 "
T. B. Patton, Pennsylvania	31 "
Otis Fuller, Michigan	27 "
John L. Whitman, Illinois (about)	25 "
B. F. Bridges, Massachusetts	21 "
Henry Wolfer, Minnesota	21 "
William H. Moyer, District of Columbia, (about)	20 "
Joseph F. Scott, New York	19 "
J. A. Leonard, Ohio	18 "
D. J. Griffith, South Carolina	18 "
C. W. Bowron, Wisconsin	18 "
E. J. Murphy, Illinois	18 "
Nelson Viall, Rhode Island	16 "
Frank Moore, New Jersey	14 "
Miss Katharine B. Davis, New York	13 "
James B. Wood, Virginia, ...	13 "
Mrs Jessie D. Hodder, Massachusetts	12 "
Mrs. Frances A. Morton, Massachusetts	11 "

STATE SUPERINTENDENTS OF PRISONS

State Superintendents of Prisons and Prison Boards need education in penology as well as wardens. The office of Superintendent of Prisons is extremely important as it covers the entire administration of the state prisons and the selection of prison wardens; but, more important still, the govern-

or and the legislator must look to the State Superintendent for information and advice, and for the planning of comprehensive state correctional programs. There have been some strong and capable men of vision in this position, such as Austin Lathrop, Joseph S. Scott and Charles F. Rattigan of New York; Colonel C. B. Adams and Sanford Bates of Massachusetts; C. B. Rogers and William F. Feagin of Alabama.

EDUCATION OF GOVERNORS AND LEGISLATORS

Governors and legislators must be educated in penology. Every governor is obliged to face its complex problems; most of them without any previous knowledge of the subject except what may perhaps have been acquired through service as a prosecuting attorney or a member of the legislature. The subject is only one of many which confront the governor and he finds himself involved in a maze of difficulties. How are governors to qualify for dealing with penological problems? Some have acquired wisdom through experience while in office; but usually this wisdom has come too late in their term to be of practical service. It is a pity that each of them could not take a six weeks' training course in penology as a preliminary to assuming their duties. Rutherford B. Hayes, during his term as governor of Ohio and later as president of the United States, gave the world the benefit of his experience in many years of service as president of the American Prison Association. He wrote and spoke wisely and sanely on penology. His papers and addresses in the annual proceedings of the American Prison Association and the National Conference of Charities and Correction are still authoritative. His devotion to this cause was due to his strong feeling that the prisoner is overlooked by society. "Who cares for the poor prisoner?" he asked. Ex-Governor George M. Hoadley of Ohio in the National Conference of Charities and Correction of 1886, read a paper on the pardoning power, based upon his experience, which became a classic. As a rule, however, governors and legislators have to rely upon the advice and information of prison executives. Governor John J. Bagley of Michigan, who enjoyed the advice and inspiration of Superintendent Z. R. Brockway while the latter was in charge of the Detroit House of Correction, in 1870 advocated the indeterminate sentence plan and induced the legislature to appoint a commission to examine the criminal laws of the state and to take steps for their revision. In 1873, he urged the classification of prisoners and the prohibition of the confinement of convicted prisoners in jails.

This necessary dependence of governors and legislators upon prison administrators is an additional argument for the adequate training of prison officers.

A PLAN FOR THE TRAINING OF PRISON OFFICERS

As already stated, the New York School of Social Work, Columbia University, Michigan State University, the University of Missouri, and certain other universities are offering courses in penology and criminology. I suggest that a committee be created by the Wardens' Association to confer with the representatives of these institutions with reference to the adaption of the courses given to the needs of present and prospective prison wardens and superintendents of reformatories.

FRIDAY MORNING, OCTOBER 13

WARDENS' ASSOCIATION

LEWIS E. LAWES, WARDEN, SING SING PRISON, OSSINING,
N. Y., PRESIDENT OF THE WARDENS' ASSOCIATION, PRE-
SIDING.

CLASSIFICATION, WHAT HAS IT ACCOMPLISHED?

DR. FRANK MOORE, SUPERINTENDENT, NEW JERSEY
REFORMATORY

The classification of offenders is the oldest, hardest and the most important problem of penology. It is not, therefore, my feeling that I shall be able to solve it.

It is an old problem. Aristotle, the Greek Scientist, speaks of it. A Greek physiognomist, who examined Socrates' face, judged that the philosopher was brutal, sensuous and inclined to drunkenness and Socrates declared to his disciples that such, though he had overcome it, was his natural disposition.

Coming to more recent times Lombroso, the Italian, stands out as the most prominent. In his "The Delinquent Man," published in 1872, his classification was based almost entirely on the anthropological characteristics of criminals. It stressed the shape of the head, the size of the brain, features of the face and the character of the body, and immediately aroused a storm of criticism. His book "The Criminal Man," published in 1889, made sociological conditions the foundation of classification and it divided criminals into two main classes:—

1st—The Criminal, in which group were included the born, habitual, insane, epileptic criminal, and in fact all the more serious types of criminals.

2nd—The Criminaloid or trivial, accidental and occasional offender.

There have been many others, both before and since Lombroso, who have patiently worked at this problem: Galernus, Gall, Morel, Ferri, Benedikt and others, but perhaps as valuable a contribution as has been made by anyone, either of earlier or later times, is that which has been given to the world by our own Dr. William Healy in his admirable study of the individual delinquent covering 1,000 cases. For though Dr. Healy does not pretend to classify, and frankly says he has only been interested in showing types of offenders, yet it may be that the most scientific and practical general classification of the offender yet made, may be based on a careful analysis and correlation of the splendid work he has accomplished.

It is a hard problem. There are so many physical, mental and moral fundamentals in human character, that if one of these is emphasized, at the expense of another, as we are apt to do, because of our own viewpoint, all the others suffer. A human life is so complex that to work out a system of standards that will check and balance a man, and so estimate him for just what he is, is almost an impossible task.

It is an important problem. Difficult as is the classification of the offender, it is nevertheless most essential to his restoration to worthy citizenship. No worker in our important field of endeavor can expect ever to achieve the greatest success, unless he knows minutely and fully each individual with whom and for whom he labors. By careful and scientific tests, by patient and skillful study, those of us who work with human lives, must know intelligently what is the kind of man with whom we are working. Our failures, I am convinced, have been more largely due to our not knowing the weakness and strength of our men than to anything else. Every true prison official wants to see his men become law abiding, successful and happy. Tremendous energy has been put forth to accomplish this but much of our energy has been wasted, because there has not been a correct understanding of the man's real character. And when I say, therefore, that a proper classification is the most important thing in our penal work, I say that which I know is felt by us all. I am sure that we all agree, that when we become more skillful in the proper classification of the offender, we shall become wiser in our treatment of him and, therefore, accomplish more in our work with him.

There has been much progress made in the classification of offenders.

The prison, which originally was the only place where violators of the law were confined, and which had men, women and children in it who were sane or insane, normal, feeble-minded, or epileptic; guilty of both trivial and serious offenses, no longer, at least theoretically, holds such a population. Separate Women Prisons; Juvenile Institutions for boys and girls; Reformatories for male and female; Criminal Insane Hospitals; Epileptic Hospitals and Feeble-minded Colonies; these modern institutions now have taken out of the old time prison many classes, that formerly were herded together in an awful and appalling conglomerate mass. This in itself has been a gigantic step toward the classification of the offender. No one would think of going back to the old common prison for all offenders. It would seem like returning to the dark ages, or worse still, almost to barbarism, and yet, due to careless sentences, inadequate court facilities and improper administration, there are still those in our prisons who should be in other institutions, and some in other institutions who ought to be in prison. This improper placing of the offender is a most serious handicap to the institution, and cannot help being a positive injury to the man who is its victim. Therefore, I wish to lay emphasis here upon the importance of insisting on having the offender, in all cases, sent to the proper institution. Any judge or any administrator of the law who errs in this, is guilty of a serious maladministration of his office. Until this error is corrected, no institution can do its work as it should, and all its inmates must suffer. But, when an institution has the definite group of offenders which properly belongs to it, then it must not stop there. Then, its first duty is to still further classify all who are within its walls. This brings me to the important part of my paper, namely: The great need of a sane and scientific classification of offenders in each separate institution.

It is not necessary to argue concerning this need. It is admitted and has been sought for by all of us. The only thing that has hindered its being done is the difficulty of it. I want no one to think for a moment that I make any pretensions to having solved these difficulties. I did not seek but was asked to read this paper. I confess that for nearly fourteen years I have had the feeling of one groping more or less in the dark on this question, and it may be I am dreaming still, if so, I want you to tell me. No claim to finality or perfection is made by those of us who are working on this problem. We realize that in this work there is still more or less the

element of experiment. But we do feel that we are proceeding not by guess work but are guided by experience and scientific methods which have been proven. Therefore, I am glad of having the opportunity of telling you what we have been doing on the subject of classification in New Jersey in order that I might get your reaction and criticisms, for I realize that I am speaking to a company of expert men and women whose opinions are valuable.

About three years ago we undertook a certain kind of classification in our Reformatory, concerning the feasibility of which at that time I personally was in great doubt, but some of the members of my board felt that we ought to do something and as this plan which I shall describe seemed to be a step forward, we tried it.

Under the operation of the indeterminate sentence, as we have it, we had been receiving each inmate on the same basis, no matter what was his crime or previous history, and we had been saying to them all, that they could be paroled in the same length of time if they were perfect in their conduct and could show evidences of reform. There were those of us who felt that this created a feeling of fairness and relieved the institution of any charge of partiality, which seemed to be very desirable, but there were others on our board who had the feeling that this plan was really unfair. They were of the opinion that to keep a man for a minimum of one year, who had been guilty of a serious offense and to keep a younger offender, guilty of a slight offense, the same length of time, was an injustice to the younger offender. So we worked out a classification of four groups, fixing the minimum time of each at 9, 12, 15 and 18 months, making the 9 and 18 months group elastic so that the first group might be reduced to 3 or 6 months and the last group increased up to two years. And we placed all inmates, according to their character and crime in one of these groups which we called A, B, C and D. My fear was that those who were put in D group for 18 months would feel that they had been unfairly dealt with in not being put in the 9 months group where someone else had been placed. But in this I was mistaken. There has been no such feeling and out of about 1,000 cases classified in this way, there have not been more than 10 who have asked for a reclassification. So that in this regard I can frankly say the plan has worked well.

There is this other merit to this plan. It seems sound in that it provides longer correctional treatment for the more serious and repeated offender, who because of the seriousness of his offense, or the fact of his being a recidivist, indi-

cated that he was a more obstinate offender and therefore, could not reasonably be supposed to be amenable to a fundamental change in his character without longer treatment.

The great weakness in this plan of classification, as I see it, however, is that it is a classification based on time only. For though we say to a man you are going to be paroled at a certain time if you can show that you are reformed, yet in reality, practically all offenders are let out, when the time comes which has been set, if they have behaved themselves.

The very apparent reason for this is that no board feels that it can really judge the man who is before them as to whether he is reformed or not. All the man has to do is to say he has reformed which is an easy and natural thing for him to say and the board says, "Well, he has made his time, let's give him the benefit of the doubt, let's give him a trial," and so in this way practically all are released. This undoubtedly is one reason why there are so many failures on parole.

I feel, and I wonder if you too do not have the same feeling, that any system of parole based on time is a source of weakness to the training of an institution since the thing which seems to be uppermost in the inmate's mind all the while he is in confinement, is the length of time he has to do and not the more serious question of his own individual improvement in learning, industry and character. He simply does his time and the doing of it consumes all his thoughts to the exclusion of almost everything else. So he goes out without having become what it was expected he would be. All the credit schemes and merit marks and many other cunningly devised methods of badges, privileges and honor groups are all a camouflage to him. Under it all he feels that he is doing time and that when that is done he goes free.

It is for this reason that we have felt the need for a new kind of classification which we are just now in our Reformatory undertaking to start. That new system is this: After a man's history is taken, covering the usual things in the usual way, then our physician examines him to see what he needs physically, and if there are any defects that are a serious handicap to the man, these, if it is possible, must be corrected. Then our psychiatrist examines him to see whether there are any symptoms of insanity. If so, he is sent to an Insane Hospital that these may be corrected, if possible. Then our psychologist takes him in hand, puts him through the Binet, the Army and the other psychological tests to find out his mental possibilities. In addition to this he gives him a thorough examination, using the most

highly accredited vocational guidance test in order that he may accurately estimate his industrial ability and adaptability. When these tests are made, the man is rated as being able to rise to a certain school level and to attain a certain grade of industrial work. By these tests it has been found that the population in our institution divides itself industrially as follows:—

1st:	Unskilled or incapable of trade training....	21.5 %
2nd:	Semi-skilled or capable of limited trade training	38. %
3rd:	Average trade ability.....	33. %
4th:	Journeyman or high grade clerical help....	6.5 %
5th:	Foreman grade of ability	1. %

On the theory that the reformatory is for the man and not the man for it, all the industries of the institution have been organized into courses of training developed so as to fit the needs of all those five industrial grades of inmates. The courses of training in the shops are so laid down that an inmate when he is received can be placed in the industry he selects, at just where he is able to begin. He is then told that his ability to learn a trade, is such that he ought to reach a certain definite point in the training of that shop, and that that point must be reached by him in a satisfactory manner before he can be heard for parole. The same method is also applied to him in the Book School. For example: In the school it is found that when he enters, his educational level is say the 2nd grade, but tests show that he has mental ability sufficient to permit him to reach a level of the 5th grade, hence that is required. We have been greatly aided in working out the details of this system by the professional staff of our central board of control.

This system seems to us to be a practical classification of every man in the institution, making it possible to assign him to the kind of work of which he is capable, dividing the men in the same way as they are divided in the industrial world, thereby furnishing an intelligent basis for placing them when paroled.

But that which this classification has made possible, and that which to my mind is even of greater value, is that it gives us the opportunity of doing away with the time element in determining parole. It enables us to say to a man soon after he is received: "We find you are a man of average trade skill. You say you would like to become a plumber. We find you are capable of attaining a fair degree of proficiency in that trade. Here is our course of training in that shop. You must complete this in a satisfactory manner up to a certain point," naming the point to

which his ability will permit him to rise, "before you can be heard for parole." In addition to that we tell him that he must also reach a grade in school which the test indicates he is able to reach. We say to him, "We think it may possibly take you 18 months to do all this. It may be that by great diligence you can do it in 15 months or less or it may be that if you do not apply yourself it will take you longer. That however is all in your hands." To illustrate the system let us take an actual case of an inmate, whom I will call John Doe, who was committed for the larceny of an automobile. That test showed him to have a mental age of 12-13 years, a learning ability equal to a 7th grade level and he says he has attained that grade in school. He has however to prove that he can do the 7th grade, if he cannot, he must take that grade and pass a satisfactory examination in it. When he has done that he will not be required to do any more schooling because it is shown by the test that he does not have the ability to go higher. In his vocational test made by the Stenquist aptitude test he showed that he had industrial ability which would enable him to reach the 3rd or journeyman grade in the machine shop. He has been started in at grade 1 or novice class. He will have to go through apprentice work to journeyman and show himself able to do in a satisfactory manner at least low grade journeyman's work. This will probably take him 15 months. It may take him longer. That depends on how he applies himself. This young man if he does not go to school will receive trade technical training in addition to actual shop manipulation. If he does not develop as expected in his shop assignment, provision is made for reclassification and assignment.

This matter of requiring that the offender shall attain a certain standard in order to be entitled to be paroled is the only part of this classification to which I lay any personal claim for credit.

Its value, it seems to me, lies in the fact that it opens the way for dispensing with the time element and permits the emphasis to be placed on accomplishment, where it belongs.

It does away with sending a man out who has merely done time and places him in the world again only when he has been fully fitted, as far as his ability will allow, to do his part.

A most encouraging feature of this new system so far as I see it is the very favorable reaction of the offender himself to it.

I know of no step that is as important as this, for if we can make parole mean graduation from a course of instruction in a practical trade and the reaching of the school level of which the offender is capable, we have created in him a new idea in life. He sees what he can do in honorable things. He goes out proud of himself and his achievements, with confidence in himself that he can do it and anxious to show it to the world. This system, it seems to me, will change the offender from a cunning trickster, trying to get away with everything he can, without losing time, to a real honest man of industry, anxious to learn all he can. It changes the Superintendent or Warden too, from a turn-key to the level of a principal of a school, or the president of a college, and when once this system is thoroughly established as I believe it can be and will be in all our correctional institutions, society will no longer look with horror on the gray walls by which we are surrounded, but they having become correctional institutions through education, the people will regard them with a pride, the equal if not greater than that which they have when they look upon our universities. So our prisons will be changed, not into hospitals but into real educational institutions doing a work even greater than the college or technical school, for they will be succeeding with the most difficult class of society and be deserving of a credit greater than any college, which has the easy problem of training the favored and talented.

When this has been done, as I see it, there will yet remain one further step to take and that is a scientific moral classification or perhaps I will convey my meaning more clearly by saying the invention of a scientific moral measure. I do not have time to develop this. I can only mention it. We can never succeed in reforming a man fully until we have some means of knowing what is the secret of his moral weakness. My thought is that tests need to be created which will show what is the cause of a man's moral failures. Three things in the human mind or soul, or whatever you choose to call it, seem to be the fundamental force which underlie a man's acts. His judgment, his affection and his will.

What kind of judgment does he have?

What kind of affection does he have?

What kind of will does he have?

In which is he weak?

I know I am not stating this problem according to the accredited psychological theory when I divide the mind into the separate faculties which I have just named. I am simply stating this problem from the practical standpoint of a lay-

man and from the point of view of one who feels that in order to make a moral diagnosis of any man you must be able to put your finger on that factor or that operation of the mind which is wrong.

Nevertheless, however that may be, we shall by scientific tests yet be able to find out accurately where the man is weak and place our finger upon the thing that is morally lacking.

Thus having morally diagnosed him by scientific tests in the hands of expert examiners we shall lay down a system of treatment that will bring the judgment, affection, will or in fact the whole moral man up to the normal where the accepted moral standards of society can be met. To illustrate: I had a young man sent to the Reformatory for a sex crime. I applied to him a very crude test of my own invention. I found his weakness was in his will. I asked him what it was that he wanted to do and had not been able to do. He said he wanted to cease this evil practice. I asked him what else. He said he wanted to learn stenography, but though he tried he could not succeed. Having found out where he was weak I said to him, "You are going to learn stenography and when you fail in your work in the class I am going to require the teacher to report your failure to me." Six months went by and I heard nothing from the teacher. I then called the young man and asked him about shorthand. "I have learned it," he said. "All right," I said, "I haven't mentioned to you the crime for which you came to the institution. I wanted that to be kept out of your mind as much as possible. I am now going to send you to our Road Camp, where you will find plenty of temptation. Remember you have succeeded in stenography and you must succeed and overcome this weakness of yours." He did, and has now almost completed his parole, without any marks against him.

I repeat, the greatest need yet remaining as I see it in our work is a scientific moral classification founded on reliable tests which go beyond a man's acts into the realm of his thought life. Here is where our Chaplains need to help. We have come to a time where we do not need preachment so much as scientific and individual moral treatment.

The man who shall perfect such tests and cut this Gordian knot will need to use a sword of keenest steel but he will accomplish a greater thing than if he had subdued kingdoms.

We have now come to the time when we must leave all our hit and miss methods in dealing with the offender and

seek a new and more enlightened way. Already I believe we are seeing the dawn of a brighter day with more real sympathy and hope in it for those who have gone astray. It is not always going to let men out of prison sooner but it is going to let them out better men and fewer of them will come back. If you think I am right, or at least am on the right track on this question of classification then let me ask you to help it along by seriously considering it, by trying it out, by finding out the faults it has and helping to correct them. Let us work to get our judges educated and the public enlightened and our laws where they are in any way inadequate, amended. Let us get into our institutions trained men who can do the work accurately and let us not be afraid of expense, for penuriousness in such an important matter is false economy.

If you think I am wrong, if my position is a falacious one, then let us throw the whole thing away and stop where we are like those lost in a wilderness, but let us still cry for a new and brighter light to shine upon our way which will give to us a more definite knowledge of our brother man so that we may yet lead him into a life of greater promise.

DISCUSSION

President Lawes: In arranging this program we endeavored not to place too much on it and to have as scheduled only four meetings. The reason for that is that a number of men desire each time to bring up some subject or subjects which makes it impossible to schedule in advance, and we have an opportunity to fit that in any time that the men will get up and bring out the subjects that they desire. We started off with the subject of classification and what has it accomplished, and I selected Dr. Moore, who gave us an admirable address, for the reason that he is a conservative progressive, but he makes progress slowly, because he thinks that is the better way rather than to retrace his steps, and he doesn't believe necessarily that movement means progress. I believe we all realize in dealing with this problem, which is a human one, that we should know with what type and kind of people we are dealing. My idea in selecting this particular subject was that eight or ten or fifteen years ago there was some idea of classification but not along any scientific line. Some trained man in an institution would assign his inmates, his prisoners, to different vocations and then if they fell down he would reassign them or drop them from that assignment and place them in another. Now what has that accomplished? Is the work of the institu-

tions any better today? Are your industries turning out a greater amount of products? Do your men in your trade schools and school of letters in the reformatory respond because of intelligent classification? Do they make better progress? And after all, the crucial and the real test is when they leave, is there a larger percentage of real men or boys who do not come back? Unfortunately, the different states have systems that vary so greatly that we are at a loss to find out whether that is true. If there is anybody here who would like to say something, and there is a great deal of meat for thought in this paper, Dr. Moore, I am sure, will be glad to answer any questions.

H. V. Bastin, Frankfort, Kentucky: Is a sentence in the reformatory purely indeterminate or with a maximum?

Dr. Moore: With a maximum, no minimum.

Mr. Bastin: Briefly, what is about the maximum?

Dr. Moore: We have only two classes of offenses, misdemeanors and high misdemeanors. Misdemeanors, three years and high misdemeanors, seven. We get both misdemeanors and high misdemeanors in our reformatories.

Mr. Bastin: Do you find with the fellow who doesn't work out satisfactorily you must turn him loose at the end of the maximum?

Dr. Moore: Yes.

Mr. Bastin: Don't you think it would be a step in the right direction to remove the maximum?

Dr. Moore: If you can get it done.

Mr. Bastin: We haven't done it yet.

Dr. Moore: That is what we need, a pure indeterminate sentence. That is why I referred to the amending of laws that would interfere with proper classification of this system being carried out. We have to work with some limitations.

Mr. Bastin: We are trying in Kentucky.

Mr. Ralph Howard, Indiana: Do you think your classification plan would apply to short term misdemeanants? My institution is comprised of men doing sixty or ninety days or six months sentence and it is a rapidly shifting one, turning over three times a year. Do you think your plan would be feasible?

Dr. Moore: It wouldn't be as feasible as in the other. You might possibly work part of it and get some benefit out of it and probably that would be better than not doing anything at all, but it is foolish to undertake to take a man and turn him out what he ought to be unless you have a proper time in which to work with him.

Mr. Howard: Sixty or ninety days is hardly long enough.

Dr. Moore: It might help a little bit and you could be able to place him better when he goes out if you made this classification inside. By that means you would be helping him greatly. If you went through this same classification and you knew your man and if you could get someone interested in putting him where he could carry on on the outside the work we are trying to do, that perhaps would be the best thing you could get out of the system.

Mr. Howard: If we had an agency co-operating with the institution.

Colonel Claude B. Swezey, Maryland Penitentiary: I understand from his paper he refers more to institutional classification. I would like to ask if your studies have brought you to a state where you believe it would be better to have a general classification of all penal offenders and the institution to which they would be sent would be fixed also by this Classification Board, instead of by the sentence of the judge?

Dr. Moore: I certainly say yes to your question. The trouble is, as I tried to suggest in the paper, that we had those in prison that ought to be elsewhere, and elsewhere that ought to be in prison, simply because the court does not do a scientific job in classifying. It could all be done before they come. Of course what you are alluding to is what we have been talking and that is a clearance house where they all go before they are sentenced and when found guilty they go to that clearance house and the experts assign them to the proper institution. That is the system in my judgment.

Colonel Swezey: In other words the judge sends him after sentence to the clearing house?

Dr. Moore: Yes and they are assigned to the institution.

Rev. W. E. Cashin, Chaplain of Sing Sing Prison, Ossining, N. Y.: I didn't hear all of the paper, but I came in time to hear him touch on the importance of the moral training, or the influence which the Chaplain might exert on the development of the man, fitting him to realize his own normal self and then go out and take his place in ordinary social life afterwards. It seems to me that Dr. Moore has touched on a very vital point when he brings up the question of the development of the moral responsibility of each individual prisoner. The Chaplains, in the experience I have had in dealing with them, are anxious to take up this kind of work and I think most of them are qualified. They have spent years in the study of moral questions. They know psychology. They know human nature very well and they exercise an influence on the prisoners

perhaps different from that of any other individual in the institution. We don't claim they are more close than the others, but there are certain phases of life that the Chaplain can reach more readily than the others and I feel that his direction and help can co-operate very materially in the general management of the institutional affairs in placing the man where he belongs, and at the same time finding out what is the weakness of this individual that has caused his downfall and work for the upbuilding of that man. The moral and religious phase has been neglected in most of our institutions. We employ Chaplains and give them a sort of a perfunctory position in which to perform. If the Chaplain makes a recommendation about the ability of a certain man or about his weakness, he is looked at as a sort of sympathetic weakling who is influenced very much by the soft story the man will tell him. But you recognize that the Chaplains are trained men for that work. They are specialists in their line as well as the physician is a specialist in his line, and I think Dr. Moore has brought out a very important point to call attention to the work of the Chaplain, and the necessity of the Chaplain co-operating with the general administration in not only selecting the individual for peculiar work, but for fitting him for the general work outside.

Now another thing that the Doctor spoke of in answer to one of the questions, which I think is very good. He spoke of the classification, the general clinic examining a man before he comes, and so forth. The institution in which he is placed is a sort of a post graduate institution for studying those men and making a tentative assignment based on the knowledge that they have had of that man in the brief time he has been under supervision. They get his family history, the history of his performances, and so forth, but when he is living in an institution for a year or more,—and a year can give an opportunity for fair knowledge of the man—the knowledge attained during that year I think will sometimes correct what is found in the clinics or sometimes confirm it. But the religious, the moral bearing on that man, I think is the important thing, and I thank Dr. Moore for bringing that into the conference. (Applause)

Warden James Devine, Utah State Prison: I would like to ask Dr. Moore if he favors a reclassification of offenses as well as of offenders. I noticed he referred to the courts. The court has not the arbitrary power to change the law and something that is designated as a felony where the punishment is designated cannot be changed under our arbitrary laws by the court.

Dr. Moore: Of course that is a matter of law or perhaps of the constitution of your state. I don't know which, but certainly as time goes on crimes do change in their character, some of them, and things become crimes as society develops that were not crimes formerly. So there is always a need for a re-adjustment of the classification of your crimes, but that to my mind doesn't affect our work with the offender when he comes to us. We can change our treatment of him to suit his character no matter what the name or kind of crime is under which he has come. I don't think it at all affects our treatment of the offender, no matter what class of crime he commits, because we can change our methods to suit the real character of the man. I don't know whether I have answered your question or not.

Mr. Devine: The purport of my question is the necessity for the re-classification of the penal offenses. In other words we have felonies today that in my judgment should be misdemeanors and we have misdemeanors that should be felonies.

Dr. Moore: I think you are right.

Mr. Devine: And an agency that might have some power towards changing sentiment in that way I referred to in a brief address delivered last year in Jacksonville.

Mr. Henry A. Higgins, Boston, Mass.: I want to ask Dr. Moore if he is going to draw the parallel closely between the institution, between the modern prison or reformatory and the college and the school, if that doesn't mean a revolution in the character of men that are employed not necessarily at the head of the institution, but all the way down. Now his parallel holds good in the first instance because that presupposes the men in charge must necessarily be high class men, but he working alone without equally competent assistants, the same as the college president has, or a school principal has, it seems to me he would be working under an insuperable handicap.

Dr. Moore: My answer to that, Mr. Chairman, is this: There should be courses of training for all the officers and everything should be done to meet the needs of the offender, and if it is necessary to chuck all of us out of our jobs to do a better job with the offender, we ought to be thrown out. (Applause)

President Lawes: I think we all ought to be thrown out.

Mr. Hulburt: Absolutely. (Laughter)

President Lawes: Because, if there is any one job that experience would mitigate against a man it is being in a prison. You know less about it the longer you are in it, accord-

ing to the man on the outside. Every other man in the street is confident he can run a ball team better than Miller Huggins, but when it comes to the prison, ninety-nine men out of one hundred know they can run it better than the man in charge; there is no question about it. It is a human problem and it is all right to get college presidents, but I know some college presidents that cannot walk across the street without getting run over by an automobile. They are near sighted. They are wonderful men in their field. They have got marvelous knowledge of some particular scientific subject and all that sort of thing, but you are fitting these men to go out into the world among men to act as men. I believe thoroughly in your organization. I believe absolutely that you are training the men to go out into the world in its particular class and to rise, as high above it, as you can. I don't believe in classes, only the class that the man makes for himself. But I do feel if you are going to have a school, the school should be normal. I don't believe in having guards around the school. I don't see the necessity. Some of my friends will say, "This bird is going wrong, too." It takes away the morale in the school. Perhaps occasionally it may be necessary to have guards with some particular men, but on the whole I should say not. Your shops and industries should be as near normal as possible. In fact, all the activities of the institution should be, and of course the higher grade men or women that you can get to handle these shops the better job you are going to get, though it isn't entirely a matter of book education. It is the education of the individual toward his fellow man and the way he must go out in life; he has got to meet the man; he has got to meet the problems, and he needs something besides book education. I agree with Dr. Moore and with Father Cashin regarding the moral responsibility, which is a difficult thing to force upon a man but which is a wonderful thing when he grasps it, because it means what it actually does. This subject of classification is a big one and while we are dealing with men and women we cannot get away from it, but we have come to a very important part of that training this morning in the paper entitled "Prison Industries." This is important because it relates especially to the economic ability of the man to support himself, and, after all, I believe that is a very fundamental proposition. I now will introduce the late president on "Prison Industries." (Applause)

PRISON INDUSTRIES

HARRY L. HULBURT, WARDEN, MICHIGAN STATE PRISON,
JACKSON, MICHIGAN.

Prison industries is a subject that is broad, as each State has its own laws that govern industries inside of prisons. In ancient times contract labor was the principal thought of all those connected with penal work and to sell products to different firms for the manufacture of goods, and they were known as sweat shops. Some institutions paid compensations to the individual inmate—a large number that charged only 35 cents and 50 cents a day for their labor cared very little about compensation in regard to the inmate.

In recent years, broad minded individuals have been given positions on Boards of Control and Prison Boards, and their main thought has been to put inside of prison walls factories that would be a profit to the state. Also, care and thought has to be given to the factory that will benefit the man when going outside of the prison to earn his livelihood when released from a prison. Also, goods that are manufactured by industries have to be given a thought of sales, and in thinking about sales of goods that carry the brand of prison made, you are up against the problem of the big trust and of outside labor knocking prison made goods, and a lot of thought has been given to manufacturing goods that does not conflict with skilled labor. Here in Michigan we at all times try not to interfere with skilled labor. We try to do work that is beneficial to skilled labor, and also have labor so that the compensation paid is of benefit to him and to his dependents on the outside, so thus, the industries that are in Michigan and its wonderful institutions, perhaps do not stand in a class the same as institutions in various states.

I believe in the right to manufacture goods that will sell on an open market and not to interfere with skilled labor. There is a bill that has been before various committees in Washington at various times. This bill is known as the Nolan bill, and this Nolan bill is a bill which does not want goods sold outside of the State in which the penal institution manufacturing the same is located; or, in other words, the big binder twine factories that are in nine different states and run by nine different prisons would not be able to ship the product into the other states. We ourselves make fourteen million pounds of binder twine, and as Michigan consumes but five million pounds, they would compel us to close down our binder twine factory nine months in the year. It would also place states that we sell in, like North Dakota, Mon-

tana, Nebraska, Iowa and Kansas in such a way that their own factories are unable to supply them, not having the number of prisoners. The same applies to other states like Minnesota, Indiana and Wisconsin, that I know to my own knowledge are large shippers of binder twine, and I think that the industries that are placed inside of penal walls should have the right to sell their goods in open market, but they should always bear in mind the one thought, make goods that do not interfere with skilled labor, and I do not believe in installing industries that would interfere with the taxpayer.

I do not believe that the farms interfere with the farmer, because all institutions which have farms use their products for the keep of their prisoners. At Jackson, a large amount of produce is placed in the cannery and is canned and sold on the open market. A very small portion of the goods that is consumed is hardly felt among the canners, although, this last year our pea pack was 430,140 cans. The placing of this 430,140 cans of peas upon the open market is not felt by the canners, and it is sold at a price that is the same as the price that is in the canners' list as we do not cut the price. We believe in selling the goods at a profit. This cannery is a good industry for all institutions to have. It enables the institution to can for their own winter's supply the various vegetables and fruits raised on the farms. We work as high as 140 men in our cannery. I have these men all inspected by the medical staff before they are placed in this cannery to work.

I am not here to brag of what Michigan has. but it has a large number of acres at Marquette which they work to lower the cost in the future appropriation, but they do not run a cannery at Marquette. Marquette has a box factory and it has a large shoe factory and glove factory. Both of these are profitable to the State, and they will still be of greater value to the State as they have an excellent new man in charge by the name of Corgan. I am not here to brag in any way in saying that Corgan is superior, but I consider him a man, who Governor Groesbeck has appointed, and who will make a wonderful Warden at Marquette.

At Ionia we have a farm which likewise is worked and on which the food is raised to lower the appropriation. At Ionia we have a chair factory and shoe factory and toy factory, and the place is in excellent hands.

At Jackson we have this large binder twine factory; 4000 acres of land, and this large cannery. We have a steel stamping plant which makes automobile license plates, road signs, street signs and a number of other special steel

signs which we sell on the open market. We made the 1922 license plates and 1923 plates, and we making the 1923 license plates for Vermont. I think that every State in the Union should have its own stamping plant for making its State's plates, and it is a very good industry to have inside of the prison wall.

We have large machine shops, but we do not sell the products, as we work the same for the other industries.

We have a brush plant where we make about fifty odd different patterns of brushes which are sold on the market. This brush plant is similar to the one in Charlestown, Massachusetts. Thanks to Warden Shattuck, the man in charge, I also lined up our aluminum plant in which we are making 51 different patterns. We are selling this on the open market—not only supplying the state institutions, but we are shipping into other states. Our aluminum is spun instead of being pressed, making it a very smooth grade of aluminum and it is higher than any other aluminum ware made except at the Charlestown prison.

We have a monument factory in which we manufacture tomb stones and markers. This is a very good industry. This product we do not sell to the consumer. In all of our other factories, we sell to the jobber, dealer and consumer. We are only aiding the dealers in the State of Michigan, as we do not ship this product outside of the State, and we consider this industry an asset to monument dealers of Michigan. This is a very large factory and it supplies lots of work for the institution.

We have a chair factory where we make 304 different models and styles of reed furniture. This factory gives work to lots of young men and it is a good chance for young men to push their idle thoughts out by getting interested in the winding of chairs. It is a very profitable industry for the inmates as well as for the State.

We run our own tailor shops.

We have a cider mill, which may sound peculiar to the ordinary prison worker, but we make about fifty thousand gallons of cider, which is very easy to sell, and our cider vinegar has always passed the inspection of the Pure Food Department. This is a good thing for one institution in each state to have, as the vinegar demand in all state institutions runs up to a large number of gallons.

We also have on one of our State Farms a brick and tile plant, where 100,500 bricks are made. We keep 120 men at this place. It is one of the largest honor camps we have, and the manufacturing of brick is a good thing for all in-

stitutions to have, not only for the putting up of state buildings which we furnish brick for, but to sell on the open market also. We find very little difficulty with union labor, as the union men of today are all charitable in thought and they know in making this brick it is helping some unfortunate whose wife and children are depending on his earnings, as in all State institutions we pay compensation. At this brick plant it is a piece work proposition. The more brick they make the more they earn. I do not believe in task—I believe in compensation and piece work so that an inmate can earn sufficient to take care of his dependents.

We have several small industries like a wagon plant, which we have at the North Farm. This has not yet developed into a large industry, but I believe a wagon plant is a good industry to have.

In the various institutions I have visited there are a large number of industries that I sometimes wish Michigan had. Take Pennsylvania, the weaving and making of all the cloth used in the State institutions. Not only institutions for men—uniform cloth, sheeting, towels, but the dresses and shirts that are used in all the 33 State institutions in Michigan.

We are getting in a lot of short timers. I have very nearly 1,900 men, and one year ago I had 1,400, five years ago 1,096. We are crowded in Jackson—a 900 man prison with 1,900 men. I am compelled to keep 500 and more prisoners outside of the walls, and any Warden who has 500 prisoners outside of the walls has to work overtime in mind, body and soul for the keeping of these men, so thus we have at Jackson one of the largest industries which I struggle to advance every day, and as yet, I do not believe we have even got the roof on, and that factory is a factory that every State institution in the world should have one like and every institution has one if the Warden in the front office has a heart and soul, and that is a factory of *rebuilding man*. The subject is a broad one. The honor system is old as it dates back into Bible history, so no Warden can say he is the only one running the honor system as that is an old subject, simply Trust in man.

How many men are there when a poor soul is sent to prison who take the time to find out if there is another chance to add another to his list? How many are there that will send a letter to that poor boy's mother or father, or go to the home and find out if the wife is going to be destitute? And, is not now the time to join our forces and to aid and assist the welfare workers in helping those left behind.

Rising generations are watching and watching very closely the actions of their parents as to what we are doing in regard to crime. A man convicted of a crime struggles hard for every dollar he has in the world and he spends the money he has saved for his little family to keep himself out of prison for some misdeed he has committed. He is sent to prison, thus the wife, the mother and the children who are depending on him for support, are left destitute, and it is only the little compensation he receives in prison that enables him to keep the wolf from the door. Many times I have known lodges to notify the man who is sent to prison that he was no longer a member of their association. Many times I have called their attention to the fact that although they have notified the man that he is no longer a member of their lodge have they looked after the family and are they keeping the wolf from the door, and many times I have known the officers to quickly jump to the assistance of the family, but I have noticed that when the family has been neglected, when the husband comes out of prison he goes into the world a bitter and hardened man. So the factory of rebuilding man is the greatest factory and the greatest industry that can correct crime and save souls and help men to be better men and help women to be better women. This factory does not have to be confined to the walls of an institution, and if the Welfare Workers would join their forces with the Wardens of institutions I believe we could wipe out crime and help the rising generation to be better. In my parting message to you I wish to state there is one factory and one factory only I believe God is interested in inside of prison and that is the factory of rebuilding men and saving their souls.

DISCUSSION

Miss Fannie Copeland: I am intensely interested in relief work. Speaking of moral influences and industry, I just wondered how much opportunity is afforded prisoners to make good the wrong they have done to the community, those things for which they are sentenced. I have in mind just now a case where a man was stealing lumber. The owner of the lumber was a poor man. He was erecting a house. He hadn't a home of his own and he was making every effort on earth to make himself independent. He bought a house and wrecked it and early in the morning, six o'clock, he found a bunch of people stealing his lumber. They had it on a truck. He immediately called the police and two policemen came to the site of the stealing but no one did a thing to help the man recover his lumber. The

lumber on the truck was exactly the same color and everything else as the lumber in his house and he knew it was his. It takes a number of policemen to handle such a man. Wouldn't it help that man to realize his responsibility to the community if he had an opportunity to take some of his earnings and help the man he has wronged? I wonder if that problem has ever been considered?

President Lawes: Restitution is one of the things that has always been paramount in discussion and meetings of this character. An opportunity has been offered frequently but seldom taken advantage of. The problem of restitution could probably be considered in that scheme of Dr. Moore's. Occasionally it might be advisable and at other times it would be inadvisable. It is entirely a question that would have to be determined on its individual merits and one that it would be impossible to lay any flat or broad rule on.

Mrs. Jessie D. Hodder, Framingham, Mass.: I wonder whether it might result in people putting people in prison in order to get their debts paid? I can see no reason why restitution cannot be made. We have been trying the scheme of indenturing prisoners out to work and one of the women who earned something like \$700 or \$800 during that period paid back \$600 to her creditors. That is a very small sum, however, as she is an international swindler.

Mr. Hulburt: That is just the thing we have been driving at all the while. The moment a man pays a dollar down and a dollar a week and he buys an old rusty watch and he gets caught in a crime and they don't get it back, is like the case of a woman that felt the warden is a collecting agency and wants the warden to collect that watch or that dollar, and sometimes that is the very man that drives him back into prison when he goes back on parole, as they garnishee his wages for that old ten cent watch. It is better to rebuild the man and help him back. I am for rebuilding men. Never mind the lumber.

Miss Copeland: Is the man rebuilt or does he try to offer restitution?

Mr. Hulburt: A man falls by the wayside and a woman falls by the wayside. They can be rebuilt. There isn't a person but can come back into this world. Money makes no difference in this big factory. If a man goes out and boot-legs, and there is lots of it in Detroit, and has to do six months to one year and still pay \$1,000 fine, I don't believe in the man paying back. He pays it with his sentence.

Mr. Higgins: I think the lady has raised a very interesting question in moral rehabilitation. Also our warden friend has raised an interesting point. I am a member of the Board of Parole of Massachusetts. We had a case once of a man who came before our Board to ask that restitution be made by a prisoner in a matter of forgery. The amount was \$75. The man had practically completed his two years of imprisonment and he had paid the price to society. We felt with that man we had nothing to show him but the door. If we could have gotten the \$75 before the man was prosecuted that would have been an ideal solution, but after the man had paid his price to society in the crude way society exacts it, that individual aggrieved in the first place had no further right in it. But this woman's point is different. Mrs. Hodder grasps it immediately. If a group of burglars steal \$30,000 worth of silk, they dispose of it and they get their money. Then they pay a criminal lawyer \$5,000 and they probably get two or three or five years in prison and come out on parole and the man from whom the silk was stolen never got any restitution. That isn't a proper solution of handling crime and it is not a proper way to reform the criminal. If we could make that man return the silk; if after his labor of stealing and of his scheming to avoid the result of his crime, he was made to return the silk or he could not make it profitable, we wouldn't have so much crime. If the criminal is made to pay back primarily in the first place to the person whom he injures, if he is made to pay back to the individual rather than to society then we are getting closer to real criminal reform.

President Lawes: This is a very interesting subject and one that perhaps is going to take more time than we have got. What would you like to say on this subject, Father Cashin?

Rev. W. E. Cashin: I think the lady's point is very well taken. Of course, there has been a confusion I think in the average mind between the legal aspect of crime and the moral aspect. The state law demands its legal punishment by sending a man to prison. He pays his debt, but there still remains a moral obligation on each individual who has taken the goods of others, to try and repay that back if possible. The moral training Dr. Moore spoke of has laid the basis for work of that kind. We get the man in the proper frame of mind to realize his responsibility not only to society in general, but to the individual that he has wronged. Now how are we going to work that out? I believe the real indeterminate sentence is one of the ways in which we can do that. Of course we have to lay the moral

basis for it and get the man to realize that he should be willing to assume that responsibility. When we have got the man in that moral state then we should have some mode of releasing him on condition that he go out and during that period of liberty work to pay back the individual he has wronged. I feel that can be brought about, but the point raised by the lady I think is very excellent and I feel the more we bring these moral questions into the discussion of this organization, the better it is going to be for the whole world.

FRIDAY MORNING, OCTOBER 13TH

COMMITTEE ON COMMUNITY AGENCIES AND
DELINQUENCY

THE WORK OF A POLICEWOMAN

MISS ELEONORE L. HUTZEL, DIRECTOR, WOMAN'S DIVISION,
DETROIT POLICE DEPARTMENT.

Women have, until recently, been a protected group. Their employment and interests have been in the home. Their associates chosen from among their neighbors or the small group which they met socially. Their recreation has been in their own homes, or in the homes of their friends. The public world has been a men's world. Women and girls who were a part of the public life were largely of a definite type, in many cases offenders against the law. The movement which took women out of their homes and made them a part of public life is new, the impetus which was given it by the war so overwhelming that we have not yet adjusted ourselves. Men police officers who knew public life fifteen years ago are bewildered by the action of young girls today. They are reluctant to approach them in their apparent wrongdoing because the innate chivalry which a man feels for a woman makes them hesitate to brand her. Their experience has been such that they feel that a woman is branded if it is necessary for them to approach her. It is because of this new condition and not because of any failure on the part of the men officers that women officers are needed. As long as the public world consisted of men, it needed only men officers to deal with it. Now that it is made up of women and girls as well as men, it also needs women officers.

There have been policewomen for some years, the first of which there is any account in the United States having been appointed in Portland, Oregon, in 1905. Los Angeles followed in 1910, and from that time the appointments increased so rapidly that by 1921 there were over three hundred cities employing policewomen. There was immediate appreciation of the advantage of women officers to deal with women and children. Their helpfulness was soon demonstrated, and their services solicited. Aside from the general conception of the fact that women officers are to work with women and children, through personal work with individuals coming to the attention of the police department, and through supervision of public recreation, there is absolute lack of uniformity of purpose and execution. It would seem as though this condition was the result of the fact that in a great many instances untrained or inadequately trained women have been employed. The public has been slow to appreciate that it requires an especially trained woman of an unusual type to cope with the confusing situation which surrounds the young girls of today. It is not possible to act according to old standards, and new standards to fit the present situation have not yet been formulated. Also, it has been difficult for the heads of police departments to appreciate that a highly trained social worker could not obtain results when put to work under a precinct captain, however efficient an administrator he might be. It has come to be accepted by those who have been in closest touch with the work that the best results are obtained when women officers are permitted to work out their problems entirely independently. This may be accomplished in a large city by the organization of a "Women's Bureau" with a woman director who is responsible to the chief of police, and in the smaller city by granting the individual worker the same liberty in regard to administration which is granted to the director of a bureau in a larger organization. To insure that the privileges thus granted will be properly used, it is necessary that a high standard of trained social workers be employed to act as policewomen. This will result in retaining a uniform standard of work, and a similarity of purpose such as is now maintained in other highly trained groups. The scope of work of the physician in a small town is naturally different from that of his colleague in a large city. The standard of his work, however, should be the same.

The function of policewomen is acknowledged to be protective and punitive. It has to do with women and girls. The method of procedure depends upon the personnel of the police department, and upon the individual workers. Much controversy in regard to function has arisen, due largely, I think, to

failure on the part of various individuals and organizations to appreciate the different conditions which exist in the various communities. It must be appreciated that the function of the police is the protection of the public peace and welfare, and that as such, its first duty is to the community. Also that it functions with individuals only as they interfere with the public peace. Then it can be understood how the "Woman's Bureau" can function in accord with the entire police department, and in accord with the various other organizations in the community.

The work of policewomen is so unformed, and has heretofore been so uncertain that established schools of social work have been unwilling to provide special courses of study. As a result, the better organized of the "Women's Bureaus" have found it necessary to act as training centers. I think that we can safely say that any woman, who by education, personality, and experience could qualify for a position in a well-organized case working social agency, could qualify for a position as a woman police officer. The field of opportunity in a "Woman's Bureau" is much more varied than, for example, the field of opportunity in a probation department, so that while the probation department will require that its appointees be of a somewhat similar type, the police bureau will need women of many types. For example, we would choose one worker for field work in a poor factory district, and a woman of an entirely different type for work in the down town section with its public recreation, cafes, hotels, and rooming houses. The educational background and the essentials of character must be the same, however. We require that women appointed to positions in the police department be college graduates, or that they be graduates of some accredited school for social work. They must be women of character, old enough to have had some experience of the difficulties and temptations of life, balanced enough to have adjusted themselves, finely enough attuned to be sensitive to the needs of the people and the community in which they work, wise and discreet enough to use their knowledge in such a way that it will react for the good of the community, and for the development of its people. In order to supplement the lack which results from the fact that the curriculum of the special training school does not prepare definitely for police work, classes must be organized by the "Women's Bureau" for its workers. These classes must teach special investigation, principles of legislation, elements of law, special psychology, and police administration. As in every other field of social work, it requires closely directed field experience to develop the sensitiveness to situations, the quick decision, and the balanced judgment which the successful ex-

ecution of the work requires. It may seem that these requirements are too high, but when one considers the responsibility which the officers are required to assume, I cannot believe that we are justified in being satisfied with less.

There is very definitely an underworld that intermingles with our world, and there is all of the resentment at the intrusion of a police officer who is the guardian of established law and order which one might naturally expect. Some of this resentment can be overcome by the personality of the worker, but the greatest opportunity offered the policewoman is in the field of protective work. The opportunity to reach the girl before she becomes associated with the underworld, or even before she makes her first step toward it. This brings us to the duties of the woman police officer. The report of the sub-committee appointed to study the function of the policewoman, the protective officer, the probation officer and the patrol officer, and submitted at the National Conference of Social Work in Milwaukee in 1921, defines the duties of policewomen as follows:

1. Detective work on special cases involving women and children.
2. Locating missing women and children.
3. Maintaining a bureau of information for women desiring information or help from the police.
4. Patrol work.
5. Attendance at police courts.
6. Supervision of conditions in local jails or places of detention where women and children are held, when such institutions are under the control of the police department.
7. Office work.

Mrs. Mina Van Winkle of the "Woman's Bureau" at Washington, D. C., in a paper read before the National Convention of Police Chiefs in San Francisco in June of this year, defines the duties in practically the same way, so that in following this outline, I believe we are following the general plan of existing organizations.

Detective work on special cases involving work with women and children.—This part of the work should come in the division of law enforcement. There is much question in regard to the advisability of officers in the Women's Division doing detective work. It takes an especially trained woman of an unusual type to do good detective work. In exercising our function of protecting women and children, we encounter situations which, if allowed to exist, will constantly be a menace. The information available is sufficient to convince that the menace exists, but not sufficient to enable that it be done away with. I believe that in such cases efforts must be continued until sufficient information has been obtained to take

action against the nuisance. In this type of work, however, there is always the danger of enticing to crime. Certainly the result cannot be justified if, in order to obtain it, it was necessary to resort to enticing measures.

Locating missing women and children: In each large city there is the problem of the missing person, the runaway girl and the runaway woman. The work is emergency investigation. It would seem as though it could best be dealt with through a special department in the Woman's Bureau. The missing person presents, by far, the most complicated problem. A child, a young girl, or an old woman disappears. They are entirely unfitted to care for themselves. The family can give no explanation for their disappearance, and in their fear and terror they are so incoherent as to be of almost no help. If the missing person is to be located, the investigation is proportionately valuable as it is prompt. Such cases are, or course, always referred to the Detective Bureau of the Police Department for special work, and a general alarm acquaints all departments with the circumstances. A trained social worker has a contribution to make in such a situation, however, which cannot be over estimated. A sympathetic, understanding woman who is also a trained investigator, can often times obtain information from hysterical parents and excited neighbors which would otherwise be entirely overlooked, and which, when acted upon by trained detectives, results in the missing person being located. The runaway girl is distinctly a problem for the Women's Bureau. She is in most cases quickly located without serious harm having come to her. The point at which very expert work is required is when the girl is located. Why did she leave home; has the situation which resulted in her leaving been remedied; can she be returned to the supervision of her parents, or is the situation such that she needs continued care on the part of a social agency. Nothing but intensive investigation can answer these questions, and work with runaway girls is of no great benefit unless they are answered. I think that of all the persons with whom the Women's Bureau comes in contact, the runaway girl is the one for whom the officers have the greatest affection. Young, eager, defiant, sullen, misinformed and stubborn, desirous of reaching out and getting something better and bigger from life, she offers an opportunity for constructive work which is irresistible to the women who come in contact with her. The runaway woman is most often the woman, who unhappy in her own home, seeks new interest in the companionship of other men. Sometimes an adjustment is possible, but most often she has made a deliberate choice, and resents any effort which is made to influence her to change. The children in such a situation are

the real problem, and great care needs to be exercised in planning for them. Work with missing persons must continue to be unsatisfactory and incomplete until such time as there is co-operation between cities through the establishment of a National Bureau of Missing Persons.

In conclusion then, the establishment of a "Woman's Bureau" is in direct response to the need which has arisen through the fact that the women and girls of today are no longer living the protected lives of the women and girls of yesterday, and not because of any failure on the part of men officers. In its work, the "Women's Bureau" supplements the work of the men's department, making the entire organization operate as a more perfect whole. In the protective nature of its work, it renders a service, which although legally within the jurisdiction of the police department, has not always been administered by them. Is it not then possible that the appreciation of the need of a Woman's Bureau on the part of the police officers, and on the part of the public is a promise of a greater field of usefulness for the police department of the future.

WHAT THE COMMUNITY EXPECTS OF A STATE REFORMATORY

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On first sight the subject assigned seemed a simple one, but contemplation failed to bring the usual reactions. When the library in a large city was sought and search revealed that no one apparently had written on this subject but that all we generally think of with regard to this topic is rather speculative, it seemed wise to clarify the ideas which present themselves with regard to it. Perhaps it would be difficult to find anyone who could think impersonally on this subject as there must be two points of view: that of the institution and that of the community, and every individual belongs to one or the other. But effort will be made to handle the subject as impersonally as possible.

First, let us define the elements of the topic, technically: A community is a group of individuals who by proximity in residence have an active interest in the mutual welfare and success of its components, and works to the harmonizing or equalization of the rights and privileges of the individuals in it. A State Reformatory is an institution set apart by the State for the reform of certain individuals who by their conduct have demonstrated that they are not in sympathy or harmony with the things for which law-abiding, self-respecting, industrious persons stand. Since the definition of community im-

plies a small group and includes the institution which is made of the unadjusted individuals from many communities it is plain that the word should have been pluralized and synonymous with the word public which would have been technically speaking a simple term. It is well therefore to carry the idea of the public instead of the community as against the institution in this discussion.

Perhaps we had better stop to consider what classes make up the so-called public or community. We have the parents of the offenders who have been sent to the institution. We have the social agencies with private or public subsidies who are doing relief work or investigative work of one kind or another. We have the police department which is doing protective or preventive work in the community. We have the judges who commit the unadjusted members of the communities to the institution. We have the politicians from the mightiest to the lowliest that administer the public affairs. This includes the legislators who appropriate funds for the work of the institution. Then we have the general public which may be subdivided into two classes. The intelligent or informed public which is cognizant of social conditions and takes a mild interest in the conduct of public affairs; and the unintelligent or uninformed public which knows nothing about civic or social conditions and takes no interest in them.

The main interest in the institution on the part of the public may be said to be financial, but it is fair to say also that the informed public has also an interest which may be called educational.

All reformatories have been established on the theory that all offenders are capable of reform, and that this can be attained through education. Every state has made this obligation that state wards be given education along mental, moral, physical and industrial lines—hence it is evident that the public demands education as a reform measure.

Education in its broadest sense is the most potent cure we have for all ills, therefore the public has a right to expect that this will be the predominating feature of reformatory work. Education in the full sense of the word requires three processes:—

1st, Instruction; 2nd, Training; 3rd, Experience.

Each stage is rather clearly defined and needs special attention to make the structure hold when finished. Failure to recognize the importance of these three stages often causes the misunderstanding which is detrimental to the best solution of the problem of delinquency from the point of view both of the public and institution.

Lack of education and industrial training are usually considered to be prime factors in the causes for crime, hence education in the fullest sense must be regarded as the prophylaxis of criminality.

Education must include instruction, training and experience in academic, vocational, recreational and ethical or moral subjects; to inculcate habits of industry, furnish means of earning an honest living and train for good citizenship in general.

It is obvious that the chief requisite in order to supply this is funds. Hence the financial interest is paramount. The greater number of individuals composing the group designated as the public are cognizant of the fact that they are contributing funds through the taxes or voluntary donations for the support of the state reformatory. These funds are invested:

First, in the buildings that house the inmates and officers and the buildings and equipment which provide the educational training of all kinds.

Second, in the maintenance of the charges who are sent for training in the institution. This includes the expense of maintaining a parole department for the supervision of those who have had training in the institution and are being tested out in the community.

Third, in the remuneration and maintenance of the people who are administering the affairs of the institution and giving the training to the state wards—in other words in the staff.

The problem of unadjustment is the most serious one facing the world today. It is the cause for our political and civil strife and inadequacy.

The public usually expects more than the institution can accomplish. We have long since had proof than many offenders who are sent to state institutions have mental and moral defects that are irremedial or irreformable because of lack of proper facilities for transferring them to institutions such as the custodial institution for feeble-minded, hospitals for insane, farm colonies for the habitual, incurable criminal, etc. The state reformatory has an apparently high percentage of failures laid at its door.

Institutions cannot make perfect what God has made imperfect—they can offer the best there is known along the lines of training for delinquents and the results will have to be evaluated in terms of other values.

Conservatively speaking 25% of the inmates of a state reformatory are found by scientific tests, observation and actual experience to be definitely feeble-minded. A small percentage of these can be trained to certain kinds of work whereby they can earn a decent, though poor living under supervision by those who have trained them.

About 15% of the group usually sent to institutions are not feeble-minded, but by enforced or chosen habits of crime have passed beyond the reformable stage. These should be permanently segregated in colonies where their lives may be spent to the benefit of the community and themselves under strict supervision by persons who are able and willing to administer an institution of this kind with firmness, justice and profit, both with regard to the public and the offender.

In the past the public has demanded walls, bars, loaded weapons, savage modes of punishment in order to protect itself against the unsocial being called the criminal who is in reality a human being and is an outgrowth of the communities' weaknesses. Some members of the public still feel that way, but the enlightened public is beginning to recognize that humane treatment and educational advantages come nearer to alleviating delinquency than brutality. More thorough understanding of the problem is necessary, and the millenium will be glimpsed in the distance when the public and the institution come to the realization that the constituents of one are not different from the other, that we are all made of the same clay. The community and the delinquent need to be brought together—they have a mutual need—and until the community realizes this the problem cannot approach solution. A definite correlation between the community and the institution must be worked out.

The community has furnished the education of the delinquent up to the point where the institution steps in. The institution continues the instruction and training and furnishes some experience, but the community must furnish the rest—restoration to normal family and community life, opportunities for social expression and all the other elements which no institution, no matter how well run, can do more than imitate—must come from the community where it is generated. After all, reconstruction, whether of the individual or the community, must come from within and not from without. However, the millenium is not here and we still have the community vs. the institution, and there are certain things that the public may expect of a state reformatory:—

First. That the state reformatory is training the unadjusted members of society who have the mental capacity to become useful, industrious, self-respecting. God-fearing citizens to be returned to the community and maintain their position with the others for the benefit of the body politic.

Second. That through classification methods such cases of mental defect or aberration as cannot maintain themselves in a normal community without coercion or undue supervision will be sent for permanent custodial care to institutions provided for the care of such cases.

Third. That cases that have been trained in an institution will be supervised and adjusted to the community through the parole system if the opportunity is given them through wise legislation and funds.

Fourth. That given a chance to do its work without the interference of partisan politics; a board of managers who believe in reform and know the principles of penology; a staff of able, enthusiastic workers; the proper equipment and funds to maintain a progressive institution together with the co-operation of the community in rehabilitating its own unadjusted members, the public may expect a fair return on the investment it is making for the training of its delinquent members.

THE TRAINING OF THE DELINQUENT WOMAN

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With the establishment of the many reformatories for women comes the problem of the best means of training the woman for life and service in the community when she shall be returned to it. By training we do not mean work alone, but medical, self-disciplinary, educational, religious, and recreational influences which together train the mind and body, and build character. To quote H. G. Lord, "A man is not born made, he is to be made, and when made after an unfortunate pattern, he can be made into a new pattern." So the training afforded the delinquent woman must be a training to remake into another pattern, so far as the physical and mental capabilities of the individual will permit.

Paramount to the success of training the delinquent woman is the procuring of a staff of efficient, broad-minded, trained women, who understand human nature, and have a sympathy for, and an interest in their fellow beings deep enough to lay all prejudices aside, and to work unselfishly for the betterment of those entrusted to them.

When a woman arrives at a reformatory, she is usually tired, dirty, nervous, possibly sick, and disgruntled with the world, having been made so by her stay in jail, however long it may have been, and from the strain of her trial, together with previous physical ills. Naturally she thinks the reformatory a place of punishment from reports brought to her in jail. Her attitude is one of defiance, or of insolence toward all officers who appear. The nurse in the receiving room, quietly, has one woman inmate who assists her bring clean garments and towels, while another prepares a bath. The nurse, after the woman has been properly bathed, shows her

to a clean bed in the quarantine room where she remains for two weeks for medical examination by the doctor, and until reports from the various tests taken have been returned. She does not remain in bed the entire time, however, it is here that she starts about the daily duty of cleaning her room thoroughly, and of doing hand sewing and mending. In her spare time she may read magazines or books, things which she never would have taken the time for, before being sent to the school. She begins to adapt herself to a routine of regular hours; she learns that she must wash, comb her hair, and clean her teeth regularly each day. If she cannot scrub, mop and arrange her room neatly the nurse teaches her how it should be done. Perhaps she has mopped the floor except under the bed, and trusts that the nurse will forget that the floor extends that far. When the nurse inspects and finds the unmopped space, the woman must return and do the floor right. So it is with many other things; she is at first careless; no one previously has ever demanded that she be thorough and clean. At first she is resentful at being corrected about so many little details, but she soon begins to realize that she cannot continue in her slovenly ways here if she expects to get along, so she tries to improve. The nurse is always willing to help her, and patient with her mistakes.

On the day on which the doctor holds his weekly clinic at the school, the woman is told she must take a bath, and be ready as soon as she is called for the doctor. That is just some more foolishness! To be sure the woman, let us call her Dora, has been suffering with her side, and her teeth have been aching in the short time she has spent at the school, but there is nothing wrong from her point of view. The doctor gives Dora a careful physical examination, giving Wassermann test, G. C. slide, test for malaria, and instructs the nurse to give typhoid inoculation, and vaccination for smallpox. If there be any physical defects evident, the doctor makes his recommendations to the nurse for immediate treatment, and if an operation be imperative the doctor makes his recommendations to the nurse, and to the superintendent also. The dentist on his monthly visit examines Dora's teeth, and if it be necessary to extract any teeth, they are extracted, and others may be filled. After a few days Dora begins to feel better. The dentist fixed the teeth which were aching; the doctor prescribes treatment for her side, and that was greatly relieved already. With the physical improvement came an improvement in disposition, and mental attitude toward things.

After Dora had been at the school for several days, and had had time to realize that people here were interested in her for her own good, the superintendent questioned her about

her past life, her education, her parents, her work, her husband, her friends. She tried to make Dora feel that it would be a great help to her if she tell the truth about herself, for a person cannot deal blindly with an individual about whom they know nothing, and get the best results. After a talk with Dora about what she would like to be, and to do when she again goes out into the world, and an explanation to her about the Student Government and the privileges given, the Superintendent verifies Dora's statements by correspondence, and investigation by the parole officer, or some officer of the staff. In addition mental tests are given to determine her capability for work and school. These too, are a great aid to the Superintendent in further planning a preparation for the woman's future, and in dealing with her in the institution. For to be absolutely fair in dealing with an individual we must understand that individual from every possible aspect. Fairness on the part of officers dealing with the women, and a development of fairness in the women themselves toward each other, aid greatly in handling a group of women, as unstable as one of this kind is bound to be. This concludes the usual quarantine routine and training which each new commitment like Dora receives.

With the doctor's permission Dora now comes down stairs, that is she is permitted to mingle with the other women. Clad in a clean blue and white gingham dress, with her hair neatly combed, Dora is quite a different looking woman. Her attitude now is one of interest and curiosity. The other inmates take Dora in hand. Some explain to her the Student Government, and that if she be good she will be an honor girl and have more privileges after she has been there three months. The honor girls wear pretty colored gingham dresses, and go around the yard alone, even sleeping in a tent and on sleeping porches alone, unlocked. Dora naturally thinks this is a real queer kind of jail. The honor girls are taking charge of things, helping each new girl, and the officers. If a girl has any good ideas about improving the school, the officers do not tell her to keep quiet, they encourage her to put reasonable ideas into practice. Some probation girls are talking about being taken into the Honor Group soon, and of signing a pledge not to run away, to report anyone who is doing anything to endanger the ideals for which we want the school to stand. They then will be trusted to take care of the probation girls, to take them out in the grounds, and outside at night should there be any important errand which would necessitate their leaving their own building to go to any other after dark.

They may write six letters each month, instead of four, and participate in plays, and entertainments. If anyone does

anything wrong she is not punished without consulting the Honor Group, and getting all of the information possible from any of the other members of the group who know anything about the misdemeanor which has occurred. The punishment is a curtailing of privileges for the offender. If members of the Honor Group are unwilling to report girls who are guilty of wrong doing they are not being true to the pledge to help work for the best ideals of the school, and they might bring the entire Honor Group into disgrace. In that case the privileges of the entire group may be cut for a period of time so as to impress on each one the fact that privileges are only won by everyone standing squarely for right principles. By this method women who have felt that they were doing a real favor to a friend not to report them, after a time, may be won over to see that they are not doing their friends a favor, for they are not helping them to overcome their weakness. For by reporting a woman once, it frequently so happens that the next time the woman will stop a minute before she repeats the theft of someone's crochet hook, and gradually the temptation to pick up something that does not belong to her will be overcome. To have privileges cut is more or less of a disgrace to the members of the Honor Group for it shows that someone has not been willing to make things right for everyone else. Dora begins to realize that everyone is not looking after herself, but after the others. One woman has charge of the kitchen, another has charge of the laundry, another of the hospital, another of the sewing, and one assists in the office. Each has one or more women working under her supervision. If one woman criticizes another's work she takes it in good part and there is no quarrel. The women aren't cursing and fighting! They all seem to be working together. Before this Dora would have defended herself to the point of having a regular fight if anyone criticized her. To be sure there is an officer who directs the work in each department, but Dora sees that the officers hold the woman in charge of each department responsible for that particular part of the school the same as if they were holding jobs on the outside, and in return for faithful service there are special picnics and good times planned for the women in the kitchen, or in the laundry, or wherever it may be. So that there is some incentive for a girl to try to overcome her habits of fighting and cursing here, for if she does not she only falls into disfavor with the other women, and is out of things herself. It seems as if this placing of responsibility for the entire school in the hands of the women, by Student Government, is the only great means of developing the best qualities which there be in the women themselves, and it makes each one ready to see weak points in the character of their associates,

to realize that we have to live to help others and not ourselves alone, and that our influence is of weight with those who are our friends. Dora was already planning to work hard for the Honor Group.

At 6:30 the bell rang for breakfast. Dora heard someone asking the officer whom they called the dietitian where she should sit in the dining room. After saying Grace the women seated themselves at their places. An Honor girl sat at the head of each table at which sat four or five women. The tables were clean, had snowy runners on them, the dishes were white, and at each plate was a napkin with a ring so that each one could tell her own napkin. At home Dora had very often never had a napkin, and often several members of the family used the same one. Here the other inmates told her that the officers said they were liable to catch diseases if they used each other's napkins. It was best never to be careless even in one's own home. Dora asked if she might drink her coffee from her saucer, the coffee was so hot; but the woman at the head of her table told her that it was bad table manners to drink that way. The woman at the head of each table served each one their food, and when the dish was empty a waitress in white cap and apron took the dish to the kitchen to be refilled. There was plenty of clean, well-cooked food for each one. The women at the different tables laughed and talked together but no one was boisterous. The dining room itself was bright, and although a plain room the curtains at the windows, and the gay flowers on the tables made it seem cheerful and home like. There were no bars at any of the windows to remind one of where they were. Just before being excused from the table the Superintendent came to the door and announced that there would be a basketball game that evening for everyone to attend except those who had their privileges annuled in the last Honor meeting. The women applauded, even to the elderly inmates whom Dora had been very much surprised to see at the school. The women were then excused from the table in order to get their beds made and out to their various work by 7:30.

Dora had been assigned to work in the laundry, on the ironing. The officer in charge of that department showed Dora how to attach her electric iron. They were to iron the table linens which previously had been sprinkled down. There was one girl in charge of three other women who ironed, and one in charge of three women who washed each morning. The woman in charge gave each one her share of the ironing, which would be her morning's work; then taught Dora how each piece must be folded or the officer in charge would return them to be ironed over again. The women on the washing went about their work in the same way, the one in charge

assigning to each her part of the washing to do. Both in the washing and ironing each article had to be counted and checked on a sheet ruled for the purpose in order that nothing might be lost. She learned from the others that one usually spent about three months in the laundry in order to learn how to wash and iron clothes nicely. From the windows Dora could see the group of women who did the truck gardening, hauling in the sweet potatoes. While the officer who was outside supervisor was out in the potato house with the women, part of them were allowed to go down into the field alone to load the freshly dug potatoes. Dora learned that these women not only farmed, but also had charge of the milking, and butter making, and with a few more added to their number canned the fruit and vegetables. The women in the laundry discussed the kitchen, and said that no one who was not in good physical condition could work there, but so that all of them might learn to cook, wait on table, set a table, and take care of the kitchen and dining room, the dietitian had classes where they were taught, so that no one went out without knowing all of these things about a kitchen. During the morning the women from the sewing room came out to press some of the garments they were making that day. Dora asked one of them how she liked her job. She answered in the affirmative, and said it was lots of fun to learn to make clothing, and some of the pretty runners and scarfs which they had been making that day. The sewing room like every other department was under the supervision of an officer who would teach the women assigned to that work how it should be done as economically and well as possible.

Most of women have never attempted before to make even the simplest garment, here they have to each make two complete outfits of clothing, besides the regular sewing and mending of the institution. Then as many of the women as possible have to spend three months in the sewing room as there is time for them. One of the women said it would be nice if they had power machines like the ones in the shirt factory so that they could get positions in the factories later on. They all agreed that such equipment would be nice, especially in a school which was located where there were many factories where women might get employment. Presently two other women came out, one, an honor girl, was carrying a baby, while she accompanied a probation girl to the refuse heap with some sweepings which she had gathered up in the room where she cleaned. Dora saw that each one had some work to do, and that each one was taught how to do things. She learned from the other women that each one had to learn how to cook, care for a house, wash, iron, and sew, so that when she was

paroled she could do some work well, perhaps for her own family, or for holding a position in a family. At 11:30 the bell rang for finishing work; the officer in charge inspected the work placing the articles in the linenroom to be checked, and distributed. The women put their boards and irons away, leaving everything orderly.

After dinner, which was at 12:00 o'clock, all of the women rested until 1:45 when the bell rang for school. To Dora school had meant drudgery all of her life, what little she had gone. She wrote very poorly, and did little reading. But in this particular neighborhood where there were no good schools, where everyone was poor, and where most parents knew nothing except work from the time they were children for there was no compulsory school law enforced, where standards of home life were very low, it was little use that Dora could see for having school for women. Here all of the officers talked about how fine it was to have schooling, and Dora, herself, could see that the officers surely did have something which she didn't have, otherwise she would not be as she was. They probably never picked cotton from the time they were 5 years old. At any rate she would try to learn all she could. When she entered the small building with windows on every side, with its chairs and tables, and pictures, it did not seem quite so bad. The teacher told her to sit at the table with other women who would be in the same grade with her. For one and one-half hours they studied reading, writing, and arithmetic, so that they might learn to read and write their own letters, read books and papers, and be able to make change, keep a bank account, and follow the different tables of measures and weights when they would need them in following recipes, and patterns. The lessons were taught in as interesting a manner as possible, so that it seemed almost like play to try to learn. At the end of the first half of the session was a short recess, then the women were divided up into smaller classes, some having a cooking class, some in a plain sewing class, some in an art needle work class which also made pretty baskets from raffia, and trays, baskets, and even lamps from reed. One woman in the corner was at a queer looking machine weaving rag carpet rugs. Dora was in the basketry class. It was so interesting to make these pretty things. The women told her that last year they had sold \$100.00 worth of the things made in school and with the money equipment for the domestic science room had been bought. This winter they were going to try to buy a moving picture machine. One woman who was making a child's gingham dress told Dora that she had

woven two rag rugs which had sold for \$6, and that she received a third of the money for herself. So with the two dollars she had bought gingham to make her little girl at home a school dress. The teacher then told the class that if any article which they made in school were sold, that the one making the thing would receive one-third of the money for herself, one-third would go toward more supplies, and the other third would go toward the moving picture fund, together with prize money which they won on articles displayed at the State Fair. From another woman, Dora learned that once a month each one could shop and purchase things that they wanted with the money earned. At 4:30 the work was put away, and the first day of school for Dora was over. It was fun after all, and while some of the things she might never make when she left the school, she would learn how both plain and attractive things could be made easily and cheaply so that if she ever had a home of her own it would not be the ugly, bare sort of place she had always been accustomed to.

From 4:30 until bed time was for recreation, and to-night was to be a basket-ball game. Each night in the week there was something to be done. One night the nurse had a hygiene class, another night an hour was spent in telling short stories, another night everyone gathered in the living room to sing, another night was a dance; and on the remaining nights was usually practice for some play or pageant to be given, and always choir practice for Sunday. Before supper were games to be played on the lawn, and Saturday afternoons very spirited baseball games. The women who belonged to the ball teams had to play after they had signified their desire to belong to some side. Dora thought she would try volley ball. Here again was a good opportunity to develop a spirit of friendly rivalry and competition without all of the fussing and quarreling, at the same time the physical development was invaluable. On holidays a suitable celebration teaches the women what the day is set aside for, and teaches them wholesome ways of enjoying leisure time. Having a Santa Claus and tree with stockings hung and filled, may be a childish way of celebrating Christmas for women, nevertheless, if their childhood has been robbed of the things which we treasure so highly, even as memories, we may be awakening in their mature minds something of the spirit which we have gotten from that holiday. On the way to the field where the basketball game was to be played, Dora saw beds of beautiful flowers. Each woman had had a certain share of garden, and from the flowers bouquets were to be made by the women for a

flower show which would be held in the school room the following week. Some people from town were to be judges, and award prizes to the women who arranged the best exhibits. To Dora it seemed that nothing was forgotten which people ought to know about, and yet how much she had to learn. It was no wonder that she had had so much trouble, no one before had ever shown her that there were so many things to interest one in life.

After the ball game the women strolled back to the house tired, but happy. Dora wondered if there could be anything else which she had to experience in one day. Yes, there was. When all were assembled in the living room evening prayers were held. Several hymns were sung, then one of the officers read a chapter from the Bible, and all together they repeated the Lord's Prayer. It was bed time now, and only 8 o'clock. In the dormitory that night Dora was told about the Sunday School which each one attended in the living room on Sunday morning. And in the afternoon different ministers came out from town and had church services. It was then that the choir sang some pretty songs, which they all liked to hear so well. Dora fell asleep thinking that at last she had perhaps come to a place where she could try to overcome her weaknesses and at the same time learn things which would later on open opportunities which her poverty and lack of training had never before made possible for her.

So the work of the Reformatory is one of changing old patterns into new, of forming new habits of work, of play, of thought, and of developing principles of character which may enable the woman to feel her responsibility as a potential being in the community. All cannot succeed, but may we not hope that even those who do fail may at some later time look back to the influences in the Reformatory, and gather courage to retrieve, if only by a single good deed, their misspent lives?

FRIDAY MORNING, OCTOBER 13

GENERAL SESSION, AUSPICES OF NATIONAL
PRISONERS' AID ASSOCIATION

REV. CHARLES PARSONS, DES MOINES, IOWA, PRESIDING.

Chairman Parsons: Before introducing the speakers that are on the program for this morning, I want to say just a few words regarding the National Prisoners' Aid Association, which occupies a unique place in the American Prison Association, in that it forms a connection between institutional life and the outside world. The Wardens' Association is made up of men whose chief business is the management of penal institutions. The Chaplains' Association represents the religious workers who do their work inside the prison walls. The Physicians' Association is made up of individuals who may practice outside, yet, so far as their work relates to this body it is confined to the inmates of the institutions. The work of the various units that compose the National Prisoners' Aid Association relates to the prisoner all along the line. The prison welfare worker has contact with this man or his family almost as soon as he is arrested. He follows him through his trial. He is in constant communication with him during his prison term. Upon release from the prison he often acts as his first friend and adviser and has a large part in helping to shape his future career.

While the personal welfare worker has considerable contact with prisoners all through their life in the institution, he is also acquainted with the official management of the prison, often very intimately associated with it and his acquaintance with the prisoner gives him knowledge of the prison life from the standpoint of the inmate. Confidential association with the wardens and his assistants gives him knowledge of the problems that confront the management of a penal institution. In his work of aiding the released prisoner in reestablishing himself in the world, he is brought into contact with the general public and the influences of the community that help make or destroy a man with a branded name. If the prison welfare worker is a man of vision and insight, and most of them are, he stands in a position of power and influence between the general public, the prison, and the problems connected with prison life and management. The commanding influence of President Harding on the welfare worker illustrates the force of my statement. No unit in the American Prison Association

can exert a more profound or powerful influence in helping to educate the public on prison problems and bring about needed reforms.

OUR DUTY TO THE CRIMINAL CLASS

MRS. J. A. LEAVITT, ASST. SUPT., SOCIETY FOR THE FRIENDLESS, NEBRASKA DIVISION, LINCOLN, NEB.

Our duty to the criminal class grows more vital and urgent with each passing day. This duty is essential not only to the welfare of the criminal class, but also to the welfare of society.

Whether or not there exists in this country a crime wave as a result of the World War, certain it is that data and expert opinion show that since 1890 there has been, and continues to be, an ever widening and deepening tide of lawlessness in our land, swelling the criminal class. Judge Kavanaugh estimates that there have been between 7,500 and 8,000 cases of murder and manslaughter in the United States in 1922. In San Francisco alone there were as many unlawfully slain as in the whole of Canada. Self-preservation as well as altruism calls us imperatively to do our duty.

Our first duty is to see that there is no discrimination among classes in dealing with lawbreakers. Rich or poor, educated or illiterate, student or stevedore, millionaire or gutter-rat should be on an equality before the law.

Our duty is to see that they are protected from the "Third Degree" after arrest. Does any one thing tend more to produce an anti-social spirit than this brutal treatment? Often young and weak-willed individuals are made to confess crimes of which they are innocent by this treatment. The prisoners subjected to the "Third Degree" are helpless, being within walls, in the hands of officers. Sport has furnished a slogan "Play the Game", which means fair play according to the rules. Even kiddies say "Fight a feller your size." Yet officials will commit assault on defenseless men under arrest to extort confessions, that they would arrest an ordinary citizen for committing on the street.

An inmate in our State Penitentiary committed a dastardly crime. A high state official and other officers beat and kicked him to make him confess, before the Deputy Warden could reach them and stop such treatment. The Warden was absent. Our splendid Warden and his Deputy do not countenance such treatment. They treat men as men.

Illinois has a law against what we call the "Third Degree" and high officials have been prosecuted for its violation. Our duty is to see that there is such a law in every state. This leads to the duty of seeing that intelligent humane men be placed in offices dealing with the criminal class.

Another duty is to see that speedy trial follows arrest. Justice demands it; and experts are agreed that it is one of the best preventatives of crime. Men and women degenerate rapidly in idleness and in the unsanitary—and where there are not separate cells,—often immoral environment of the average city or county jail. This leads to another duty—the duty of providing sanitary and comfortable housing, wholesome food and protection of the uninfected from the infectious diseases.

It is said that in the Lancaster County Jail, the prisoners are not allowed to lean back in their chairs against the wall lest they fall through and escape—the walls are so rotten. This is not as much of a joke as it sounds. A sheriff recently, when ordered to take cases of social disease in the infectious stage to the health office three times a week, refused, saying once a week was sufficient. Steps had to be taken to make him do so. When men and women of this class are incarcerated it is our duty to do our utmost to make them, before they go out, fit members of society. We should strive while they are under duress to improve them physically, mentally, and morally. Their physical welfare demands comfortable housing, wholesome food, work and recreation. Their social nature needs companionship and amusement of the proper kind. Schools and libraries should be provided for his mental training and development. Physical and mental idleness lead to swift degeneracy.

But providing sanitary and agreeable environment, work and mental training are not our only or most important duties to the criminal class. The spirit-worship of the primitive Red man, together with the history of mankind, show that religion is a fundamental need of human beings. The message of the Man of Galilee must be given the criminal class. The American Prison Congress as early as 1870 emphasized the power of religion as a reformatory agency. Many of its outstanding leaders have given it the first place in redeeming and restoring the criminal to society.

Most crimes have their origin in feeling or are committed under the impulse of emotion. Religion dealing primarily with the emotions has potent influence on will and life through the emotions. God bless our chaplains and Mrs.

Booth and all others carrying the gospel message to those in prison!

Our duty demands that when we imprison the breadwinner we take steps to provide for his family, either through the labor of the imprisoned or otherwise. Shall we pauperize and degrade the innocent? Shall society punish women and little children, guilty of no wrong doing? Let us change conditions that produce such results, meanwhile looking after the families that need care.

Our duty to this class should not end when they step forth free men. Society has made it very hard for the best intentioned and best equipped man, whom society calls "ex-convict," to regain a place in decent society and to earn an honest living. You who have dealt with this class know the soul-agony the best types endure through the attitude of society toward them. Our duty is to understand and help them, to be a friend as man to man, not as a superior to an inferior. To help them secure a job. To change the attitude of society towards them and their attitude towards society. The man who returns to society and finds it actively hostile towards him becomes embittered. Police are ever suspicious; often hostile. Union men sometimes give notice of their intention to quit in a body if an ex-convict is employed; or threaten to strike if they find such a one is employed, if he is not dismissed. One of the greatest handicaps to the reclamation and restoration of this class is the attitude of society.

Since the commercial standard is the one by which—according to our foreign neighbors—we measure our duty, does it pay to do our duty to the criminal class? It does a thousand fold. Letting one of this class sink down deeper and deeper in crime, we start a multiplication table, as witness the Jukes family. Saving one of this class we may save a multiplication table for church, state, and home. Yes! To do our duty to the criminal class pays in gilt-edged bonds bearing a high rate of interest throughout Eternity.

WELFARE WORK AND PRISON REFORM LEGISLATION

JUDGE HUBERT UTTERBACK, JUVENILE COURT,
DES MOINES, IOWA.

The subject assigned, "Welfare Work and Prison Reform Legislation," is a big subject. When you consider the matter of the welfare worker, his and her relation with the prisoner and when you consider prison reform legislation

and all of the things that go along with it, you are discussing a subject that is a big subject and it would be impossible for me to cover only just small parts of it of course.

I don't know how many people there are placed in our jails and prisons in the United States in one year. Some time ago I was out to California and I was up to San Francisco and went out to Berkeley. I was attending an international convention of one of our civic clubs there and I wouldn't have missed that visit for anything because I took a whole day and interested myself in the welfare work that is being done there in the University of California and particularly the work that is being done by Mr. Volmer, Professor of Criminology in the University of California, and the Chief of Police of Berkeley, California, and he was the President or Chairman of the Chief of Police Association of the United States, a great man, and he is doing a great work out there. In the address he made before a group of students on that day he made the statement that approximately 500,000 men and women passed through our jails and our prisons every year. If that is true that is a great army. I sometimes wonder what that army would look like if we would put it in command of some of our wardens of our penitentiaries as commanders-in-chief and start to march it down Broadway in New York, 500,000 strong. There would be thieves, robbers, there would be highwaymen of one kind and another, there would be murderers who are condemned to death,—a great army. All but a very, very small number of those 500,000 men and women who go through our jails and prisons every year are turned back on society. The question is what kind of men and women are they going to be when they come back? Are they going to be better men and women, better citizens, because of what has been done by reason of the laws which we have, by reason of the things which were done in our prisons, penitentiaries and jails; by reason of the points of contact that they have had with the chaplains and the wardens and the officers, and by reason of the things done by welfare workers? Or are they going to come back worse citizens? It is a big problem and it is one every one of us are interested in vitally, and if we are going to solve that problem anything like that problem ought to be solved, it is going to require co-ordination of work and it is going to require co-operation of work on the part of welfare workers, on the part of state officials of every kind and local officials of every kind, of everybody who can do anything towards helping solve those problems. And it isn't only the 500,000 men and women there, but it is probably another million or more of wives and children and relatives

and friends, and it is not only them, but it is hundreds of thousands of others who have been wronged by the things that these men and women have done, and it is not only them, but it is the example for good or for bad that we are going to set for all the rest of the people of our communities.

It doesn't make any difference what you do to-day or to-morrow or the next day, you are setting an example for somebody, and by reason of the thing you do, you are going to make those with whom you come in contact better or worse. By reason of the things which we do as welfare workers, as judges, as officials, as wardens, as chaplains, or whatever our position may be, we are going to make those men better men or we are going to make them worse men. And just in proportion as we meet that responsibility, just in that proportion are we going to assist in solving those problems. In discussing the matter this morning I am not going to consider the matter simply from the viewpoint of the welfare worker known as the prisoners' aid worker. The prison aid worker does a great work. He does a work that isn't done by anybody else in many instances. He goes into the prison and visits the prisoners. He counsels and advises with them. He finds out the needs of the family back at home, and if the local welfare organization isn't looking after the needs of the family that representative of the society is going to see to it either that they themselves care for those things in the family, or they are going to get the overseer of the poor, they are going to get the associated charities, they are going to get some other organization, some church or somebody to do the things they think ought to be done for that needy family. This prison aid worker may even look after the business affairs of the man imprisoned. He may interest some attorney in his affairs to the end that the thing he has back home which may be the thing that will anchor him when he comes out will be there for him in some substantial way when released from the prison. This prison aid worker acts as a go-between between the public at large, between the family at home and this man off over here in confinement. The prison aid worker does a great work in saving the family for that man. One of the wardens speaking in the Wardens' section this morning referred to the case where the wife back home wrote a letter to the man in prison notifying him she was going to get a divorce from him. Once in awhile you will find a warden who has the time or can take the time, or has the disposition of the welfare work so thoroughly a part of his life that he will do what he can towards getting that husband confined there

in the penitentiary and the wife and those children together that that home may be saved and that man will have something to go back to when he comes out, and where you find one case of that kind you will find hundreds of cases where the welfare workers representing one welfare organization or another are doing that very thing. They assist in making the investigations that help the officers in one way or another; they meet emergencies not provided for by law, and these welfare workers do a great work it seems to me, the prison aid ones, in encouraging that man to keep things in such shape that when he shall go back home there shall be something there for him that he can make out of himself a useful citizen. I think the welfare worker is possibly the only person, with few exceptions, that in his dealings with that man in prison gives him to understand there is good in him. Friends, I have dealt with many men. In three years I handled 18,461 in the criminal courts. I have had to sentence men to the gallows to be hung. I have had to sentence men for every possible conceivable crime, it seems to me, but friends, I have never seen the man or woman yet that in my judgment didn't have some good in them. (Applause.) And the welfare worker is the one who can help the officials bring out that good.

I have given some little consideration to some of the laws which it seems to me need attention in some of our states at least. If you are going to do a lot of things you must have laws that permit you to do them. In many of our states we are handicapped by reason of the laws which we have. We, over in our state, have very good laws, we think, with reference to most things. We have some laws over there however that some of us, out of the experiences which we have had, feel ought to be changed. For instance, our laws are not as broad as they ought to be with reference to enabling the superintendents and board of control of our institutions to correct some of the mistakes which the judges make. Oh, judges make lots of mistakes. A judge is nothing more than an ordinary lawyer occupying official position for a short time. There isn't any reason I know of for taking a judge and putting him upon a pedestal and revering and honoring everything necessarily he may say or do because the facts in the case are he makes a great many mistakes. I think the laws of our state ought to be very liberal in the matter of the authority it gives to the superintendents of our institutions and to our board of control in transferring men from one institution to another, if need be, in order that they may receive there something of the treatment which they need. You know it is estimat-

ed that there is something like fifty per cent. of the men who are in our prisons that have something the matter with them. They are feeble minded; they need in many, many instances institutional treatment instead of being sent to prison. If they had had proper treatment along those lines many of them wouldn't be in our institutions. If we are going to solve the problem with these men and turn them back to society as better citizens, we must solve the problem with reference to their physical and mental defects; at least, we must know what they are, and if we are going to solve them it seems to me we ought to give great latitude to those in charge of our institutions to the end that those phases of the problem may be properly dealt with.

We have over in our state an indeterminate sentence law. You have different kinds of indeterminate sentence laws in different states. Some of you want to get them, and some want to get rid of them, and some want to have them changed. So far as I am concerned, looked at from the viewpoint of the judge, I suppose more or less prejudiced, I don't think the world of an indeterminate sentence. I don't think necessarily that is the solution of any considerable portion of our problems. I think there are many things about the indeterminate sentence law that result disastrously. If I was doing it I would give the judge, I think, the power to fix the length of sentence. I would still have a Board of Parole and I would let the Board of Parole exercise the same functions that it does in the case of the application of the law to the indeterminate sentence law. But to require a judge under all circumstances to give a man who commits a certain offense, regardless of the facts or circumstances and conditions surrounding it, regardless of the amount of money involved, just simply because he technically committed a crime under a certain classification, to require a judge to give every man found guilty the same sentence doesn't appeal to me as being the right thing. Let me give you one example. Some time ago I had a man before me who plead guilty to a crime of obtaining money by false pretenses. He had written a check and cashed the check and violated the statute. Under our laws the penalty is seven years in a penitentiary or I can exercise the option and give him one year in jail. I offered this man a sentence of one year in jail and he asked me rather to give him the seven year sentence to our penitentiary at Fort Madison, and on his request I gave him that sentence of seven years in the penitentiary at Fort Madison. I told him I would do what I could to see to it that he was released from prison at the end of a year. He

wanted to be down at the penitentiary. He didn't want to serve that time in the county jail. He wanted to be down there because he could be working; he wanted to be down there because he had elaborate facilities; he wanted to be down there because of the privileges and things that they do for the men in our state penitentiary. I was glad to make that change for him, but the year has long since passed and the Board of Parole has refused to parole that man, although I have asked them to do so by communication. The man, as I understand it, has made a fine record. He has complied with the rules and regulations down there; he is more or less of a trusty and has done some considerable work in the office. There are many cases of that kind where the judge feels that a great injustice has been done to the man because of the workings of the indeterminate sentence law.

I think we need a readjustment of our parole system in many of our states, and I think the welfare workers are in a position to help in that readjustment. Most of the time, however, it is probably the question of the members of our Board of Parole and their views upon things, but to have a Board of Parole that doesn't have on that Board of Parole the warden of the penitentiary, for instance, and somebody representing the State Board of Control that has charge of those institutions, it seems to me any such law is a mistake. If I were drafting a Board of Parole law, it seems to me I would provide that the superintendent of the institution would be a member of the Board that had to pass upon parole. It seems to me I would provide that either the president or some member of the State Board of Control who could look at the problem from the institutional viewpoint. I would have a civilian or two to represent the interests of the public, and I believe a Board of that kind, a Board of Parole, will come more nearly to solving the problem than to do as we do in our state, have three members on the Board of Parole, no one of whom has had any experience, association or connection with prison work or at the present time identified with prison work, never had a thing to do with it until appointed on that Board of Parole. Friends, they do a good many things sometimes that are wrong. They are subject to political influences in many ways. I had a case in our city some time ago where four young men rode out and were robbing a gasoline station in the northwest part of Des Moines. The police caught them at it and the result was a gun battle in which one of the men was killed. The other three were afterwards captured and they stood trial before me and all three were found guilty and I gave them their sentence to the penitentiary.

Two of those young men went immediately down to our State Reformatory and took their sentences. The other young man appealed to the Supreme Court. He didn't appeal because he thought there was any mistake in the trial of the case; he appealed because he wanted to be out of jail for a continued period of time, and by putting up bail bond he had his liberty for an additional time. He went down in one of our adjoining counties and committed another crime down there and in order to avoid being prosecuted a second time, he came back and turned himself in and the judge down in the other county passed the case there and he was sent up to the State Reformatory on the sentence that I had originally imposed. The father of this man is a prominent politician. He has a relative who is one of the judges of our Municipal Court. I had two or three judges come to me who asked me to parole that man to them. Others came and wanted me to parole him because his was a case which under our statute I could have paroled. I refused to do so because he was the leader of a bad gang in the city of Des Moines. He was responsible for a great many other young men going wrong and so I refused their request and he had to go down to the penitentiary. Friends, he wasn't there six weeks when the Board of Parole had him out. The other two young men had to stay there approximately their year before released. The release of that young man within six weeks after he had been sent to the penitentiary did us a lot of harm in the City of Des Moines. It gave a lot of would be criminal young men in the City of Des Moines the opinion that all they needed to do was to pull the proper political strings and they would be saved from their punishment. Friends, it is all wrong. It may be that the remedy is not to be found in changing the personnel of the Board of Parole, but it seems to me if you have on that Board of Parole always, for instance, the warden of the institution that the man is confined in, that you would go a long way towards helping solve the problem, because you would have there on that Board of Parole the man who is treating and has the job of disciplining and training and handling the hundreds of men in his institution, and, friends, it demoralizes the work that he tries to do there in that penitentiary to have one young man go down there charged with a serious offense and be paroled in six weeks, and have others there who hadn't committed anywhere near as serious offenses, stay for a year, two, three, four, five and even ten years. He didn't earn his merits; he didn't do any good time or honor time. If the warden of the penitentiary had been consulted, if the warden had been on that Board of Parole, he would make a mighty strong fight as a member

of that Board of Parole to see to it that when men were paroled they had complied with certain reasonable rules and regulations and standards and would have made for good government in his institution. He would have made for respect for law on the part of every one of those men in the penitentiary, whereas when it is done the other way it makes for demoralization in the penitentiary, it makes for disrespect for law and it is only educating the men who are confined there in the penitentiary in the wrong lines. So it seems that there must and should be some readjustment there.

One of the things which I was most interested in in California when I had this day's visit there with Dr. Volmer, was in the finger print registration and in criminal statistics and records. I hope the day will come and come very shortly when we shall have laws throughout the length and breadth of this land that will require universal finger print registration, will require every man, woman and child in this country, to register with your State your finger prints. It is one of the best means of identification there is and I want my finger prints registered. I believe it is going to be a protection to me. If I should be murdered some time in Detroit or New York or some other place and I have no identification on me, I believe it is going to be a good deal of satisfaction to my folks to know that all they need to do is to take a finger print, send it to a central registration point, and in a few hours they can tell exactly who you are. I think it is going to have a good many commercial values, identifications of checks, signatures on valuable papers, and one thing and another, and then it is going to be a great means of detecting crime. I had two young men in our county jail down home and they were giving fictitious names and denying everything. We sent their finger prints to Fort Leavenworth and the next day I got word back that these men were so-and-so, giving their past and their names as men who had just been released from the penitentiary at Stillwater. Friends, there isn't any limit to the value of finger print registration. It only ought to be universal. Every adult man and woman in the country should be required, it seems to me, to make finger print registration.

There are other things but I am not going to take the time because the time is growing short. I want to just call your attention to two phases of the subject before I quit. One phase is the work that the welfare workers can do to help you, as prison officials, secure necessary legislation. Sometimes when the warden of the penitentiary, for instance, asks for some legislation for one purpose or another,

or when a member of the Board of Control or Parole Board asks for legislation to enable them to do this thing or the other thing, they don't always get those laws because sometimes the legislators think there is politics of one kind or another in it, and the result is when you have a law you ought to have enacted in your state you must have the help of somebody on the outside. These reforms and advanced steps in any kind of work, I don't care what it is, require a lot of work. They require a lot of education of the public; it takes a long time; it takes continuous agitation; it takes backing and support of people who are out in the world and are known to be out in the world, to accomplish big things and to accomplish them for unselfish reasons and purposes, and, friends, when you have some reform legislation you want to put over, I say to you that there isn't any group of people in the world that are as invaluable to you in helping put over that legislation and to get back of that particular law that you desire as the welfare organizations of your city and your state and your nation. The welfare workers of the country have the confidence of the public generally. The public believes in them. The poor people of the country believe in them. They know that they are out doing things unselfishly in order that they may render some service for those who are unfortunate and underprivileged, and, friends, you cannot enlist the ability and support of any group of people anywhere that can help you put over reform laws for the benefit of prisoners, humanitarian laws, laws that have for their purposes turning out these five hundred thousand men and women back on to the public as better men and women, you cannot get any better group of citizens to help you do it. But, friends, when we discuss reform legislation and when we discuss the work of welfare workers, when we discuss the prisoner and all these things, we are only just scratching the surface. The real job we have is to go clear back of these prisoners and take these over 40,000,000 boys and girls in America to-day under twenty-one years of age and see to it that they grow up to be the right kind of men and women, (applause) clean and strong physically; that they go to school and get an education; that they are taught to have regard for things moral and spiritual, and when you have done that you have done something towards solving the problem. And, friends, we are not doing that as we ought to do it to-day. The former speaker told about the influence of the church and the importance of the things the church could do. Friends, the church does care for ninety-nine per cent. I think, of the boys and girls that come within its influence, but the trouble is there

are too many of them that don't attend any churches or Sunday Schools anywhere of any kind. The inter-church world movement at the close of the war made a great religious survey of this entire nation and if you will just get hold of that report you will have food for a hundred speeches, but here is one great fact that they found out with reference to the Protestant churches. If you leave out the people who are Catholic; if you leave out the Jewish people and take those who are classified generally in the public mind as Protestants, that religious educational survey shows that there were sixty-six and a half per cent. of the boys and girls of this country under twenty-five years of age that were not attending any church or Sunday School anywhere. Friends, is it any wonder we have hundreds and thousands of young men and young women growing up to-day without a proper regard for things moral and spiritual?

When I had charge of the criminal division of our court one time I had a great number of boys coming before me charged with the more serious crimes and I went into a study of the matter to see if I could find out something about these boys from 17 to 26 years of age charged with all crimes, serious crimes, and I kept a record of those young men for a while and among the things I wanted to find out were these: I wanted to find out something about their church attendance; I wanted to find out something about their education; I wanted to find out something about the kind of homes they came from, and this is what I learned. I learned there were only two of those boys who had gone further than the eighth grade in our public school work. With reference to the church part of it, there wasn't a single boy who had been inside of a church or Sunday School anywhere within one year previous to the time he was before me charged with that felony, and in so far as I was able to understand and find out there wasn't but one home out of the homes these young men came from which was what I consider a normal home. There was something abnormal about every other home. Sometimes the father had died and left the mother alone; sometimes the mother had died and left the father; sometimes they were both dead. Sometimes the father was a criminal; sometimes the mother was a criminal. Very often they were divorced and were living separate, and the mother had the custody of the children and doing possibly the best she could, and the husband was living the wrong kind of life and not caring for the mother and those children as he should have.

When you come to discussing this matter of legislation as welfare workers and those interested in the prison, we

ought to be looking to our divorce laws. Our divorce laws are entirely too lax. We don't do the things we ought to do for that good-for-nothing man who goes away and leaves that mother to care for those children. We don't look after the interests of the third party involved in the divorce cases. I don't think there are over half a dozen states that have public defenders in divorce cases, that will look after the interests of the great third group. There is the plaintiff and defendant, but there is the public that is more interested, and nine-tenths of these cases are default cases and there is nobody to represent the public and the interests of those children, and the interests of the public are absolutely ignored nine times out of ten.

In one year I had 1,326 divorce cases when I had charge of the equity division. I didn't care very much about the 1,326 men. I cared more about the 1,326 women, but not so much as I did about somebody else, and who was it? It was over 4,000 boys and girls, innocent victims of that domestic warfare going on in 1,326 places, and from that source, friends, are coming these young men and these young women who are committing these crimes and making up this great army of over 500,000 that pass through our jails and penitentiaries every year. I sometimes talk to our people back home about the greatest business in Des Moines. What is the greatest business in Des Moines? And I say "Is it banking; is it insurance; is it transportation; is it merchandising; is it manufacturing?" I read a great headline across our daily paper that agriculture was the greatest business in the State of Iowa. I say none of them are. The biggest business we have in Iowa and Des Moines; the biggest business you have in Detroit and Michigan, in any state or city in this entire country, is that of seeing to it that the boys and girls in your community grow up to be the right kind of men and women.

DISCUSSION

Miss Cook: Referring to the subject of developing an ex-convict or discharged convict, I was wondering how much work the parole officers and welfare workers do in the direction of helping such a man or woman to make good that injury that he has done that has brought him into the prison; for instance, where one has stolen something. Is there anything being done by probation officers and parole officers to instill in the minds of these ex-convicts that they are rebuilding character and that they should make restitution to the particular person injured by them?

Chairman Parsons: I don't know that there is anybody prepared to answer that question. I think that is a specialty of Miss Cook's talks. I believe she raised that question in the Wardens' meeting this morning. So far as I know I would say in many instances the situation is such that the one that is seeking to be re-established has demands, if it is a man of family, and obligations that make it very difficult, under the hampered conditions in which they come from prison, to support themselves and their family, to restitute very much in a financial way, but so far as our work is concerned, and I think that is true of the welfare workers generally, they are encouraged in every way possible to do everything within their power along restitution lines.

Mrs. Leavitts: I know of one instance where a man is taking care of and educating the family which was injured by him.

Mr. Parsons: I might say for ten years I was in Minnesota as a welfare worker among prisoners. I know at that time there were certain cases where the parole was made conditioned upon the fact that they pay certain amounts each month, and I have known many cases in which they actually paid out everything in the way of restitution. That has been the policy to do it where it was wise; that is, where it was feasible. I can say also in our work at the present time we have had during this past year one man who stole \$81,000 worth of gold bullion. He wanted us to do something to help him get a parole or get him his liberty and the worker brought it up to me and we formulated some questions we wanted him to answer and one was what had become of that \$81,000 of bullion, and when it was brought to his attention he said, "He didn't see that had anything to do with the legal aspects of the case." (Laughter.) The result was that we decided that we didn't think it had anything to do with us so far as helping a man of that disposition, and so whenever a man shows that he has that kind of a disposition it is conclusive evidence that he is one who deserves no special effort on the part of the welfare worker. (Applause.)

There is another thing along that line also and that is that this attitude is one of the things that helps us to sift out the kind of people that should be helped. Most of them who come to us understand one or two things, that the conditions are that they must be willing to do right, and the other is that they must be willing to work, and when men are willing to work and to do right, and then added to this, if they are able, considering all these other difficulties, to make restitution, that is expected. With those three con-

ditions we find that we are guarded against a lot of fellows that are not worthy of consideration from the welfare workers.

A Speaker: If they are not able, what then?

Mr. Parsons: If they are not able there cannot be anything done. Here is the attitude the prisoner takes, that we put him there with the expectation that that pays the bill. Some years ago at Joliet, Illinois, there was a little prisoner who had been made the attendant of the warden's wife. He had robbed \$1,500 and when asked if he was going to make restitution he said, "What am I doing this little bit here for?" The understanding usually is that by suffering the penalty in the penitentiary they pay the bill. It doesn't pay the bill, but at the same time prisoners have got that idea and the welfare worker and prison official should correct it, it seems to me, as far as possible; that if they are able and have got the goods they should be restored. (Applause.)

Dr. Worth M. Tippy: Those cases of divorced families, do you occasionally come across families where you felt possibly to live in a home would be worse than to break it up?

Judge Utterback: Well I might say in 1,326 divorce cases you will find all kinds of conditions. You will find lots of places where the home ought to be abolished and the man and woman both sent to the penitentiary and the children cared for through our juvenile courts and institutions. There is no question about that at all, but in most instances the home would have been better except for conditions that could easily have been remedied. If I was making the divorce laws I would fix them so they couldn't get a divorce for one year after they filed their petition, or I would give an interlocutory decree and I wouldn't sign the final decree until one year thereafter.

A Speaker: We do that in Delaware.

Judge Utterback: I think by the time the year is up that man will find out that the woman he has been running with isn't worth a snap of his finger, and the woman will find the best friend she has in the world is her husband and the best thing to do is to go back and take care of the home and those children.

Mr. Hannah of Illinois: I would like to ask Judge Utterback, if it is a practical question at this time, just what the conditions are under which he would remove children from the family?

Judge Utterback: Well, I don't know whether I can answer that or not. In our juvenile court we handle four

different kinds of cases. We have children there who are delinquent children; children who have gone out and done something they ought not to do. Then we have dependent children who are left alone in the world and have nobody apparently legally responsible for their care. Then we have the neglected children, and that is a great group, where the father and mother are neglecting to do the things that ought to be done for the children. Then we have the defective children, the ones who are crippled or maimed or diseased, and we have fine institutions in our state and we take care of them. We have our School for the Blind; we have our School for the Deaf and Dumb; we have our School for the Feeble Minded and the Epileptic Colony and Tuberculosis Colony and our great University Hospital facilities where we can send our children under the law.

The defective children should certainly be taken care of. The delinquent child must be taken care of. We will put ninety per cent. back home on probation, and if we can get some Big Brother or Big Sister, and if you have the chance to attend the Big Brother and Big Sister conferences I want to state that the Big Brother and Big Sister movement has in it potentialities that are unlimited. I have 100 men in the City of Des Moines that will act as Big Brother for any unfortunate boy any day I will ask them to. I don't want them to spend money on that boy, but I do want them to take the place in that boy's life that is vacant there because the father hasn't lived up to his responsibility, or if the father is dead and gone, or a criminal, and I want some clean successful Christian business man to step in that boy's life and encourage him to go to school, get him to go to Sunday School, get him to join the Boy Scouts; get him a library card; get him a job and help him along life's way. So for those delinquent boys there is ninety per cent. we ought to put on probation, and there is ninety per cent. almost that will make good. Parole and probation are absolutely all right when handled right; and for those dependent children that have no homes, of course we have to take care of them. But the big job is in that neglected home where the father and mother don't do the right thing. So if I was going to propose new laws I would propose laws that give to our juvenile courts jurisdiction over parents that are responsible for contributory delinquency; that are responsible for contributory dependency and neglect, and I would let that juvenile court put those fathers and mothers on probation, and if they didn't come through and care for their children right, then I would use the privileges that the law gives for them. (Applause.)

Major Collins: I would like to ask one question, is there any provision made in your state for the caring of the prisoner's family by your Mothers' Pension Department, if you have one?

Judge Utterback: Our mothers' pension law isn't what it should be by any means. It provides for the children and it should be called Children's Aid. They ought to be called children's aid laws because that is what they are. You are not giving a mother a pension. You are giving her money to aid her in the caring for the children instead of putting them in a state institution, which is a much cheaper proposition for the state ninety-nine times out of one hundred, and a better proposition where the court sees to it that the mother is a good mother and taking proper care of her children. The maximum allowance which we can make is \$3.00 a week per child. The law is only available for widowed mothers. If the mother and father both die and the grandparents are trying to care for the children, we couldn't help the grandparents at all. In addition to the widowed mother, we can help the mother whose husband is in the penitentiary or reformatory or in the insane asylum to just exactly the same extent we could help her if her husband was dead. So we do care for the mothers through our public treasury to that extent. If we don't want to help them through the Widows' Pension Fund, we can help them through the Overseers of the Poor Fund. We can pay the rent and groceries if the Overseer of the Poor will take the responsibility but there is a sort of unwritten law that if they are getting help through the Mothers' Pension they cannot get help through the Overseer of the Poor. We have to depend on the volunteer welfare organizations, and we have twenty-three. They raised \$265,000 to do the work and we have to ask them to supplement what we can do through the public fund in that way. Then the man can make some money in the penitentiary and send that home to help his wife and children.

FRIDAY EVENING, OCTOBER 13

GENERAL SESSION

AUSPICES OF COMMITTEE ON PUBLIC CONTROL
AND SUPERVISION

BURDETTE G. LEWIS, TRENTON, N. J., CHAIRMAN.

SHOULD OLD PRISONS OF THE AUBURN TYPE BE
ABANDONED AND MODERN INDUSTRIAL RE-
FORMATORIES SUBSTITUTED?—THE
PRISONER'S VIEWPOINT

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When your Chairman asked me to discuss the Prisoner's Viewpoint, he assured me that this did not necessarily imply any suspicion of my past, nor was it expected that I would rely upon introspection. Of course, there is no such thing, strictly speaking, as a Prisoner's Viewpoint. Prisoners are individuals. They differ from one another just as men outside in civil life differ. They do not spend their time in academic discussion of the kind of structure to substitute for the prevailing type. Their concerns are more immediate. Their reflection pertains to the immediate personal comforts, such as food and physical care, and above all else,—how soon will the day of release come:—"When do we go from here?" The more intelligent among the prisoners, however, were glad to discuss with me the defects of the old prison of the Auburn type.

When I asked this question of a prisoner who had done time in the old Auburn type of prison, he promptly asked another, "What does the State expect of its prisons?" If we are to make a fair inference from statements of one group of lawgivers and judges as representing society's last word on the problem of prisons, the prisoner himself must say that the old Auburn type of prison does what these people want it to do. It confines him safely. One prisoner, an escapee up for sentence, told me that the judge had said, "He would make an example of me. I wasn't a man and that I ought to have taken my medicine", and that he would give me a few more years to think it over.

"Would you," he said, "take your medicine if you knew it was poison; would you take your medicine if you knew that when you were finished with it you would be ten times sicker than when you started; would you take your medicine if you knew that the doctor who was prescribing it was a rank failure; if you knew that sixty-five per cent. of his patients were treated by him for the rest of their lives; would you take your medicine if you knew that the doctor had another and a larger dose ready for you when you were through with the present prescription?"

The prisoner has learned that the purpose of the old Auburn type of prison is to confine him and make him an obedient prisoner—a good prisoner. He has failed to obey the law on the outside world; here he must follow the narrow path, willy nilly. The Auburn prison is designed to this end by establishing the familiar cell block with each cell a counterpart of every other cell; by providing separate confinement in a steel or brick walled room, (door locked and double barred) poorly lighted, frequently damp; and over all the deadening depression of a confining power so evident as to be inescapable. The assumption for this old cell block structure is, that all prisoners are alike,—all are dangerous, vicious and desperate, all require the restriction of barred cells and isolation,—all will abuse the privilege of social contact, normal intercourse and friendship or social responsibility.

The prisoner has found society, with few exceptions, approving this method of guarding its prisoners. While here and there a voice proclaims a new purpose—of redemption, of social and industrial rehabilitation, of making *good* citizens rather than *good* prisoners—the working out of these ideals in new prison structures is practically lacking.

The old Auburn type of prison succeeds, in some measure at least, in making good prisoners. It enforces, to some extent, the restraint thought necessary to orderly discipline. It does reduce men to the same physical level. It recognizes all as criminals. It makes guarding easy. It permits the institution to be "run" by the inexperienced, even the untrained, and sometimes the ignorant. It constitutes a reasonably safe guarantee against a man's return to society before his time is served. If these are the purposes of prisons, the prisoner admits a large measure of success has attended the old Auburn type. The prisoner wonders often if his jailer is not also depressed. He too is a prisoner. He is also isolated from the refining, humanizing influence of normal social contact. He also is suspicious, confined. Would he not welcome a change to a modern industrial reformatory.

The declaration adopted by the American Prison Association in 1870 at its Cincinnati meeting, that "The supreme aim

of prison discipline is the reformation of prisoners" encounters in this old Auburn type of prison an almost insuperable obstacle.

"How can you reform a man", the prisoner asks, "by submerging individuality and self-expression; by strict and constant confinement, by ill-organized and inefficient methods of labor, by silence, by monotony, by the denial of initiative and responsibility? How can you know when he is reformed?" Few prisoners ever think of the way to make the old prison a good prison. To him, no prison is, or can be good, there are some that are not so bad as others. But a reformatory which truly aims to carry out the program of the American Prison Association, and gives form and substance to the declaration that reformation is the primary aim of prison discipline, such an institution would interpret society's purpose anew.

The prisoner will tell you that merely changing the type of structure of the prison will not substitute reformation for the old restraint and repression. Along with the building of a modern industrial-agricultural reformatory, inevitably will go changes in the personnel of the prison staff. The officer who can "hold his job" and be satisfied where routine, monotony, silence and perhaps brutality rule, is out of place in the modern industrial reformatory, where he must deal with prisoners as individuals, not as groups or types or numbers only. The old prison is the leveler, the equalizer—all are prisoners, criminals with criminal tendencies, with dangerous purposes, with ominous plans for the future.

The prisoner sees that the study of the individual prisoners which will precede his transfer to the industrial type of reformatory will tend to undermine the old system and its ways. The new reformatory will heed the advice of "J. Poindexter, Colored," who counseled a moving picture producer—"Whut-ever else you does, don't mess wid no race problem. We gets mouty tired, sometimes, of bein' treated the way we offen is. Tek my own case. I ain't no problem. I'se a pusson. I craves to be so regarded."

Indeed, the prisoner declares that it is in the opportunity offered for individualizing and humanizing its regime that the modern industrial reformatory will achieve its purpose. It substitutes a careful, common sense and scientific study of individual needs and abilities for the old rule of sameness—criminals all, needing like restraints. It keeps men in decent rooms, with light, and air and decent sanitation. It aims to help him, to train and to rehabilitate and to reform; not only to keep him confined. It becomes not a work house, a breeder of distrust, suspicion and antisocial hatred, but a place of

opportunity. Industrial and educational handicaps can be removed, self-control and discipline encouraged by rightly regulated social intercourse and responsibility. The development of individual fitness for sharing the life of the outside world, for becoming a good citizen can be fostered by promotion into a larger self-directing section of the institution community. The prisoner knows that the failure of the old Auburn type of prison rests upon the adherence to a false philosophy of repression as a preparation for freedom; upon its tendency to treat all prisoners as confirmed and dangerous criminals; upon its remembering the crime and forgetting the individual. And all this persists in the face of convincing facts that prisons fail both to deter and to reform.

From the prisoner's viewpoint, the modern industrial reformatory substitutes training and development for repression. It involves a superintendent and staff concerned with fitting the prisoners for a successful career outside the institution, and willing to utilize the agencies for educational, industrial and moral training to this end. The modern industrial reformatory becomes a training school for citizens rather than a training school for crime; a social asset and not a liability; a genuine agency for reformation and not a delusion and a snare.

THE INSTITUTION AS A COMMUNITY

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My remarks before this meeting are my reflections after twelve years of active duty with the supervisory and administrative service of the Illinois State Charitable Institutions. And your first comeback will be, "They are an entirely different proposition from the penal group". But I contend our analyses, as we get deeper into both subjects, reveal only one thing. They are fundamental allies. We have housed and treated the nervous and mental offenders against the laws in prisons with very much the same discipline that we have exercised in our housing and treatment of criminal offenders against the laws and our object with both has been the same. And we have made about as much progress in the one as in the other, toward solving the problems of cure, correction or prevention. Our object has been to detain, to hold, to prevent escape, to keep alive the spark of life and permit nature to have her way with the rare hope that she may overcome some of our own stupidity and inertia.

My subject has nothing to do with causative factors. What causes insanity or criminality it is not my purpose to discuss. It is the symptoms of his disease or disorder that bring the insane man or the criminal to our doors. Those symptoms are his anti-social conduct and behavior. When his irritation with his environment creates a personality that is dangerous to the social welfare, then the insane man or law breaker becomes an institution problem and he remains an institution problem until his symptoms, his conduct and behavior, modify, and he demonstrates by normal conduct and behavior that the causes which produced his anti-social attitudes have been cured or eliminated. There is this to be noted in the treatment of these two types:—their symptoms may be treated with good effect upon the causes. There is a definite treatment for conduct and behavior which has a decided wholesome effect upon the factors which have produced an unnatural personality.

If the institution environment is soothing the ward is beneficially affected and he shows it in improved conduct. If it is irritating, as it almost always is, the ward is adversely affected and he shows it in unimproved or very much worse conduct. If the environment is unnatural it is certain to be irritative. The insane asylum and the prison, as we know them, are unnatural. They are as different from normal modes of housing and living as they could possibly be. This almost obvious idea has been treated as a senseless theory. Repression has been our first law to enforce. By it we cure or correct or we do not cure or correct. And the astounding and inexplicable fact is today that with all our professed enlightenment on crime and mental disease, the most advanced states continue to build after models and fashions we must recognize as repugnant to what we know and believe.

In the treatment of conduct and behavior we must recognize that the physical plan of the institution, the new environment into which the mental patient or the prisoner has been introduced, must play an important part. For years the fortress has been our model for prisons and asylums. And all who are unfortunate enough to get inside are massed together irrespective of characteristics or conduct or former record, or the offences, medical, social or legal which they may have committed. In recent years there has been a slight concession to the ward. Classification has become a word of common usage. Standardization is deified. Patients and prisoners should be classified, we believe. And some effort is made at classification but it is a difficult task because the institutions are not adapted to classification and standardization and we are not ingenious enough to readapt what we have. State hospitals adopted the cottage system but the

cottages house as high as three hundred and the benefits predicted for it are not possible for attainment in such beehives. And cottages of this kind are now building in some of the most advanced states.

And among prisons, cell houses are still constructed for five, six hundred, and even one thousand men, all thrown together in one big room where they are able to communicate with each other, plot conspiracies and mutinies. The decent and indecent are packed together indiscriminately; the sick, diseased and perverted are jammed into one conglomerate mass. How many prisons or reformatories are there in this country today that do not place two or more men in one cell? How many practice any real classification? Is there even one that individualizes? More often, it is true that what classification there is, is based on the needs and conveniences of administration.

Prisons increase in size and expense and in difficulties of management. In the last four years scarcely a state has escaped its prison riots, wholesale deliveries, or scandals of other varieties. Hospitals for the insane are increasing in number and size. They are literally jammed to the very doors. They bulge with human misery. The tax burdens upon the public for their support have reached tremendous proportions while millions of units of human energy go to waste behind the stone walls, supported in their idleness by the overworked tax payer on the outside; meanwhile states and prison and hospital authorities do little to relieve the situation. The time is present when state governments and men and women charged with the administration of these institutions must face the situation with determination and courage. Purposely I omit all mention of prevention. I speak only of the institution and its function. An architectural design that would make easier the organization of the community idea is desirable but it must not be forgotten that an institution after all is not its brick and stone, iron and steel, but its spirit. The most antiquated of the structures, now in service, can be made to thrill with the community spirit, if those in charge have the vision and imagination and the will to do.

Manifestly the system which has been in vogue in both types of institutions has been a failure. It has failed because there has been a low tone in scientific personnel, and in scientific research and too much emphasis upon the political fortunes of those who have the jobs to dispense. It has been a failure because administrative authorities have refused to acknowledge that the form and plan of our institutions promote evil and tend only to aggravate a situation that they should relieve.

If men and women in these institutions ever are to regain their estate in the world, we must establish for them in the institution itself a mode of living that at least approximates the mode of living in the free community. It is futile to expect to improve that high strung, excitable, hysterical woman by placing her in a locked and barred ward, three or four stories above the ground, already housing, in complete idleness, three or four times more women than it was designed to hold. It is futile to expect to improve the law breaker by forcing him into such intimate contact with a pervert as twelve hours out of every twenty-four in the same cell entails upon him.

The problem of the hospital or prison today is not classification or standardization but individualization, the placement of each in an environment that suits his makeup, his trend of thoughts, gives him a chance to fulfill his desires and stimulates an interest in wholesome and healthful things. This cannot be done until the community character has been established in the institution. And the community character involves the development of its units each as he wills to go. The people in this community must be permitted to a liberal extent to find their own way. It is a good rule in a state hospital to leave a patient to his own devices so long as he is not injuring himself or others, but at the same time deftly, quietly and gently giving a guiding direction to his energies, without seeming to do so, into better and more profitable channels.

Of the prisoner it is well to learn and understand his bent before he is assigned to employment or definite decision is made as to his place in the prison. It is thus in a free community. Why should it not likewise be so in the institution community? Men and women order their lives after their own inclinations but in their youth their elders and the state itself exercised a degree of control and direction which in after life proves to be helpful. The spirit of repression and the exemplification of repression within the institution must be lifted. It can be lifted successfully. Too much government within the institution is as bad as too much government without. That institution is best governed that is least governed. The restraint that the institution imposes on its inmates should be the restraint of direction of energy and thought into healthful channels, having for its purpose the re-education of the unbalanced mind and the correction of the misdirected mind. A prison will probably always be a walled city but it may be a city within its walls; with houses, some small and some large, some stronger than others. It is not necessary that forts be erected for all the population because ten per cent. of them will not conduct themselves properly unless

immured behind massive masonry and case hardened steel. Many, many men in our prisons may live in very natural houses under very natural ways. The village should be equipped with everything that the free village has and in the same form; a church, a theater, lecture halls, school houses, athletic fields, Y. M. C. A., K. of C., power plant for heat, light and power, retail shops, industrial shops, manufacturing plants, offices, hospitals and above all training classes for both employees and inmates. The hospital, for example, must be able to make the very best and closest examination for physical, mental and nervous defects or diseases. Here the psychologist and psychiatrist should have their laboratories and research bureaus. It should be equipped for any surgical operation that may be indicated. In short, it should place every man in the very best possible condition that there may be no irritations of ill health to aggravate his loss of liberty, or interfere with his adjustment to new surroundings. As the man outside makes up his day, so the prisoner should have facilities to make up his, a portion for recreation, a portion for study and reading, a portion for work and, if his education has been neglected, a portion of his time to be given to the schools. If he desires to learn a trade or to improve his knowledge of a trade he already knows, provision in the training schools must be made. The whole prison process must work together with one single aim and everything and everybody else must get out of its way; that aim is the return of the man to society with a correct attitude toward it and with an equipment adequate to self support. And the prison and parole and scientific staffs should know him so well by that time that mistakes in placement will be few.

Among other things the prison must be sufficient unto itself to attain this aim. Therefore it must have large tracts of land, including timber, sand, gravel, rock and minerals. It should grow all the food required by man and beast even to the beef, the pork and the mutton, poultry, eggs, milk, cheese, preserving and canning in season, milling of the wheat and grinding the breakfast oatmeal. Where the raw material is not raised on the place, it may be purchased so that fabrication may begin as near the source as possible. Thus the northern prison, unable to raise cotton, may purchase it in raw state and send it on through all the processes to the completion of all the cotton goods it requires. Employment and occupation in this prison community must be as varied as those of the prosperous, commercial and industrial community. It must be built and planned with this in view. Most prisons have one or two big industries; others have more but frequently these industries are not found elsewhere in the

state and prison trained men are without resources when they leave the walls. I am off my subject somewhat but this diversion is necessary to illustrate freely and fully my idea of an institution community.

The prison community is flexible. It permits of the continuous advance of the man as he merits it. Those who do not merit it, and can not be taught or influenced may still be held in communicado and not interfere with others or hamper their progress. The prisoner's progress as he nears the day of his discharge puts him beyond the walls and places him where he may demonstrate whether he can live and sustain himself honorably among other men and can restrain himself against the constant temptation to go away. The honor grades, which are then the next step reached through this progression begins now to mean something both to the prison and to the individual. They bring out his degree of self possession and control. And as he resists the temptation constantly before him to take that which is open and which he prizes most of all, his liberty, he stiffens his character and fortifies himself for the greater adventure when he is free from all supervision.

In the Illinois state hospitals we are nearing the community idea, though still far from a complete realization of it. In the last seven years the state has not erected at any state hospital a single building for housing of patients more than two stories high and only a very few of that height. Nearly all have been small, one story, simple structures. Two new institutions have been erected on this plan. At one there are two two-story buildings; at the other there is none. In this period no new buildings for patients have been barred, while from old structures hundreds of bars and screens have been removed and transferred to the poultry yards to make pens. Only those who require bars are placed behind bars but no others. This plan permitted the opening of at least fifty per cent. of the ward units of the state to free exit and ingress of patients. But for the idleness that prevailed and made for disorder, irritation and violence, occupations and employment and recreations are being extended to all who are physically able and to many who are bed ridden. It is not necessary that employment have a value, but it is necessary that it have an interest for the patient;—not for the whole institution or a class or a ward but for the patient himself. None of our hospitals had modern or special facilities in the way of occupational therapy class rooms or shops but we were not deterred by this fact. Basements, barns and out buildings of various kinds were made over or quarters were constructed by institution or patient labor. The old

prisons can be readapted and readjusted. All that is necessary is vision.

In the new prison at Joliet, there will be two fortresses for the incorrigible. I believe one will be enough. We are starting with the firm resolution to place only one man in a cell. It is to be big enough and well enough equipped to give him a sense of privacy. It is not to be a cave but a room with a window from which the occupant may look upon the world and enjoy a breath of fresh air. Outside of these two fortresses but within its walls, will be dormitories and cottages. Finally as the man progresses he will find himself just outside the wall, but still under supervision. Later will come his chance on the honor farms, removed from the walls and very faithful to true life. The occupations and avocations are to be increased and diversified. There will be a school house, for a school house is the proper place to go for an education; and a church, for a church is the proper place for worship. The hospital will be as modern as any civil community boasts and will contain ample facilities for mental patients and mental research. Sixty acres have been enclosed. These furnish room for all to expand their lungs. There is a feeling or sense of liberty in such an enclosure, which permits the community thought likewise to expand. Personally I would go further than the commission is going in this direction but the start is worth everything.

The free community is self supporting. The institution community whether of mental or criminal population, may be made, perhaps, not fully sustaining but, I am certain, to a very large degree. And finally the community institution will aid rather than obstruct research and development of preventive work. The staff engaged in this phase of the subject will have the opportunity to see men and women under more nearly normal environment and in more nearly natural attitudes and may form better judgment of their character and progress. But best of all, such a type of institution will have a wholesome effect upon the public, society, if you please, which will be forced to discard its false notions, its superstitions, and its superciliousness, upon the problems of institutions and their wards and the causes which create both of them. It will banish the mystery and awe which stand between the present hospital or prison and the accomplishment of real work.

FROM THE VIEWPOINT OF THE REHABILITATION OF THE PRISONERS

ADOLPH LEWISOHN, PRESIDENT, NATIONAL COMMITTEE ON
PRISONS AND PRISON LABOR.

The time is ripe for an effort toward improvement in the prisoner's condition which is solidly based and free from emotion. This must lie in making it more generally advantageous to treat the prisoner well. The doctrine is not novel. In fact it is a hundred years since Elizabeth Fry first set forth the truth that the lot of the prisoner could be made tolerable only by giving him productive work to do and practically every step of progress in improving the lot of prisoners and lifting the level of prison administration has been brought about by applying Elizabeth Fry's doctrine. Productive employment in prisons is the only sound basis for their steady progress toward sound conditions. Furthermore, the productive employment must be organized in such manner that gradually the prisons will become self-supporting. As a business man I can see no necessity for the heavy taxation imposed on law-abiding citizens in order to maintain able-bodied, mentally sound law-breakers.

The goal at which all efforts for amelioration should aim is that every prison shall be a workshop for restoring prisoners at the end of their term to civil life in condition to be useful members of the community. Unless the prison fulfills a remedial function; unless it brings about an actual improvement, physically, mentally and morally, in those who are subjected to its treatment, it is, in a very large sense, a failure.

Happily, progress has been made during the past ten years toward giving the prisoners productive labor, and enabling them to recover at least part of their economic self-respect. There is still an immense work to be done in this direction, and a little observation will show how serious are the obstacles. The prisoner cannot be occupied properly at productive labor unless there is a market for what he produces. Here there have arisen a great number of obstacles. Where can such a market be found in which prison products will not compete unfairly with the products of free labor? The logical market for prison products is in the commodity requirements of state institutions and departments—for only when the state sells its products to state institutions and departments is its selling department adequately protected from the manipulations of the politician. Unfair competition with the products of free labor is also eliminated by governmental consumption of prison products and in working

to better the condition of the prisoner we should not forget the welfare of the workmen outside the prison, to say nothing of the welfare of the employer.

How can prison labor be directed so as to produce what the institutions can consume when, as too often has been the case, those institutions are numerous, heterogeneous, and under diverse management? If you have, as was the case in the State of New York until recently, fifty-eight purchasing agents, each one exhibiting originality, or at least variation, in his requirements and standards, it is clear that the prison will hardly stand any chance of producing goods suitable for such an immense and unpredictable variety of commodities. This has wrecked many attempts to employ prison labor on a productive basis and herein has lain one of the great obstacles to prison reform.

Some years ago efforts were begun to bring about uniform standards and centralized purchase within the states, so as to obviate the unreasonable variety of demands and multiplicity of purchasing agents. This movement, so obviously reasonable and economical, has made much progress. It has been embodied to a greater or less extent in the legislation of all but eight of the states while twenty-three have the full provision and there are grounds for hope that it will be pressed to acceptance and adoption in all the states of the Union. It is simply the application of the purchase methods adopted by all successful business corporations to the purchase methods of governments. A mere glance will show the advantages to be obtained from uniform standards and central purchase. They make it possible for the entire requirements of state institutions in such a simple matter as shirts and shoes to be made uniform, and so enable the production of these necessary articles by prison labor in such quantity and on such simple standards as to make their production economical.

An adequate market for prison products makes possible the payment of adequate wages to prisoners. If there is an established market and demand for the product of the prisoner's labor, and if he can produce the articles required at a reasonable price, he has already taken his place among the profitable workers. It follows that he may, and in justice should, receive payment for his work. He is lifted from the level of a mere burden on society and in some cases a menace to its welfare, into the class of the producer. If this can be recognized in the only proper manner—by payment for his work and by giving him the conditions of labor, in which self-respect will be possible, plainly a very great step has been taken in the direction of making him once more a safe, useful and self-respecting member of society.

That is the goal which enlightened and humane persons have kept before themselves from generation to generation. It is, of course, intolerable that men should be incarcerated under such conditions as are almost certain to degrade, if not to brutalize them and which tend to make them thus a greater menace to the society which they have already injured. The very self respect of the community, as well as the instinct for self-preservation, demands that it prevent the degradation of the prisoner and do all that is possible to bring him into sound and decent relationship with society. But the goal is still a long way off. The ideal set by the National Committee on Prisons and Prison Labor is in brief:

1. The administration of penal institutions by competent men and women, selected for their fitness to train prisoners and to conduct prisons on a basis so fair and just that the prisoners receive incentive to become law abiding members of the community when released from prison.

2. The remanding of every person convicted of crime, after conviction and before sentence, to a classification station for thorough examination, physical, mental and according to work record and other previous experience in life. The fixing of sentences according to the report and recommendations of this examination. The distribution of men and women physically and mentally capable of work to industrial prisons and of those physically and mentally diseased to hospitals or other custodial institutions. The release of men and women from the industrial prisons only when so trained that they are competent to take a useful place in society.

3. The employment of all persons confined in industrial prisons at work as nearly as possible adapted to their capabilities and for which they receive wages from which shall be deducted the cost of their keep—the balance of wages so paid to be the property of the prisoners and available for the support of their dependents or funded against the day of their release.

4. The abolition of the practice of confining persons sentenced for crime in jails under county control with the resulting idleness and degradation and the substitution of a system of state control over all persons convicted of crime so that they may be taken care of under the state penal system.

How nearer this goal are we today than when the American Prison Association adopted its remarkable programme in 1870? We are beginning to classify the prisoners, to build laboratories, where they are examined mentally and physically. We are beginning to assign men to industry adapted to their capabilities; we are beginning to pay wages. We are not worrying over the merits of congregate and segre-

gated systems but are realizing that even in the cheapest type of barracks, provided they are clean and sanitary, reformatory work can be carried on if the men in control are competent to do such work. May I digress to state that personally, I believe that far too much money has been sunk in brick and stone and far too little in the salaries of the men responsible for administering the institutions and training their inmates.

Senator Capper, Chairman of the Kansas Branch of the National Committee on Prisons and Prison Labor, has pointed the way to begin the solution of the prison labor problem by calling together the industrial managers of the prison industries of nine states to work together on their problems. The National Committee, with the approval of these managers of prison industries, is now arranging a second conference in Washington during February when the problem will be faced nationally. Representatives of the Government Service Agency and others with scientific information which bears on the problems will be present. We urge every state to send its prison industrial manager to this conference and to exhibit its prison made goods. Already a number of states are arranging for their exhibits. This is the first attempt to work out the prison labor problem from a nation-wide standpoint. Let us work together for an American prison system which will answer the age-long challenge—what shall be done with the men in prison?

DISCUSSION

Chairman Lewis: Is Warden Lawes in the room? Will you come forward Warden? Warden Lawes, ladies and gentlemen, took over Old Sing Sing two and one-half years ago and has attempted to do with it what Mr. Bowen has said, put vision into the administration of an old institution that commission after commission has said should be razed to the ground. It gives me great pleasure to introduce Warden Lawes of Sing Sing Prison.

Warden Lewis E. Lawes: I do not believe everything that the previous speaker says and you probably won't believe a lot I am going to say, but I am going to say what I honestly believe anyway. It seems to me that the prison may be industrially efficient without regard to the type of construction. All prisons of course should be reformatories, and all reformatories should be different from prisons, I believe, in type of construction. Surely that which is unsanitary, unhealthy, poorly ventilated in the old prison system should go. Also the separation of the hardened offenders from those who are termed first offenders, though frequently the greatest institutional menace might be a first offender; a man may be a

professional criminal for a good many years and not be apprehended. Perhaps he is shrewder than his fellows. Frequently the first offender is more degenerate than one who has been convicted several times, so the mere fact of the classification and segregation based on offenses would not amount to very much.

To my mind, there is no definite standardized prison problem. You have got as many prison problems as you have individuals in your institution. Each and every one constitutes a separate problem. (Applause.) We cannot build a prison for each prisoner, but we can regulate our organization so that it will function efficiently and so that the inmates will be given an opportunity, as one of the former speakers said, to select their hours of work and their hours of play and recreation; most of them would select not the work end of it I am quite sure. There must be some sort of supervision and some direction behind that, aiming at all times to give the individual an outlet along normal lines. Special ability should be recognized and inefficient, carelessness and wilful disobedience should be also given consideration and correction.

Most prisons today are of the old congregate type. Probably the two best prisons, from the standpoint of production, are Stillwater, Minnesota, and among others, Jackson, here in the State of Michigan.

Where is there a modern industrial reformatory? I don't know of just the type that I feel is a modern industrial reformatory. I mean, as successful as the speakers indicate. I would like to know if that is true. In Jackson, they have 600 idle men in the prison. That is very bad. That is the worst thing that can happen in any prison, idleness. (Applause.) They have in this state an opportunity to sell goods in the open market. Unfortunately, in the State of New York we are hampered; we cannot. We are presumed to have a market of \$20,000,000 and there are 20,000,000 reasons why we cannot sell it. (Laughter.) We are in the center of a big population, densely populated, with New York City only thirty-one miles from my own institution and we have a great deal of difficulty in selling even that which the prisons make. We found in the past, and perhaps to a degree are now at fault, that prison made goods have not been up to the standard of the goods made outside, though efforts are being made to place them on that plane. Modern machinery has been installed; competent men have been hired, and I am sure that progress is being made and will continue to be made. Mr. Frayne was on this program, one of the leaders of the Federation of Labor in New York State, a very capable and able gentleman who has great interest in the prison prob-

lem. Still, Mr. Frayne and his associates believe and do not dispute the fact that the State of New York is committed to the purchase for state use in its constitution. With the help of organized labor, subsequently, a law was passed which prohibits the state prisons from doing any printing for the state itself other than for the Superintendent of Prisons or for the State Commission of Prisons. There is a tremendous market for printing which could be developed and men could be trained, but we cannot do it. They claim it will compete with free labor but I do not agree with them. Nevertheless it is one of the handicaps we labor under in developing our labor.

Mr. Lewisohn spoke about a state purchasing agent. It is an excellent idea. It is wonderful and it is efficient and I think it is essential to ultimate success. However, the purchasing agent has got to learn something as well as we have. He has got to adjust himself to the viewpoint of the institution. A man at a desk in a centralized place cannot tell each separate and specialized institution what it needs, what it should have, without he himself or some of his capable assistants going on the ground and looking the things over and making recommendations. For instance, recently in our place on Friday we fed macaroni. I never like to feed fish on Friday. Even in Dr. Christian's institution they sometimes wouldn't eat the fish, fish hash or fish balls, so we attempted to get a very good brand of macaroni and cheese and tomatoes and they ate it. We paid eight cents for this. When the State Purchasing Agent came in he got carloads out in Ohio for six cents a pound. It was pretty good glue and might have been used in a small side dish, but it absolutely didn't go over on the whole feed. Consequently it has cost us eight cents more per meal and gave less satisfaction. We had ham croquettes at sixteen cents a pound, but they gave us ham at twenty-eight cents and we have twenty-five per cent. waste. So you see it is absolutely necessary to adjust the two viewpoints and to have a little co-operation. It is all right to talk about the centralization of government. That is all right, but I believe in a human government and I believe in human beings being given a little consideration in the governing. (Applause.)

Mr. Bowen has stated that most prisons double up the men. I am glad to state that no prison in New York State places more than one man in a cell and hasn't for several years.

Classification is in effect in New York, but not to the degree we would like though we have just completed a most wonderfully designed classification building.

I don't think prisons are entire failures. I will tell you why. I had occasion during the last year in looking up legislation to find what the prisoners had done, how they had made out and how they had made good. How many have made good? What percentage are coming back? Sing Sing is practically the reception prison of New York State; and we found that, of every one hundred received, nineteen had been in the prisons in New York State before. We found further that for every one hundred men received and carried on through the one thousand six hundred and fifty received the year before, practically fifty per cent. had never had any previous criminal history of any kind or character, and we are considering suspended sentences as criminal history. From the inception of the parole system there was about eighty per cent. that they could not find who had relapsed. Certainly they didn't relapse in New York State. We may have a few up here in Michigan, and we probably have. I am going to walk out and look them over, but, on the whole, it shows that the men are making good. It shows that the system of indeterminate sentence is working effectively. I believe in a purely indeterminate sentence absolutely. (Applause.) And I believe in somebody that has got nerve enough to operate it as it ought to be operated, and that is another thing that isn't being done.

It is necessary in the selection and the gradual promotion of men from inside the walls to farming camps and road camps to be particularly careful. A man may be a good worker. It may be that he wouldn't run away. It may be his connections are such it would not be advisable for him, but it might be true that he is so constituted that he would get drugs if he could, or he would get liquor if he could, or any of those things that it is much easier to get on a road camp or farm. However, that is only a thought you may have in the selection of men out there. The end is worth a great deal more than any one or two or three men kicking over the traces and doing things they shouldn't do. Men may have long sentences and be excellent men, but freedom in the heart of every man is there, and I don't blame any man that can get away, not a bit. I have had seven or eight attempts in three years. Fortunately, we have lost only one. From the road camps they have made a few escapes, but they all come back, or mostly so. I think they have fifteen or seventeen camps from the different institutions,—Great Meadows, Clinton Prison and Auburn, and they have a very good record for efficiency and an excellent record in the matter of escapes, as I think all your camps have also.

It would be very difficult to get a mammoth farm in New York State and employ several thousand men. We have about 5,000 prisoners there and many of them with very long sentences, very close to avenues of escape, and I doubt seriously the advisability of going into that too strongly in the State of New York or in a State like Illinois or Michigan. But I do feel that with those men who can be placed out, those men who can be placed on their honor, it is a good thing. The men can be placed on their honor inside the walls as well as outside. I believe in a careful study of your man to see where he fits in; give him an opportunity, show him you are on the level with him. Give him an opportunity to work out his own salvation along the line of community life, in which I agree very thoroughly with the gentleman who previously spoke, but I believe direction must be there. We know that there are a number of men in prison because they are lazy. They don't want to work. That is the reason they are there. If they can make \$100 a day stealing, why work for \$3.50? Apparently, according to the tests, they are normal individuals. They don't want to work inside any more than out, and perhaps the fact they should be economically fit is proper.

In the Elmira Reformatory, some thirty or forty years ago, Z. R. Brockway, probably one of the greatest prison men ever in this country, made it necessary that each and every man or boy released from the reformatory must be economically fit, after a very careful record of what he earned and what he spent, (and he charged him for anything he bought and paid for his labor), and if he didn't work he didn't get paid. Still he must be on the right side of the ledger in order to get out, even though his behavior was all right. Perhaps the only fault was that a number of men were unable to compete, and perhaps in those days Mr. Brockway did not know and they didn't have the fine system of classification in Elmira Reformatory that Dr. Christian has since put in. But nevertheless there is a great deal in that proposition of being economically fit.

I think in all other things I agree very thoroughly with you in your community proposition. I thank you. (Applause.)

Dr. Mary B. Harris, Supt. New Jersey State Home for Girls, Trenton, N. J.: The Commissioner said I was going to take up a phase of his subject not yet touched upon, but I leave it to your judgment if there is very much left for anyone at this point in the programme. About all I can do is to recapitulate, and it seemed to me I could bring one point perhaps a little more firmly before us than it has been brought yet.

As I see it, the courts for juveniles and the institutions for juveniles exist for the protection of the offender, but the criminal courts and the institutions for the adults, such as we are discussing to-night, exist for the protection of society. The whole question then is, by which type of institution is society going to be better protected? Is it going to be better protected by the old type of prison where the men were kept in idleness without proper physical care, without any attempt to prevent their mental and moral deterioration. Is that type going to protect society better or the type we have heard so ably presented to us both last night and to-night?

To my mind there is only one answer to the question. The old type of prison never protected society and it never prevented crime. I speak not from the point of view of the prisoner, but I do speak from the point of view of one who for three and one-half years lived in daily contact with an old cell block system. I was superintendent for three and one-half years of the women on Blackwell's Island. I had seven hundred women the first winter I was superintendent there, with part time work for three hundred, and I know what it means to be head of a prison where more than half of your population is in idleness. I know the stream of hate that goes out of your institutions. I know the miasma of salaciousness, bitterness and revengefulness that comes back on society from these institutions where you put people away and forget they exist until their time is up. So it is from that point of view I speak to-night for the new type of prison. Work is absolutely essential. In the first place, there are two divisions of prisoners,—those who wish to work, and those who do not wish to work. The first should be allowed to work, and the second class should be made to work. (Applause.)

There is also a great physical handicap that I do not think is realized even by the people who are heads of prisons. I remember when we entered the great war there was an acceptance of opinion that the Boys' Reformatory at New Hampton would furnish a large percentage of men for the army. They were all of the draft age. They were living there in the tent colony, building their own institution, under very much the same conditions that they would live under in the army. They were living a healthful out of door life, and we supposed that they would furnish a large proportion of men. Major Lawes was superintendent of the institution and he had the boys stimulated with the desire to do their bit. Out of that group which we would consider the most hopeful, certainly, of the city of New York prison

population, only eight per cent. passed the physical examination for the army. That did not include those who would be eliminated probably by the mental tests. Only eight per cent. could pass the physical examination. At the same time at the New York Penitentiary, which had a large juvenile population, only two per cent. of men of draft age, could pass the physical examination. That gives you some idea of the burden of physical rehabilitation that must rest upon the penal institutions if these men are to be turned out fitted to do their work in society afterwards.

Along with this new type of prison as a corollary must come the feature to which Mr. Lewisohn's paper referred, though it did not emphasize, and that is the indeterminate sentence. It is absolutely necessary for the perfect functioning of the rehabilitating prison that it should have the men committed to it until they are cured and are fit to go out. They should also have the power Major Lawes hinted at of detaining for life those who should never go out, for the protection of society. They should be able to detain the perverted, the mentally vicious, and not be obliged to turn them out at the expiration of the determinate sentence.

Also as a third feature and second corollary of your new institution, there must come a much more extended and intensive parole activity. Just now I think this wave of crime is going to cause a great set back to the indeterminate sentence and parole movement unless we make it clear that the men are failing not because they are on parole, but because there is not sufficient parole supervision. I hope when the Utopia comes which we are all looking forward to, the police departments will be a part of the parole system and that the policemen will get their promotion not from the number of arrests they make, but from the number of men they have helped through difficult situations and the number of crimes they have prevented. (Applause.)

So I would simply say there are four points then. The old prison did not protect society. The new prison not only will afford better protection to society, but will also protect the offenders, will serve the double role. There must be a true indeterminate sentence. There must be extended an intensified parole.

There is in Rome an old prison that housed our old friends, the catalaunian conspirators. It still stands there, twenty centuries old, but in its essential features it is duplicated in each country on the globe. It stands as a visible monument to the stupidity of our old methods of penology. It seems to me that it is time we took some thought in the name of humanity and of reason in our own day and try some

other means for the protection of society. (Applause.)

Dr. Frank L. Christian, Superintendent of Elmira Reformatory: Dr. Harris admitted that there was but very little left for discussion, and after she has finished I failed to see where very much remains. I might say for the benefit of Warden Lawes, who so ably discussed the paper, that I have long ago abandoned the fish and gone to macaroni. (Laughter.) As I listened to the papers this evening it occurred to me that in some respects some of the speakers had failed to appreciate all of the things that some of the existing institutions are actually doing. Now some of these plans are admirable. In a large measure many of us could subscribe to a great many of the things laid before us tonight. But they are away off. These institutions are in the far distant future. Lots of work will have to be done before we ever can have any of them, and a tremendous amount of money will have to be expended before any of them could be built.

Now in every state we have many institutions that are functioning in a very creditable way. Many times we fail to remember that the reformatory and the prison gets its reputation on its failures. If you are a school, as I hope every penal institution is a school, you are getting your reputation on failures. How long would any school that took normal individuals live in any community who advertised its advantages on its failures? You never read on the front page of any paper how well your ex-prisoners have done. You don't point with pride in your community to strangers some ex-prisoner who is doing admirably. On the contrary, criticism and public attention is directed to your institution because some boy or man who has gone out has again failed in spite of your efforts.

It has been said that there is a lack of individual study. For many years the institution with which I have been connected has made a study of the individual. Mr. Brockway did it thirty years ago. It wasn't anything new then to him. He may have been fifty years ahead of his time, perhaps, but from Mr. Brockway's time on to the present day, individualization has been the keynote of that institution, and that institution has not been alone. Only recently I wrote a letter to half a dozen of the reformatories in the east, and I wrote to them simply because I could get an early response to some data that I wanted. To my amazement I received the most illuminating literature concerning the work being done in those institutions. We know that in many of these reformatories a most careful study

is made of the prisoner, and I assume that is true in many of the prisons. I perhaps may speak more of reformatories because that is the work with which I have been always associated, but I know that these institutions are studying each man. They are making a careful study of the boy in his home town. They are interviewing his employer, his school teacher, the family doctor, the clergyman, the half dozen different people in the town who have known the boy through his life. They have found something about his family history. One institution sent me, in response to a question concerning a boy, the whole family tree back for two or three generations, showing a most remarkable study of that man, and I assume that a similar study was had about other inmates.

Now the psychological examinations which are being made in a great many of these places, and the psychiatric examinations in addition to that, are all very valuable. They have a direct bearing on the treatment that that boy shall receive. They have a close relationship to the discipline of the institution. They have an intimate association with his trade selection or that different work you put him at, what work he does in your schools, and in every way that study is valuable to demonstrate the relation of that boy in his reactions to what your institution is trying to do for him. I know that a great many institutions in this country are doing exactly what I have very briefly outlined. There is no greater help to the aid of the maintenance of discipline in a reformatory than a properly conducted department of psychiatry.

We do this at Elmira. We take the knowledge which we gain through the channels which I have briefly outlined and we keep that in the department of psychiatry, as we term it, where no one has access to that information. But we do this, we make a summary of that information perhaps on a card six by four and we give that to the head of every department there,—the head school master, the trade school director, the military instructor, the disciplinarian, and every man who comes in contact with those men and should know all about them is furnished a copy of this very careful character study so he may know just about what to expect from that particular kind of a boy.

I know from visiting various reformatories that you men who have charge of them are following these men. You are following each boy in his class work; you are checking up the work he does there in your shop or in his trade. You are studying his reactions to the work you are trying to give him. If that is not individualization I don't know ex-

actly what is meant by that term. You must consider, all of you, that you are dealing with extraordinary material. If you have ten million people in New York State you have one thousand boys in the Elmira Reformatory. They have sifted those lads through all the agencies that are active for the conservation of youth. I might go on and name them all, but all of you are familiar with them and you know of the efforts society puts forth to save the boy. Fully seventy-five per cent. of those boys have sifted through those many and various agencies, and, finally, in disgust the community, the probation officer, and judge, says, "He will have to be committed." And that sort of material is given to you. Now seventy-five per cent. of the boys in Elmira had an average age of twenty; have a mental age below eleven years, and an average educational qualification of about fifth grade primary. From that material you are expected to turn out law-abiding, self-sustaining citizens. If some one of you were a contractor and some one came to you and said, "Here is a lot of old worn out shingles and a lot of concrete that has been used in other buildings, and crooked and rusty nails, and steam pipes all rusted out," and enumerate a lot of degree and said, "I want a fine house," that is pretty near what some men are trying to do here with the human material that comes to them. They are trying to bring back into normalcy something far from being normal. Now these reformatories are doing very good work. The penal institutions do good work in so far as they are able and in so far as the material with which they deal is capable of reformation. I dislike the word "reformatory" anyway, because reformation is nothing more nor less than education in its broadest sense and by that I don't mean education in school, but I refer to education in religion, in ethics, in morals, in school of letters, in trade school, with military, if you will, and in physical development; education in its broadest sense. If you can get reaction to that sort of thing, then you can hope to accomplish something.

Dr. Thayer at the Jacksonville Conference read a splendid paper on what New York is doing with the lads who cannot be reformed. That is what the newspaper would say of them, but as a matter of fact we will say that they are lads who are so defective mentally that they are incapable of adjusting themselves in society. Now New York State has just set aside what was formerly the Eastern New York Reformatory and made that into an institution for the custodial care of the feeble minded criminal, and down there at present they have 380 men, Dr. Thayer tells me.

That gives you an idea of what New York is doing to eliminate some of this recidivism which is bound to occur. You must protect the community from such as that. It is impossible for us to go on the assumption that every one of these prisoners can be made normal, when tests in many institutions have demonstrated that a large per cent., varying from thirty to sixty per cent., of them are certainly not normal beings. Dr. Harris has pointed out how many were unfit for service in the army and we know the standards set for military service are such that not a great many prisoners could successfully pass them.

Seventy-five per cent. of the men who have come to Elmira have previous criminal histories, some of them arrested half a dozen times. Our probation officers care for first offenders, as they should. I am sure no one here believes that the average first offender should ever be sent to prison unless under the most extenuating circumstances. I agree thoroughly with that, and I think our problems in these institutions have been made very much more difficult because of the excellent work of the probation officers. They have salvaged the human material that could properly be salvaged, and that which I have said has drifted through these various agencies has come to us. All of you have statistics showing the number of reactionaries which you have, if we may use that term. They will vary in different localities. They will vary with the kind of prisoners that are released. They will vary with the difference between those who are young and the recidivists. In fact there are a great many factors that enter into parole statistics. In any one year with the paroled men from a reformatory, the percentage who make good while on parole and under direct parole supervision is quite high. However, as years go on these men relapse. They finally become, whatever your system may be, released from you and later on some of them drift back into crime. I read in the Massachusetts report that came to my desk the other day about some one who had been visiting the Massachusetts Reformatory and wanted to know how much it cost to run it, and the man told him, and how many boys they saved, and the Superintendent gave a very conservative estimate, and finally he said, "Isn't that a great deal of money to spend to save these lads?" And the Superintendent replied, "No, that isn't a great deal to spend to save one boy, if that is your boy." (Applause.)

I would hesitate to quote statistics in recent years to show what reformatories can do because I do not believe that parole statistics or probation statistics that are not at least ten years old are of any value. I am not interested in how

many men have made good on probation, except of course we are glad that they have done well, but the fact I want to bring out is if you have released men on probation ten years ago, what are they doing to-day? That is the real test of your work. Now taking these institutions and looking into their statistics, I think that you are perfectly safe in saying that two out of three men who are sent to reformatories are never again in the hands of the law. I have gone over the record of 28,800 boys who have been released from Elmira over a period of 47 years. Two out of three were never in the hands of the police after they left the reformatory over a period of 47 years.

I am for the institutions that are progressive. I am for the institutions who are using as much as they can of what science is giving them to aid them in the study of their individuals. We are not going to get very far in penal administration until we recognize exactly what Warden Lawes said, and nothing contrary has been said tonight, that every prisoner is an individual, and you have just as many problems as individuals. I agree with him thoroughly, and when you make a careful, scientific, plus common sense, study of that individual and properly place him on parole, if fit to go on parole, and properly dispose of him otherwise, I want to say the reformatories and prisons are doing a splendid work even today. (Applause.)

Chairman Lewis: Our committee feels justified in having presented this program because it has demonstrated again that we can divorce our discussion of individuals and superintendents and officers, toward a consideration of the tools they have in their hands; namely, these old prisons. That was the only thing we had in mind, not to criticize the faithful men and women trying to use them, but to back them up in trying to get better tools. And in conclusion let me say further that we are faced in this country with a condition and not a theory; that within ten years there will be from sixty to eighty million dollars spent on institutions, and our committee felt it was well worth while to consider whether some of our states should go blindly ahead and copy an old-fashioned institution that has been out of date for fifty years and sink a million or two in it. That was the question we wanted to bring forcibly before you, and I think the speakers have succeeded, and it was not to criticize the men and women we know are doing a great work in the country today with such poor tools as society has given many of them.

SATURDAY MORNING, OCTOBER 14

CHAPLAINS' ASSOCIATION

THE PRISON LIBRARY

REV. W. S. BASSETT, CHAPLAIN, STATE PRISON, CONCORD,
NEW HAMPSHIRE.

Few things in life have greater power than the spoken word. Jesus, quoting from a very old writer, said, "Man shall not live by bread alone, but by every word that proceedeth out of the mouth of God." John in his matchless description of our Lord, wrote, "In the beginning was the word."

The words of Jesus had a tremendous power. "Speak the word," said the centurion, "and my servant shall be healed." At the word of Jesus the wind and the waves became calm, evil spirits were cast out, dead were raised, crowds hung upon the words of his lips, and the officers of the court sent to arrest him stood powerless when they heard him speak. While it is true that the words of none other have such power as the words of Him whose words were "truth and life", it is also true that the power of the spoken word is almost beyond the conception of the human mind.

It is said of Savonarola, that prince of preachers, to hear whom the crowd would arise before light and stand on the cold pavement waiting for the doors of the cathedral to be opened, that he, surprised at his power, was wont at times to whisper to himself, "A word did it." He never spoke the word; he never told who said it; he only said, "A word did it."

Our calling, my brothers, that which there is none higher, has to do very largely with the spoken word, and the influence of this convention depends almost wholly upon the words that shall be spoken.

Closely allied with the spoken is the written word. David, dying, left gold enough to make his son the richest of all the kings of Israel; David, dying, left an almost ideal kingdom to the Jews; David, dying, or if not David some other, left the world a simple hymn. Gone is the wealth of Solomon; gone is the glory of the kingdom of Israel; but the Twenty-third Psalm abides. Jesus, living, had not where to lay his head; Jesus, dying, had no spot of earth to entomb his body; but Jesus, dying, yea rather living again, left words more precious than all the jewels of earth. If you should put in one side of the scale of human values our Lord's Prayer,

the sermon on the mount, the fourteenth chapter of John, there would not be sufficient treasure in all the earth to balance the scale. Heaven and earth shall pass away, but His words shall not fail.

To us Chaplains, Jew, Catholic, Protestant, and any to whom a part or all of that greatest of books is sacred, has been entrusted the ministry of the word which is the eternal hope of all mankind, and to this ministry, long ago decreed to be of all duties the most important, we must give our first and best effort. But, closely associated with this, is the ministry of all good words, and this ministry is found most effectively in the prison library.

The getting of books; the choice of books; the getting of books read; are the three divisions of this paper.

First,—The getting of books. This may be done by gift, by purchase, or by both gift and purchase. Most libraries had their beginnings through gifts. Mr. Bostwick writes, "Probably no public activity has received larger gifts from individual benefactors than the library."

Close to one hundred per cent. of all prison libraries began with the giving of a few books. At least thirty per cent. are today supported entirely by gift, and thirty-eight per cent. almost wholly, and about one hundred per cent. receive their support in part by gift. So you can see we owe much to gifts—about all we have.

Ways to assist in obtaining books by gift are, through public addresses and personal correspondence, by the Chaplain, articles in papers, interesting women's clubs and other organizations. The advantage of receiving books by gift are, it creates and maintains an interest in our prison and secures to us books which might not be obtained in any other way. The danger is that our additions may be irregular; old, useless and undesirable books may be acquired; our libraries have only used and unattractive books given by people unacquainted with the needs of the prison library.

About thirty per cent. report that books are added to their libraries in part by purchase. It seems to be a growing opinion that all prison libraries should have a place in the prison budget. The prison library is then a recognized part of the prison to be supported and cared for by the State. This gives dignity and stability to our library, and would assure definite sums each year for the purchase of selected books.

But, whatever the method, the books should be selected by the one most competent to choose. The task may be difficult—it is worth it.

He had been in prison eighteen years. He knew prisons as they were—the downcast eye, the lock step, the close-cut head,

the striped suit, the lonely meal, the tedious hours in prison cell. He had seen the passing of all these and the coming of the privilege of speech, sports in the prison yard, eating together in the dining room, entertainment in the chapel, some pay for his labor, books, magazines and papers in the cell. "What," was asked, "of all the privileges received do you value most?" He was quiet a bit, for he was thinking back. Only those with a like experience can appreciate what those thoughts meant to him. He reviewed it all, and the answer came, "Plenty to read."

Not until the great Judge shall reveal all secret things and render his reward for every good deed done shall we know the good which has been done through our prison libraries.

Second,—The choice of books. In the choice of books the prison librarian must consider what they need and what they want. What they want may be different from what they need, and what they need as different from what they want. It is not enough for the librarian to know his books, he must also know his readers, and the best librarians are those who best know both men and books.

The books most read will be fiction—probably from seventy to eighty per cent. will be of this class. There should be a place on your shelves for some of the classics, such as Scott, Dickens, Hugo, Hawthorne, etc., but these will not be your most worn books. In addition there must be Bindloss, Curwood, London, Tarkington, Paine, Rhinehart, Hughes, both Porters, Wright, O. Henry, Oppenheim, Lincoln, and also Heyliger, Altsheler, Kelland and Barbour.

For history, a few ancient and medieval, more modern, the best on American, with some on the World War. Next to history, and perhaps before, should be biographies of such men as Washington, Lincoln, Grant, etc., but also men of our own times, Roosevelt, Bok, Carnegie, Ballington Booth, Grenfel, Foch, Helen Keller, McAvoy, etc.

Travel, "Two Years Before the Mast," "The End of the Trail," "Tenderfoot With Peary," "Vagabond Journey Round the World," "White Shadows in the South Seas," etc. A little of poetry, Longfellow, Whittier, Shakespeare, etc. Essays should not be omitted, especially those by Emerson. For religion, the books given by the Colportage Society are as good as any. And then technical and educational, the latest and the best.

It should be the aim of the prison librarian to provide any man with any reasonable book that will help him in his chosen line of study.

As aids to your choice of books, there is first the Library Commission. In some states, three so reported, the books are selected by this Commission. In states where this is not required and you have such a Commission it is well to seek their help. Other helps are, The Booklist, published monthly except August and September, by the American Library Association of Chicago. The price is \$2.00. Each number lists and annotates from 175 to 200 current books. This is the most important contribution to library selection. In addition there is published by this same Association each year a Booklist of Books. It includes about 250 titles of the most usable books for the average small library. The price of this is twenty-five cents.

Then there is the Standard Bi-monthly Catalog, issued every two months by H. W. Nelson Co. of New York. The price is \$1.00. M. Dowd of the St. Louis Public Library, Five Hundred Books for Hospital Patients, free. List of books for Prison Libraries, published by the New York State Library, price ten cents. This is rather old as it was published in 1916.

Another way is to write to several of the city librarians and ask for lists of their most popular and useful books such as would appeal to your readers.

Last year I noticed a book table at our Prison Congress. This was fine, but all the books were intended, primarily, for those who have to do with the management of our institutions. In addition there should be a few of the books of the year most helpful to those in prison. It has been suggested that the prison librarians prepare and exchange a list of books, and some have hoped that Mrs. Maude Booth might prepare a book of wise counsel, hope and cheer which might become a prison classic.

Some time ago there went out from the North a woodsman. He could neither read nor write, of books he knew nothing, or if he did know thought they were not for him. Something happened, and he was sent to prison. He attended night school, learned to read and write, and under the direction of the prison librarian became interested in books. His sentence is almost finished. He is getting ready to return to the woods. The other day he came to the librarian—"Say, I am going back to the woods soon," he said, "and I want you to choose some books for me, books that I can take with me, not silly love stories, but real man stuff. Sundays and nights in camp are long, and it will be better for me and the men to read some good story than to just play cards all the time."

The books have been selected. He has paid for them out of his scanty prison earnings. Soon he will start for the deep woods, under one arm the axe and woodman's kit and under the other a box of books. He left the woods with no interest in books, he will return a library missionary. Longfellow writes:

"I shot an arrow into the air,
It fell to earth, I knew not where,
For, so swiftly it flew, the sight
Could not follow it in its flight.

"I breathed a song into the air,
It fell to earth, I knew not where;
For who has sight so keen and strong
That it can follow the flight of song?

"Long, long afterwards, in an oak
I found the arrow, still unbroke,
And the song, from beginning to end
I found again in the heart of a friend."

This librarian may never find again the words of his library books, but they shall live and grow.

Third,—The getting of books read. Michael Randall in a recent article on libraries in the American Magazine writes, "Years ago, the library of Harvard University was presided over by an old gentleman of great devotion, who regarded himself and his task with becoming solemnity. Charles Norton halted him one day on the campus to learn how affairs at the library were going. "Excellent, excellent," responded the old gentleman, rubbing his hands, "all the books are on the shelves, except one that Agassiz has, and I'm going after that now."

Libraries were thought then to be storehouses where books were kept and preserved, but "The modern library believes that it should find a reader for every book on its shelves," says Bostwick, "and provide a book for every reader in the community, and that in all cases it should bring book and reader together."

It is fine to have a beautiful library building. Their worth and value are seen in the large number of memorial library buildings all over the land, Carnegie alone having given \$60,000,000 for 2,500 buildings. It is fine to see these libraries well filled with inspiring books, but all fails if the library is not being used, if the books are not being read. Getting the books read is the most important and the most difficult.

First, the library should be well classified. The books should be divided into fiction and non-fiction. The fiction should be arranged alphabetically according to authors, and marked where markings are used by the Cutter system. For

this there is the Cutter Guide showing how all books should be marked. By using this system books may be kept in alphabetical order and the works of each author together.

For the classification of non-fiction the Dewey Decimal System is the best. This system is a little difficult to inaugurate, but it is being used in most modern libraries and is recommended by the Library Commissions. The "Abridged Decimal Classification" by Melvil Dewey explains the system.

Under our present system of distribution there must be the catalog. This should separate the fiction and non-fiction, both should be cross cataloged, the fiction by author and title, and the non-fiction by subject and title.

Different ways have been suggested to create an interest in the library. In some institutions reading lists are prepared and distributed, some have reading clubs, some issue bulletins on special days and special seasons calling attention to the books associated with these occasions, some times in basket or carriage books are carried to cell and the reader picks his books.

But the best way to create and maintain an interest in our libraries, in my judgment, and in this I am supported by many others, is to allow the reader to browse among the shelves and assisted by the librarian choose his own books. One or two prisons now do this, but most prisoners never see the inside of the library room.

John Colton Dana, considered by many an authority on libraries, says, "We do our heaviest business in November, January, February and March. Sunshine and balmy breezes are our worst competitors, slush and mud work on our side. When the sky is dull and the air is cold and the streets unpleasant then people remember that there is a warm room at the library and books to be had for the asking. When times are booming and everyone has money, the movies and the automobiles hold full sway, but when business slackens and money is scarce and hard to get, then folks turn from the more expensive pleasures back to the churches and books."

The patrons of our library are those upon whom for a time the sun has ceased to shine and the balmy breezes have ceased to blow. The mud and slush have come, their sky is dull and dark and the world is cold. It is November, January, February and March. To him, homesick, discouraged, alone in his dreary cell, can we not say, "Here within the walls is a warm pleasant room, the finest and best of friends are waiting there to greet you, come, spend an hour with them, choose from among them all the one you like best, invite him to come with you to brighten your cheerless cell."

Privilege of going to the yard for sports for the athlete has come, privilege of going to the night school for the illiterate has come, privilege of going to the bandroom for the musician has come. Shall not these be followed by the privilege of going to the library room for those who love books and study, yea, for all who desire and need the friendship and help of the prison library?

We especially urge

First,—The prison library must have a place in the prison budget.

Second,—Books most helpful to the prisoner on the book table at the Prison Congress.

Third,—Libraries classified according to the Dewey Decimal System, and the prisoner to have access to the library and books.

"And he began again to teach by the seaside: and there was gathered unto him a great multitude, so that he entered into a ship, and sat in the sea; and the whole multitude was by the sea on the land.

"And he taught them many things by parables.

"Hearken; Behold there went out a sower to sow: And it came to pass, as he sowed some fell by the wayside, and the fowls of the air came and devoured it up.

"And some fell on stony ground, where it had not much earth; and immediately it sprang up, because it had no depth of earth: but when the sun was up it was scorched; and because it had no root, it withered away.

"And some fell among thorns, and the thorns grew up, and choked it, and it yielded no fruit.

"And other fell on good ground, and did yield fruit that sprang up and increased; and brought forth, some thirty, some sixty and some an hundred.

"And he said unto them, He that hath ears to hear, let him hear. And when he was alone, they that were about him with the twelve asked of him the parable.

"And he answered:

"The sower soweth the word."

It is ours to sow the seed. The seed is the word. First the word of God given us in the one Book, then the words of all good books.

SATURDAY MORNING, OCTOBER 14, 1922

COMMITTEE ON COMMUNITY AGENCIES AND
DELINQUENCY

THE BIG SISTER MOVEMENT

MISS KATHERINE HATTENDORF, MINNEAPOLIS, MINN.

I am very glad to be here with you and tell you what I know of the Big Sister Movement. Many of you know, perhaps, that it originated in the City of New York and was an outgrowth of the Big Brother work there. It was principally a case of big-hearted women going into court and with one thing as their mission to help the girls in the courts. At the Big Brother and Big Sister conference in St. Louis, at which the audience was made up of probation officers, it was shown how closely related the work was to your own work.

Now we have got to look upon the preventive side of the field as particularly ours, and I believe Minneapolis ranks first in the attempt we have made to look upon Big Sister work from that light. From the very beginning it has been preventive, and at no time did any large percentage of our cases come from the court. In other words, we built up an organization through which we were able to reach the girl before something had happened to her.

It would not be fair to the Big Sister Movement as we have it established in Minneapolis, were I not to give you the background which we have there,—The Women's Co-operative Alliance, of which we are one of the three chief departments. So I have brought a chart out of the organization and I speak from the standpoint of Minneapolis because we have helped more girls and the work has been more thoroughly established. For two years I served as the National Secretary of the Big Sister Movement, plans secretary. The work was just being organized and the federation formed. There are at the present time some thirteen of the larger cities in the United States and Canada that have Big Sister Movements.

There are four standards which we have set up for the work. First of all, that it be a preventive work, that there be the means whereby the organization can reach the girl when she first needs help. Second, that it be a profession, that it be set upon a professional basis with the paid worker

at the head who is going to direct the work, and not upon the mere voluntary basis. There must, of course, be many volunteers, but we demand they be trained volunteers. And fourth, that one recognize a complete record system so other agencies will know we are doing the work in a systematic way, and they can look to us for results and know we are not going at it from a sentimental standpoint, but from a practical standpoint.

Those are the standards which we have tried to establish over the country. We have in Milwaukee, Chicago and Denver specifically, through the literature given out by the Big Sister organization in those cities, standards for the work.

The Women's Co-operative Alliance began its work in 1916 as a community organization for the prevention of delinquency. We attempted to do that through organizing the communities' responsibility for juvenile delinquency, holding the community responsible and not the juvenile, and asking that this be performed through the community's realizing its responsibility for law enforcement and a definite social hygiene program. The board of managers is made up of thirty members. The executive committee formulates the policies and is made up of the officers, and the Executive Secretary, Mrs. Robbins Gilman, has been largely the author of this organization, and has been the guiding spirit through the whole period of its existence. We owe much to her. Then there is the administrative department, and then the third department through which the organization functions, or educational publicity department; the research investigation department, dealing with community conditions, and the Big Sister department dealing with girls. Going out from that, we are establishing our social service training school, in line with the policy that we want our volunteers to have an all-around view of the problems of social service before they attempt to step in. So we have had courses established in philosophy and research work and social investigations.

Coming to the departments themselves, this is the Big Sister department. (Indicating). When I took up the work four years ago there had just been one paid secretary and there were 155 girls known to the department. Since that time, we have registered 4,200 girls in the entire four-year period. It was a matter of meeting the girl at first, not knowing what her needs were, to act as go-between between that girl. We saw that as our duty to diagnose that girl's need, and we soon found the girl didn't always know what her greatest need was. For instance, she wanted a job and felt if she got the job that would settle everything, and then we would find her home conditions were poor and she was crazy about dancing and had no church affiliations, and all these things

led up to other things. So we put in an assistant director whose sole duty it was to be there and to meet the girls and diagnose their needs and give them friendly counsel, letting no girl who came in for a job go away with just the mere statement we had nothing for her, but let her feel there was someone who did take an interest to listen to her needs.

Then we found there were five definite things we wanted to do for every girl. The Big Sister gives friendly counsel, sees that there is employment, proper housing, recreation and affiliation with the church of her choice. Our organization is inter-denominational. We have the Jewish, Catholic, and Protestant girl. It makes no difference what the girl is. She needs friendly talk and needs housing for the night and then employment, and then we can link her up with the religious group to which she belongs. Our Employment Secretary not only places the girl in a position. Her task is a two-fold one. She meets the girl and does attempt to place her, and also meets the employment manager. We want him to take on a girl or two and if she doesn't make good, turn her back to us. So we have built up there a group of Big Brothers, if you will, who are willing to call us when they need girls, and are willing to try out a girl, and who will turn her back to us. And sometimes it has meant placing a girl four or five times, and yet we know what a definite piece of service that is in the community.

We have a Housing Secretary who not only places the girl, but has her two-fold task of knowing the housing facilities of the city. We feel very proud of our homes, the Y. W. C. A., the Lutheran Homes, the Women's Welfare Leagues, and Catholic group, and yet when we make a survey of the actual rooms available for girls, we find 1,200 as against 18,000 and 24,000 working girls, and there are oftentimes 30 or 40 on the waiting list of these club homes and it means we must have other places.

The Chairman, Mrs. Falconer: You have between eighteen and twenty-four thousand?

Miss Hattendorf: That is a rough estimate. The labor department cannot give accurate statistics. That was a statement two years ago. It is fully that much. That was their estimate at that time. Recreation in the same way, knowing the recreational facilities; to the girl who says she goes to the public dance hall, we say, "Wouldn't you like to go to the industrial center of the Y. W. C. A.?" and we take her there once a week and before she knows it she has formed a whole new association of friends. She perhaps makes her religious association there. We are building up now this part of the work particularly because we are having, I think, wonderful success and we are letting the community know what we are

attempting to do. It gives them the information which makes them turn to us when they know of a girl who needs these things. We go to them day in and day out and tell them what our purposes are. They do turn to us because we have an informed public in the Big Sister work. This work has been organized. I am now spending my time in organizing the Big Sister Council made up of the young women's groups from the churches and social clubs. At the present time we have eighty-five groups of young women, representing almost five thousand girls who have expressed their interest through taking out their club membership of \$5, and any group of eight or ten girls may join us in the work, and the larger group may take out more than one club membership, and many of them have taken out individual \$5 memberships, some six hundred girls who have supplemented their club membership of \$5 with a \$1 endorsement of the work. Many of those girls will plan next year to take out \$5 memberships. That is based on the cost of our care and protection of a girl for a year, dividing the amount of money spent in the department by the number of girls helped, and we find it costs \$5.85 to give our care to the girls. It might mean for a week we worked with that girl every day. Perhaps she was placed for a month and then came back for further help. We were ready to meet that girl's next need when it came. That is what I mean by our care for the year. We found girls offering their services to us, and there, of course is where our training course became fundamental, so we asked them to take our training course as far as possible so as to train them for some one of the committees, and these committees were built up in respect to the persons who applied to help with the work. No volunteer assists in the work without having a personal interview with myself so I may set for them the standards of the work; that I may judge their capability and place in the work. We have a membership committee made up of many women in the community who in our yearly drive give \$5 memberships, not because they take an active interest but because they are glad to give their support to the work. We are now building up a membership committee made up of these girls to do the active service and in time we hope this group will finance the work and will take it over as a home mission field work for the young women of the city. We have a membership committee of girls who are willing to raise \$25. Personal workers are those who are especially fitted to work directly with the girl and who have the time and ability. Then there is a clerical and stenographic group, who are the girls busy in their own offices, but who want to contribute something, and they help us in some of the mechanical duties which they know how to

perform. They have their dinners downtown and come to the office at six o'clock and work from six to nine, giving us expert stenographic work free of charge. We have our office so arranged, the schedule of the paid staff workers is from eight to nine p. m. and of course the Traveler's Aid can call upon us. Then the motor corps is made of women who may give their services by driving their own car and doing some work for us, or merely act as chauffeurs, giving half a day a month, building up a motor corps of sixty women in the city who are willing to use their car half a day for the Big Sister work in helping us to make the many home calls which we must make.

Our suit case club may perhaps donate a suit case for the fourteen or fifteen-year-old girl. Each group is asked to contribute a suit case. The idea is taken from Mary Bartholmew's splendid plan in Chicago.

Emergency entertainment. The woman who says I am confined at home with small children, if you have a girl who needs care for a week or so I will be glad to take her in my home.

That, then, is the plan, our standard for Big Sister work. I want to go back to the other departments of the organization, because without those you would lose a vital part of the plan. Here we have the Research and Investigation Department. We have attempted in our Big Sister work to keep the Big Sister purely for the friendly contact with the girl. We do have the various types of girls who come to us through the Travellers' Aid. We have this last year circulated through the Federated Women's Club a Big Sister poster which is framed, stating if a girl is coming to Minneapolis, we don't want to urge her to come because there is so much unemployment, but we would be glad to have her get in touch with us. We have had some 271 girls during the past year come to us from 106 towns in Minnesota, showing we are getting in touch with that girl as soon as she arrives in the city. Of those 271 girls, 150 were referred to us immediately at the time they came and the others came to us within a month after they had arrived in the city, referred by some one in the community knowing of our work, but also showing that the girl was in need of our care. So the closer our affiliation can be, the safer we will make it for the girl who comes to the large town. We have a young girl who comes in that way. We would much rather meet her at the station than two weeks afterwards when she was reported by a plain-clothes policeman for shop lifting. We have a young girl who has a child whom we refer to the convalescent home where we take care of her during her period of inability to work. We have the motherless girl in the community with

whom we are put in touch, and we can save her many times from a life of prostitution by directing her during those years of adolescence. Many times the mother will refer the girl to us. We have a girl who is a shop lifter. Two of our large department stores referred girls found shop lifting to our office, and they are investigated by us by our Research and Investigation Department and then turned over to the Big Sister. We had one girl recently who was a kleptomaniac and she asked us, "If I come to this office every Thursday afternoon, will you go shopping with me?" She asked very definitely for our help because she knew she couldn't go in without shop lifting. We deemed it our task to help that girl. This summer we had a very interesting case of a girl who had been working in a hotel who became tired of her position as maid, went to one of the other hotels and registered and run up a bill of \$150. Finally she was called upon to pay her bill and wrote a check on a bank in her home town, and she had been in jail five days when referred to us. The only possibility of action other than our care was to send her to the State Reformatory. We went and met with the girl, but felt convinced she seemed like a girl who might make good, and we were willing to find her work, and if she didn't make good we were willing to turn her back for a reformatory sentence. She was very much interested in a further education, so we put her into one of the best schools, and have since brought her younger sister to the city, and the two girls are proving to be girls very anxious and eager for our help. We meet the girl from the work house. We see any girl who needs a friend, we don't care how good she is or how bad she is if she wants a friend. We do have the girls who perhaps play upon our sympathies, who state they will do one thing and when we are firmly convinced that the girl doesn't want to make good we take her to our Research Department. They follow the same procedure, but knowing perhaps the girl must go to court.

We have many girls who have been to court, and when they return they come back to the Big Sister Department for a position, having no feeling against the Big Sister, because our part has been purely a friendly one. It is an investigator who goes to court with that girl. The Big Sisters are never required to go to court. We have in this department a director and a staff, a research secretary and secretary of record. The department functions in three ways, acting as clearing house for complaints. We find many women in the community don't know what agency can best take them up. We turn the complaint to the agency that can best handle it, and this department requires a report back from the other agency. Many of the liquor complaints where the woman's own hus-

band is involved and she doesn't want to make a complaint. The officials pay very little attention to the anonymous complaint. She brings it to our office and it comes from our organization and we demand a report back upon it. We don't ask that there be evidence. We are willing to have the conditions stated to us, and we make it our business to go out and find the evidence and then turn it over to the proper officials to prosecute, saving the person who isn't willing to make the complaint, and making it possible that their names will be kept within our files. More and more we have found women willing to give their names, but that is an educational process which has gone on over a period of six years. Our service and studies have become a very important part of our work. At the present time we have four types of service. We have made a study of the public dance hall and pool halls, and a study of carnivals. We have a carnival pamphlet circulated through the state. At first an ordinance was put through and it was found it didn't hold because they claimed it was for only public carnivals, so the carnival man showing on private property claimed the ordinance did not apply to him. Then we had to arouse community sentiment against that on private property. They still exist in the small towns, and we know there must be state wide action if anything definite is to be done in clearing the state of carnivals. This pamphlet has been sent to every mayor through the state, and state-wide action is now in process.

Supervised recreation. We should have a complete study made of this. The Big Sisters are not able to do that fast enough because we have so many girls that we haven't made a survey of every school house and church to know what their equipment is. We know the groups there, but we should know the equipment that is there.

In municipal research we have had a study made of some 35,000 court records. We feel in the end the criminal code must be rewritten. We took it over a period of four years so there might not be any statement made during the war time. We have found one judge in that study who has a very notable record for suspending sentences. During the three months period, studying all the judges, we found of the ninety-two cases suspended, seventy-one were suspended by this one judge. In his own record of some thousand cases there were 281 suspended under one particular class of cases, showing prejudice on his part. We feel that man should not run for office, and so this department through these services and studies of municipal research can show who the person is and who is fitted for the work, and let's support that person. Often the judge is ready to do his best, but the

only person he comes in contact with is the underworld man. He forgets what you and I want him to do. He forgets what the public is demanding. Those men who leave with these sentences, with only the brand of appearance in court in judgment of their act, are naturally men whom he can use in his own campaign.

Then the third department. This is a part of the organization because it is reaching the great mass of mothers in the community. We have the director and assistant director, five district secretaries who have done an unusual piece of work in their house to house calling upon mothers. They have covered the whole city of Minneapolis. There has been a simple little pamphlet approved by Judge Waite, "The Better Protection of Children," giving the laws pertaining to children so simply any mother can understand them. The mothers' clubs have hung them in schools where the children can be acquainted with them and take pride in knowing whether their playmates are living up to the laws. They take to the mothers information concerning institutions in the community which may help them in their problems, such as the various social agencies and so forth. They make it their business to know all the agencies and then bring to the attention of that mother the one she may be in need of; also giving them the information concerning the Big Sister. This is a great source of information for us, for these women having the little pamphlets left at their door, seeing the Big Sister is ready to go to them at any time they call, and we do good. We have the colored, Polish, Scandinavian and Yiddish secretaries who go to the mothers who speak those languages. We feel the Americanization work is carrying to the mother the information she can best understand. You would have been interested to be at our annual meeting when a foreign mother got up and spoke almost unintelligibly to us and yet voiced their share in the organization.

We have the citizens' council made up of the mothers of the community, as they are found in the churches, schools, social clubs and special social units in the city. We have some 293 delegates from mothers' clubs in schools and the ladies' aid groups and so forth. We found that the large body of women are not connected with any club, and that if we were to get the mother who needed our services most we had to go to her and meet her in her own home, because she was working and was not connected with any club. So we have the combination of the two and we are making an effort to reach every mother in the City of Minneapolis. Last year these secretaries made ten thousand home visits and actually met seven thousand mothers. Growing out of this citizens' council, we have these citizens' committees. Many people said,

if you want to do something to really better conditions for children, why don't you do something with the movies. Finally it was taken up, and through our Survey Department a survey was made of 62 moving picture houses in the city. Each one was visited twice, the physical features of the theater noted as well as the conditions on the screen, and an attempt made to summarize the questionable elements on the screen, and when that summary was made it was found while there was much that was bad in the movie, there was much that was good. It is here to stay and it is our task to make it as worth while as possible. We can so organize work with local communities around each picture house made up of delegates from churches, schools and clubs to get that movie manager so he might know what the thinking people were wanting as against the coarse laugh in the theatre.

The chairmen of these local committees get together and organize three definite committees for activity,—the educational films, the recreational, and religious. Our slogan for the work was "Selection, not Censorship," and when these local committees found objectionable features on the screen, and they reported to us, we notified the managers and they notified the producer, and now Mrs. Gilman is working with Mr. Hayes on that plan for the development of educational, recreational and religious films. We have the Catholic Priest, the Protestant Minister and the Jewish Rabbi portraying the Bible in a way to present it to any group. They can interpret it according to their own denominational ideas.

The Voluntary Court Committee finds the discrimination which often results, such as the boy of 18 who steals an automobile being sent to Stillwater for ten years, while perhaps a man of 40 who commits a crime against a child of six was given a work house sentence, or perhaps the case was thrown out entirely because the child was called an incompetent and immaterial witness. We felt the mothers would rebel against those injustices and so we began this development of the Volunteer Court Committee, and there were last year registered 800 women who promised to give one day a month in the court room, noting the procedure, not to comment, but to note what was going on. We supplemented that with the court committee meeting once a month at which policies were given out concerning court procedure and the judges and other officials addressed the group from their viewpoint of the work. That has been a very definite factor in our program for the community's responsibilities.

Then the Social Hygiene program carried on in the house to house work and through classes organized in the community, and classes in our training course. Last year we had 35 classes with some 1,100 women registered in them, studying

social hygiene in group lectures, or about six to a course. Dr. Winfield Scott Hall came to the city and addressed a number of meetings with 10,000 in attendance, and Dr. Hall stated that in no city had he touched so many strata of society, due to our plan of organization, the secretaries going out day by day to get the group action, so when a person came they were ready to respond to his message. These three committees are the three mentioned in the Investigation Department. The organization was begun on a membership basis of the club and individual memberships. For three years we were in the community fund, but withdrew last year because our budget was not increased to carry on the work as it had developed. We are now gaining our support through the direct medium of the people. We find it cost 65 cents to carry the social hygiene information into the homes to mothers last year. The home and church are blamed for most of the delinquency, but we claim the home cannot give what it doesn't have, and we see our greatest business is carrying to the mother the information which she can impart to her children, so we have our membership committee functioning in the five districts of the city, asking in each district that there be one hundred women who will be willing to raise \$100. That will give us \$50,000, and the \$5,000 coming from the individual and from the club groups.

MUSIC AS A MEANS OF DISCIPLINE

BY WILLIAM VAN DE WALL, DIRECTOR, COMMITTEE FOR THE
STUDY OF MUSIC IN INSTITUTIONS.

Music is a powerful, inexpensive means of disciplinarian work in individual and group reconstruction, and therefore is a necessity on every progressive and effective institutional program.

The formulation of the principles on which a reconstructive program must be based, as discussed and summarized in this paper, is academically so complete that every type of actual effective institutional activity will be found to answer its requirements, and every type of proposed institutional activity ought to be tested according to Dr. Spaulding's standards.

The first question to be answered is: Does music stimulate the interest, the fuller development of the undeveloped,—the patients, the delinquents? In studying the personalities of our custodial proteges, we find that their troubles originate, (1) in lack of normal and socially beneficent adjustive power; (2) in being placed in abnormal and detrimental environments; (3) in being born as, or deteriorated into, anom-

alous disintegrated and delinquent personalities which sometimes show peculiar streaks of character, not always having to do with disease, being absent as well as present in both healthy and infirm people. These traits tend towards destruction, negation, of the true, the good, the beautiful. Goethe in his "Faust" epitomized it in his Arch Evil One, Mefistopheles, describing him as "der Geist der stets verneint"—the spirit who always denies. A bent for evil, as I say, is sometimes connected with and often seems to be intensified by disease. But to be just and efficient we have to recognize the existence of a separate group of constitutional criminals often endowed with a brilliant mentality and splendid health, but after all, evil bent, low, cunning and crafty.

Physical and mental inadequates are haled by thousands to the courts to answer charges of alleged social misbehavior to which many of them have no reply. In talking with these people in their cells do we not again and again, sometimes amid sobbing and tears, get this answer: "I don't know! I don't know!" And really might we not just as well ask a blind man how he got it in his head to grow blind, and a cat why it catches mice. But we know that instead of condemning them as the fundamental causators of these perpetrated evils, we have to label their criminal plus pathological defects as such, which are the outcome of the negative dynamic trends of their vital energies.

Now what can music do for such cases? Namely, this: Exert influence to turn the vital energy of these unfortunates from its negative course toward destruction to a positive course of constructiveness. How is this possible? In this way: Music is a sensory stimulant to which most of the human and some of the animal species react by releasing at once various forms of latent physical and mental energy, in internal and external activity, or by intensifying some of the forces which are already functioning. Gland secretions, muscular impulses, nerve currents, waves of circulative energy—all feed the machinery contributing to that mystery, consciousness—creation contemplating itself. And at the same time we notice an increase of activity, demonstrating itself as an upbracing of a personality magnified in many respects. Furthermore, music helps to stimulate those normally sleeping energies succoring us as emergency-engineers, as physicians and nurses, as compensation-agents. You will have noticed how many of the infirm enjoy busying themselves with peculiar things seemingly in flat contradiction to their weakness,—for instance, cripples indulging in sports, really striving to overcome their handicap by ignoring it. Fundamentally this is a being drawn towards the healthy, the normal. And their great craving for music is certainly the being attracted by

the pleasurable element of it, and also by the invigorating and disciplining influence of the beautiful, it acting at one time as a sedative, soothing and calming, and at another time as a stimulant inciting to action, with normalizing potentialities, if applied with precaution and skill.

Experiments in hospitals and reformatories prove this over and over again. Lethargic, apathetic inmates become animated as soon as music resounds, some virtually resurrecting from their beds and their nooks, others tuning down theatrical eccentric mannerisms to unassuming social good-behavior. Exhausted soldiers, how they welcome a peppy march. Dance-hall jazz bands overstimulate wornout day-toilers into nocturnal bacchanti. Here I lift a warning finger. Never forget that the use of music as an energy awakener calls for earnest deliberation, besides psychological and musical insight. If applied indiscriminately it might cause the boiling over of seething temperaments and create havoc through conjuring individual and social crises. If utilized sagaciously, however, it will soothe and transform the lower emotional trends into currents of loftier endeavor and expression.

My best singers in the prisons are often the maimed, the infirm, and the emotional ruffians, also the groups detained for medical reasons. I used to visit one corrective stockade of female prisoners where the naked walls echoed as the psalter of the day a ceaseless stream of profanity. One day I entered this stronghold of evil and misery just after a din was squelched caused by the sudden elimination of forbidden articles. I was told that it would be safer not to congregate the prisoners, especially not certain ringleaders. I knew these types, reminding me of bluffing, barking dogs. I did not think they would bite. Better be on guard against the sneaky, seemingly well-behaving, but well-calculated, instigating character which whispers to others. However, on my request a chance was given to all of us. Cells were opened and the prisoners swept into my class in a stampede. Starting with "The Star-Spangled Banner," which they roared, we traveled by way of the "Battle Hymn," gradually coming in half an hour to "Silent Night" and "Stars of the Summer Night," with that beautiful suggestive line, "Sleep, my lady, sleep." To have started with that number would have meant failure and pandemonium. Starting musically at where I found them emotionally, by a gradually calming-down program of emotional self-expression I achieved what armed force failed to do and feared to undertake,—namely, the bringing about of emotional equilibrium and social order in a disturbed and uproarious horde. The ringleaders I respected in their natural calling and utilized them as such, by telling them to use their authority now for the good of all. They were loyal to

me and were the first ones to calm down, the others following their example. The session finished as any social meeting might, in a congenial atmosphere of contentment and happiness.

I found often unexpectedly the will to be good and to achieve something beautiful, the desire to strive to overcome difficulties, also nastiness, and again that bent toward negation—in my music classes in rather minor instances, however, and always overruled by the good-will of the larger crowd. Music essentially is a force giving the better element in large gatherings a chance to overpower and rule. I found wonderful artistic talent, but mostly undeveloped, awkward in expression, often not known to itself. It is distressing to think of all that unclaimed power going to waste, playing havoc with the individual and society through being so often perverted into forms of delinquency.

My conviction is that environment and a lack of self-expression are no more the fundamental causes of delinquency than is disease. We frequently find people blessed with perfect health, and living in a splendid environment giving every occasion for beneficent self-expression, who are nevertheless utterly crooked, and very successful in their crookedness. They can be divided into two various classes,—those who will not or cannot restrain their immoral tendencies, and those who do so, I should say, from sheer lack of courage, whose participation in vice is in the way of tolerating it. Now music cannot do anything for these. They are beyond reach, whether they are in custody already or will never be. I should like to classify them as constitutionally criminal, like constitutional psychopaths, shaped and baked that way,—less favorable experimental products of nature. If they were taken apart in a thousand pieces and rebuilt they would come out the same. On the other hand, I found many a potential and actual delinquent who was thoroughly moved by music and then suddenly showed forth beautiful trends of character energy, which, when given the mastery over the entire personality, would certainly keep him out of trouble and lift him, make him normal and happy. Many a detained soul confessed to me that our weekly choral group was the first constructive affair in which he had participated since school days.

A prison or reformatory is not a temple dedicated to the enjoyment of the raptures of life; neither, however, is it a Gehenna, where society has a right to revenge itself on its own weaknesses by punishing a number of scapegoats for its own shortcomings. If its purpose is to convert as economically and speedily as possible unproductive citizens into productive ones, it must use every means available to bring about a turn to the good. Music is one of those means. The first

response to music means a turn towards order and beauty, not brought about by way of argument or force but by gentle appeal. Very often it is nearly impossible to get such response without music, while with music it is comparatively easy.

Is music able to help the mentally unbalanced, among whom Dr. Spaulding also includes the moral failures, and will it help them to find an equilibrium lost or never attained? Mental defectives and the sick or ailing find in great numbers their way to our prisons and reformatories. To be just towards the mentally unbalanced, it must be stated that they are not all criminally inclined; on the contrary, they are often of a very congenial, well-disposed character, sufferers from moral indecision. Now the mentally disabled, whether delinquent or not, ought to be cared for till they are either brought to a safe degree of moral and mental efficiency, or until they die. Let us first take the incurables, the feeble-minded, to be controlled their life long. Can they help being in that condition? No. Ought they be punished? No. Ought they to be assisted by the superiorly endowed to reach that maximum level of efficiency and happiness possible in each case? Yes. Why? For their own and society's welfare and happiness. If segregated temporarily or permanently, ought they to receive, outside of food, shelter and clothing, more of the blessings of life which they are capable of enjoying and by which they would be made happy and content and manageable? Certainly.

Now one of the cheapest and most efficient means of doing this is to give them music in all forms, but more especially as an activity. In dealing with those whose habits we have to influence let us think of music as an activity, not so much as a passive enjoyment, although in this form it has also its merits, though not so many for them. Let the feeble-minded make music, it means so much to them. That is my experience, at least. It might not sound very agreeable perhaps in the ears of many a very dignified musician, but nevertheless it is a fact that to produce or enjoy beautiful music it is not necessary to have all your senses, neither your limbs, in perfect working order. Fiddle-playing fools, understood by the animals and by the unhappy, but not by men, are the heroes of many a fable. Musicians might claim that I debase their sacred art by making such statements, but the opposite is true. The fact that music is the art par excellence having a message of relief and happiness in store for the least among us, elevates it far above all other arts, makes it the most universal, most divine, most humane, most therapeutic of all the daughters of Apollo. From the Bushman to the matinee fiend, from the deteriorated simpleton to the most learned

savant, music has a message for all. In my classes of the feeble-minded I have experienced the most exalted moments of my life. Some of these experiences brought me those moments of mental rapture eagerly sought and so seldom attained,—for example, when I had the privilege of leading and enjoying the wonderfully harmonious and delicate singing of those limited folks, who, however, possessed the ability to perform the musically sublime so perfectly in the beautiful folk melodies like "Massa Dear," which Dvorak used in his New World Symphony, that normals, however talented, could not have improved upon it. How happy these children were in their own appreciation of the beauty of their performance and of my praise of them! In my career I have witnessed and participated in the most refined and renowned musical performances, but none gave me the thrill I experienced so often with the feeble-minded, when the sublime was approached by these socially outcast—thrown in the institution as the scrap material of humanity. They gave much more to me than I to them, and during the work I felt myself absolutely at one with them all.

Our second group comprises the young psychopaths of whom there are so many in the institutions for juveniles. They are so often filled with admirable as well as with miserable potentialities. They are victims of a weak constitution and overpowering adolescence, with its romantic trends, dreams, longings, desires, its fervent hopes but also its doubts and tormenting fears, all threatening to run amuck with the psychopath's soul.

Then follow the older psychopaths, who have already lost their grip on the steering-wheel of the ship, highly gifted often in many ways, but lacking in a centralizing autocratic mental organization, and thus stranded in institutions for the inadequate. There are doubtless many individuals who are also psychopathic, but have learned in time to hold themselves in hand, and many such glitter in the social world as gifted with talents and genius of the first order. This does not mean that every creative artistic genius is a potential psychopath, but many of them were; and many a psychopath is a shipwrecked genius, showing often the most wonderful and peculiar types of talent, often indeed of a freakish nature, but still of aesthetic value, although deteriorated into kaleidoscopic unproductive combinations.

Now the great point is that these people, on the average, love music and musical activities, which enables them to concentrate and control themselves for the sake of an aesthetic joy, in a remarkable measure. Taking care that a calm level of emotion is reached again before the end of each musical session, even when we had to deal with emotionally quite

strong climaxes, the psychopaths showed efficiency in controlling themselves perfectly, also after the proceedings. Nursing and disciplinary officers have told me often that the after-effects of the music were splendid, and the anticipation of another class was frequently sufficient reason to behave, in order not to be excluded next time. Voluntary prison school attendance increased heavily after the music class was added to the curriculum. Many prisoners told me that they visited the school (five days a week, mind you) only to enjoy participation in the music class one afternoon a week. Therapeutically speaking, the practice of music as one of the most widely appealing fine arts, sublimating and exploiting the creative instincts and energies, is a mighty factor in the prevention of emotional disturbances and stabilization of emotional currents, awakening intellectual hungers,—again, if used with discrimination.

Many a dementia praecox and maniac behaved quite normally in my music classes, in seeming contradiction to textbook definitions and expectations. A praecox patient stopped her usual talk about the decay of her teeth for a whole afternoon and all the following session, rehearsing for three hours without mentioning this calamity, just focusing her mind on the work—mind you, a praecox focusing her mind—and that had not happened for ten long years. Here again music disciplines, marshalling the repressed, more normal, former better habits and causing a normal adjustment.

In senile dementia music's gripping power is not lessened, especially in its rhythmic and reminiscent aspects. One may enjoy its more cultural forms, one may be contented with its simpler structure, it always turns the mind of the listener into a mood of bliss, it moulds, it invites to gentle tasteful self-expression, which is always moderate, friendly, sociable. Music is a great unseen friend accompanying us from our cradle to our grave, always expressing for us, caressing us with, our dearest emotions of life. In the Greek myths music was the handmaiden, the daughter of the gods, the sacred magician taming lions and tigers, causing stones to heap up into temples. Is that not a beautiful expression of a psychological truth? Do not spiders, fishes, wolves, horses, all draw nigh to the place where music resounds, not to forget the bird-charming snake, charmed itself by the soft tones of the Oriental's flute. Was there ever a more efficient constable calling to attention, than music? Orderly and disorderly, sound and sick, wise and unwise, they all surrender to, all obey, music's command. And here we deal with the immense disciplinary power of music, not a force working through social or authoritative pressure, but through its own merits.

What is disciplinarian training? Our never-failing intellectual lifesaver, Webster, tells us all about it in a splendid way. It aims, according to him, at the removal of bad habits and the substitution of good ones, especially those of order, regularity and obedience. Have we not already reviewed many an illustration of this. There are custodial specimens too silly or unkempt to approach successfully with a rational request for co-operation, but give many of these batteries of opposition or of false reasoning and quaint feelings an appealing melody carried on by an enticing rhythm, and at once they turn their bad habits into good ones, and become sympathetic, co-operative; they pay attention and behave normally.

I go to a penal institution where it would be absolute folly to bring the entire population together for any other group expression than community singing. One song of thirty-two bars of music lasting one minute and a half accomplishes more than all the keepers and matrons and disciplinarians and all the other "arians" together. "Old Black Joe," "A Perfect Day," "The Missouri Waltz," the favorite of the detained for singing in harmony,—they all are first rate disciplinarians, lifting and moulding a horde of segregated individualists of the weaker sort up to a perfectly homogeneous social organization. Anti-social tendencies, such as ill-will, irrationality, emotional and mental over-activity, as well as laxity, they all are conquered, even as the individual attempts of some of the irreconcilables are defeated, by the mighty appeal of orderly, good and beautiful song. It is thrilling to hear the majestic vocal outburst of this entire community, one mighty sound of gripping quality, the outward expression of the deep craving for inner perfection, as it is produced by all these otherwise inadequate individuals, gaining by this means efficient group effort, a height to which individual attempts could never have led them. If then music, by means of a single leader, a single piano, and a simple song, has the power of raising the individual inmate as well as the group to a norm of good conduct, which is in itself the sum of innumerable red integrations turning the institutional group as a whole at once to the good and the beautiful, in a second's time, so to speak, is then music not one of the most necessary tools in reconstructive endeavor sorely needed in every custodial institution?

I wish now to emphasize one of the limitations of the musical influence, in order to define as clearly as possible the territory of its jurisdiction. As a sensorial stimulant its direct influence ceases with the cessation of its vibrations. It would be untrue, unscientific, and really laughable to state that the simple fact of listening to or making music would

be sufficient to cure from insanity or to reform from crookedness. What happens is really that, beside stimulating the physique, music influences the psyche by suggesting, awakening, reinforcing moods, longings, desires, increasing the thinking and finally the acting capacity by introducing trains of thought leading from the enjoyment of music to preference for other expressions of the beautiful, namely, in thought and action.

It is about time that reconstructive authorities exploit this in the same way for rebuilding purposes as organized commercial vice is abusing it for detrimental purposes,—namely, by using music's influence for inspiration to lofty feelings, beneficent thoughts which lead to rational desires, splendid deeds, good habits, fine characters, and finally, efficient and happy personalities, especially in the character-formative age. This is the whole prison and reformatory business pressed into a nutshell. Can music do it all? No. Can it do a part? Yes. What part? That of inspiring, starting and supporting. How?

This introduces the closing part of my proposition. Music acts often as a veritable psychic lever by lifting buried thought constellations, with their effects and connected energy springs, out into consciousness, causing entire new streams of feelings, thoughts, and often action. Have an old song sung, which you had not heard for years, and just jot down the first-coming thoughts. You will be astonished. We started to apply this in analytic work with great results. How many a time people just explode series of old recollections, etc., after hearing oldtime music. Try to stop it,—it is like stemming a Niagara. How many start to weep, reached more along emotional lines. But they react, and that is all we ask for; that is inciting the crisis, the beginning of a change. This leaves people in a receptive mood for wholesome new thoughts. Utilize these moments of confidence, of exaltation, of turning towards you. It is a crisis for the good. Utilize furthermore the fact that you, who brought the music, have won an enviable place in the hearts of your pupils. This lays a new duty upon you,—to follow up the work you started, now really beginning. They will love you, as elder generations loved their bards. Make yourself now worthy of their love and trust by helping your friends a few steps farther on the new way of thought!

I tried to do that by taking certain selected folk songs first as subjects of vocal expression, and then of round-table discussion, using their texts for teachings about socially ethical principles. For many international folk songs and art songs, in addition to being artistic gems, are inexhaustible wells of moral precepts and ethnological data. In studying them one

finds that the human race for ages has used song to express as emphatically and loudly as possible its emotional reactions on the moral adjustments of individuals and of groups, the art song often being the expression of the individual soul, the folk song more often that of the group life. In the moods created by the songs we talked about problems and ideals, moral relations and duties, on which the songs are aesthetic commentators,—such songs as, “When You and I Were Young, Maggie,” “The Old Folks at Home,” etc. And do you know what I found? That the pupils of our schools of conduct, the hospitals and jails, are just as eager to experience new thoughts as new emotions. What I registered in my notes as socio-music class they baptized as “thinking time,” begging me—mind you, begging me—to continue, even when my car was at the door waiting to carry me away, telling me that they just craved to be led away from the limited rut of their thought-circle, from which treadmill they never could escape, and which had brought them more harm than good. What were they really after? The lifting of their thought-life to the same height as the music took them emotionally. The presence in reality around them of music the beautiful stimulated their will to think right and to think more, and to do the good, to seek for a more normal level of adjustment, beginning in the institution itself, by understanding that the discharge of the routine work of life is an essential, beautiful and just as important as any other detail in the universe, and also by being more sociable and helpful and living on higher standards of taste.

Not every type of inmate is ripe to follow such a class, and not every ethical subject fits into such teaching. There are the non-thinking, non-co-operative individuals, rather mis-products of nature, upon whom every word would be wasted, who only can learn by hard knocks, and perhaps not even with that. But the greater number respond very keenly even on very intricate problems when once used to such type of discussions. Music has opened the door to their souls and given us a sacred opportunity.

What is the equipment needed? A piano, a gramophone, a few song books, and a teacher who understands the soul of the inmate as well as the soul of music. If there is time, occasion and talent, instrumental activities are certainly desirable, but they come only in second place, because they are limited to the few and also are more expensive. The first need is communal singing, a general activity with a socializing beauty and a goal involving everybody.

What are the returns? Direct general discipline, happiness, contentment, reintegration of many, joyful harmonic group work, thinking hours, substitution of unrest and dis-

content by peace and satisfaction; the focusing on new ideals, planning in advance love for proportion, harmony in a systematic life; deliberation, congeniality, additional interest in seeking normal adjustments and compensation; finally, greater moral discipline.

I let my case rest here. My argument is far from complete, but may the points enumerated help to spread the glad tidings of music especially to those who need it most, to those entrusted to our care by the community.

Music means for the older inmate often the last ray of sunshine, as it did to the old female beggar, who, putting her emaciated hand through the bars of her cell, trying to get hold of mine, said with that peculiar raw prison voice, "I want to thank you before you go. Your music changes this hell into heaven, every time you come." And for the younger ones, still in the moulding age with a chance of recovery, music might inspire them to try once more the first step on the way upwards in the direction of Him who teaches us all through tribulation, at the same time blessing us all for our support with the capacity to make and enjoy music.

To summarize:—If, as Dr. Spaulding states, in efforts toward reconstruction in institutional life every social resource must be utilized, also any educational interest strongly appealing to the delinquent, then one of the first, most inexpensive, most efficient, appealing, disciplinarian, essential moral forces to be marshaled is the divine Voice of Music!

SATURDAY MORNING, OCTOBER 14TH

MEDICAL SECTION

MEDICAL ASPECT OF WORK WITH DEFECTIVE DELINQUENTS

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The title assigned this symposium—"Medical Aspect of Work with Defective Delinquents"—might give one the impression that defective delinquents were subject to physical difficulties peculiar to themselves, or, that medicinal therapeutic measures applied to the defective delinquent hold out promise of benefit to these unfortunates.

In order to discuss the subject intelligently, we must first know what constitutes a "defective delinquent." The defective delinquent is an individual of defective mentality, of anti-social or delinquent traits. He is usually the product of faulty or defective heredity combined with a faulty or vicious environment. Defective delinquency then has mental defects as its primary or causative factor and mental defect is an inherent lack of brain power, or an inability to develop the mental faculties to a normal level.

The delinquency is an acquired characteristic and is due to lack of proper supervision and training, or to the presence of vicious training. It is apparent, therefore, that there is no medical treatment adequate to cope with these conditions. One cannot hope to supply the defective with a normal brain, and this would seem to be the only method of curing mental defect.

As the delinquency is a matter of habit, the treatment cannot be medical and must be a matter of custody, proper supervision and training. We take it therefore, that the title of this symposium refers to the medical work incidental to care and custody of the defective delinquent.

From the standpoint of disease, the defective is subject to the same ailments as his more favored brethren. He shows perhaps a greater susceptibility to infectious disease and a greater proneness to pulmonary infection. He possesses a much lower vital resistance, particularly in pulmonary disorders, a large percentage of defectives eventually falling victims to pulmonary tuberculosis.

His poorly equipped brain—his impaired judgment—increased his liability to accident and traumatism from all sources, and, because of his inability to appreciate the value of cleanliness, his wounds or abrasions become infected in the majority of instances.

Enlarged tonsils and adenoid vegetations of the nasopharynx are present in a larger proportion of the defectives than in normal individuals. This is undoubtedly partially due to the fact that normal children, as a rule, have normal parents and the conditions are often remedied.

Speech defect, including deaf-mutism, is more frequent with the defectives.

Dental caries are present in practically all cases. This is largely due to the fact that it is practically impossible to teach any but the higher grades to take proper care of the teeth.

At times I have felt that organic heart lesion is more prevalent among the defectives. This is purely an impression, however, and I am not prepared to make a positive assertion to that effect. Functional cardiac disturbances, tachycardia and arrhythmia are frequently noted.

Skin diseases and vermin are encountered frequently.

Errors of refraction are numerous and are usually uncorrected by lenses. Gluttony is common and digestive disturbance resulting therefrom is markedly less than one would expect.

Syphilis, either hereditary or acquired, occurs in from ten to fifteen per cent. of cases. Due to the prevalence of perverted sex instincts, the initial lesion in acquired syphilis may be found in unusual locations.

In the Institution for Defective Delinquents no primary syphilis has been observed. However, this is probably accounted for by the short period of time over which the institution has functioned as an institution for defectives.

Epilepsy is a comparatively frequent complication.

Endocrine disturbances or dysfunction is found in a certain percentage of cases and in some instances may be a causative factor in mental defect.

Hypo-thyroidism, to the extent of causing cretinism, will probably not be encountered in an institution for defective delinquents, as the intelligence of the cretin is so low that he would be recognized at an early date and committed to a school for mental defectives.

Indications of hypo-pituitarism (anterior) resulting in dwarfed physical development and sex infantilism is occasionally seen; as also are cases of hyper-pituitarism (anterior) whose indications are gigantic and acromegaly.

Hypo-posterior pituitarism accompanied by delayed sex development and girdle obesity may be noted in certain cases.

Insufficient secretion of the parathyroid glands, we are told, causes a loss of calcium content in the blood, and is indicated by muscular spasms and tremors.

When we note the frequency of choreic movements and tremors in the defective and remember that certain cases of epilepsy are also supposed to be due to the lowered calcium blood content, that epilepsy is frequently noted in the defective; when we consider that tuberculosis is a condition in which we find a marked reduction of calcium; and when we remember that the defective is extremely susceptible to tuberculosis, it suggests to one the possibility that the parathyroids may play an important part in mental defect.

Insufficient thymus gland secretion would seem to be influential in the production of mongolian idiocy and the exhibition of thymus substance is said to be of some benefit in these cases. This gland, as we know, normally ceases to function at puberty. Where it persists, puberty is delayed. Early disappearance means a correspondingly early sex devel-

opment, with sexual precocity, and in the defective, the possibility of perversities or promiscuous sex practices.

To sum up: The defective delinquent is primarily a mental defective with bad training and criminal habits; he is subject to the same diseases as the remainder of the human race. He has, however, a greatly lessened vital resistance, and is particularly prone to pulmonary tuberculosis, and infectious processes of other sorts. He may more frequently be the victim of endocrine dysfunction. It is unnecessary to say that the treatment of these conditions in the defective does not differ from that applied to the normal individual. It is felt that where foci of infection, i. e., infected tonsils, carious teeth, purulent otitis, etc., exist, the relief of the toxæmia by the eradication of the foci materially aids in the care and training of the individual. The element of mental defect will not, of course, be relieved, but is it unreasonable to suppose that constant absorption of toxic matter from such foci would make for greater instability of behavior and emotions?

THE PRISON PHYSICIAN'S WORK WITH DEFECTIVE DELINQUENTS

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The institution physician who cares for a large number of inmates, many of whom are intellectually deficient, is better equipped to do his work if he has a thorough knowledge of psychiatry. He is thereby enabled to recognize the different types of mental abnormals committed to his care and to understand more fully the peculiarities of behavior manifested by these individuals in the course of his daily contact with them. The assistance which he is able to give in the better understanding and explanation of delinquent careers, the solution of many of the disciplinary problems constantly arising in every institution and the application of pardon and parole laws is so generally recognized that most institutions are now provided with the services of a psychiatrist, either residing or consulting.

The diagnosis of mental deficiency or other psychiatric condition in an individual confined in a penal or corrective institution is not, in itself, a sufficient explanation of his delinquencies. This is, without doubt, a mistake which is too frequently made, especially in the case of intellectual deficient. Occasionally we do find instances of a serious offence committed by insane persons as a direct result of their delusions, and in these cases the abnormal mental condition is a suffi-

cient explanation of their behavior, but, as a general rule, speaking only of mentally deficient delinquents, this is not true. There are many more deficient who are not delinquent than deficient who are delinquent and confined in institutions. Why, then, do we find such a large percentage of the population of penal and correctional institutions to belong to this class? The reasons are many, not one of which, alone, will answer the question. In some cases alcohol has been the direct cause of the criminal acts of these individuals. In a study of one hundred and thirty-six mentally deficient delinquents we found over 70 per cent. who used alcohol, less than 30 per cent. claiming to be abstainers. So we have, in these 70 per cent., alcohol as a possible contributing factor to their delinquencies in addition to their intellectual deficiency. Quoting from a previous report by the writer, in reference to these one hundred and thirty-six defective delinquents:

"Sex crimes and crimes of violence were responsible for one hundred and one of this group being in prison, while crimes of an acquisitive nature and all other crimes account for only thirty-five. This proportion shows that while these people may be able to distinguish from right and wrong, in the abstract, they lack the self-restraint, self-control and judgment necessary to conduct themselves with due regard to the rights of others. While they are undoubtedly responsible, in a legal sense, they must be considered to possess only limited responsibility, and should be so handled."

One of the results of the failure of the courts to consider the mental conditions of persons charged with or convicted of criminal acts is plainly evident in every psychiatric survey of inmates of penal institutions throughout the country. It is unnecessary to enumerate a long list of these results as you are, no doubt, familiar with them. The percentage of intellectual deficient, as shown by different surveys, varies from twenty to fifty, depending upon the nature of the institution and the character of the population, whether juvenile or adult. Generally speaking, the percentages found in the institutions for juvenile and younger delinquents are higher than in the institution for adults.

In 1920 we published the results of a psychiatric survey of the Connecticut State Prison. This survey included the examination of six hundred and twenty-two adult inmates, one-half of whom were foreign born and one-fourth were natives of Italy. We found approximately twenty-two per cent. of the number examined to be intellectually deficient and classified as having a mental age of 12 years or less. This group of defective delinquents is the largest of any of the different groups of mental abnormals found in penal and correctional institutions and, as such, should receive the most careful consideration at the hands of the courts and of parole and pardon boards, bearing in mind not only the future of the individual

but the protection of society from those with confirmed asocial tendencies.

When defective delinquents are confined in penal institutions with intelligent and clever criminals, allowed to mingle with them, to listen to their stories of daring exploits and to indulge in hero-worship to their complete satisfaction, they are often apt and willing pupils. Their sense of imitation is large and their judgment is poor so they are easily influenced to do many things which are contrary to established rules and for which they are punished. This develops a feeling of resentment and a very unfavorable social attitude and we have the making of a recidivist. How frequently we see morons released from a prison or reformatory at the expiration of their sentence, without restraint or supervision, free to apply the lessons learned from others while confined in the institution. Is it surprising to have them committed again within a few months, a second or third offender?

It is only recently that the question of the proper disposition of mentally deficient delinquent persons has attracted the attention it deserves. Until a few years ago, all delinquents were treated alike, without a thought as to their mental condition or capacity, their degree of responsibility or the feasibility of training designed to correct their anti-social tendencies. The establishment of a separate institution for defective delinquents by the State of New York and the success of this institution has been followed very closely by other states and in the next few years we shall probably see several similar institutions in other states. Of course, in a small state, such as Connecticut, where we cannot have the number and different type of institutions as is possible in a large state, the problem must be worked out along other lines than a separate institution. An effort is to be made to establish a separate department in one of the existing institutions. The administrative end will be handled by the present organization, but the department itself will be separate and distinct from the present institution. This appears to be the only logical solution of the problem as it confronts us and this plan will undoubtedly receive the support of most of those who are interested in this subject.

Without appearing to encroach upon the domain of the institution chaplain or to depreciate the importance and value of his work, I would say there is no person connected with a penal or reformatory institution who has a larger or more open field for real constructive work than the physician. Because of his intimate contact with the individuals under his care, he is often able to make suggestions which will point the way to a satisfactory solution of their difficulties. We must remember that these defectives are unable to solve their

own problems and a little help in this way is of great benefit to them. By maintaining a friendly, helpful attitude, unhampered by the restrictions which affect the attitude of a disciplinary officer, it is often possible to gain their confidence and to break down their suspicious, resentful feeling toward society in general and against the officials in charge of the institution. Having accomplished this much, it is usually easy to go further and induce them to talk about their own difficulties. If they can be convinced that the physician is their friend, willing to do all in his power to help them, the door has been opened and all that remains is to walk in and accomplish your purpose.

To render the best service possible, regardless of race, color or creed, what the inmate is or has been or why he is confined, should be the aim of every institution physician. When he is no longer willing to do these things he should step out and make way for one who is willing to do them. I often think the position occupied by the institution physician is the same as that described in the verses about the "Friend of Man" who lived in a house by the side of the road, one of which is as follows:

"I see from my house by the side of the road,
By the side of the Highway of Life,
The men who press on with the ardor of hope,
The men who are faint with the strife;
But I turn not away from their smiles or their tears,
Both parts of an infinite plan,
Let me live in my house by the side of the road
And be a friend to man."

SATURDAY MORNING, OCTOBER 14TH

GENERAL SESSION

AUSPICES OF THE NATIONAL PROBATION ASSOCIATION

PROBATION AND THE CRIMINAL LAW

HON. IRA W. JAYNE, JUDGE, CIRCUIT COURT, DETROIT, MICH.

Probation is a modified form of imprisonment of comparatively recent origin. Adult probation began in this country in Boston about 1878, and has gradually percolated as a recognized governmental function since that time into the jurisprudence of most of the states. Its place in the criminal law is, therefore, in a fluid state. Its function is being extended constantly. There have been occasional lapses, but the trend

may be said to be generally toward an extension of the use of probation.

Probation was inspired originally by purely benevolent and humane motives, and applied at first to children as the legitimate objects of sympathy and sentiment, perhaps unfit to be treated scientifically. Its origin has been a severe handicap to its recognition by the law, and probably accounts for most of the opposition to it from the lawyers and judges at the present day.

The bench and bar generally consider themselves as the special custodians of the inalienable rights of the people. Tradition tells them that these have been wrested from tyrants through long years of struggle, and that they must be zealously guarded, so when we announce an innovation as radical as one placing the power to completely subvert the demands of a vengeful justice by giving liberty to a convicted felon in the hands of a parole commissioner, or even a judge, their interest is aroused, and they begin to look for the legal sanction of such a proceeding. If I then,—speaking for the moment from their standpoint,—may interpret to you who are impatient with precedent, their attitude, my time and yours may not be entirely wasted, for I take it that the possibilities of probation are no longer in the field of academic discussion. There remains for us to perfect the method and to extend its application. I shall leave to those who are spending all their time and energy with the practical problems of probation, to suggest improvement in method, and shall take a few minutes to suggest some problems of extension.

It is unquestionably true that there is considerable skepticism towards probation and parole,—which terms by the way are generally used indiscriminately,—by those who oppose. The press has given a great deal of space to accounts of the misdeeds of paroled convicts. The good citizens generally who govern the rest of us have expressed themselves as certain that the crime wave,—whatever that may be,—has been encouraged by the mollicoddling of felons by prison authorities, and the soft heartedness of judges in placing on probation men convicted of serious crimes. Thoughtful articles have appeared in the legal journals condemning this softness and pointing out its unconstitutionality. The last legislature of this state came within a vote or two of re-establishing capital punishment. Judges of criminal courts have responded to this sentiment by increasing sentences and limiting probation. One of the most significant aspects of the reaction to this tendency, to my mind, has come from the inmates of penal institutions themselves.

This state has been experimenting with the indeterminate sentence law,—a piece of legislation theoretically sound and

scientifically conceived. Because they think that the present administration of paroles and pardons in this state chooses to ignore the custom of considering a man eligible for parole on the expiration of his minimum sentence, but generally continues him in prison and otherwise creates the impression that men are released by whim and personal persuasion, the inmates of the House of Correction met and planned an organized attack on the law, seeking to have it declared unconstitutional, feeling that the uncertainty of the indetermination is worse than the possible lengthened sentence of certain duration. I am reliably informed that the warden of Jackson Prison, speaking for 199 of the inmates there eligible to parole on good behavior ratings, but still in prison, is of the same mind. So we find this indeterminate sentence law formally condemned by a committee of the American Bar Association, citing precedents on the one hand, and the organized inmates of the Detroit House of Correction on the other, and both for the same reason but from opposite angles, because in their opinion it substitutes a government of man for a government of law. The old lawyers condemn the possibility of a mawkish sentiment toward the convict, the convict condemns the possibility of petty tyranny and the dreadful uncertainty which hangs over his continuing imprisonment. Each looks to the law for relief and the believer in probation must also look to the law.

Let us look then at the law. The law by which we are governed comes from two sources,—first the common law, second the statutory law. The common law is the formulated customs and usages of the people. It was originally interpreted and applied by the kings who were hampered by no precedent. With the evolution of society the kings designated this authority to the judges and the courts, who in turn were unhampered in the exercise of the judicial discretion because this discretion traced itself directly to the unbridled whim of the king. So when power to place on probation and parole is sought under the common law in England, tradition reposes the power in the judge; but in this country tradition says the exact opposite, for here all power lies with the people and certain of it is delegated by them to the judges in a written constitution invented to safeguard the rights of the people. These limitations have been jealously guarded. The Supreme Court of the United States and a number of lesser courts and lawyers have denied the common law right of the judge even to suspend sentence, and some have denied the right of the legislature to enact such legislation without constitutional sanction. The reason for this is the feeling that to substitute a government of men for one of law paves the way to tyranny, not only great but petty. We need spend no time in quar-

relling with the judges who make the common law. They have spoken and determined that the possibility for harm is greater than the possibility for good in maintaining the ancient tradition of the rights of the individual in reposing the power to suspend sentence or place on probation, in the hands of any individual even one of their own number. So we must turn to the statute law to find a place for and the possibility of the development of the policy of probation.

Statute law may be said to be a crystalization of such public sentiment as thickens sufficiently to precipitate itself through the cross currents of the modern legislative cesspool. I use the word "sentiment" and not "thought" advisedly. Good legislation requires several years of agitation. Fortunate indeed if this agitation is directed by the socially minded. It is unfortunate, as I said in the beginning, that this theory of probation originated in humanity and benevolence, because it is difficult now to appeal to the patriotic and selfish emotions which have won the necessary support to so much social legislation. Workmen's compensation and safety legislation is now supported by the employers of industry. Universal education is supported even by the childless, and the most significant illustration came to us when the war enabled us to use the selfish and patriotic appeal in jumping several decades of prejudice in the control and treatment of social diseases.

If we can get the public and its legislature to take a selfish attitude toward the diseased mind with criminal manifestations, instead of the purely sentimental one, alternately swinging between sentimental sympathy for a good looking female degenerate sufficiently exploited on the one hand, and vengeful resentment and indignation frequently expressing itself in mob demonstrations of fiendish sadism on the other; if we can make them see that to treat the criminal as a diseased patient is more economical, more patriotic and more sure to safeguard the well being of all the rest of us, probation will soon find an adequate place for itself in the criminal law.

Perhaps we should emphasize that probation is still a form of confinement, that it has its emotional tortures on the sensitive mind and through it society may be avenged upon him who has broken her law. If we do this, the transition from the thought that crime must be avenged and justice must be vindicated to the opinion that crime is a disorder of the emotional and mental mechanism which may better respond to patient treatment than to institutional care, will be easier. In this transition my belief is that you will find the judge,—that lawyer who for the time being has the last word in translating the law, not only into blows of vengeance for society but into months and years of suffering for the individual,—glad to suggest this remedy, because while society demands

vengeance, no normal member of it wants to be the hang-man, and judges, excepting those cruel by perversion or puffed up by power, who prove the rule, do not care to carry another man's confinement with the attendant suffering to his family, on their conscience. The intelligent judge may occasionally become socially indignant, but his constant observation is persuasive that the administration of even handed, vengeful justice is a farce,—the application of punishment to fit the crime a joke. He knows that the penalty for most of the lesser crimes, including those which are manifestations of shocks and emotional excitement, is levied for being caught and that the public conscience which is supposed to support his administration rests not upon moral stability but upon prejudice or sentiment when it comes to crime.

The judges are elected officers. They must have the preferred majority of their constituents. They must, if they are to continue in office, interpret the will of the people. They need an educated, enlightened, social backing based on enlightened selfishness until the man becomes socially minded to support them in relegating the notion of vengeance from their sentences.

For myself I can think of no greater relief which could be given the conscientious judge than the assurance that he had the support of his community in considering the criminal solely from an individual standpoint, that he might approach the conviction only as a diagnostician and make his disposition after an examination of his physical, mental and economical equipment, prescribing treatment through institutional or probational control, solely by the fact that he was thereby best serving the individual for himself and for society. Before this condition can be brought about however, there is much to be done. We must determine whether this business of probation and parole is a judicial or an executive function. Tradition has deprived the judiciary of executive duties but the custom seems to be to give the appointment of probation officers to the judiciary, frequently leaving the question of support to an uninterested executive. Excellent judges are sometimes poor administrators. Supervision seems to be the key note to success. I have heard of no system which pretended to adequate supervision. The power and training of a probation officer is important. If we are to maintain a scientific attitude toward treating crime as a disease, the trained probation officer and even the facilities for training him are practically non-existent. Perhaps the recognition of probation by the law will come as fast as we are ready for it. If it does not, to emphasize the scientific aspects and to slur the humanitarian and benevolent possibilities will be wise. A purely scientific attitude on the part of the court may condemn a youth on his

first offence to life imprisonment and free a felon to return to society,—far from a popular program at the present time, but as I have attempted to point out the proper appeal, the appeal which has brought about this social improvement, to personal and social selfishness will bring the same results here; if my efforts to give you the popular and judicial reaction to your program may have stimulated your imagination toward the means of extending the scientific treatment of criminals, regardless of traditional prejudice or mob passion, our time has not been wasted.

DISCUSSION

Hon. Frank E. Wade, Member of State Commission of Prisons, Buffalo: The right to suspend sentence is inherent in the common law. The right to suspend the execution of sentence is statutory; at least, such have been the legal decisions which I have examined.

By the suspension of execution of sentence, I mean where the sentence has been imposed. Then the court has no right to interfere and suspend it unless statutory power is given. But suspension of sentence, or suspension of execution of sentence is not probation. It is merely a preliminary legal right to probation. Probation is a scientific institution which has been developed over the years, and it has its scientific features and it has its strong constitutional development, and today probation stands pretty well rounded out as a correctional system.

Now personally I believe that the center and direction of that system should be placed in the courts. The whole probation development has come from the courts and I believe that the judges should have the right to appoint probation officers under civil service restriction, and I think that the official supervision and general oversight should emanate from the court. I say that because I have heard a suggestion that it be made an executive function apart from the court. It would take a good deal of the soul out of probation to conventionalize and stereotype it and put it on an executive basis as a prison or hospital system.

Distinction ought to be made between probation and parole. There is a great deal of confusion and I am somewhat surprised to see the confusion in the minds of intelligent people. There is no probation where the individual has passed through a correctional institution. The probation system seeks first of all to take away the stigma of imprisonment in the institution. After they have gone through an institution and come out and are put under oversight, that

is parole, and they are wide apart in their inception. Of course after the inmate has been put on parole, or the person has been put on probation, then you can apply general rules to the two classes, but before that time there is a wide distinction and people interested in the probation system are endeavoring to keep away the institutional stigma. Now, that error has gone so far as in some of our states, such as Ohio and Indiana and some of our other states, they have established probation by putting the inmate through a prison or an institution. Personally, I think it is very stupid. I give it as my personal opinion, it is a very stupid way of inaugurating probation, because there seems to be an unnecessary stigma. I cannot understand why the sentiment in those states should make it necessary to put the actual stigma of confinement before the application of probation. So we have striven to keep them apart. But after the individual once goes on probation, then there should be the very greatest care exercised and the system be worked out efficiently.

In Erie County, the county in which I live, I think we have as good a probation system as there is in the country. That is in the county system. In that county over a period of twelve years, 45 per cent. of all the felonies have gone on probation,—pretty nearly half of all the felonies, even the most serious crimes have gone on probation, and a survey shows that over 75 per cent. of those never came back to the criminal courts. They have been permanent reformations, and a few years ago we had a survey made of those cases, going back over the years to see whether they have been convicted again, and the cases investigated showed, I think, practically every case was a permanent reform.

Chairman Chute: Four years, 65 per cent.

Mr. Wade: So probation is not something that is emotional. Probation is a scientific institution. It is confinement, as the judge said. It is the deprivation of privileges. It is the taking away of personal liberty and it is an unfortunate reaction we have now against it. I think it is only a temporary reaction. I think the war spirit and other things that disorganized society have caused this hysteria. I think this hysteria on the part of the court and hysteria on the part of the other people will pass, as all hysteria must pass.

John L. Sutton: I want to speak of the suspended or indeterminate sentence. Judge Baker of New Orleans, who was one of the greatest criminal judges I think the South ever had, was finally elected to the supreme bench of the State, and when I went to him with this law he said, "Sutton,

I understand law and I can judge law, but I want this suspended sentence because I sit upon the bench and I don't know how long a man ought to serve in a State prison." I differ with what was said on the suspended sentence. I think it is one of the best and most humane activities we have ever found to do a certain work the law cannot do. I said to Judge Smith in this city, "Judge, my criticism of you lawyers is you are judging law and not lives." I think that is what the first speaker must be looking for. I agree the law doesn't need to be suspended, but I feel the very thing he says ought to be done away with is the very thing that is needed. That is done in hospitals. The doctor sends a patient to the hospital and you will find the greatest thing in the patient's mind is when is he going to be able to go home. And I think that is true in this suspended sentence. The very uneasiness of this man not knowing when he is going to get out is the very thing he needs to cure him of whatever may be his condition. "When you are able, we will turn you loose," and so it is a scientific application and it is very, very important and I am very much in favor of the suspended sentence and I would like to talk more.

Chairman Chute: I would suggest that those states that have suspended sentence laws would be very much more in favor of an adequate adult probation system if they could add to their laws providing for suspended sentence the treatment of good trained probation officers. You would then find the suspended sentence more valuable than it can be without.

The analogy of medical treatment has been very helpful and the application of the clinical work and the help of the physicians to the courts is the greatest feature today in making probation work scientific.

Mr. Jesse F. Hannah: I would like to hear from anybody who has had experience that has been successful of what you do with the probationers that are feeble-minded? I am simply a plain probation officer in Illinois in a small county in which they thought it was wise to combine the work of probation in the juvenile court, county court and circuit court, so I deal with probationers from children to old age. I don't find much trouble in getting along with those put on probation, after we get started. Intelligent sympathy appeals to most of them and we work out good results, but when I strike a case of feeble-mindedness it seems as though the whole thing is a failure. I can hold them so long as I am in personal contact with them, but I never yet have gone through the period that they were put on probation, usually twelve months, and come to the

end feeling that I could say to the court, "This man ought to be released; he will now be a good citizen." How do you deal with the feeble-minded? I noticed last night one speaker said, and it has been repeated several times, that 75 per cent. of the inmates of the jails and reformatories and of children's institutions are feeble-minded and I have been listening intently while I was here to find some solution or some method of dealing with the feeble-minded that will get results.

Chairman Chute: I can answer that the definitely real feeble-minded are not subjects for probation. Feeble-minded persons, really feeble-minded, ought to be sent to custodial institutions and if there are not such, you are simply up against it, but the greatest difficulty is the class of borderline cases, or psychopaths who are not definitely diagnosed as feeble-minded and who ought to be given at least a chance under probation and be examined. This class is your most difficult class to deal with. It is your sickest patient needing the most intensive supervision and it is an individual problem in each case to try to fit them in the environment where they can make good, and if they cannot, why the institution has to be resorted to.

Rev. L. A. Willsey of Iowa: Have the ends of law and justice been met when the person such as stated by Mr. Hill acknowledged to be a feeble-minded person has been committed to a penal institution for life?

Chairman Chute: I think that question hardly needs an answer. I think we would all say no; that the penal institution is not the place for the feeble-minded person. They ought to be in custody, but a patient that is feeble-minded, is mentally ill and not responsible and therefore doesn't need penal treatment or punishment, but ought to be kept in a colony or institution for feeble-minded persons.

Dr. Dunham: We in Baltimore, or in Maryland, have recently taken under the supervision of the State Labor Commission a group of so-called feeble-minded children from fourteen to eighteen. In that group we have a fairly large percentage who approach a mentality of about five years. We have had extremely good results from those under what we call "vocational probation." For feeble-minded people of that type we find that supervision in industrial positions from the time they are fourteen until they are laid under the sod is about the best provision and the only one that is satisfactory. The difficulty is that it requires a larger number of supervisors than most of the states have, but strictly feeble-minded people can be made semi-self-supporting, at least, many of them; and some entirely self-supporting if they are assisted in industrial posi-

tions. I think vocational training of that sort is becoming a feature.

In this particular group we are studying now we have 2,200. We have under probation about 800. Until last year we are only able to supervise them until sixteen, which is the usual federal law. We now have supervision of them from fourteen to eighteen. We have sufficient legal action over them so we may bring them to court or we may commit them to institutions, if necessary. By probation we do not mean simply finding a job for them and putting them to work, but we mean an actual social contact with the individual; at least, every two months during his probation period.

Mr. Frederick C. Helbing: What happens to these feeble-minded after they are eighteen?

Dr. Dunham: Unfortunately we are not able to do anything with the group after eighteen unless they have made an adjustment. We find many of them make an adjustment after that time. Beginning with the first of January a new State law goes into effect whereby the welfare department has general supervision of those inmates for a much longer time. How far that will be able to control, I am not able to say.

President Hart: In order to maintain this bi-monthly supervision, how many persons can you put under one probation officer?

Dr. Dunham: We have for this group four individuals who are working.

President Hart: For 800?

Dr. Dunham: Intensive work.

President Hart: Is that enough?

Dr. Dunham: No not nearly enough, of course, but that is all we have. I may say, as an interesting side line, that of that group of 2,200 individuals, 51 per cent. have been before courts of justice from one to 36 times. You see what you are dealing with in getting these individuals before they are actually delinquent.

Mr. Helbing: But I understand these are all delinquent feeble-minded?

Dr. Dunham: They are not all delinquent, but they are referred to the labor department by the board of education and there they undergo a complete examination, mental, physical, social, and on the basis of that examination the interest of the individual, his capacity for work, a job is found and he is permitted and given a permit to work in that particular place. He is under probation until eighteen years old.

Mr. Hannah: Do you have any record of the number of feeble-minded people in Maryland?

Dr. Dunham: I am speaking of this group particularly now. It seems to me that in the discussion of probation we should come to a more definite understanding as to what we mean by feeble-minded people. I think if we compare individuals in institutions whom we regard as feeble-minded with a similar group in the community, we will find not all the feeble-minded individuals are in the institutions. The fallacy is, as Mr. Hill has said, in discussing the thing from the standpoint of intelligence alone. Intelligence is not a sufficient criterion upon which to judge social efficiency. We have many low-grade individuals whose general character foundation is satisfactory who are very low grade intellectually, but are making an adjustment in the community. Our failure is partly to define what we mean by feeble-minded. When I say a feeble-minded individual, I mean individuals who have a mentality less than eight years. This group I am speaking of, many have a mentality higher than that, but they are all under eleven, which is the usual classification.

Mr. James Parsons of Kansas City: I have wondered sometimes whether we were willing and ready to use the agencies that were available to help take care of these people. For ten years I was in the State of Minnesota. We had everything practically in the way of probation and parole officers that you could think of, but there wasn't enough, and the organization that I represented on the average took care of one hundred boys. We had feeble-minded boys. We had boys that were not feeble-minded. Their father or mother was dead. We found homes for them in the country; we took care of them and helped them grow up into citizens that were useful. Those that were thieves; those that were doing all sorts of things that were classified, our organization took care of. The highest number was about one hundred and sometimes less, but to have taken care of these boys by the State institution at the regular cost, it would have cost about \$40,000, and to do the work we did for them, it cost only about \$500. It was recognized as being of tremendous importance and of value, but this was one of the things we found. Many times a boy under certain environment would fail. We put him out into the country on a farm in a good home where there was a Christian spirit and after three months they would write, "Take the boy, he is no good." The common method in that kind of case is to throw him into an institution. We didn't do anything of the kind. We simply put him into new surroundings, and in three or four months we would

get the same word. We would simply go and get the boy and after an investigation if we decided it wasn't the boy's fault, we would put him in another place, and sometimes we would have to put him in four times before we got results. The way they worked out was something like this: The first one lifted him up; they hadn't made him into what they thought he ought to be. Each one of these homes and families developed something new and better in that boy and by the time we had had him in three or four places, he was all right.

Then there is another thing and that was very often young fellows were given to us on probation from the courts or paroled from the institutions, and I think this distinction ought to be made, as has been suggested, but this thing happened. So long as we had authority over them, they were all right, but as soon as they had absolute freedom without the sense of responsibility to someone, they failed, and I believe that our land has a great army of just that kind of men and women that need a realization that someone has authority to say "yes" or "no" to the things that they are considering doing.

Now all over the country there are organizations that are ready to do a lot of this work that the state officials are not willing to let them do. They withhold from them the possibility of doing these things because they say, "If we cannot do it through a State official we won't do it at all." I say the fact is that the Christian people are willing to do the things through voluntary agencies and they will do it as well always and in many cases better than it can be done through a state official. So I say let's use all the agencies that are available and we shall be able to do a lot of these things that we are afraid we are not doing as we should. We won't let people who are ready and willing to do them splendidly.

Mrs. Berlin of Chicago: I think the last speaker has struck the keynote. The Jewish Charities of Chicago, which I represent, has a probation officer. We assume the responsibility of the young men in the county jail by assisting materially. If the young man is sick and in need of medical attention it is immediately possible, as the officer in the court, to see to it that he is provided with medical care. If he is an out-of-town man we see to it after his case is disposed of that he is sent where he belongs, and if he should be in need of clothing or anything, why it is also immediately possible to see he is provided with such, and I really think that the private social agencies can do a whole lot in assisting the young man or woman in custody.

Chairman Chute: I feel there is no doubt we ought to use the private social agencies in many places more than we do. At the same time let us not forget that this work of supervision is becoming more scientific and more difficult and we need to build up our public agencies, our probation departments, to cover their job, and as for the cost we have the strongest argument for the economy in doing that very thing. I have found in New York State, where the probation system is well developed, that the cost of one year's probation work as carried on there was 1-18th of the average cost of commitment to a correctional institution; that is, it costs eighteen times as much to confine a boy in the correctional institution, or a man in the penitentiary, than to supervise him for a year, counting all public expense for probation. That sort of argument, if used with the public authorities who hold the purse strings, and if backed up by the social agencies, will give us a system of caring for the many that need supervision and need it for a long time, if not continuously, that will get real results.

Mr. Willsey: One suggestion made by Mr. Parsons brought this to my mind, that many of the boys and men from our penal institutions are failing because they have not had sufficiently long time supervision to correct their errors and get new ideas into their minds, and the question has arisen in my mind many times, ought we not to have an indeterminate probation and an indeterminate parole period in order that that authority that Mr. Parsons spoke of may not be removed too soon, and give the person, or the party, or association who may be endeavoring to correct the errors an opportunity to hold that person until he is able to walk. I feel we have made the mistake in having a certain length of time for certain crimes and for every person, whether he be feeble-minded or a normal person, the sentence is so many years; the limit is so many years. The same difficulty and the same mistake, I think, is made in regard to the probation period and also the parole period; that we ought to have more than six months or one year as the term of parole condition. The person should demonstrate his ability to walk alone before he should be finally paroled or discharged from his parole period. I feel we have been making a serious mistake right there and that many of them ought to be under our supervision for a longer time. A man was a model as a prisoner; he was a model during the period of parole. The day that his parole ceased and he was granted his release he became one of the vilest and most dangerous persons in the community and committed crime. I think he is yet a fugitive from justice, but we ought to

see that something is done for the prolongation of the parole and probation periods.

Mr. Butler of Iowa: I have had a little experience with this matter of prolonging the indeterminate sentence. I don't know that I am opposed to the indeterminate sentence plan. That plan is the probity of pretty much the whole parole system, but so far as my observation goes the indeterminate sentence, or the scheme which the gentleman has just suggested, this matter of extending beyond the legitimate period of time in which some persons shall be in custody, that is a matter that at least is subject to a great deal of debate before we ought to decide upon it. Now, for instance, we have a women's reformatory in the State of Iowa, and our board paroles from that reformatory. For the two feeble-minded institutions we have a special parole board, but we parole from the women's reformatory, the boys' training school, the girls' training school, the home for feeble-minded, and of course, the insane asylum. We were paroling from the women's reformatory and a short time ago, I think in August, we ran up against this situation. One young woman from Des Moines came before our board and she had been sentenced for fifteen years for the forging of a check of about \$35. A colored woman from Sioux City came before our board sentenced to eight years for manslaughter, and it seemed to me that that sort of a proposition was entirely wrong from the standpoint of any sort of justice that anybody can picture or imagine. Now, the trouble with the indeterminate sentence is this thing of continuing people longer than they should be held and it is absolutely unjust to the individual to start with. If I am guilty of a crime, take that lady that was sentenced for fifteen years for passing a forged instrument of about \$35, it is entirely wrong, and I don't know how you can explain away a proposition of that kind. Suppose I did it; suppose one of you did it and we are sent up for fifteen years? I don't know, but probably the first six months or first year my hair would turn grayer than it is at the present time. I might imagine all that time, I might be just in a grip of a horror all that time that I would have to stay in prison fifteen years. I am not a judge and I don't know much about the law, but it seems to me that for a crime of that kind one year would be sufficient, and if I was sent up for a year I would know I would come out at the end of that year. I think this matter of putting people in jail, or in the penitentiary, and then depending on somebody at some future time to discover them and give them the liberty they should have had years before is a dangerous thing to the individual who is unfortunate enough to be put in one of our institutions.

I know there are a great many arguments. The whole parole system is based on the indeterminate sentence, as I understand it. That is a good system, but it seems to me we ought to be careful about putting people into custody with the expectation at some future time to give them their freedom, because that time is very often extended beyond the proper limits.

Chairman Chute: Of course, as to that we would say that the whole object of the indeterminate sentence and parole system is to do greater justice, greater individual discrimination, and shorten sentences where they should be shortened, and extend them where they should be extended. Indeterminate probation is pretty generally recognized and has come. The newer probation laws provide for not fixing a definite period of time, placing a person on probation until they have made good, at which time they are discharged, usually with some maximum, to avoid possible danger of continuing too long.

SATURDAY EVENING, OCTOBER 14.

GENERAL SESSION

AUSPICES OF COMMITTEE ON COMMUNITY AGENCIES AND DELINQUENCY.

President Hart: Our session tonight is under the Committee on Community Agencies and Delinquency, and it is my privilege and I have the honor of introducing the Chairman of that Committee, my dear friend and associate, Mrs. Martha P. Falconer.

On a certain Sunday some years ago, I will not say how many years ago, Mrs. Falconer came to my house in Illinois and said, "I want to go into social work and I want to go into social work with you." I replied, "I have plenty of work but no money." "That makes no difference, I want to go into social work and with you." I finally found somebody willing to pay the fine magnificent salary to Mrs. Falconer and she began work at \$600. I had the privilege of working side by side with her for seven years without discord. We didn't always agree, but we never quarreled. Then the Pennsylvania people sent for her to take charge of the Girls' Department of the House of Refuge. The House of Refuge for Girls was in the basement of the old prison building. The president of that board was eighty years of age and other members of the board were of like age.

The assistant superintendent had been there forty years and they had a group of women who had been chosen to take care of these girls with special reference to their being able-bodied, strong arm women that could handle a tough girl. Those women had been there, some of them, ten, fifteen, twenty years. Mrs. Falconer was appointed with the understanding she was to reorganize the institution, but mustn't discharge anybody. She commenced to reorganize. I was there within a month after Mrs. Falconer took charge and she showed us she had gone out and bought caps and capes for those girls, because they didn't have outdoor garments; they hadn't anything to go into the yard and had to be kept in the house and in the basement. The next thing she did was to make dresses for her girls suitable for them to go out, and then she went to the pastors of churches and said, "I want to send my girls to church; are you willing?" "Oh certainly." "I have one favor to ask and that is when they come, there will be no attention paid to them; I wish you would assign them seats and let them be members of the congregation," and then she sent them to different churches. Then the next thing she did was to send her girls out for picnics in the park, and the old members were holding their breath for fear some disgraceful occurrence might take place in consequence of this new method. Then she applied to the theatres and sent forty or fifty girls to the play. Again they hesitated, but nothing happened. And then she set a very rapid pace and those old ladies dropped out one by one and then she brought in young college girls from Bryn Mawr, Mount Holyoke and Vassar, and brought in a breath of young life and spirit and movement. She hadn't any money to speak of, but she had enough to buy paint and she bought paint and brushes and she set the women to painting with white paint. And then she got a farm and sent her girls out for the summer and the last squad stayed there and lived in tents and shacks, the granary, and so on until next spring, and that was the beginning of Sleighton Farm, and Mrs. Falconer put the Glen Mill School for Girls on the map. That is the woman who is our chairman tonight. I haven't time to rehearse her subsequent achievements, except this. One day she resigned, to the dismay of her present board. They said, "What did you resign for? You can stay as long as you like, and when you want to retire we will put you on a pension," and she informed them she didn't propose to become a chronic office holder, but she wanted to let someone else build upon the foundations she had laid. So we are to be congratulated tonight in having as presiding officer of this occasion a woman who is known throughout the

land, honored, and loved, and one who has done as much constructive work along the line in which we are interested as any woman in the United States. I have the honor to introduce Mrs. Falconer. (Applause.)

Mrs. Martha P. Falconer: Mr. President and friends. It surely is quite proper for us in this conference to consider more and more the relation of the community to delinquency. Some of us heard this morning Dr. Helen Woolley talk about the individual child and the splendid work being done here in Detroit in that private school. The church, the home, and the school we find in every community and when we can get these three great forces to function and to co-operate, then there is going to be I believe less delinquency. Is it the fault of the community? Is there a responsibility the community should meet for delinquencies? Shall we go on simply discussing the best ways and means of parole work and of discipline, or shall we go back into the community continually and try and ask of the community what is your responsibility? While I was at Sleighton Farm, I felt perhaps my greatest service in Pennsylvania would be to try to show up the source of supply. What was the matter with Pennsylvania that so many girls needed to be sent, apparently, to Sleighton Farm? What should the communities do? Over and over again when I had the opportunity, I liked to say to communities, especially some of the large industrial centers like Bethlehem, Wilkesbarre and Scranton, we will try and take care of the special girls whom the court has sent to us, but we want you to take care of the brothers and sisters in that family or neighborhood so it will not be necessary for them to go away.

Now we have a long way to go in educating public opinion when we still have this in this country. About two weeks ago I saw in the New York Times in a special notice sent from Oklahoma that a young colored boy fourteen years old is to be electrocuted next month. I have never known of such a youth before. Haven't we something to do still in arousing public opinion and the responsibility of the community? Within the last two years we are concentrating a good deal on what the public schools ought to do. We are going to hear tomorrow afternoon about the Church and again on Monday morning the Church's responsibility and what they can do to prevent delinquency, but tonight our first speaker is Miss Elizabeth Farrell, in charge of all the ungraded classes for New York City. It has been my privilege to be very closely associated with Miss Farrell, and I am so glad she could be with us tonight and speak to you about the work in the ungraded classes for the prevention of delinquency. Miss Farrell. (Applause.)

SOURCES OF DELINQUENCY IN SCHOOL CHILDREN

MISS ELIZABETH FARRELL, INSPECTOR OF UNGRADED CLASSES,
DEPARTMENT OF EDUCATION, NEW YORK CITY.

Crime is a habit, and the failures of the public school are the men and women who come into your institutions to have the scientific and the skillful care that you know so well how to give. But in this age when cure is so difficult, we must, if we are wise, look toward prevention, and where but in the public school can we look for the prevention by means of formation of right habits, the prevention of the crime which astonishes and makes sad the thinking people of this country?

Education is a new venture with the human race. A little more than one hundred years in the great City of New York it is since the first public school was established, and into that great public school, for even then it was great, great in numbers; into that public school came the children of the poor, the children who corresponded to those pupils in the ragged schools of England, and they came into the doors of that public school to get what care, what training, what development the teachers could give. It is less than a hundred years that we have compelled the children of all the people to go to school. I would ask you to hold that thought in mind; first, that this great experiment in public education is very young. When we think of the human race; when we think back to the time when we speculate on that first creature who stood erect and came down through the aeons; that came down through all the centuries of time when free education is all over the land, we must remember that the child in the public school is experiencing a new thing, that human nature for the first time is having the opportunity to be molded by hands that are trained, to be developed by teachers who understand.

Now we would have you in the second place think of this, that since the middle ages all the great institutions of man, with the exception of education, have been revolutionized. No longer have we autocrats; no longer have we even beneficent monarchies. The idea is that man is free and self-governing. In the church we have had a similar revolution, and the freedom which all men craved in politics and in religion has been granted to them.

It is only in education, as the great institution of man, that we have not yet experienced a revolution that is at all comparable to the revolutions in politics and the revolutions in religion. I think that we today who are contemplating

this new step; we today who see the curtain lifting when education is going to be better than ever before, I think we are on the threshold of a revolution in education. I think that instead of making education similar to that which existed in the middle ages, available for the children in a modern democracy, we are on the threshold of the time when education will be adapted to the needs, the capacities, the powers, and the abilities of children, and that is not so now.

If you will recall what you know of the history of the development of the universities in Europe, you will remember that to the great University of Paris for example, when Abelard was teaching there, came the selected men of Europe, not compelled to go to Paris because there were other universities elsewhere, but they, of their own free choice, chose to go Paris and study with Abelard, to sit under his teaching in order that they might imbibe the wisdom of the ages. They were not chosen, except by themselves. They could go. Great as that army of students was in the University of Paris under Abelard, great as it was, it isn't a drop in the bucket to the number of children who are seeking education in this country alone. Now, those students who were self-selected, who went to Paris to work with Abelard, studied the humanities. They were searching for those cultural things that had come down from Greece and Rome to a much later day.

Now, my point is this, that the school of today, into which the community drives the children of the nation; the school of today is to all intents and purposes the same school from the point of view of course of study the same school that Abelard knew. It has the same subject matter that Abelard taught in all the colleges of the country still,—its Latin and Greek. In only a few has modern science been put on a par with these ancient languages. And when we come into the elementary school we find young children wrestling with the symbols of knowledge, the same symbols of knowledge with which Abelard and the students in Paris in the renaissance wrestled. I am trying to make this point to you, that the school of today is like the school of that far-away time, but the students of today are essentially different from those of that far away time,—self chosen then; directed by law now to go into school. And it is because of that situation that I believe the school itself is the source of much delinquency. The school itself, the instrument that this great nation has organized and maintains, is really a source from which children learn wrong things, bad things, things which lead them eventually, if crime is a habit, leads them eventually to you.

What are these wrong things that children learn in school? I needn't tell you that truancy is the school's fault. We teachers have blamed everybody but the school. We have blamed the bad home from which children come; the lack of tradition of school attendance. We have blamed the street with its many attractions. We have blamed everything, but I say to you it is the school, the traditional school, with its organization as you know it in your town and as I know it in the great City of New York; it is that school which is responsible primarily for the great bulk of truancy which leads to you, whether it be in Sing Sing, Elmira, or some other place. I needn't say to a group of men and women of this kind that all the men and women who come to you have been truants. I didn't need Dr. Christian to say that every man in Elmira on a certain date had been a truant from school; that his criminal career, the career that had wound up in Elmira began as a truant. Such is the case,—truancy directly traceable to this traditional school under which children suffer.

Lying and cheating rise out of traditional school conditions. The school that is organized on the basis of competition must stimulate in children the desire to lie. The school, this organization which is designed to make citizens for the nation, is really cultivating in children, because of its organization, cultivating in children the necessity of not telling the truth, the necessity of being cheats.

There is another source of delinquency that to my mind is directly traceable to the school as it is organized, and I speak always not of the few modern schools which characterize this country in certain parts, but I speak of the traditional school where the three r's are the burden of the song, where children live out their weary days wrestling with things that they do not understand; wrestling with things that they understand but badly.

The next source of delinquency in schools is found in the vulgarity which is all too common in schools, a vulgarity which exists because we teachers haven't the courage nor the skill to handle all the facts of life that children have to meet; because we lack skill, because we lack wisdom, they develop habits of vulgarity; they develop habits and attitudes of mind that must make for the general lowering of the average in the community.

Sources of delinquency they are indeed! And these are only some of them, and they are characteristic, as I said, of the traditional school.

Now the question might well be asked, why is this so? It is not all due to the fact that the school is the old traditional

school. Ninety per cent. of it is due to that fact, that the school isn't modern, that it doesn't live in the twentieth century, that it is just a drag-on from the middle ages. But there are other things.

The aim of education, as we teachers have been taught it in the colleges and normal schools of the country, has been varied in statement, and, as I see it, that statement of aim is significant. It should be reconsidered. What are some of the aims for which we have been taught to hold as the guiding star of our teaching? It was Froebel who said, "Education is the harmonious development of the three-fold nature of man," and we ask now in the twentieth century, what is harmonious? What is development? What is this development in relation to the group? And the minute we begin to ask questions of that kind, we have to forsake the philosophy of Froebel, because we don't know what his statement of aim means. Another has said, "Education is for culture." That, too, is a hanger-on of that far-off day. It is not culture that the modern world wants in the same sense as it was needed and wanted in the middle ages, yet there are teachers all over this country guided by that statement of aim that education is for culture. Then we come to the time when the aim of education was stated to be for efficiency, "Education for efficiency." And again we have there that expression of individualism,—my efficiency; the development of my abilities. But what relation to the group? That statement of the aim of education gives us no knowledge of the demands of the group. You know Wellington said that the Battle of Waterloo was won in the public schools of England on the playgrounds of Eton. He didn't mean public schools in the sense which we use that term. As one studies that, what was there in the public schools of England; what was there on the playgrounds of Eton that made it possible for Wellington in 1814 to win the Battle of Waterloo? And as I searched the history of education, and as I read what is written of the great teachers, I found the whole thing epitomized in Thomas Arnold at Rugby. His work was to make all English boys men of character. The Battle of Waterloo was won by character. And the word that is carried to the present-day school is that the aim of education in America, the aim of education wherever democratic thought prevails, must not be education for efficiency, must not be education for culture, must not be education as a preparation for living, but education for character, and nothing less than that will do. (Applause.)

Now we have in our great public school systems of this country a heterogeneous mass of children who are driven in by law. School boards are compelled to provide for them seats and teachers, and there the thing ends. Now if we are

to educate for character, if the great school organizations of this country are to develop citizens of character for this great nation, we must have more knowledge than the law gives us; we must have more knowledge than most teachers have. And what is that knowledge? Let us take it by contrast. The teacher coming from the normal or training school for teachers learns methods of teaching. She knows how to teach arithmetic; she knows how to teach reading; she knows how to teach penmanship, and so on and so on. But I ask you, what does she know of children? She knows psychology so far as it relates to the psychology of learning; she knows psychology so far as it relates to habit formation, but what does she know of that great expression of mind which we call emotion? Almost nothing! And though we glibly say, we young teachers from the training schools, we glibly agree with President Eliot when he says, the schools of this nation must give children a body of knowledge, a body of habit, and a body of attitudes, the schools are training in order that teachers may give to children a body of fact, a body of habit, but almost no teacher in the public school systems is consciously working for a body of attitudes. Now I know somebody is saying, "But she is working for a body of attitudes with regard to the arts, through music; she works for that in dancing; she works for that in literature." But that is a small part of the whole field that is covered by the word "emotion." And I want to repeat that the teachers do give what President Eliot asks, a body of facts, and a body of habit, but in no comprehensive way are we living up to his obligation that children in the schools must have the attitudes of mind cultivated, that they must have attitudes towards their fellows, toward work, toward the finite.

How can this be done? If this is essential, how can it be done? That brings me to the story I know best of all, something that is being done in the great city in order that children may succeed.

You would be astonished if I could produce for you figures from your school system that would show you what I know to be true. In the great school system in this country, and it is characteristic of all the schools, a thousand children who entered school eight years ago,—those children are now fourteen years old; they have attended school consecutively and regularly and only 139 of them are ready to leave the elementary school and go to high school. One thousand children enter. One hundred and thirty-nine complete the work in the required time.

My main point is that children must have the feeling side of their natures cultivated and developed, and I want to ask you about the feeling side, the emotional tone of those boys

and girls other than the one hundred and thirty-nine. One hundred and thirty-nine left school flushed with success. They have attained the goal. They have run the race and have won. But what of that great majority who have fallen by the way? The function of education is to develop character. Character must be positive. Character must be self reliance. Think of the self reliance; think of the sense of achievement; think of the sense of going on, that characterizes that great group of children who have fallen by the way! Some children succeed in your school system and in mine, but most children fail. Does that link up any way with the question of truancy? Does that link up in any way with the question of the development of lying and cheating and dishonesty in children? We sense the failure. Does it link up any way with the vulgarity which I have stated is characteristic of the large group of children in public schools? I think it does and I think we do not have to go far to seek the reason for that fact. We must all succeed. We must all make progress. It is only the sense of failure that is deadening, and to think out of one thousand children, only one hundred and thirty-nine succeed in getting that sense of achievement; that all the rest must be bowed in grief and dulled with the sense of failure, a sense of being different, and it is from that sense of being different and that sense of failure that much of the trouble that we call crime results and grows out of.

Now, what can be done with this thing? What can we do to secure for all these children the kind of achievement of which each is capable? That is perhaps the greatest contribution of modern science to education,—the fact that we can now take into the laboratories and by means of scientific study ascertain the strength and the weakness of each member of the great army of public school children. This is done. It should be done all over the land. Let us take a truant, for example. A certain Italian boy, who is in the great majority of children who have dropped by the wayside in eight years. This particular boy, sick and tired of everything that school holds, decides to be a truant, and he is before the court for commitment to the truant school, and the idea is presented, suggested by someone who knows the boy, that he shouldn't be sent to a truant school, that he should be sent to a school of art, and this lad, as the result of analysis, as the result of serious study on the part of a great many very wise people, had the opportunity which he should have had before truancy had become fixed in him as a habit. That boy, with such skill in his fingers as perhaps characterized Michael Angelo; that boy, with such skill in the tips of his fingers for modelling in clay and plaster sand, has astonished great artists and great men known to fame as sculptors. And

this boy, instead of wearing his soul away in a perfectly good truant school, finds himself working side by side with the great master of sculpture in the City of New York, with this habit of truancy rooted out. He is not escaping anything because this school, this school in the artist's studio, working with the master, gives him a sense of achievement and progress that holds him as a reliable individual, and that experience if continued, will undoubtedly develop in him those habits and those attitudes which are necessary for good citizenship in this country. (Applause.)

And another little girl, not quite fourteen, ran away from home because she wouldn't go to school. She didn't much care what happened to her, but she had failed over and over again, and she had seen those younger than herself go on, but she herself was left back, and she felt there was nothing in her that was desirable. Because the truant officer was so insistent, she decided to cut all ropes and get away, but she didn't go in time and that same truant officer got her,—but what a catch! What an opportunity that seeming defeat held for that particular girl! It is now nearly ten years ago, and that little girl then not quite fourteen, ready to run away from home, leave everything behind, that child, as the result of analysis and careful study, revealed the fact that she had skill as a designer. The opportunity, not offered by a public school in that great city, was given her, an opportunity for training in costume designing that is open to every future. If you were not all members of this Congress, I should say that some women in this audience are wearing gowns designed by that little truant girl in one of the great dressmaking houses in the City of New York. Now, that success was great, but it became greater this year when this little foreign girl, a truant from school, unwelcomed by everybody, that little girl not quite twenty-four made a contract with a great dressmaker for \$7,500 a year; she was to make a given number of designs in a season and she is to do it at her own time. She is not to be like a school teacher, work from nine to three. She is to do it in her own time, and she is to get that magnificent salary, which, if a school teacher got, she would think she had money from home. (Laughter.)

There are many of these children. Their number is legion. They are being looked after. Opportunities are being made for them. Just before I came to this conference I had word that one of the great Foundations of the City of New York had made possible a junior trade school for children of exceptional ability in manual lines. Not any longer are we going to ask girls to excel in everything. We are finding out in the laboratory what their skill is and education which is building up a body of facts, a body of habits, and a body

of attitudes, education is being prepared in order that those children may no longer be failures, but they may go on with the great army of those who make progress, and each making progress in his own way.

There are many such children,—dressmakers and distinguished milliners, artists of all kinds, and you might ask how this is done? How can it be in a great army of a million school children that individuals can be picked out? You know the work of the great hospital. A great hospital attends to the acutely ill in the community. There is under the Board of Education a department that tends to the acute behavior problems in that great school system. Those truants who are developing and fixing those wrong habits of behavior are acute problems of behavior and they become the subjects of study. Those children who are developing vulgarity in the most marked degree are acute problems of bad behavior, and they become the subjects of study. For the past year we have been performing in the field of behavior the same function that the great general hospital performs in the field of acute disease. But just as medicine in public health looks toward prevention, so we who have been concerned with the acute behavior problems look now to a time when we will prevent the development of those problems.

A year ago there was undertaken an intensive study of all the children who were to enter school in September, 1921. All of the six-year-old children were subjected to careful analysis, psychological, psychiatric in character. Those children, eleven hundred of them in one particular school, presented practically every type of personality. There was the aggressive little child who would push over the tables, throw blocks to the winds, assert himself, and to the skilled teacher watching that performance, it could be predicted what his school career in the field of behavior would be. On the other hand, we had the demure, the quiet, the very self-conscious, child who couldn't lift his head, who could take no part in the proceedings, who showed again to the skilled teacher just what his school career would be. These thousand children, six years of age September a year ago, in school for the first time, were segregated in a way that never before have children been segregated in classes in the City of New York. Where we have such huge armies of children, the best we can do, or at least the best some people can do, is to classify them in groups, in class groups by the alphabet, and it is not unknown that in certain classes in New York City you have to begin Cohen, B. Cohen, Benjamin Cohen, and that particular teacher got all the C's. In another class the teacher would get all the S's,—Smith, Mary Smith, Margaret Smith, and so on; all the Smiths in one class. (Laughter.) Now

you needn't laugh at New York because you are just as bad. (Laughter.) You don't know it but it is so. (Laughter.) I am telling you this not to laugh at that great imperial city on the coast, because after all, it is the greatest city in the world, except Detroit, I suppose. (Laughter.) And I am not laughing at it. I am only showing you that there where we have worked for years and years, with the wealth of Croesus back of us, a school budget of one hundred million dollars, that there we have classified children in the easiest way, and the easiest way is the alphabetical way.

Now, for the first time, we have classified children on the basis of their abilities. Now we have considered not alone intellectual ability, but we have considered this other thing, which, from my point of view, is vastly more important in the behavior problem than intelligence,—this matter of emotion; this matter of co-operation; this matter of co-operating with others is really the fundamental thing in group activity and we must have it, and if we must have it, we must begin in the school. So these little children were segregated in classes.

Now "segregated" is a bad word, as I learned last night from Warden Lawes, I think it was, but I don't know what else to say. These little children were put in classes on the basis of abilities, and we had the great satisfaction of learning during the last school year that three of these little groups went ahead by leaps and bounds and covered in one school year what ordinary children would take two and one-half school years to cover. (Applause.) We found that a mass of children made ordinary progress. We found that three groups of these children, approximately one hundred and fifty of them, had made little, if any, progress, except as one could judge by their ability to co-operate in games, their ability to co-operate in the ordinary class-room duties. But the gain was greater than that statement would indicate. The gain was supreme because no child in the thousand failed. (Applause). No child left school last June with a sense of having failed, with the sense of having unfair competition, with the sense that "others can do, but I cannot."

Now this experiment will be carried on, thanks to the wealth of New York. It will be carried on and we will know in the course of eight years just how these children adjust themselves, just how and by what means these little people have been able to co-operate and to get from this controlled class-room environment the things that were necessary for them.

We are doing more than that, however. I would remind you that we have first the problem of the acute behavior child, the child who presents real difficulties. We have in the second place this question of how to prevent these things that

develop in school, and that we are doing with the six-year-old children.

And another experiment carried on in the high schools seems to open up a field that almost no one dreamed of before. You would be astonished if I told you that the high schools do not get the cream of the ability in school children. You would be astonished to know that the high school gets the mediocre and the poor; that the real superb ability goes to work because school hasn't yet been made of the kind and the character that seemed to them worth while, and as soon as legal restrictions are withdrawn they go into the wage-earning world. We found that much of this material in high schools shouldn't be there; that it is just continuing for the great group of children,—and I speak particularly of girls now—a great group of children are continually failing in the high school. These children, in that very delicate adjustment of adolescence, feel more keenly than the children in the elementary school the failure which they experience, and we were able, we hope, to make such adjustment with certain high school girls as will bring them the sense of success, the sense of achievement which life demands. That adjustment has been to take them out of the high school and provide for them activities of another kind. One child, a French girl, who was really, in the words of the psychiatrist, developing the "shut-in" personality practically because of her inability to achieve, that girl had marvelous musical ability, and her education was continued by means of this great ability which she has.

You will judge from what I have said that some of us believe that education isn't all one thing. It isn't any one thing to all people; that education is infinitely different as the abilities of individuals are infinitely different; that many thousands of school children have superb gifts that teachers have never known of. (Applause.) Many thousands of children can succeed way beyond the dreams of the school teacher, and now for the first time, the rich resources of art and industry and literature and music are open to these children, many of them from the crowded districts, and these little people are going on and on and on, much better fitted to face the real battles of life because of the success that the school has given them.

The school does this because we know the material with which we work. We have the data upon which to predicate our procedure, and because special education is new we are not hampered by tradition. If anything could be done in this world that would count more for education than any other thing it would be to cut all the ropes that hold us to the

past, and let's use science and the data of science and begin all over again with these children. (Applause.)

Subject matter,—the ability to read, the ability to write, the ability to spell, grew through man's activity, but we teachers have forgotten the activity part of it. We think that reading, writing and arithmetic came from the hand of Jove. It didn't. It came as the result of the activity of millions and millions of men who succeeded and failed and succeeded again and left a record of what they did. We have dealt only with the symbols and have forgotten the activity. In special education we take the activity first, and the symbol of that activity second. (Applause.) Not what man has written, but what I as an individual here and now can do, is the test of education.

As I said in the beginning,—or perhaps I was half way through—the aim of education is character, and I want to say to you that in the field of special education where the special abilities of children and the special disabilities from which they suffer are the guiding marks for the teacher, that child is going to develop day by day the kind of character that this country needs and the kind of character that all the children in all the schools will some day have the chance to develop. Special education is costly, but so are you costly. Special education will develop in children the right habits and the right attitudes and the right facts and will give them a chance to act and react upon their environment in such a way as leads me to believe that crime is preventable, that there is no reason why so many thousands of people should suffer wrecked lives. It is a matter of education. We must do what you cannot do. You can reform some. We can form many.

That is the field of education. That is the field of special education, to understand the human material; to provide for that human material the activity upon which it can work, and then await results. The aim of education in the field of special education is education for character. (Applause.)

DELINQUENCY AND THE NEW PSYCHOLOGY

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I have chosen a rather terrifying subject, but I hope it won't frighten you. I should like very much to talk to you about rural problems of delinquency because there are several new developments in country life which it seems to me ought to be brought to the attention of a group like this.

I should like to call your attention to what seems to me

to have been neglected by many social workers and social thinkers, namely: the fact that the enforcement of the Volstead Prohibition Act has thrown upon the very door-step of the American farmer a moral problem which is almost colossal. For so long as the demand for intoxicating liquors exists and so long as the major portion of that demand comes from the city and so long as the ingredients out of which intoxicating liquors can be produced are grown upon the farm, and so long as there are secret places and convenient brooks and hiding places in the country for such illicit manufacture, there will be a moral problem for rural people which seems to me almost overwhelming. I know of a rural community where the virus is getting in, where boys and girls are already talking about the violation of law in such a matter of fact way that you know by contact with them that they have already lost all respect for law. They know the people in their community who are engaged in the manufacture and distribution of intoxicating liquors, and they know that there has come about in many a rural community a sort of co-operative conspiracy, of secrecy, and of contempt for law.

Now I say I think that problem has been neglected. I don't think we quite realize; I don't think the farmer realizes it himself, because, after all, it was the farmer vote which made the prohibition law possible, for it was seventy-five years of consistent temperance and prohibition activity on the part of the American farmer which finally made the United States a prohibition nation, and I doubt very much whether the farmer who consistently did that voting realized when the law finally came as it did come in our case and saw the sociological point of view come entirely in the wrong way, he didn't realize that that was going to bring upon him a new source of moral problems far greater than the more or less simple one which the dissemination of intoxicating liquor presented before.

I wanted to talk to you also,—you see I am going to be terribly misunderstood by throwing out some of these suggestions, but I am so used to that now it doesn't worry me so much, and I know I am going to be misunderstood and I am taking the chances, and I wanted to talk to you about rural government. When we began to realize as we did as political theorists about fifteen years ago that there was a distinct problem of rural delinquency which had in it some characteristics unlike those of the problem of the great city, the very first means of protection which occurred to the minds of the political thinkers was to use the old and the discarded method of force. I am speaking now of the attempt to

solve the problem of rural delinquency by state constabularies or state police, which to my mind means almost an admission of the inefficacy of education and also an admission that we are all too lazy to think and all too apathetic to use our energies to improve rural government and because we must know by now, if we know anything at all historically, that you cannot make people good by force, and we must know also that by injecting force from a larger political unit to the smaller one, contrary of course to all traditional American theory, and yet it is the thing we are doing. Instead of educating country people in their own local community to solve their own local governmental problems we are going in with the force of the state to solve those problems. I happen to be living now in the State of New Jersey where we are having in the county next to where I live one of the most ghastly experiments of state interference with local jurisprudence I have ever witnessed and where the whole process of law is in such a muddle that from the Governor down all thinking people are thoroughly disgusted, with nobody seeming to know where the responsibility ought to be; nobody having the courage to use the responsibility if it does exist, and finally falling back upon the authority of the state to step into a local county and by the sheer element of force produce an issue. All of that is interesting, and, as a student of rural problems, I should like to talk all the night about that. But I have a very distinct reason for not doing so. In the first place my reason is that I don't think many of you are actually at work in the rural field and I should like to reserve this discussion for people who are at work in the rural field who will make some actual practical application of what I have to say.

But I do have something to say to you about the second topic, delinquency in general, and what I call the new psychology. It sounds terrible I know and yet it is very simple. I don't mean new in the point of time. I meant merely new in the way we look at the problems of behavior. Of course there has been, particularly during the last two decades, an accumulative amount of experimental psychological material which is now at our disposal, and the most sorrowful thing I know of is a civilization as irrational as ours, living on as stupidly as we do, in such a stupid world and not having enough courage to take a grip on the new material which science has produced for us, and it is particularly true because I think this group is coming to be a group of people who think, who want to think, who want to think in the term I like to use, rigorously, not superficially, but rigorously, and it is because I think you are educating that kind of a group and also because of your tremendous respon-

sibility to all the rest of the people interested in the problem of behavior that I want to very briefly and rather dogmatically, I suppose it will be necessary, state to you a few principles of this new psychology with their application to the problems of delinquency.

And I begin by agreeing with Miss Farrell when she says that crime is a habit. I not only agree with her, I go much farther. Everything else you do is a habit; not only crime, but everything else that you do more than once is a habit which leads immediately to a more definite exposition of this first principle of the new psychology which is that as human beings we are not slaves to our instincts. And much of our psychology of delinquency especially is based upon an old worn-out psychology of the instinct. And the psychologists who are dedicated to the instinct theory always amuse me a great deal because when they cannot explain some form of human behavior by some known classification of instincts, they very rapidly go ahead and make a new classification and add some new instincts. The last time I knew of one of our foremost psychologists he only knew of twenty-three instincts, but some one told me he has now a list of forty-three. If people mean by instinct what they say they do in all the text books on psychology, then I am frank to say to you that I doubt whether any such thing exists at all. And if it does exist, it is exactly the element in human nature which ought to be of decreasing significance. In other words, if your psychology of behavior and your attitude toward delinquency is based upon the instincts, then you are sure to be looking backward instead of forward. As I said to a friend of mine the other day, a very noted lawyer who was arguing with me about instincts, I said, "You people who try to explain all human behavior by instincts remind me of a person who is describing the frog by the kind of a tail he had when a tadpole." In other words, it does carry you back and we have whole programs of boys' work, for example, based upon instincts in which the activities of the boys are directed to instincts which may have been useful for the survival of people who lived ten or fifteen thousand years ago. This may be the place for me, as a sociologist, to exhibit the habit of sociologists of attempting to define the undefinable, namely progress. Because, after all, we must have some concept of progress even if it is not an adequate definition, so I give you mine. To me progress is anything which contributes to better human relations through mental relations. Now please get the combination, —better human relations through mental release. You are not progressing when you live in a better house unless the living in the better house is a concomitant with new ideas

in your mind. In other words, the idea that I am giving you of progress now is the dynamic idea, not a static one. You cannot measure progress in terms of things, but in terms of what goes on in the human mind plus the relationship of that mind to other human minds, which I call human relations in the broad sense. And my proposal is that you cannot produce that kind of progress by any theory of behavior based upon instincts. It carries you back to the most absurd conclusions. It has carried the world time and time again to the absurd activity of attempting to solve a difficulty by killing people who do not agree with you. In other words if you believe in instincts; of course believe in war; believe in fighting if you want; believe it is necessary for me because you do not agree with me to knock you down, and also believe that has solved the problem. Of course it hasn't, and the world knows the wars do not solve fundamental problems. They create new problems always. Use of force creates a new problem and never solves the old one. It carries you back to such absurd conclusions as I am hearing these days in many sections of the country, almost an abandon of the dynamic concept of education in the field of delinquency to such an extent that there are some people who occasionally think and are now thinking that the way to solve some of our major problems of delinquency is to go back to the recrudescient idea of capital punishment. If you believe in the new psychology, you cannot believe in capital punishment, in killing people who do not agree with you; you cannot believe in the principle based upon an old worn-out theory of human nature based upon instincts.

Now you see in my classes it takes me about two weeks to cover that ground with my students so you will appreciate the considerable amount of material I have left out and I am sure I haven't proved my point but I am sure you understand there is something new about it and it has left you with some new motives and new aspirations so far as your conduct is concerned.

Another principle of the new psychology is that environment and the individual, the individual and the society are not two separate entities. It is no good talking about which is most responsible, the individual or society, or the environment or the person, because they are the same thing. That is, I wish I had time to go into the biology of this because it is founded I think upon sound biologic theory and fact, namely: even in the human body what goes on as stimulus and response and what used to be thought by the old psychologists as two separate things, namely: a stimulus coming into the body, going through the nerves and through all

the nervous centers back to the muscle creating a response, and thinking of the response as something different than the stimulus was the old psychology. Now the new psychology says they are the same things, that response does not end in activity, but it goes right back to the stimulus and forms an arc so that there is no distinction, there is no place where the stimulus leaves off and the response begins. It is a continuous process. Do you begin to see what I mean? I go even further. In looking up some of the recent discoveries in biology, particularly those of two French biologists and particularly of one French biologist whom all sociologists and psychologists ought to know, namely: La Donte, and one or two Dutch physiologists, it now becomes quite clear that the same thing is true even in a single human cell; that the cell itself and the processes by which the cell grows, is the unified processes of conflict, of discrimination, of unification, of activity, all bound together. Now when you get that concept thoroughly fixed in your mind, and of course you are not going to get it fixed by having a college professor talk to you about it; that isn't the way you get knowledge of course; all you get now is merely a stimulus towards knowledge. You are not getting knowledge at all, but when you do get it fixed in your minds it makes a tremendous difference to the whole problem of delinquency, and all this talk about environment and the individual becomes irrelevant. Of course society is responsible; of course the individual is responsible, but they are not separate. As a matter of fact it seems to me almost impossible to prove there is any such thing as an individual; that the only way a man becomes human is through association with other human beings, and if you were to take away from human beings some of the characteristics which they receive only by association with other human beings, such as language, you wouldn't have a human being in the full sense of the word. Take away from human beings any of the social attributes and immediately you have something else than human, and it becomes utterly absurd to distinguish between the society and the individual. They are the same thing. I realize saying it that way sounds terribly mystical and philosophical. I mean it to be philosophical and not mystical, because it isn't. When you try to analyze behavior, as each one of you has to do, and the way you analyze it is to break it up; you take the whole personality and break it into parts, and you begin to see the parts are all related to other parts, and there isn't any distinction between the individual and society. I could draw some conclusions about that which must be apparent to a great many of you now, particularly as they relate to your reforming attempts

after persons who have committed crimes reach institutions, as well as conclusions even more important regarding what happens in the local community when a crime is committed; not what happens to the man who commits the crime, but what happens to the community. But I must hurry on.

My next principle is really an elaboration of this second one, namely: that thought, will, purpose, emotion, are also inseparable, and I was very happy that Miss Farrell reinforced this point when she intimated to you that activity always precedes thought. It doesn't come on without thought in the strict sense, but it precedes thought. But thought, will, purpose, are all a part of personality in the psychological sense and you cannot separate them in analyzing character or behavior. You can only separate them for convenience's sake; but you cannot separate them when you watch the individual behave in a social environment. That is tremendously significant to me. It ought to be significant to everybody who teaches and to everybody who has the teachable attitude towards his job, which I assume you have. You begin to see, for example, how utterly futile it is to talk about teaching ideals. Someone asked me not long ago when lecturing from another standpoint about the new psychology if I was changing the old conception which was that character is not taught, but caught. Yes, I am changing more than that. It is neither caught nor taught. It grows. You cannot catch it, and you cannot teach it in the strict sense. It comes out of activity.

I just had the rather unpleasant task placed upon me to review a book written by a man who had used an experiment as a basis for a doctor's dissertation in one of our largest universities. The title of his thesis and the book was, "The Function of Ideals in Social Education." And I take the pains to briefly describe his method. He made a list of ideals that he thought young people ought to have, a list of twelve, I think, ideals, such as trustworthiness, loyalty, self-control, and so on. Some of them were not ideals at all, but he made a list of ideals which he interpreted as being teachable ideals. After he had made the list he found some principles according to which you could teach them. One of his principles,—I will mention only one,—one of his principles was that to teach ethics demanded a vital situation. That is, you had to teach ethics in an environment in which the activity was vital. Then he went out and got some of the boy scout groups and began to test his thesis as he wanted to prove you could teach ethics. So he tested all these groups of boys and gave them a grade, tested them on trustworthiness. Then he gave them six weeks of instruction

and tested them again, and then made some very elaborate tables of statistics by the use of some horrible looking formula to prove you could teach ethics, you could increase trustworthiness thirteen per cent. (Laughter.) And one of the tests he gave his boys was this. He placed the boy in a room by himself, gave him a box full of puzzles and conveniently placed under the boy's chair a pocket book with some coins in it. Then he left the room to see whether the boy would appropriate any of the puzzles or find the pocket book and keep something out of it. Then he comes back to the room, asks the boy if he needs any help in solving the problems, and after it is all over he grades the boy on whether or not he accepts help, whether or not he finds the pocket book, and I couldn't help wishing he would find it and keep it. (Laughter.) Think of it people! Think how silly we can get about things that look scientific. To call that science, and to call that an accurate observation of the boy's behavior seems to me way beyond the limits of assumption and yet a whole book written about it to prove you can teach that kind of ethics. The things I am most afraid about in regard to social workers, I am afraid they will begin to look at human beings just as statistics. After having made a large number of statistics myself and drawn a great many diagrams involving people, I become very suspicious of them. Whenever I see anything neatly set down in a diagram or very neatly set off in nice parallel columns of figures, and the figures are supposed to represent these mobile human beings, I immediately become a skeptic.

The other thing I am afraid of social workers is that they will not only look upon human beings as statistics, but as automatons to be studied in laboratories, and you eliminate a lot of mental and character tests which do not test anything at all except some preconceived apriori notion in the mind of the man who does the testing. In other words, all the mental tests I have ever seen do not test intelligence at all. They test a few elementary and a few complex reactions which the psychologist has thus far been able to reduce to experiment in the laboratory, and to call that a test of intelligence seems to me absurd.

I am afraid social workers are going to be led too far astray on that score, and I am also afraid social workers are going to be led astray by words. That is I think we are apt to be manipulated by the manipulation of words, and of course I have spent four or five years training social workers so I can say this with good grace. Let's say this confidentially between ourselves, we all use a lot of social work jargon

which muddles up our thinking and when we have got a label for something, when we have a label for something we immediately think we have solved the problem. I have seen people, especially in these new kinds of civic clubs that have sprung up in the last few years where they get together and smoke bad cigars and call each other by their first names, and incidentally save the world. (Laughter.) I have seen those groups become perfectly enamored when you give them such a word as the under-privileged boy. Oh how they grab that. They have solved the whole problem as soon as they label it. If we are going to be scientists, words must have more or less accurate meaning and we mustn't allow words to become overlaid with the emotionalism which makes social work discussion thoroughly unscientific not only to the outsider who comes in, but to us. That is, we fool ourselves more than we do them. I ought not to make a list of the faults I expect social workers to develop. That is the rottenest kind of psychology I know about. Of course you are not the people I am talking about. The people I mean are not here. (Laughter.)

Now I come to my last principle I have selected out of about eight or ten which might be included in this sort of discussion, and the last one is the tremendously important principle discovered and placed into more or less practical use during the last two decades, which goes by the name of psycho-analysis, or among you people who have given it a somewhat more technical concept, psychiatry, namely: the discovery of the unconscious mind and along with it the assumption, which is now more than an assumption, because it seems to me thoroughly scientific, that there are certain unconsciously expressed wishes which increase as civilization becomes more complex; and that as civilization becomes more and more a matter of machinery,—I am not speaking now merely about automatic machinery which is used to produce goods, but I am also talking about social machinery,—as civilization becomes more a matter of mechanics, the danger of the unconscious wishes and the failure of those wishes in securing a proper outlet or expression in modern life constitutes one of our gravest cumulative ethical problems. And before I go further, you ought to be warned there. A very splendid psychologist said to me the other day that he is becoming rather discouraged with the psycho-analysis and I said, "Why?" "Oh," he said, "You know every problem they discuss, they just smear all over with mud, with sex mud; they just make it like mud," and I rather facetiously said, "That isn't my chief objection to them. My chief objection was that they spend so much

time manufacturing the mud." (Laughter.) That sort of viewpoint has led many people to a biased conception of human nature, and once you give a dog a bad name of course he will always feel sheep, and once you look upon life from a psycho-analytical point of view, human nature becomes a matter for cynicism. And I suppose, although this is a mere supposition, that there has been no age since the early seventeenth century when so large a porportion of the world's population was cynical in its attitude toward human nature as is the present world. So I give you the warning if psycho-analysis makes you cynical, then study it a little more. It won't, if you see it, in its right perspective, and if you see it as a partial explanation of the whole then it won't make you cynical. And I bid you to look upon all modern scientific discoveries in much that same way. These French biologists I have been reading recently are all cynics. They all say, "Oh, what's the use." There is only one explanation of human behavior, namely: power; ego. We are all striving for power. I do not become cynical. I go right along with them and say, "Yes, egoism and struggle for power is a potent fact to be reckoned with, not one to be discouraged about." The true individual, the true ego hasn't yet been discovered. We talk about the failure of individualism, we haven't discovered the real individual yet, any more than lip homage to democracy has brought us any nearer to democracy.

Now I want to close by bringing all this together in such a way and focusing it in such a way as to show you how a modern mind can work its way out of this seemingly irrational world in which we find ourselves,—and I use the word "irrational" wilfully,—irrational, because I sat last fall with a group of people in Vienna spending one whole afternoon discussing the problem of how we were going to get enough milk in Vienna to give the proper nutritive diet to the twenty per cent. of the children who lived there who were worth saving, who had not suffered so much from mal-nutrition, and after spending the whole afternoon, I, with all my naivete, said, "Let's save more than twenty per cent. In Switzerland they have a surplus of cattle and cheese and butter and dairy supplies and because of the tariff they are not shipping in dairy products. Why not go across the border and get some goods and save more than twenty per cent.?" And they all laughed at me for being a most unsophisticated youngster. "Oh, but don't you know, don't you know that the tariff is so high you cannot do that?" Finally we had to go all the way to Denmark to get even enough cows to bring up the milk quotient for the twenty per

cent. when there were cows aplenty right across the border in Switzerland.

It is an irrational world because almost all the major activities of modern life are in a muddle. We have an industrial machine with raw materials at our disposal, with more gold in this country than has ever been accumulated in a single nation before, with plenty of people to do the work, with everything here for a splendid industrial development, and the machine won't work because we haven't enough inventive courage to bring forth a method of dealing with the human factor, with making the human beings in industry contribute in a harmonious way to the production of goods for all of us. When I think of the decay of Europe and I think of its economic implications, and then I see our Congress passing a protecting tariff law which by all the rudiments of common sense is exactly the thing we ought not to do now, is exactly the thing which will drive Europe to further despair and further starvation and further decay, yet nobody cares about it; if we knew a little new psychology we would know that the attitude that this country has assumed toward the rest of the world during the last three years is such that we allow the rest of the world to suffer and die, and what do we care?

I am trying to get you to see that this new psychology has come out of activity. It is not theory. I am assuming you are scientific enough to know it is an absurdity to say things are good theories but they won't work. A good theory has to work, and the theory I am talking about are theories which have come out of activity, and if we could now,—I mean "We" by you people dealing as you are; I don't look upon you dealing with the abnormal; I don't know where the normal and abnormal leaves off; dealing with the fundamental problem of human conduct, if you could get a concept of your attitude which would convince you that all your social machinery is sounding brass and tinkling cymbals if you don't have some steam to run the machinery, and by steam I mean spiritual power, the world is cynical. Yes, cynical in the face of the science which it doesn't apply to human affairs, a world ashamed of its past and afraid of the future, because it won't take these materials at its hand for the solution of these fundamental human problems. Folks, I say, and I say with all the feeling and conviction I have, that if once we could get this kind of new psychology in the minds of people who direct our educational and reform institutions and then it would seep down or come up, as it always has; they are waiting for it; we really are behind them in a sense; and it would permeate our civilization so

instead of looking upon life and human nature as something bad, something degenerate, we would once more be enthused by our ideal of human nature going forward, upward, with aspiration once more motivating our lives, it seems to me that if some idea, growing out of activities, could once more dominate this period of civilization, that the morning stars would once more shine anew and men would shout for joy, "Thy will is being done on earth." (Prolonged Applause.)

SUNDAY MORNING, OCTOBER 15

CONGRESS SERMON

REV. H. L. HOUGH, PASTOR, CENTRAL METHODIST EPISCOPAL CHURCH.

My theme this morning is "Christianity and Crime" and the text is in the thirteenth chapter of the Book of Romans, the tenth verse, "Love therefore is the fulfilment of the law."

When a man breaks the laws of logic he commits a fallacy but usually nobody imprisons him as a result of the fallacy. When he breaks the law of aesthetics he is guilty of bad taste, and what a great number of people would be incarcerated if that were followed by service in a penal institution! When he breaks the laws of God he commits a sin and the world itself is a prison house if all the sinners were incarcerated. When he breaks the laws of the state, he commits a crime. But it is then that there arises the problem which leads to the existence of the penal institution.

We use words so loosely in our vivid, neurotic modern civilization that perhaps some of us need to have our attention called to the fact that no matter how bad a thing is, it isn't a crime until you have a law against it; and no matter how good a thing is, it may be a crime if you have a law against it. In other words, speaking per se, crime may not have any particular relation, any necessary relation, to right and wrong. It does have a necessary relation to the future of right and wrong, which leads to the particular criminal code. And the idea and ideal of every criminal code is to have the legislation, the legal sanction, absolutely correspond to that more fundamental and invisible sanction which we express in the terms of right and wrong itself.

It seems a very long time since Christianity itself was a crime, and yet I suppose the Church can never forget that in certain bitter and terrible centuries Christianity itself was the greatest crime of all. And perhaps one reason why the

Church has always had a certain flicker of sympathy, if one may put it so, for the man who is serving time in the penal institution, is just because the Church arose out of the social society, out of the social life where the greatest law given civilization that the world has ever known made Christianity itself a crime. During those three centuries of persecution, indelibly the mark of the convict was made upon the Christian Church. All the loathsome, unspeakable foulness of those old Roman prisons,—and the worst prison in the modern world is a palace of art compared to those old prisons,—all the dark hideousness of the dungeon, all the unspeakable tragedy, all the black and hideous plight, fell upon Christendom itself. And it was out of that experience of Christianity being a crime that at last the Church arose to such commanding power that it was able to change all that legal sanction and the year when Christianity became a legally recognized religion in the Roman Empire is the civil birthday of the Christian Church of the world.

It seems rather a long time, too, since the other day when the Church exerted all its power to create artificial crimes. And yet, as you and I read the history of the middle ages, the darkest stain we find on the life of the period comes from that particular source of influence when the Church, using every bit of its power, caused a certain type of thinking to be a crime in the legal code.

There is a great deal of misunderstanding about the persecution of the middle ages. As a matter of fact the Church in the middle ages never tortured anybody. It did something worse than that. What the Church did was to so dominate the whole legal fabric of mediaeval life that to think in any way except one way was a crime, a crime to be punished by torture, a crime to be punished by death. Only the Church never applied the torture and never applied the death. The civil power always did that. There isn't one single case where the Church tortured or burned anybody. What it did was to so dominate the civil life that heresy became a crime, a crime for which you could be tortured, and a crime for which you could be burned.

It seems a far call, doesn't it, to the time when the Church itself had been a crime, and then the time when the Church was creating artificial crimes. So to think your own thoughts about God and to think your own thoughts of human responsibility, was to enter the horrible pathway where first there came torture and then there came death.

As one goes through those old museums where the instruments of torture of the middle ages are kept and realizes that the most ferocious ingenuity of the middle ages was reserved for the bringing of the most intolerable physical pain to those

who did not accept other people's view of what God is like, and what religion ought to be, one begins to realize the depth of civic degradation which made such a thing possible.

So that this whole story of the relation of Christianity to crime is a long and checkered story, a story blazing with heroism as glorious of the martyrs when Christianity was a crime, and a story dark with bigotry, intolerance, evil, as bitter and as cruel as the darkest days of the inquisition and as horrible as a thousand burnings when men gave up their right to think free. So when you are talking about this matter of crime, one cannot pretend that the Church has a spotless record, but one can claim that the Church has had a great deal of intolerance. We have had to do with all phases of it, and the man who thinks he knows most about crime to-day is entering a kindergarten compared to the man who has deliberately given himself through years of patient study to understand the long, long history of crime through twenty centuries of the activity of the Church in the world.

Now happily those bitter old days are past; the days when Christianity was a crime have passed, and the days when Christianity created artificial crimes have passed, and in this new and better day to which we have come in some genuine sense the conscience of Jesus is being applied to great sources of problems which have to do with our criminal code and which have to do with the practice and adjudication of all those relationships coming out of that code. We are learning a great number of things, and I dare say we have a number of things more to learn. A fundamental place where we must keep watchful eye of the whole thing is the legislative body itself. It is so easy to be contented with getting a piece of legislation on the statute book and then forget all about it after it is there. There has developed a feeling that if the people want a law you must give it to them, but of course it isn't at all necessary to enforce it. Of course both the careless enactment and the careless enforcement of law eat the very roots of any civil life.

So that the Church does have a profound responsibility,—and I am using the term "Church" in the very generic term. In that very large and generic sense the Church must profoundly all the while be watching that the valid conscience of the community dominates legislative enactment, and that legislative enactment is always followed by legislative enforcement. For there is no more fundamental break down of the life of any country than possession of a great group of laws; at once the door is opened for a thousand types of wrong doing and for that most gigantic evil, the disintegration of the official life which is supposed to enforce the law itself.

But having passed that day, and of course that is a problem large enough for a volume, but passing that by with the reference, we have two responsibilities,—a responsibility to prevent futile laws, to prevent laws which have no profound meaning, to prevent laws which have no deep relation to the life of the community from ever being placed on the statute books; and, on the other hand, to see that those laws which are in the statute books are either enforced or repealed. When one has passed by that, one comes to another responsibility of Christianity in relation to crime and that is responsibility for the conditions which make crime possible. We have gotten forever away from that simple naive view which believed that the careless, idle apprentice and the industrious apprentice go to work side by side with equal opportunity and equally open doors, and bye and bye the industrious apprentice becomes the head of the business and it is due to his quality, and if the other apprentice goes to prison, it is because he was a bad man. We have learned sometimes that the industrious apprentice has a chance to be industrious because he has behind him a great heredity, and very often the idle apprentice is so because he has a neurotic inheritance coming out of generations of lack of self-control, lack of strong and effective and choice living. So he is born in the world with an organism which with a terrible biological kind of ferociousness makes it inevitable that unless some aids are given his life will be a failure. So we have got to go a great deal back of the specific deed and a great deal back of the specific crime into those conditions which make crime possible. We have begun to understand that somehow you have to produce a kind of national solidarity in righteousness, a kind of commonwealth solidity in justice which shall lift the level of the community and give a propulsion which shall help stabilize and steady every weak and neurotic life. I think at the moment of an illustration I have used, I fear, rather often as far as my own people are concerned, but I want to use it this morning because it says what I want to say. I am never able to forget the crossing of the ocean in 1918 a few months before the armistice was signed. I went over with one of the convoys. There were a number of ships, about 40,000 troops being taken over and I remember now as the days grew tense and as we got into the danger zone, everybody seemed to have a certain quiet poise; everybody seemed to have a certain steady self-control, and one morning when called to be ready to stand by our boats while the machine gunner blazed away at a U-boat, I never saw a more quiet people in my life. Were they naturally quiet people? I could have picked out at my table three or four people positively neurotic as far as their biological life was concerned,

but there was something about the spirit of that whole boat which lifted every person into a quality of self-poise and self-control. I don't believe there was a person who had enough personality to be a coward. The solidarity of the regiment; the solidarity of the army, simply sweeps the individual into poise, steadiness and stability. We have never half realized the psychological meaning of that contagion of order. And one of the things Christianity has to do is to spread the contagion of order, is to spread the contagion of justice, is to spread the contagion of good will, is to spread the contagion of self-control until by and by out into all these by- corners of life where the person who is supposed to be ready for the psychopathic or psychiatric hospital is living, and reach in and lift him to the new quality of stable life. It is a strangely simple proposition and all you have to do is to get the community conscience really alert and awake and you will save untold thousands of people from complete moral and spiritual breakdown. That sense of solidarity; that sense of responsibility; that sense of that confidence of self-control is the thing that is to be built in into the very fabric of our community life. And man, born with strength, is to realize he has it not for himself but for the community. It is his business to radiate and disseminate poise and self-control everywhere.

Of course the problem is much deeper than this. The problem means the change of developments in our environment which are the inevitable creators of crime; that it involves cleaning up black spots. We all know the story of the long battle of Jacob Riis of Mulberry Bend, New York City, which was literally throwing out criminals by the great tremendous forces of creative and manufacturing power that might have been envied by any industry, and how he gained that battle and never was contented until that was changed into a park where children play and are trained. There are structural elements in our society which must be scrutinized; there are structural elements in our economic and social relationships which must be modified, and we must face the problem of creating an environment which is the foe of crime. Less than that we cannot do if we have a profound sense of that relation of all of us to the human good which is inherent in the very spirit of Jesus Christ.

Then, of course, we come to the more intimate matter, to what after all is the relationship of Christianity to the criminal, what is the relationship of Christianity to the penal institution. Of course the Church has been so busy doing a number of things that there are a great many areas it has never investigated with a completely enlightened conscience. One of the things we have to do is to let the searchlight of

the Christian conscience fall upon the modern prison. It will be one of those surgical experiences which will not make anybody very happy, but after it is all over and the patient is beginning to recover, it will be a splendid thing to have done, and of course it is a process that has been going on now for a while and notable achievements have already been worked out.

Can a prison be a Christian institution? I know of no more searching question for the man interested in penal institutions and I know perfectly well that utterly incredulous irony with which an enormous number of men would laugh to scorn the idea that profoundly Christian motives can be given any serious place now in penal institutions, and I know perfectly well how much there is to justify that irony. It is rather an unhappy thing, and in many commonwealths it has been true, that the people who represented the Church in the institution are sentimentalists. I very, very well remember when I first began to be extraordinarily familiar with the interior of penal institutions what a sickening reaction I had from some of the Christian workers I found in the institution, the type of man who encourages a certain type of neurotic criminal to fall upon his neck and repent with copious tears until he has an opportunity to victimize this luscious human apple which has come within his reach. That sort of thing has happened so tremendously and commonly in every commonwealth of the United States that it isn't surprising that some good intentioned officials in certain institutions look with fear whenever they hear another person professing Christian idealism come within the sound of the institution itself. Of course the pity of it is that the man who approaches the work of an institution of this sort in that spirit not only does nothing for anybody, but he doesn't even win the respect of the men serving in the prison itself. If I may go back to a personal experience again, very early I learned that in every institution there are likely to be half a dozen hard-boiled old criminals, if I may use that vernacular, rugged, rude, who are as steeled with their own moral standards, which they unflinchingly live up to, with their sense of the fitness of things, and whether it is the warden or the chaplain or the Christian worker, that man who can get the good opinion of those half dozen, hard headed old crooks in the prison owns that prison, and the man who doesn't will never do anything worth while in any prison. That is the basis on which all men are judged in our prisons, and the suave gentleman who tells with succulent sweetness of what he is trying to do with the boys in his prison is judged that way too. You have got to get into some corner and win the confidence of one of these hard old crooks and say, "What

do you think of him?" And if he replies, "Of course one doesn't like him, but he is white," then you can know that institution has a real good sound and substantial head. So I admit very frankly the extraordinary difficulties which confront any man who is going to try to take Christian motive into a penal institution.

I am not going into detail about the bitter things every man knows about prison, but I do see the vision that there are plenty of men here who see with me, of that red-blooded young boy who has done his first bit of stealing and was sent off to a penal institution and within a year has been so absolutely caught in the coils of the vampire that while he entered that institution a rather sound wholesome boy physically with one bad thing against him, he comes out with a disintegrated nervous system and face pale with that bitter white pallor, and his whole life having lost all capacity for initiative and moral condition. I don't know how Christian society can evade responsibility for doing that thing to that boy. The old crooks themselves realize the tragedy of it. I think my own heart was never warmed by a man as much as it was in one of the institutions of this country when a young "dip," a wonderfully attractive lad, was brought to a certain prison, and immediately one of those slimy, damnable creatures to be found in every prison began to make presents to this lad such as can be gotten to a boy in prison, and in other ways to show tremendous interest in him. I had a friend, the hardest old crook in the prison, and one day when this fellow was going so far everybody was thinking that boy was done for, one day this old crook went up to that vampire and hit him between the eyes and knocked him flat and when the man came to, he said to him, "You let that kid alone." A while later the warden came in and said, "Jim, why did you do it?" And Jim said, "I did it because I didn't like his face," and he was sent away to the dark room for two days. There had to be discipline, but I am saying there is good basis for Christian idealism from the fact that such a thing can happen in a prison. I talked it over more than once with the old crook and once or twice with the boy, and with a shudder the boy realized what happened. "Jim saved me, there is no doubt about that." Just think of this, "saved" was the word! The thing that old crook did is a thing worthy to be named in the same kind of phraseology that you use when talking about salvation in a Christian sense. Old Jim, a crook all his life, a yegg who had served many a sentence, came to the place place where the boy was standing at the gateway to the utter disintegration of his body, saved that boy at bitter cost to himself. Any man who is in prison life could multiply that kind of a story a hundred fold. The truth of the matter

is that there is a kind of passionate, willful hunger after righteousness, cleanliness and goodness in the heart of men everywhere, and it doesn't die out because that man is in prison, and it is the belief in that thing that gives the man the right to be himself working among these men.

We used to make a prison a place where a man doesn't have enough sunlight; where he doesn't have enough fresh air; where he doesn't have enough exercise. We made it a place where a multitude of vigorous, red-blooded men, without fresh air, sunlight and exercise, and with certain aspects of their organic life changed, were expected to lead clean, wholesome lives. And we wonder why it became a hotbed of vice, of which it is almost a shame to think. Profoundly the blame was with society. Again and again I have thought I wouldn't like to take a chance, and so far as most prisons are concerned I wouldn't like to take the chance of being incarcerated tomorrow for a year in one of those old prisons with practically no exercise, with practically no sunlight, and with practically no air, with no cleanness in it, and all the subtle abnormal elements of that old prison atmosphere and then promise to come out of it all with a strengthened idealism at the end of it. I have never seen a man who would be willing to trust himself to such conditions without a mighty injection of the very energies of the grace of God in his life.

We have learned so much at least. We have learned that we can go so far toward making the prison a Christian place, a place where everybody has plenty of air, plenty of sunlight and plenty of exercise. It ought to be a primal principle of every prison that every man goes to bed dead tired every night, because that is the only safe way for a man to go to bed. I am speaking with blunt frankness. It ought to be the principle of the prison to use this energy that throbs in men's lives until health, sanity and wholesomeness is in their blood, and the prison conducted along those lines of course does the first thing, namely; it sends men out without that queer old pasty color in the face and without that curious dull lassitude in the eye, and without that soft and clammy hand from which you shrink as you take hold of it; but can give men sound bodies with clean, clear eyes and physical organisms which have been built up and not disintegrated by their prison experience.

Is there more we can do? Now, of course, when one begins to talk about love as the fulfilling of the law, somebody at once thinks that he speaks of sentimentality and he closes up his mind. But that isn't the kind of love Jesus represented. It is curious how we have mis-read him. One day a woman came to him in bitter agony and he looked up and said practically, I cannot do anything for you. The commen-

tators have been trying to explain how he could be so hard, and she gathered her resources and said, "Well, I don't deserve to be a guest at your table, but the kind man gives something to little dogs." Then his eyes gleamed with enthusiasm and he made that great act of healing. What was the meaning of it? The meaning was he knew you must help people to build up their character and you must not help them in such a way as to disintegrate their character. You must give steel to the structure of a man's life with kindness, and not the kindness which gives him a moral and spiritual lassitude.

I have always been interested in the psychology of the methods of different dentists. Perhaps some of my friends will forgive me for this illustration. I have had experiences with two kinds of dentists. I remember when I was in college going to a dentist in New York City, and I remember when a young fellow going to New York City to get some work done. There were two men in that office. One of them was the most sympathetic man I have ever known, on the surface. He used to pick up the instruments and used them with a kind of attitude, "I am afraid I am going to hurt you, and how unhappy it is," and he would begin with a gentle sweetness that realized every capacity for physical suffering I had. Then the other man had sort of a sardonic gleam in his eye; back of that was a friendliness and an attitude, "I wonder if you are going to be so much of an idiot as not to have control," and I would straighten up and lean back and do the best I could to behave like a human being. The cloyingly sweet sympathy never did anything for me. The rugged virile, caustic manliness, with the sense there was a fine fellowship back of it, somehow stiffened my muscles always.

If you say, "But we ought to have more love in the prison," you do not mean the kind of gushing sentimentality cultivating the very neurotic feelings of people who never have a better time than when they pity themselves? There are two types of persons in a prison. One is the grouch and the other is the self-pitying. You have to deliver the prison from the enemy of pity and the grouch. If a man approaches a chap who is afflicted with those two things, with a clean clear light in his eye as much as to say, You are too much of a man to be sitting with a grouch; you are too much of a man to be pitying yourself," a curious thing is the man begins to respond. Love must have elements of strength and compassion in it. There you have a combination which promises well for the atmosphere in the place where those men must be dealt with who are serving sentences as the result of crimes they have committed.

Now I have a great hope. I have never spoken of it in public before. I have a hope the day will come when we take our Christian responsibility so earnestly that some of the best young men out of our great institutions of learning, the type of men now volunteering for home missionary enterprises; the type of men now volunteering for foreign missionary work, will deliberately and definitely volunteer to give their whole lives, the keenness of their trained minds, the vigor of their bodies and all the sturdy ability they bring to working inside prisons. I mean taking the small tasks of the minor prison officials and working through those tasks into places of responsibility. Every warden knows one of his worst tasks is to get the kind of men you can depend on to take the position of minor officials. If the day would come when we get good men with a certain quality of virility and character in those positions, everything would be much easier. The warden knows perfectly well some of his minor officials are all too willing for a consideration to allow dope to get into a prison. We all know what a terrible problem it is to keep dope out of the modern prison. There isn't any known method but what men will use in order to get it. You have sometimes looked at that little postage stamp on the envelope and under that postage stamp there was a grain and the prisoner getting that particular letter was very much more interested in what was under the postage stamp than what was inside the letter. How insidiously they eat out a man's idealism and how they eat into the very habit of thinking nobly in the man. In spite of all that, those men will respond to an appeal of justice and an appeal of cleanness and honor, which are the permanent things after all.

Now of course nobody who isn't in the game,—I have allowed myself to drop into a vernacular; I understand perfectly well there is a kind of moral effrontery and spiritual impertinence of anybody attempting to prescribe, but if I were to take time to tell you the hours and days I have spent and months I have been busy, and the years in which my interest has followed men as they battle their way back in the inside, as they battle their way to places in life, you would at least be willing to grant me the right as a comrade at the great task to make certain suggestions.

I do profoundly believe that love is the fulfilling of the law. By love I mean something very red-blooded, something commanding, something very virile, something very stern, as well as something with the heart of compassion. Kipling has the story somewhere of an officer and private, and somehow the private had received what he thought was a deadly insult from the officer and he was going around with sullenness, and the officer said, "I know what is the matter," and

he went to the Colonel and got permission to do a very unconventional thing. He went to the private and said, "Look here, you have a grievance against me and have no opportunity to ventilate it. You are to have a leave of absence to-morrow and I am to have a leave of absence to-morrow, and if you will meet me in a certain place we will meet as men and not as officer and man," and so as the curious story goes they met and took off their coats and they fought and at the end of a perfectly bitter fight they shook hands and when they went back to the camp that officer had no more perfectly loyal supporter than this private. I am not suggesting that is the rule which can be followed of course, but I am suggesting that the spirit expressed in that story is the spirit which came very close to the heart of the problem.

You are perhaps inclined to say there are a lot of men in prisons so shrunk in their sheer disintegration of life that that kind of thing doesn't appeal to them. I can see their faces too, those strange pasty faces; those cold clammy hands, but I have found out something. Down under there somewhere there is a shame at uncleanness; down there somewhere there is respect for courage; down under there somewhere there is a belief in justice, and if any man becomes to that human jelly fish the symbol of courage and honor and fair play and justice, that curious jelly fish would die for him. There isn't any more amazing higher spiritual loyalty in America than the loyalty of some men in prison given to men in prison who have commanded their entire respect.

What I have been trying to do is to create an atmosphere rather than give a prescription. But I would like those of you who represent the great Association to believe that outside of your own immediate activity there is an increasing company of men in America, men who know how to sit down with the young dip and the old yegg and talk to him in his own vernacular, and then he begins to talk honestly, men who through years of that sort of thing have learned enough to help him a little, and have learned enough to know as sordid as your task is in many regards, as difficult as your task is in many regards, that there is that unappeasable wistful hunger for goodness in those people, even in the men you are most likely to despise.

Certainly it is true no group of men in America touch life at a more acutely difficult point than the men who deal with the criminal, and if they have bravery and doubtless courage, the thing they do is to send men out again and again cleaner of body, sounder of mind, firmer of will than they came in. And the men who do that, why their very lives help men to believe. I used to go to a great prison where there hung a

picture of Jesus sitting in a chair and on his knees beside him a hideous creature in stripes, and that picture used to hang in a certain prison chapel, and I ground my teeth with wrath every time I went in there. Whatever is the way, that isn't the way.

I am thinking of the man who has very often been impracticable. He couldn't get the consent of my mind to many of his methods, and as I have been in the prison where he worked I have shook my head while I watched him, and yet with all his mistakes, again and again his idealism has been chastened by sound knowledge of criminal psychology; yet again and again when I am discouraged I think of the few boys over the United States I know, who, when they are tempted to do the worst thing remember that T. M. believed in them and still believes in them, and they don't do it. I wouldn't recommend you to try to put into practice all his methods, and I realize his limitations as much as anybody, but if you think T. M. hasn't the secret worth learning, you haven't quite sounded the depth of T. M. I can see yet the sight in the old prison, men all about him, he with the suit so carefully chosen you couldn't have told he wasn't a prisoner, with the invisible moral power of control which I have never seen equalled in any prison. We must remedy the defects of his method; we must refuse to follow him in the ways where he was wrong, but there is something in the power of him, that love of men, that virile belief in their response, that willingness to meet men on their level, there is something in all that which is back of the fact that out in the jungle two yeggs will meet and bye and bye they will come back to the particular event and the initials T. M. will come out and there will be a light in their eyes which hasn't been there before. With all his mistakes, it is something to put that kind of light in the eyes of hardened yeggs.

I am willing to stand by it that love is the fulfilling of the law.

SUNDAY AFTERNOON, OCTOBER 15.

MASS MEETING

THE FUNCTION OF RELIGION IN THE REDEMPTION
OF THE DELINQUENTDR. WORTH M. TIPPY, FEDERAL COUNCIL OF CHURCHES IN
AMERICA.

I remember one time in Buffalo attending a meeting of the American Federation of Labor and going around to the pastors of influential churches asking them to open their pulpits on the Sabbath day. Finding them very willing to do this, but not having thought about it before, I had been in the same city and I discovered that the working people in their organization in the City of Buffalo were living a life by themselves; that there were very few of our American communities in which labor, so far as it has a voice or organization, is carefully built into the organized community life of a city, whatever it may be. That came to me as a shock, the way in which the intelligent organized forces of labor were living in the community and in a large sense not of it; that is, not participating in its life. I went at one time up to Scotland to look in on the Scottish miners, and especially to see Mr. Smiley and try to get at the leadership of the miners in England, and there I was from New York way up at the Ayr and the ministers didn't even know that the Scottish miners were meeting in the City of Ayr. They were not prepared to give them any welcome. It came home as a surprise that such a thing could happen at that time.

Now there is something like that about this great world of the delinquent. The prison statistics are not very complete, and I presume the more careful people in the field are very slow to give statistics, but I possibly wouldn't be very far wrong if I were to say that there are at least 200,000 people in the correctional institutions of our states, our federal and state institutions, and as good an authority as Mr. Butler said probably there were half a million people passing through these institutions during the course of a year. That is a great army, half a million people! And somebody said that in addition to this half million people there are probably a million other people directly involved with them and rather intimately involved,—fathers, mothers, grandfathers, grandmothers, husbands, wives, children and intimate friends, probably a million people, and that there might be several hundred thousand people who had been harmed by these delin-

quents, and some of that harm is dreadful when you go back in your own knowledge of what happens and pick up the papers and read about it. You sense the terrible damage done to individuals, the scars left on children and the sores that are never assuaged, at least in this world, and the steady economic loss due to the care of delinquents.

I don't believe people understand that delinquents almost invariably go wrong when they are young. I don't think they understand the tragedy of many of these people. I don't think they know how handicapped they have been. Now they don't know, for example, in the Indiana Reformatory where the inmates are from 16 to 30, that 13 per cent. of them are absolutely illiterate, and that 50 per cent. of them in the common schools have not reached the fourth grade, and only five per cent. have gone as far as high school, and they don't know that 60 per cent. of these people in the Indiana Reformatory never have been inside of church, 60 per cent.; and they don't know that 65 per cent. of those in the Indiana Reformatory are from broken homes. They don't know that.

Now those are the things that come back on your heart, because you run your mind back to the childhood and you see a child coming from a home that is broken or full of discords, or you see a child where the father and mother haven't appreciated education and the boy hasn't had his chance. I sat in the Senate of one of our States and listened to a discussion of the law for compulsory education. Well now, it was a six months law, but there was not one dissenting voice raised when it was said that if the father and mother thought they needed the child, the child shouldn't be forced to go to school. Now the handicap of the child or the ignorance, the economic greed, or the poverty of the father and mother, is denying the chance for a training and enlargement of his mind by education.

Well, it isn't realized by the people either that 35 per cent. of the people in the Indiana Reformatory are mentally sub-normal, 35 per cent. I came across this from the Superintendent of Reformatories in Connecticut. He told me that there were 400 in that Reformatory with an average age of nineteen who went wrong in childhood, and that 50 per cent. of the women who give themselves to prostitution are feeble-minded.

I heard Judge Utterback say that in one year he had 1,320 divorce cases in his court in Des Moines, and that 4,000 children were involved. Now you put that with what was said about the young men in the Reformatory of Indiana, that 65 per cent. were from broken homes, here are 1,320 divorce cases and 4,000 children. Now most folks who want to get divorces want to discuss that subject from the point of view

of their own compatibility, or their own desire or love for another man or woman. I asked Judge Utterback what his point of view was about divorce and he said he would make it impossible for a divorced person to marry short of a year. He said he thought in most cases the woman would find the man she had a new infatuation for wasn't worthy of her and the folks would get back and try to make the amend within their home, especially if they had children.

Now, as I say, this is the side of it that appeals to you. I listened to Mrs. Woolley yesterday morning when she was describing the work done in one of the schools here and I heard her stating some instance and I thought about this instance a great deal, because in my own observation in homes as a minister I have seen so much. You remember she told of her own little baby girl liking the bath and didn't want to be taken out of the bath and proceeded to kick and scream and make quite a row. Well, she as a woman who knows the psychology of the child mind wrapped the child in a warm towel, laid it on the floor and let it have its cry out. That happened two or three times and then the child could be taken out of the bath without a little tantrum. And the truth she was bringing out of those discussions was this: The perfectly normal and splendid little children, because mother doesn't know how to instruct the child, or because sometimes the father doesn't work with the mother and interferes, or because there is another person in the house who interferes, the little child, who, under years of training, wise training, would be obedient, later becomes a child who is not controlled and who may later become a delinquent and rebel against the authority of the community.

Now I say that this world is a sad world, this world of the delinquent. I am glad we are using "delinquent" because it is softer than the word "criminal." I wish we could drop the word "criminal" out of our terminology and take the softer word. It is more respectful; it is more considerate; it is more loving. Yet it tells the story. But the thing in my mind is while it is a sad world, it is a very appealing world. I remember when I first saw that statement in Dr. Healy's "Individual Delinquent" that almost all delinquents become such in childhood, it made a deep impression and got right down in my thinking.

Well, just because that is true, delinquency becomes a problem in reformation and that is why it is so intimate to the church. Now I should say that the one big controlling idea in pure and undefiled religion is a struggle for human life in its entirety, and when we can get people in the churches to quit struggling for creeds, and quit struggling for ecclesiastical denominations and forget that

except to keep it efficient, absorb that in the struggle for human life, why then we have got the religion of the future and we have got the religion which is glorious in the New Testament, and we have got a religion that has handles you can take hold of all around. Most anyone who wins a struggle for humanity is a party of the glorious work, and if you stop to think about it, if you think of what we call the spiritual side of religion, the inner life, the life of prayer the life of contact with Almighty God, if you think about that in the New Testament it all seems to center on the struggle for human life and it is not the greatest good for the greatest number. It is the highest development of each individual, like it is with your child and like it is with my child, whether that is the child born to you or committed to you perchance in the institution. Now I say to come back to that fact that these five hundred thousand people, greater or less, and the people who are associated with them, why they become problems in redemption. They become problems in salvation; they become problems in reformation. Now I propose to you that we take those old words "salvation" and that other old beautiful word "redemption" bodily off this field, and we will talk about the redemption of delinquents, or the salvation of delinquents, as well as the reforming of delinquents; we need a rich vocabulary because we have something so hopeful and significant to do. I heard the representative of the Manchester Guardian say in England they were taking that word "redemption" and applying it to industry and they say their task is the "redemption of industry." Well and good. Think, what is industry? Industry stands up beside the other great things we are doing for humanity. The new medicine is struggling for the mental and physical health of the community, and the churches are struggling for the spiritual life of humanity, and cannot keep away from the physical life of the humanity and industry. What is society? It is men working together to provide the economic resources necessary to human life, so everything is bound together in a great and wonderful brotherhood of service in the struggle for humanity.

So we take this word "redemption" or we take this word "salvation" and we put into it a great meaning, that people working with delinquents understand, and a great meaning that the educators understand, and religion, I suppose, on the whole is this whole thing lit up with Divine life and the consciousness of the presence of an Almighty love. Well now that leads me then to say, because my theme is specifically the Function of the Church; I wish instead of saying anything about that I could ask you what the function of the church is? I wish I could persuade you to think about it. I have

had a peculiar experience. I have asked many people what is the function of the Church. The reason I am asking it is this: We are just beginning in the Protestant group a work by our Department on Delinquency, and I am asking what is the function, and I find it hard to get people to think about it. I don't know whether it is because that hasn't been so much in their horizon; perhaps the Church has been so absorbed in its systems and along with the great and beautiful things it always has done, to notice, but I would like to ask you that question, I wish to say a few things I think myself about the function of the Church in relation to delinquents.

Now, the first thing I want to say is this. The Church is a great educational institution; that is, its primary function is an educational institution. In the matter of colleges, there are more students in denominational church colleges than in all the State universities. That is an amazing fact, and I don't say they are better than the State universities, and I speak with the most absolute sympathy for the State university, because I have no partisanship for the church college. I look at education, I hope, in a broader way.

The Church has a great press. We have, let us say, probably between two and three million people who are subscribers for church papers, and we have a great Sunday School organization, presumably about twenty-five million, with a couple of million people teaching. With all the imperfections of the Sunday School, it is a very significant thing. You remember down in the Indiana Reformatory, 65 per cent. had never been in a Sunday School, and Judge Utterback said he felt to have the children go through the Sunday School was a most significant thing. What he found amongst the delinquents was that they didn't go there,—between 50 and 60 per cent. of our children don't go through even that training in altruism and goodness and fundamentals of religion.

Well now, I say we also have our pulpits, we have probably 220,000 churches,—Protestant, Catholic and Hebrew, and we have 140,000 or 145,000 ministers, priests and rabbis in charge of congregations. That is a very great army. It fell to me in connection with the war to try to get the force of these Churches back of the Red Cross as one of the first moves, and when I came down to Washington—if there are any Red Cross folks here, you will understand me, because I believe in it so thoroughly,—but it took a lot of argument to persuade the Red Cross officials in Washington that it was worth while to use that army of 145,000 men. I went down to the Department of Agriculture when it seemed absolutely essential that we should have as little strain on the railroads as possible, and therefore all over the country people should raise gardens, and people tore up their front lawns and

planted potatoes. Well, I went in to the official who happened to be there and I said, "Here, it is in April, 1917, and you are talking about gardens. Have you thought of using the churches?" I said, "We can get in four or five days a word to the pastors all through these rural areas and on Sunday they will talk to the people, if we tell them to do it." He said, "Why, I never thought of that for a minute." The government had the idea that they couldn't work with churches because of sectarian purposes, and he sent me right in, and inside of an hour I had the long distance to New York and we had begun the printing, and so as the Spring came we had fifty or sixty thousand ministers working that field. Well, we have this army. The problem is to get it into action, but it is a very great power. There are ten or fifteen million people sitting in the services of churches Sunday morning and evening. Now what I say is this. The first great function of the Church is to persuade the people to the idea of redemption, instead of the idea of punishment. I believe that the majority of the people still feel vindictive towards the criminal, and they don't realize that each man is a case of redemption, or a case because of one thing or another that makes redemption possible, and it is something that needs to be studied very carefully, instead of an eye for an eye, and a tooth for a tooth. And this is the way it appeals to me. I don't know anything about state correctional institutions, but when I come back and say this, that 65 per cent. of the young people in the Reformatory of Indiana are from broken homes, that in the 1,320 cases in Judge Utterback's court for divorce, 4,000 children were involved; that 50 per cent. of the boys in the Reformatory in Indiana were not up to the fourth grade, and when I read the statement like that of Dr. Healy, that practically all delinquents become delinquent in childhood, and when I know the imperfection of so many mothers.—I mean in wisdom in training the child, and the influence of habits, why I say in God's name, let's make every case a problem in redemption, and it is perfectly natural for the Church to say that, and what we have got to is this:

We must have literature in the regular graded courses in the Sunday School. That must become a primary idea all through, so that finally when all the children come up they have got it there, and that we ought to get all these ministers, priests and rabbis understanding it. We have got to get a few books like that of Dr. Healy into our seminary courses. Mr. Butler called my attention to the fact that a conference recently said that the ministers should be given a course of training in psychology and in the classification and treatment of delinquents and that they should go back and hold classes in their churches. That is the kind of an educational problem that we face.

The second suggestion I would make is that the Church speed up its indoctrination of people with the spirit of love of humanity, with the idea that religion is the struggle for humanity with what you would call in philosophy the spirit of altruism,—the thing that makes people want to be welfare workers or volunteer workers or full-time trained workers. I felt very much pleased this morning at the morning service that a lady came to me and said, "I want to go into this work." She didn't mean full-time salaried work, but a place to take hold here in this city. "Well," I said, "probably you would like to do something with the Big Sisters," and I think her pastor will see that she gets into connection with some such organization. Mr. Jackson of the Associated Charities at Cleveland has said repeatedly when he wants to get money or workers, volunteer or salaried workers, he almost invariably has to get the people who have their childhood back in the synagogue or church, and that is true. Our spiritual influence might be so much greater. We might send more; we might send better; we might send more inspired people; we might send people who know more about it, if we directed our teachers. I do not want you to assume that we are not doing it, because if you are familiar with the modern curriculum in the Sunday School graded system you know it is a great advance, and this week-day instruction is coming along apace. In Appleton, Wisconsin, eight churches,—Methodist, Baptist, Presbyterian, Episcopalian, all joined together in a week-day school for religious instruction, with the Professor of Religious Education of Appleton College as the director, and meeting three days a week, coming in groups, in thorough co-operation with the school system, and so successful through the year that this year it grew all the while, and this year, with the approval of parents and school authorities, it is going on with new power. That gives you the chance to do the thing I am talking about.

The Church also has a very definite function as an institution. I know there is a great deal of difference of opinion upon that. I have talked with Professor Lindeman on that and he and I cannot agree on that, and I have an article to write for the *Annals* on the "Possibility of the Church as a Community Agency." I have kept stating to Professor Lindeman that you have to think of the Church as an educational institution, and then you have to think of it as an institution like others in the community. For instance, every church is a community center, or neighborhood center. It is the place where people meet for worship and religious education and also for friendship, and that church is an institution. You will find the Council of Churches here in the City of Detroit, and it would be well for you to look into it.

They have two officers and they have a minister, Mr. Hughes, who is working with the municipal court, and then a Miss Morse who is working with the juvenile court. I cannot tell whether they are probation officers or what they are. I find in some places that serious work of probation officers requires thorough training and responsibility. The judges are assigning people to those persons for supervision. They are going to begin to work out experimentation on the jail, what can be done in the jail. Our Chairman, Dr. Hart, is convinced that the greatest field of service now with the institutional delinquent is back in the jails, and as I think of some of these jails I think he is not far wrong on that.

But how to get beyond the stage of holding a meeting once in a while; how to get that personal close touch, that search for a man and depths of his soul and to get that man back to the old associations and to reveal in him different spiritual powers. That is the problem. It is a spiritual case work. Miss Richmond says that someone ought to write a book on spiritual case work, because she says that is just as vital as the mere technical case work of the charity organization worker. Now the Church has a great field in there and it is going along rapidly. I just wrote letters to the fifty or sixty federations of churches to find out what is going on, and there is quite a variety of progress, and then I wrote to some of the most experienced State workers, like the welfare officials of Pennsylvania. I find difference of judgment, but here is the thing that has happened. Cincinnati is putting on two workers, one for the Big Brothers and Big Sisters, and now for the colored children. St. Louis has two. They have two here, and probably will put on another for the colored workers. I venture to say in the next ten years there will be hundreds of such workers, whole time, I hope, highly trained workers taking their place in the ranks with the rest in the redemptive work with regard to those delinquents.

Then I want to suggest to you that the great object of the Church is in preventive work with boys and girls. Brother Barnabas feels that very strongly. They have twenty thousand people in the Catholic Church who are just working in that field for boys. Isn't that a splendid achievement? There is the idea of concentration of the great powerful organization on the recovery and prevention and protection of their boys. Now just go back to the fact that there are probably two or three millions of individual classes and clubs in churches and if we can train those teachers and leaders of scouts in the churches, why they will do as we used to do in my church in Cleveland, we would see a boy or girl who hadn't had much training and we would see where things were starting, and we would go to the father and mother and

teacher and get around that child, and one of the happiest pieces of work I ever did was every year we were seeing these boys and girls started in the right road and finally we would find them scattering and the churches are very close to the families, with the fathers and with the mothers, and once our ministers understand and become aroused, once our teachers understand the problem and become aroused, they will go back to those fathers and mothers to help them with their problems. I look upon the development of the parish organization of churches as a matter of great significance. I venture to say that in the last ten years there have been at least one thousand parish houses established. I think that there are fifty or one hundred parish houses now as big as the ordinary settlement. In New York there are several parish houses that have as many people in their activities as you will find in Hull House in Chicago. That means a lot, and they are building parish houses, and there are many architects who understand what a parish house ought to be. If I should live my normal time I will see ten or fifteen thousand of these great centers with directors of recreation for the boys and girls. Now, that thing takes the girls and boys out of the street, and that is connected with the modern system of religious education.

Then I look for something else in connection with our churches. I hope our Protestant churches will do what our Catholic churches are doing. Anywhere you go in an industrial population, you will find a strong Catholic church. You will find many Protestant centers. I shall go from here to Springfield where there has been a critical survey of the religious activities of that city. The program will be a careful study of the development of big religious centers placed around in the congested areas. All these big cities need a re-survey from the Protestant point of view, with the closest sympathy with Catholic and Hebrew, because we are learning to join hands in our social work and put aside our suspicions and unite our forces in these forms of service. We can do that when we cannot unite our forces ecclesiastically.

Now I made these suggestions, Mr. Chairman, and I want to say in closing this one thing. I said this was a sorrowful world, this world of delinquency, but it is also a hopeful world. There are all kinds of light in it. Really I don't know whether you would agree with me or not and possibly I am a little stirred up by the discussions, but I go amongst the ministers and hear them bewailing the lack of interest in spiritual things and many times they bewail the ineffectiveness of evangelism. I come down here for the first time that I have attended a Prison Congress, but I was saying to our Chairman that I found myself in the presence of spiritual

forces; I found myself in the presence of divine love working for the redemption of people and working for the redemption of people that most church folks haven't any hope about. In other words, I find myself in the presence of spiritual vitality, and I have discovered that some folks are not extra friendly to the church in this group, but one gentleman said, "You know, after all, underneath us there is that fundamental of religion." What is the fundamental of religion? Faith in man; love in people, and a spirit that feels it can surmount insurmountable difficulties. That is what it is. That is the glorious fact, and you can allow for all the weaknesses and all the unbelief of the people who enter this field temporarily for one reason or another, but I tell you in this modern movement for the reclamation of delinquents you have got an upspringing of fundamental religious power and faith. Now it brings me back to the saying of Christ, and strangely enough it was a saying that is close to us. It was after the scene on the Mount of Transfiguration. Peter, James, and John and the Saviour were up on the Mount and they came down to the throng of people and when Christ pressed his way through to the center there were nine Disciples not on the Mount and there was an anguished father and the epileptic boy foaming on the ground and with the signs of fresh power that had come upon them when they had seen what had happened, they had ventured to correct that trouble and had failed, and the crowd had mocked them, and he turned and corrected the evil, picked him up, gave him over to his father, and then when they got off by themselves they said, "Why couldn't we do it," and he said, "Because of your unbelief." He said, "If you had faith as a grain of mustard seed you could say to those mountains, remove yourselves to yonder place and they would move, and nothing shall be impossible unto you." Strong words, absolutely true. Howbeit this kind cometh not out but by prayer and fasting. There are some things that require a big price.

Now if there is one word that needs to come to the Church, and one word that needs to come to this struggling humanity at this hour, it is that word of faith; it is the spiritual word; it is the religious word, and yet it is the most commonplace word in the world,—faith to believe in man, in the energy of the human mind, and energy of the human body and the methods of science and the methods of education and the economic resources of humanity, and the power of Almighty God within all of us, and then we can do anything that the human intelligence shows needs to be done and that the human conscience demands shall be done. (Applause.)

SUNDAY EVENING, OCTOBER 15.

MASS MEETING

DR. CHARLES H. JOHNSON, PRESIDENT, NATIONAL CONFERENCE
OF JUVENILE AGENCIES, PRESIDING.

We have been talking during the week about prison methods and various aspects of the prison problem and we come tonight to what is practically the solution of the whole problem. I read the other day in the newspaper about some people on the Island of Molokai in the Hawaiian Islands who had been cured of leprosy,—a rather remarkable thing to happen in the world of human suffering. It stated that they had been cured by the essence of a plant known as Chaulmoogra. I had read some years ago of the interesting facts surrounding the discovery of that plant. That plant grows on the Island of Molokai, where for many years have been kept lepers in colonies, brought together to spend their declining years apart from civilization,—brought together to die. It so happened that someone by some process found there was oil in the leaves of this Chaulmoogra plant and it was worked over in the laboratory of the University of Hawaii and experiments made, with the result that it was found to be highly beneficial to the disease known as leprosy. Continued experiments resulted in finding that leprosy could be cured by the use of this essence from the leaves of that plant, and since then—that is now several years ago—since then, the use of that oil has become much more extensive and from time to time people are discharged from the leprosy colonies, cured by the essence from that plant. Now there is a peculiar situation. On that island for decades lepers were dying of what was supposed to be a hopeless and certainly was a dreadful disease. On the same island, in close proximity to where the lepers were dying, was the plant which held the curative for the disease, and yet no one realized that close to where the people were dying, there was life and there was salvation in the leaves of that tree.

Now when we look around for the solution of our social problems, perhaps we are facing something similar. We have this situation of crime and delinquency and for many decades people have thought the thing was hopeless. They knew it was dreadful and we have tried to meet the situation by having better and better institutions, refining our methods, trying by every possible means to adapt ourselves to a scheme which would bring about some help to those who were stricken by that disease, if we may use that picture. But all the time perhaps the real cure, the real solution was not in the in-

stitution at all, but was outside the walls of the institution, in the boys and girls of the community.

Now the solution, the antidote for our social problems of crime and delinquency is not going to be found in structures which have a remedial purpose. Our antidote is going to be found in those prophylactic or preventive measures which come out into the community and begin before the children's court, perhaps, and before the probation officer begins his work, because we cannot begin too early in the career of the individual in our attempt to head him off from the paths of delinquency and vice. That is not a theory. Already in most of the states, especially in our own State of New York, and I think all of us on the platform are from that State, we have begun to see delightful and satisfactory effects of this kind of a solution, because the judges of the children's court tell us that their cases are not as numerous as they were. Institution superintendents in New York tell us that the number of delinquent boys is not sufficient to fill up their institutions. A short time ago the board of managers of one of those institutions came to our office and said they feared that the judges of the juvenile court were discriminating against their institution and they would like to know why, and we arranged a conference with the judges of the Children's Court and the board of managers of that institution, only to find that the judges were not discriminating, but they said they didn't have the material to send to that particular institution. It wasn't coming in the court, and that very institution told me the day before I came up here that they could close one-half of their institution; ten cottages could be closed without in any way inconveniencing their population.

I think you will agree with me that one of the factors in the decrease of juvenile delinquency, or if not the actual decrease, in the fact that juvenile delinquency is not keeping pace with the population; one of the great factors is the social work, the preventive work that is being done for boys and girls in every community. It is time that these efforts were beginning to tell. It is time that our Boy Scout work and Big Brother work and all these preventive efforts were beginning to show the results, and it certainly is a delightful situation to think that we probably have reached the day when we begin to see the stream of juvenile delinquency diminishing because of the activity in the community outside which is attempting to solve this problem. And so, ladies and gentlemen, as we approach social problems, let us think of the Chaulmoogra plant of the leper colony. There was a disease; close by was the antidote, for centuries unknown, now happily discovered. Here are social problems. Perhaps close by is the antidote, if we look for it and be ready to apply it.

BIG BROTHERS AND BETTER BOYS

ROWLAND C. SHELDON, EXECUTIVE SECRETARY, BIG
BROTHER AND BIG SISTER FEDERATION,
NEW YORK CITY.

Looking over this beautiful sea of bald-heads, I am reminded of a boy friend. His name is Jimmie. He was referred to us by the Bureau of Attendance, the school authorities, because Jimmie was a truant from school. Jimmie went on the "hook." Jimmie had been apprehended and he had been committed to the truant school and when he was released from the truant school they had asked the Big Brothers to try to help prevent his further truancy. So, after all the due formula of reading over his family history and school history and all that sort of thing, I sought an interview with the boy and when I saw Jimmie it was almost self evident why Jimmie was a truant from school. Here was a fourteen-year-old boy just as bald-headed as the ordinary door knob; he didn't have one hair on that poor childish pate. Of course the boys in school liked to swat Jimmie's head. Jimmie didn't like to have his head swatted and he stayed away from the swats. That was the whole story in a nutshell, and, seriously, I don't know as I can blame Jimmie, do you? But what to do; how to get Jimmie back. Buy a wig? That seemed to offer more fun for the kids. Then, of course, they could get his goat by getting his wig.

I wanted to proceed scientifically; I wanted to go about the thing right, so I took Jimmie down for a psychological examination, and in the course of the psychological examination and medical examination, the doctor told me the moment he saw the boy, "Oh, this is a case of allopatia." There it was. It was allopatia. (Laughter.) That was tremendously satisfactory and comforting to know that we at least knew the name of it, and I asked the doctor what we could do. "I am sorry there is nothing you can do. Allopatia is a disease of the nerves of the scalp which results in this baldness and really there is nothing you can do." Nothing daunted, I went to a hair specialist. "Oh, this is a case of allopatia." Oh, everybody was united and agreed. Only, I think she called it allopeta. "All right, what can you do?" "The boy's head ought to be rubbed." I said, "Go on and rub his head." (Laughter.) "I have an idea his heart needs attention, and while you are working on the head, I will follow my own cure."

My theory was just this: This is a theory I haven't found in any medical books and it may be worth while for you to note down, especially for you bald-heads. I argued because

Jimmie has been so teased and tormented in school he had gone into himself just as a hermit goes into his cell, and he had shut the door. He had shut himself up against the outside world because out there was no love; because out there was no affection, kind sympathy; out there was no kindness, and he was going to have nothing to do with it, and he was making himself the enemy of society by being a shut-in. Now, I argued if we can get Jimmie to come out; if we can get Jimmie to loosen up a bit, we might get him to even release the pores of the skin and who knows the hair may come out. Very well. The hair specialist started on her tangent and I started on mine and it took me a long, long time even to get Jimmie to take me into his confidence. I was very careful every time I talked to the boy never to look at his head, to always look into his eyes and through the window of his soul I sought to get in there and bring him out. And bye and bye Jimmie learned to smile. The first time I ever saw him smile was three weeks after I knew him. And then after I had got his confidence, I argued with him that the only reason that the boys in school teased him was because Jimmie got mad. You know how it is. If anybody teased you and gets your goat, that teaser is having some fun. If you teased me and got me mad, you know how it is, you are going to continue to tease me as long as I will be angry. But the moment I don't get angry it is no fun to tease me, and that was the argument I tried to get into Jimmie's head to smile through it all and never let them get his goat; never get angry, but play the game, even though his heart wasn't smiling.

And Jimmie finally concluded to try it. Jimmie did. The next time he went to school Jimmie smiled and didn't get angry, and there was the cure. Jimmie went back to school. Jimmie had finished his school term. Jimmie himself did what the Board of Education, Bureau of Attendance, Police Department, Fire Department, couldn't have done. Jimmie finished his school term and is not a delinquent. Jimmie is getting along beautifully. He is working steadily. He came in to see me the other day. He is going to get married and came to find out the name of the wig-maker recommended to Jimmie after he left school. He wanted to get the new wig as his wedding trousseau. I must tell you how the hair specialist succeeded. Jimmie has now three well developed hairs and half of one eye-brow. (Laughter.)

There are all sorts of boys. I think there are fifty-seven varieties. There are the failures, those with the wanderlust, the beggars and tramps, that will come in, but we have those boys who are cured by the turn of the wrist and just a word and it is all done.

I want you to know the Big Brother and Big Sister organizations. I want you to know them, to like them, to help them, because they need your help. It has been a long, long hard struggle to utilize the best in the idea and to get the rules stabilized and standardized. It started in New York City in 1904, pretty nearly eighteen years ago.

I was very glad to hear Dr. Johnson say what he did say about the fact of preventive work, because we have all felt and we have been expressing ourselves as feeling that the idea of punishment is pretty nearly over-done. I wonder if the figure is correct that I have heard, that 80 per cent. of all the men in prisons have previously been in reformatories? And that the majority of the boys in reformatories turn up in state prisons? If those figures are true, it would seem that we are spending a great deal of money on a system that serves successfully only in the minority. You remember the figures of Hugo Munsterberg, who said that every year here in the United States we spend four hundred millions of dollars more on our prisons and jails and courts and police and all the paraphernalia of punishment than we do on all our churches and schools and hospitals and things of a preventive nature. Four hundred million dollars a year in maintaining the cart before the horse. If that is so, it is a terrible indictment to our common sense.

But I am not at all satisfied that the prison is any cure, and you are not satisfied. I have gone up and down this country and I have had the privilege of talking with thousands and thousands of business men who were found in Rotary Clubs, Elks Lodges, Kiwanis, Exchange Clubs, and business men, and I have asked those thousands of men this question: "Who of you would knowingly and willingly employ an ex-convict in a position of trust and responsibility?" And up to the present moment I have yet to find one man who would raise his hand and thus say, "Yes, I believe that the prison is a cure for crime."

I believe that when we send a man who has done wrong to prison he will not come out cured, as the lepers, of whom Dr. Johnson has just told you. Those lepers were cured and they are absorbed again into society. But I want to tell you that the ex-convict is not and never can be absorbed into society, because the prison does not cure the disease. There is a way, thank God, that we can achieve something, provided only that we begin early enough and work hard enough. Of course, the first sign of delinquency, the first sign is shown in the home,—disobedience and disrespect. Then comes incorrigibility, and then comes criminality. I believe the trend was arranged by Dr. Collier. He doesn't maintain every disobedient child is going to become a criminal, but he says every

criminal has trod the path of disobedience at home. So what we are trying to do, as Big Brothers and Big Sisters, is to get in touch with the child in school. We cannot get in touch with them before that, because mothers have that protective attitude that will make them cover up and hide the delinquencies and mal-adjustments in their own family, but we can find it in the school, and starting with the ten-year-old boy and girl, after reaching that child, we are doing just as good case work as we possibly can. We are going into the matter just as thoroughly as we know how. We are getting the family, the social, the physical, the mental history of that child and of his family. We making just as careful an examination and analysis of his mal-adjustment as we possibly can, and then we are in conference with the volunteer Big Brother, who is the business man, a professional man, a man who has been chosen because of his general characteristics to make for success in this thing. I converse with him. We are arranging a program that would tend to overcome this child's handicaps. That program certainly would include attendance at church; it would include membership in either the Boy Scouts, Girl Scouts, Camp Fire Girls, the Y. M. C. A., the Y. W. C. A., Y. M. H. A., or some other organization. It would also include, of course, mental, dental, optical, psychological examinations, and clinical work, the teaching of thrift, the reading of selected lists of books, but above all those things, above all, it is character building, it is making the child realize that now is the time he is building his reputation, not at the time he graduates from school, not at the time when he hangs up his shingle as a grocer, teacher, or plumber, but now; and that reputation is being made most of all while he is unconscious of the construction of his reputation; that he is not thinking of the reputation he is making; the task is to make that boy realize that during that time his reputation is being made, and if it is being made bad it is going to come back and strike him and slap him and hurt him.

Big Brother and Big Sister work is sentimental. Thank God, it is sentimental, because there is still room for sentiment in this old world, and we have too little of it. It is sentimental, but the Big Brother and Big Sister work isn't maudlin. We want to supply in these youngsters the affection missing in their homes. We want good women to supply that affection and love that some girls have been robbed of, and because they have been robbed of it, they have been driven out and go wrong.

The Big Brother and Big Sister Federation exists for the purpose of standardizing the work that is being done, and when I say there are 160 organizations I do not include those

Big Brother committees of such splendid organizations as the Elks and Rotary, B'nai Brith, Jewish Council of Women; Catholic men and women, and various women's clubs. There are hundreds of committees, Big Brother committees of men doing excellent work, but I am not including those in the 160 I have named. But we do want to harness up that splendid energy and enthusiasm that has been shown. We do want to help in that sort of thing, organizing new centers of Big Brothers and Big Sisters where we are asked, and assisting in every possible way. Those of you who go away from here, if you feel that there is an opportunity in your own location of getting the assistance that the laymen of your community might give in an organized way, assisting your children's court, assisting your school superintendents, assisting your institutions in the after-care of children, we shall be glad to help.

Very largely the work of the Big Brothers and Big Sisters is preventive. Seventy-five per cent. of the work is purely preventive. In other words, I mean the child has not been arraigned in the children's court. Fifteen per cent. is court work, and the remaining ten per cent. is after-care and looking after the children who have been discharged. Ninety per cent. of the work is successful. In other words, only ten per cent.—and now I am taking the national figures gathered from Big Brother and Big Sister organizations all over the country,—only ten per cent. of those boys and girls who have been helped ever get into the children's court. Ninety per cent. of efficiency, as against the record of the prisons where 80 per cent. of men have been in reformatories and we know that many of them go back for second terms, and we know that the ex-convict has no chance whatever because of the stigma that is on his name.

We want to help you and I do hope that you will take a friendly and kindly interest in the efforts of the Big Brothers and Big Sisters Movement all over the country, realizing we are not yet perfect; we realize our own faults and defects, but we are trying to overcome them. (Applause.)

BOY SCOUTS OF AMERICA

MR. JAMES E. WEST, CHIEF SCOUT EXECUTIVE,
NEW YORK CITY.

I would like to know how many in this room are at the present time or have been or have anybody in their homes who is in any way related to the Boy Scout Movement. Please raise your hands. (About one hundred hands raised.) Of those who raised their hands, how many at the present time

are officially connected with the Scout Movement? (About fifty.) All right; fine. There are some of you who perhaps know in a general way what the Scout Movement is. But perhaps you don't know exactly what it is.

I had occasion recently to visit the Rhode Island State Reformatory for Boys. I don't know how many of you men know that delightful man who has the responsibility of leading that institution. He told me the story similar to the one which your Chairman has repeated. When he took hold of the institution some five years ago, their records had averaged the enrollment of five hundred or more boys a year, but he pointed out with pride to the fact that he had gotten it down so there were not over two hundred and twenty boys there. That man, before taking up that particular responsibility, had been a Scout Master. Later he had been a Scout Executive for the City of Providence and it was because of his effectiveness with boys that he was induced to go out there to that Reformatory, and by making use of Scout ideals, Scout methods, he had been able to reduce the average number of boys necessary to keep in that institution. He told me that in the four years he had been there, fully 75 per cent. of the boys committed to his care had lost either one or both parents or had come from a home which had been broken up. Now, remember that. It may be news to a great many of you, because many of you who are in institutional work for juveniles have had a similar revelation made to you on analyzing those facts. He also told me that in the period of time he had been there, there hadn't been a single boy committed to that institution who had actually been a Boy Scout. He did claim, unfortunately, that there had been several boys committed who had faked being Scouts. That is, they had procured a uniform and had used it as a means of soliciting funds, because they thought that everybody thought well of Scouting and it was an easy way to get money, but not a single boy who had taken the Scout oath and committed himself to the Scout law had involved any expense to the State of Rhode Island because of juvenile delinquency, according to the records of that institution.

Just recently the Superintendent of the Home School for Boys of the State of New Jersey was in my office. He told this interesting story. He says, "Mr. West, you will be interested to know that for the first time in the history of our institution during Christmas week when it is our custom to parole a large number of boys, we haven't had a single case of a boy breaking his parole or running away or failing to return at the appointed time." And he says, "I and my associates in the institution are of the opinion that the Boy Scout idea, the Boy Scout Movement is responsible for that con-

dition." He said, "For a long time there had been talk about utilizing the Scout method, in appealing to the consciences of the boys committed to that institution, and that finally he had worked out a plan whereby as a recognition of merit, recognition of achievement, they had started in a small way with a small group and that the idea had grown so that there was an intense desire on the part of all the boys in that great institution to be taken into the Scout Movement, but they thought that was unwise, but they did use the Scout oath and the Scout laws as a basis for their moral instruction to the whole institution. Oh, I wonder how many of you know them; I wonder how many of you have ever given the boys and girls in the institutions with which you are connected an opportunity to read them? "On my honor, I will do my best to do my duty to my God and my country and obey the Scout law; to be helpful to others at all times; to keep myself physically strong, mentally awake, and morally straight."

And then the Scout is trustworthy; not that he ought to be trustworthy, but he is trustworthy. The Scout is trustworthy. The Scout is loyal; not that he ought to be loyal. No. He is loyal. He is loyal to whom? He is loyal to his home, to those in authority over him. The Scout is helpful. He finds an opportunity each day to do something worth while. A Scout is friendly. He is kind to animals. He is a friend to those in need. A Scout is courteous. A Scout is kind. A Scout is obedient, cheerful, thrifty. He will not wantonly destroy any living creature. He strives to earn so as to carry his own load and help to carry the load of the other fellow just a little bit. The Scout is brave. A Scout is clean. A Scout is reverent. He is reverent toward God; he is faithful in his religious duties, and respects the convictions of others in matters of custom and religion.

Because this good man, the superintendent of this State Home, and his associates had made that code the basis of their moral instruction in that institution and had made the appeal to the boys' imagination so as to justify their putting a Scout troop in that institution, they had the remarkable experience, as I have related, of going through a period where there wasn't a single boy violated his parole, and he and the board of directors of that institution thought it a mighty significant thing, and he came all the way over to New York to tell me about it and ask my advice about going a little further in organizing more troops. At the present time he has four troops in that institution, and I was privileged to see the report submitted at the last meeting of the board of directors of that institution where they had worked out a plan whereby they are going to the expense of seeing to it when these boys leave that institution they are not going out as

coming from a State Home, a Reformatory, if you please, but they are going out as Scouts with a certificate of discharge to any troop of Scouts in the community in which they live, in good standing, with a record that they can be proud of.

Now, don't misunderstand me. The Scout Movement was never intended and it would be a very sad thing if the impression got abroad that it was intended as a reformatory movement, as a reform movement, if you please. It isn't. It is a movement to form character, to build character. There is no reason why those who have boys in their care who haven't had an opportunity to form character shouldn't feel they should avail themselves of it under prudent and wise leadership, and I believe it can be done and I very much hope that it will be done, but in every case under very wise and careful leadership, because those of us who are giving our lives to this organization for building character, making citizens, are doing so because we are interested in rendering a service to our country and to the general community. We want to raise the average, if you please, of the men and women upon whom rests the responsibility to maintain the traditions of this glorious country in which you and I are privileged to live. We want to serve boys at every opportunity through our program and through our personal leadership.

Your presiding officer has referred to the fact that there has been a decrease in juvenile delinquency. Some of you may be familiar with the report given out by Justice Hoyt of the Children's Courts of New York City. As I recall, there was something like ten per cent. decrease in juvenile delinquency in the last published report over the figures for the preceding year. And he, generous as he is fair, has said that those agencies which are working with the youth of the City of New York are entitled to the credit for this condition, and he was good enough to mention the Boy Scouts as one of those agencies.

What is this movement, scouting, that does these things? I have given you its oath and its law. It is organized somewhat like our good friend, Mr. Sheldon told us, on the basis of using men who will serve as volunteers. 127,000 men are tonight carried on our records as enrolled for some definite service for the boyhood of America through the scouting program, scout master assistants, scout master troop committeemen; members of the council of scout commissioners, expert advisers to our courts of honor. Troops are organized in connection with existing institutions. It is necessary that those who have a contact with boy life believe in this program for forming character to such an extent that they are willing to conform to the regulations which have been

prescribed for the organization of the troop. That is all made very clear and simple in our handbooks for boys and our handbooks for scout leaders. It doesn't require any expert organizer. The blanks which you can get from 200 Fifth Avenue will make it easy for any of you to organize a troop. It is necessary that the institution designate a group of people to represent it, known as a troop committee, and that that troop committee have the responsibility to select a man of character, an American citizen, a man willing to acknowledge his belief in God, to serve as the leader of that troop of boys. They may select one or more men to serve as assistant scout masters, and then they are permitted when they get their charter to enroll boys. The boy must be twelve years of age, not eleven years, nine months; not eleven years, eleven and one-half months; he must be twelve years of age. He must be willing to subscribe to this oath, and he must know certain very simple things,—the history of the composition of the American Flag and the customary forms of respect to it. He must know how to tie a number of knots and when he knows the scout oath and law he can be enrolled as a tenderfoot. He is put into a patrol which consists of eight boys with an older boy, or a boy with leadership ability, as the patrol leader. Three or more patrols constitute a troop, and then the boy is given the opportunity to go ahead as fast as his ambition and his application to the literature and his willingness to take advantage of the leadership of the scout master carries him forward. He can become a second-class scout; then a first-class scout. Time will not permit me to give you the very simple, but definite requirements. They have all been worked out so as to have relationship to the motto, which is, "Be Prepared." Be prepared for what? Be prepared to be helpful to others at all times; be prepared to serve your fellow man, your community, your State, and your nation. And because of that program of activities and that motto, "Be Prepared," it is the business of the scout master and of the local council officials, the leadership of the local council, to see to it that the boys who are scouts are given opportunities to render service. It is for that reason that they have taken part in clean-up campaigns; it is for that reason that they have helped the health department to have their regulations better understood; it is for that reason that they have helped the police department in "walk-right" campaigns. Not because we want people to walk right so much. That is a good thing in itself, but we want the boy given an opportunity to do a service so he may learn by doing that he is a part of the community, that he is a part of organized society, he is a part of the city and the state and the nation, and it was for this reason we were glad to

have our boys participate in the recent activities incident to the war, and where we made that patriotic impression upon the American people, because one out of every three Liberty loan subscriptions brought to the Treasury Department had been secured by a boy in khaki. Those are the facts. When there are several troops in a community, we have a local council, as here in Detroit, where they have something like 140 troops. There is a group of men, the very best men of the community, representing these various troops in these institutions and maintaining what we call a local council, and they have a man giving his full time to the promotion of scouting, and where we have such a local council they are granted a charter annually, and because of that charter they are the complete authority in that community for everything along scouting activities. So if any of you are in a community where there is a local council and seek to organize a troop, you will do so through the local council and not the national office.

During the last twelve years we have, because of the effectiveness of the program, because of the way we have contributed in bringing men into citizenship, because we have contributed to the opportunity of the church to keep its hold on its boys, because we have impressed the school teachers with the fact that scouts were really more obedient, they are more loyal to their responsibilities in the school and were living true to those twelve principles which we have given, these teachers have become friendly to the scout movement. And because we have impressed upon the parents of the American boy that this wasn't merely talk, but work, we have had the support of the American people as perhaps no movement has had. And so we have 550,000 enrolled, working under this program, perhaps during the past twelve years having had three million boys who perhaps are a little better, many of them many times better, because of the scout obligation and these scout laws, giving you and me promise that the men of tomorrow will be just that much stronger, just that much better able to cope with their responsibilities, just that much more inclined to participate in civic affairs, to go to the polls and register,—yes, do more than that, go to the polls and vote. America needs men with that consciousness, that sense of responsibility, as it has never needed them before.

But there is another reason why we have been permitted to prosper in this great movement. I might say that this record of 550,000 was revealed during my participation in the world conference at Paris last summer, to represent more scouts and scout officials than there are in all the rest of the world put together, and it helps me to emphasize the second point I have to leave with you, and that is today we in Amer-

ica, because of the evolution through which we are passing, are becoming more appreciative of all agencies which help to prevent and help to form. We are past the day when we want to think merely of punishment. We have arrived at the place where men are interested in contributing of their time and money from the standpoint of good business to those agencies and those programs which will reduce juvenile delinquency. I wish time permitted me to sketch, as it is so clear in my own mind, the evolution through which we have passed during the last three decades. Some of you who have been in children's work for a long time know just what I have in mind, but it is a fact that today those of us who are engaged in work for juveniles have a rich opportunity if we but take advantage of it because there is a disposition to respond if we will intelligently present our case. The question is, are we intelligently presenting our case? Are we talking full advantage of this disposition on the part of people to support these things which are worth while along the lines of prevention?

The great Educational Department at Washington tells us it is unable to give us any accurate information regarding the school life of the boys and girls of America, conditions differ so in the different states, and there is no compulsion in the different states to submit reports to Washington, but from estimates approximately 75 per cent. of the boys and girls leave school at the age of fourteen. Think of it! Think of it! Preparing for citizenship; 75 per cent. permitted to leave school at the age of fourteen. It is true in the recent years some of our more progressive state legislatures passed laws which have raised the compulsory period of education but when they started to put that into effect in New York they were astounded. They first started in through the result of the passing of the compulsory military training law to get for the first time information about the boys and girls of the State of New York in a scientific way. There that great commission had absolute power to prescribe a program which must be followed by every boy sixteen, seventeen, eighteen years of age. The legislature had seen fit to assume that the schools were the normal and logical places to teach the operation of the law, and when Dr. Finley, the chairman of that commission, General O'Ryan and Dr. George J. Fisher, who is working with me in the scout movement now, when that commission undertook to find out what the job was, what do you suppose they found out? That in the State of New York, the Empire State, ten millions of people, that of the 300,000 boys, sixteen, seventeen, eighteen years of age, not 30,000 were in any way related to any school in that state; 270,000 were beyond the influence of the school, and when they un-

dertook to make a study regarding 100,000 of those boys, they didn't have money enough to make a study of the whole group, but they found some of the most astounding facts. They found each of those boys had averaged three positions each since leaving school. They found in the City of New York that only two out of every ten boys were of purely American parentage. They found that five out of every ten boys had both of their parents foreign-born.

The Bureau of Education tells us this, that of these boys and girls in our schools in our land up to fourteen years of age, nearly one-half of them are in schools which remain in session but five months of the year, and that of the teachers who are employed to instruct these boys and girls, that nearly one-third of them are not high school graduates. I wish we had the information about youth in all of these matters in such a way as to make this country ring with alarm as to the necessity of doing more to give the youth of America a better opportunity.

MONDAY MORNING, OCTOBER 16.

GENERAL SESSION

REPORT OF THE COMMITTEE ON CRIMINAL LAW
AND STATISTICS

HON. SANFORD BATES, COMMISSIONER, DEPARTMENT OF
CORRECTION, BOSTON, MASS.

This Committee submits a report in which are contained four recommendations for action.

As the title of this committee implies, there are two important subjects more closely allied than appear on the surface, to which it and the whole Association should address themselves with greater definiteness than in the past.

The administration of the criminal law is distinctly related to the administration of our penal institutions. In their endeavor to improve mentally and physically the persons committed to our prisons and reformatories, the authorities in charge of these institutions must of necessity concern themselves with the experiences these men and women have had with the police and the criminal courts. The conduct of the police, the methods of detecting and prosecuting crime, the expeditiousness of the trial courts, the principles followed in imposing sentence, etc., not only determine the number and to some extent the character of those eventually committed,

but largely shape their mental attitude toward authority and society in general; and the mental attitude of the prisoner is a foremost element in his eventual reformation. Therefore, our concern is not merely to improve the administration of penal institutions, and thus enhance the possibilities of reformation,—for these institutions,—their potentialities and limitations, are in a sense inseparable from the nature and administration of criminal law. Penology has its own particular problems, to be sure, but a sound penological program cannot be formed without a full consideration of the activities of all the forces that determine who shall be committed to institutions and why. It was surely with these things in mind that our Association determined to have a committee on criminal law.

The field of criminal law and its adjudication is so vast that it would be presumptuous perhaps for your committee to come forward with specific recommendations in regard to the many subjects of more or less immediate importance to this association. It is enough to make mention of some of them. For example: the unanimity of jury verdicts, the elimination of the double trial, the retention or abolition of the constitutional privileges accorded defendants, the bail bond evil, the use of the indeterminate sentence, the substitution of probation and parole for confinement in prisons, etc. Most of these subjects are being considered by the American Institute of Criminal Law and Criminology, the American Judicature Society and other bodies.

It is difficult for one to interpret his work to another. That is to say, the American Institute of Criminal Law and Criminology and other organizations do not get their message over to the institutional trustees and administrators; nor do the prison and reformatory people get their message over to the judges and the lawyers. Some of us have attended meetings of the American Institute of Criminal Law and Criminology in which the conception of the distinguished judges about institution management was astonishing, and we have talked with institution heads whose conception of the law and the place of the institution in a scheme of law enforcement was equally surprising. We are all equally responsible for this unfortunate condition. We should co-operate for mutual benefit and have a voice in each other's counsels, for our interests coincide.

There is one subject, however, which the committee hopes may be given special consideration during the coming year. In many of our states the department supervising prisons also retains the supervision of paroled prisoners. Inevitably many of the persons paroled come again before the courts on a charge of crime. At this point it is of the utmost im-

portance that there should be actual understanding and co-operation between the judges, district attorneys and probation officers, and those in charge of our penal institutions. The question whether the defendant shall be given a new sentence or returned to the institution for violation of parole, the value of having the judge familiar with the defendant's institutional record and of making sure that the institution thoroughly understands the intentions of the judge, are manifestly of great importance. In many of our states, the laws requiring successive sentences to the same or different institutions and the disposition of paroled men coming before the courts on a new charge are hopelessly involved. It would be a step toward progress and co-operation if the American Prison Association should appoint a committee to meet with similar committees from the American Bar Association, the American Institute of Criminal Law and Criminology, and the American Judicature Society for the purpose of making a study and report relative to this and other subjects of common concern. Improvement of criminal law and its administration can only come through the co-operation of the several agencies directly concerned, among them being the American Prison Association. Your committee, therefore, suggests the appointment from its members of such a committee.

The second subject assigned to your committee is that of criminal statistics. The connection between it and the administration of criminal law is quite obvious, for adequate statistics afford us the measurement not alone of the volume of the work of the criminal courts, but how crime is dealt with. Institutional statistics of crime have in times gone by been the chief concern of successive committees of this Association, but it has always been recognized that they are but a part of a complete system of criminal statistics. Once more an opportunity lies at hand for co-operation. Recently, a substantial grant has been made to the American Institute of Criminal Law and Criminology for the promotion of adequate criminal statistics, and a director of its Committee on Criminal Records and Statistics has been appointed. It has been strongly urged upon your committee that it withhold definite recommendations until the institute makes its reports. Might it not be a wiser procedure that the Institute be urged not to make a report until after a conference and thorough discussion with a committee on criminal statistics from this Association? Since no complete system of criminal statistics can be established without the co-operation of the institutions, their representatives should be party to any recommendations affecting their work. Your committee has also been in communication with the Chairman of the Committee on Institution Statistics of the American Statistical Association, who

has expressed his desire to co-operate. In order that attention may be directed to specific practical questions which confront your committee and other organizations charged with a study of what can be done to secure servicable criminal statistics, the following may be mentioned:

1. The drafting of model laws adapted to the needs of the different states for the establishment of state bureaus of criminal records and statistics.

2. The preparation of standard tables for the presentation of criminal statistics, the material for which is to be drawn from the records of the police, the courts and the institutions.

3. The introduction of standard records in the police departments, criminal courts, and institutions for criminals and delinquents, which sufficiently meet the needs of these agencies and lend themselves to compilation by a central bureau of criminal records and statistics.

The program is as necessary as it is ambitious. Your committee fully realizes that it is useless to make new demands on the Federal Census for better institutional statistics until the institutions themselves improve their own records.

In conclusion, the committee begs to draw attention to the growing sentiment in the country for the adoption of some universal system of identification of criminals. The importance of this was strongly stressed at the annual meeting of the International Association for Identification, held recently in Boston. The education of public opinion so that prejudice against the finger-print system may be removed, the establishment of a central identification bureau, and a better recognition of the importance of identification as an aid, not only in the conviction of the guilty but in the protection of the innocent, are immediate steps to be considered by those concerned with the reduction of crime. The subject is being considered also by the International Prison Commission.

Summarized, the recommendations of your committee are as follows:

1. That a committee of five representatives of the American Prison Association be appointed to meet with similar committees of the American Bar Association, the American Institute of Criminal Law and Criminology, and the American Judicature Society, to discuss pressing questions of criminal law and its administration, and to recommend measures for improvement.

2. That a committee of five representatives of the American Prison Association be appointed to co-operate with the Committee on Statistics of the American Institute of Criminal Law and Criminology, to the end that the report of the latter organization may take due cognizance of the needs of the American Prison Association and secure its hearty support.

3. That the Association pledge its aid to the International Prison Commission in its momentous endeavor to establish international criminal statistics.

4. That the Association endorse the movement to secure a national identification bureau and that it recognize the importance of some system of universal identification.

Respectfully submitted,

Committee on Criminal Law and Statistics.

SANFORD BATES, *Chairman*,
AMOS W. BUTLER,
J. FRANK BALL,
ROBERT H. GAULT,
JOHN KOREN,
SAM B. WARNER.

DISCUSSION

A speaker: May I ask what is meant by the identification of prisoners, the last recommendation, what is meant exactly?

Chairman Bates: Simply this, that it is desirable that there should be some central point in the country to which all institutions or police agencies gathering identification service should deposit copies of those records.

President Hart: Would that include having finger-prints furnished for this central bureau?

Chairman Bates: Exactly. That is the importance of the whole proposition, that there shall be one central body for identification of prisoners and at some future time that recognize the importance of finger-printing the whole population, but there is no definite action to be taken at the present time.

Warden Scott: Haven't we already a bureau of identification established at Leavenworth that answers that purpose?

Chairman Bates: There is a bureau there which receives all the finger-prints sent to it, but all the finger-prints are not sent there.

Mr. Vasaly: I want to ask the gentleman whether he means by "universal identification" the finger-printing of the whole population of the United States?

Chairman Bates: Mr. President, that is not included as a definite recommendation, but the Committee desires to draw attention to that as a possible solution at some future time.

Mr. Vasaly: That is simply a suggestion and not a definite recommendation?

Chairman Bates: Suggestion that we recognize the importance of going further.

Mr. Vasaly: Does the committee go further and urge the photographing of every inhabitant? While you are starting on this policy, why don't you do it right?

Mr. Helbing: Will it be necessary to include in that recommendation to make it mandatory on the part of all States to report, or is that possible?

Chairman Bates: I am perfectly willing to modify the language of this resolution so that it will be a request made to every institution that they collect and forward to some central bureau copies of the finger-prints of all the men that they have. That was intended to be the idea contained in this recommendation, that the Association endorse the movement to secure a national identification bureau.

A speaker: I think some of us Superintendents who have seen come into our institutions individuals whom we feel were wrongly sent to the institution, who never will appear again in the courts, I think some of us would resent very much having to send their finger-prints to such a bureau. I think there ought to be some phrase to allow us to leave out some of them if we thought best.

Chairman Bates: That feeling develops from the point of view that there is some necessary connection between taking a person's finger-print and the commission of crime. Owing to the present system that feeling is inevitable, but what this Committee has in mind some time or other is the taking of the finger-print, or photograph as Mr. Vasaly suggests in ridicule, perhaps, but the identification of persons will be a part of the daily routine and have no connection with crime, and when that happens your good friend when he goes to the reformatory will be protected as much as the public will be protected in locating the guilty person, if there is one. The Governor of Maine was recently finger-printed; President Harding was recently finger-printed, and the conviction is growing that our complex social system and the use of the automobile and other agencies which make identification more impossible, more unwieldy, that this system sometime or other has got to be put into operation, not only for the detection of the guilty, but protection of the innocent.

Mr. Amos W. Butler: I am afraid there is a little misunderstanding about this. Some years ago the State of New York undertook to establish a central bureau of prison records, to which all the States were asked to contribute. Major McClarey came to the Leavenworth Prison at that time, and action was requested of this Association by the National Conference, by the International Association of Chiefs of Police, to establish an official bureau of identification which every police department and reformatory and prison could make use of. But Major McClarey inaugurated a voluntary set of records

at Leavenworth and a great many prisons are co-operating with that, and many others are not. Now, this is looking toward the establishment of some more effective way of having one place in which the criminal records can be deposited, records of whatever kind you are using; finger-prints used in many places; Bertillon measurements elsewhere, but whatever records are being used can be deposited in this central place, preferably official if the government will undertake it, and there you will have a great source of identification records that will be available for everyone. Now this recommendation of this committee simply provides that this Association shall do, as it has done many times before,—use its influence to the establishment of this system of identification.

President Hart: Will the Chairman read this section of the recommendation again?

Chairman Bates: That the Association endorse the movement to secure a national identification bureau and that it recognizes the importance of some system of universal identification.

The recommendations of the committee were unanimously adopted.

THINGS WE DON'T KNOW ABOUT CRIME

JOHN KOREN, INTERNATIONAL PRISON COMMISSIONER FOR
THE UNITED STATES.

There is perhaps no social phenomenon that excites more attention, discussion and costs us more dearly, both in terms of money and of human troubles, than that of crime. The stories of crime are a staple mental pabulum to millions; and probably most persons have a ready-made notion how crime should be dealt with, at least to the extent of freely heaping blame on the police, prosecuting officials, courts, prison authorities and others for not promptly and effectively clearing the world of rascality. If most of the irresponsible talk and the outpouring of sensational publicists proceeds from ignorance, how about ourselves? What do we really know about the origin of crime, its incidence, its prevention, and the actual operation of the means employed to combat it?

Just why crime is has perplexed mankind since the beginning of things; everywhere men have speculated and theorized about the subject and groaned when satisfying answers refused to emerge. Perhaps the fundamental mistake has been that we have tried to isolate the factors in the causation of crime, ignoring that its roots must be sought in the criminal complex of society itself. After all, more people become the

victims of the predatory instincts of men armed with a show of right and justice than become the victims of the recognized burglar. The difference between conquering a whole people with the torch and sword and killing an individual is not one in principle. Yet society may applaud the one act and condemn the other. Are there not fresh examples of this in our minds?

There is not much left of the older theories about criminals as a species of humanity quite apart from the rest. Progress has been sought in other directions. We of the present day enthused more or less when scientific measurements were applied with a degree of success to the individual offender, his mental and physical capacities or incapacities; we learned much. Many believed that at least one-half of our perplexities had vanished by the discovery of the defective among the delinquents, and that we could largely account in percentages for the causation of crime. But, after all, we had only taken a step forward; most of the early estimates about the "abnormal" individuals in the institutional population had to be severely pruned, although, even now, there are not wanting men who seem to believe that there is a specific for the diagnosis of crime and therefore, presumably, for its cure.

Our scientific vanguard, I believe, realizes too well how fragmentary our knowledge is, and that behind all dissection of mental and physical characteristics and other phenomena within the reach of their laboratory instruments lies a vast unexplored region which must be surveyed as a necessary background to their findings. I have already referred to the criminal complex which is manifest throughout society. Perhaps we may more easily arrive at an understanding by asking questions like these: Where must one look for the origin of the characteristics which seem so unfailingly to mark criminal careers? How far are they rooted in known conditions, and how far are such conditions preventable? Recent investigations have not so much been centered on the adult offender or on conduct already demanding the intervention of the law, but upon the child and presumably therefore on the beginnings of delinquency. By intensive study of the child, his heredity, environment, etc., it is hoped to pry a little wider the door to the mystery why crime is.

These latest endeavors should be hailed joyfully and aided on every side. They will teach much and enable us to employ preventatives in a surer measure. But will such scientific "surveys" lay bare the criminal complex of society at large? Or, to be more concrete, will they disclose how far certain of the fundamentals in the causation of crime are imbedded in a warped, misguided, cruelly-grinding and therefore crime-productive social and industrial order? Some of

you may think that I am treading on delicate ground. I am not stating any thesis with an "ism" tacked on to it, nor defending one. Witness the obvious fact of the perpetual miseries afflicting a large part of the population in every considerable industrial center and reaching into remote agricultural regions and ask yourself, Where are the breeding grounds of anti-social conduct? Realize for a moment the unceasing industrial conflicts and the many crimes committed by both parties to the strife. Consider the depth of meaning hidden in the commonplace remark that crime (as indicated by arrests or prison returns) increases in ratio to the extent and duration of widespread unemployment.

Among the many things we do not know about crime is its relationship to the social, political and economic conditions under which men, women and children are born, live, work and have their being. The while this ignorance blooms—and who dares say that it is not a hardy plant?—we are like physicians exceedingly busy about certain symptoms, but not knowing or daring to probe for the seat of the disease. Why, under the circumstances, prate about invoking spiritually regenerative forces as a general panacea against crime? If the question be of righting the wrongs of a world in bitter struggle, the first thing is to acknowledge the existence of the wrongs without equivocation, to seek a clear insight into the conditions that create them, and then to muster courage to fight them. Why are we as penologists so unconcerned about the tap-roots of our problems?

It is an odd contradiction that legislation directed against specific evils or intended for social betterment may instigate lawbreaking or even become a source of crime. But this too frequently happens when, in our eagerness for some reform, hasty and ill-judged legislation is enacted which fails to get public support and concerns matters about which men may honestly differ. Legislative programs, to become useful, should have a sounder basis than an infantile faith in the efficacy of mere law not only as a corrective but as a regenerative force; and the multiplication of penalties, or "putting teeth into the law," is never a criterion of the effectiveness of legislation, for there is no magic in the word "verboden."

Let us take the simplest example. In a home, the surest way of making a child rebellious is by unreasonable repression of his play and innocent activities. Nothing is easier than to make a child a non-conformist to law, both in and outside the home; and the next steps are easy. The case is much the same in the world of men. There is universal agreement that certain things are in themselves wrong and therefore prohibited. It may be a wholly different story when legislation is enacted concerning things which in the opinion of

some, perhaps only a minority, should be forbidden as a matter of public expediency.

We need not hunt far for instances in point. One may cite the "blue laws," much of the so-called anti-tobacco legislation, laws imposing restrictions on the use of language, free speech and assembly, other censorship, and sumptuary legislation generally. It is the common fate of such legislation to be grossly violated; hence much of the disrespect for law which characterizes our country and generation.

The most glaring example of the crime-breeding propensities of sumptuary legislation is provided by the national prohibition law. The aims of this law are not under my scrutiny; and no sane man can question the obligation of the government to enforce it. My sole object is to point to it as the most persistently and flagrantly violated piece of legislation ever conceived. More than this, the crimes of violence and corruption that have followed upon its enactment are beyond count. Distinct, powerful and country-wide criminal organizations now undertake to dispense drink; but they could not exist—and this is the vital point from a criminological point of view—unless they receive a most generous support throughout the strata of society professedly standing for law and order. Not even the law enforcers themselves are free from the taint and able to stand up to their tasks.

The questions whether there have been gains commensurate with the evils mentioned, and whether these, in the course of time, will not succumb to the application of more force, are altogether beyond the range of my discussion. Ask yourselves! The facts are open to everyone; and all of you make claim to a knowledge also of the weaknesses of human nature. My sole mission is to draw your attention to the potentialities of legislation as a breeder of crime when it lacks the support of a clearly defined and absolutely dominant public opinion. The necessity of appealing to force in order to vindicate many of our laws is axiomatic, but the futility of force when laws, by common consent or the consent of large numbers, are held in disrepute, is equally apparent.

Thus another item in the catalogue of things we don't know about crime, or, more precisely, do not heed, is how far it may be engendered by immature, faulty or downright stupid legislation.

We are reproached on every hand for the multitude of grave crimes committed within the borders of our forty-eight states and especially because our homicide rate far exceeds that of all other civilized countries. We are surely not incurious about these things, for nowhere else are criminal acts so minutely recorded on the front pages of the newspapers; and we fairly revel in the discussion of "crime waves"

and how crime should be dealt with. But when some of us insist that proper criminal records should be kept, including means of a national identification of offenders, and that arrests as well as the disposition of all criminal cases should be accounted for in a systematic manner, we meet with indifference if not with that scorn which is the last argument of the ignorant.

The mere count of criminal noses, so to speak, would be an idle occupation; for the assumption is perfectly safe that the uncaught criminals in the community far outnumber those who get caught. Why then, it may be asked, should we have such deep concern for the facts in detail and orderly array? The incidence of crime is, of course, an index of conditions in respect to law and order and thus reflects, if you please, a certain moral status, notwithstanding that only a part of the offences committed appear in the work of the police and the courts. Generally speaking, the graver offenses come to the surface and are matters of common knowledge. But with all our morbid craving for news of crime, we are singularly incurious about its significance as a social phenomenon indicating the health or disease in the population by its attitude toward our most elemental protective institutions.

When crime becomes unusually rampant and violent in form, there is a temporary outcry usually accompanied by a clamor for quick justice and heavier penalties—the eternal and futile appeal to force. Normally the public pays little heed except to isolated offenses. Maybe the very frequency of crime dulls our sensibilities. A European cynic has suggested as a possible reason for the absence in this country of systematized information about crime that we are ashamed to let the world know how it abounds among us. That is a bit of exaggeration based on a misconception of our psychology. But the truth is that we don't know.

It follows that we are badly informed about the operation of the means whereby we try to suppress crime. We should, of course, learn, in the first instance, from the primary vindicators of the law, the police, about prevailing conditions in respect to crime. They undoubtedly know a great deal, but are very chary in sharing their information with the public. To put the fact in another light, we are without competent police statistics except in some isolated municipal centers. Furthermore, we should be able to follow the work of the police through the offices of the prosecuting attorneys; we should learn precisely how the last mentioned officials wield their great power in dealing with offenders. But except in strikingly few instances the public is not taken into confidence. Perhaps we are seeking too much so long as the

public prosecutors derive their power so largely through political expedients.

The disposition of criminal cases by the courts is, to be sure, a matter of public record, but as a general rule not one from which the facts are extracted and so presented that the ordinary citizen is enlightened. It would be idle to assert that we may learn how the criminal courts operate from a study of published records, for by and large there are none.

Finally, it should be ascertained what befalls in the numerous institutions for delinquents and criminals of all classes and ages. These institutions should not only serve as laboratories for the study of individuals, but be a touchstone of what we accomplish through our elaborate and very costly penal systems. Is it being supercritical to say that our institutions do not quite meet the situation? One may aptly answer by putting another question, How can they, so long as there is no accepted standard of records and consequently no uniformity; no universal means of identifying criminals; and, in general, much that hampers and invalidates comparisons? We believe that our institutions accomplish much that is good; but our measurements of it lend, on the whole, frail support to our theory. Unquestionably some of our institutions would greatly enrich our knowledge had they freer hands to inform themselves. We believe, for instance, in the use of the conditional release of offenders, yet sorely lack information whereby to judge its effects.

My enumeration of the things we don't know about crime is necessarily incomplete. Those who speak after me will tell how much of our ignorance can be overcome.

In conclusion I wish to leave another thought with you. There is a widespread and largely inherited belief in the deterrent effect of the accepted methods of repressing crime. Are we so sure about the truth of this ancient theory that we dare regard punishment as a true preventative?

Ours is assuredly a time for criticism, both destructive and constructive. This address might fitly bear as motto the words of Dr. Angell in his baccalaureate address as President of Yale University last June: "The violation of law has never been so general nor so widely condoned as at present."

TOWARD A SYSTEM OF CRIMINAL RECORDS AND STATISTICS

SAM B. WARNER, DIRECTOR, COMMITTEE ON CRIMINAL RECORDS AND STATISTICS OF THE INSTITUTE OF CRIMINAL LAW AND CRIMINOLOGY.

If I were speaking before an audience not as thoroughly familiar with the problems of crime as you are, I should

argue the case for criminal records. But I believe that I should be wasting my time to try to convince you of the necessity of criminal records, because you are already convinced. The open question with you is not whether we need criminal records, but what kind of criminal records.

The kind of criminal records that we need depends upon what we are going to do with the records when we get them. Right here, I want to state that I entirely agree with the able chairman of your Committee on Criminal Records and Statistics, Mr. Bates, who does not believe that we want criminal records and statistics merely for the purpose of having them and publishing them in some report. He believes that criminal records are too difficult and too expensive to obtain, to be collected unless they will serve some useful purpose when we have got them.

The first purpose that comes to my mind when I think of the uses of criminal records, is identification. A policeman finds finger-prints on a safe that has been blown open. Whose finger-prints are they? Experts tell me that it is very improbable that two different people in the world would have the same finger prints. They also tell me that the chances of a man who has always led an honest, upright life suddenly taking it into his head to blow open a safe and doing it, are also negligible. Safe-blowers have criminal pasts. In all probability a man has been in jail before he enters upon the profession of safe-blower. So if we had the finger-prints of all persons who have been convicted of felonies and misdemeanors and had them so classified and centrally located that we could use them, we could find this man.

I believe that all persons familiar with the subject are agreed that we should take the finger-prints of all persons convicted of felonies or misdemeanors. Many go much further and believe that we should take the finger-prints of every man, woman or child in the United States. To-day the finger-prints of all inmates of state penal institutions are taken practically everywhere. The police of many cities have identification bureaus where the finger-prints of all persons known to the police in that city are taken and filed. If our criminals would only stay in the city in which they were born or first committed a crime, our present system would be reasonably adequate. But unfortunately criminals are even more likely to be seized with the wanderlust than the rest of us. The fact that a man picked up yesterday by the police of New York is not known to the police of that city, is very poor evidence that he is not a recidivist. He may have served time in a dozen states or even in some other part of New York State without the police of New York City being able to find out that fact except in exceptional cases.

If we are to identify our criminals we must have a central bureau of identification with the police, courts and penal institutions of every city and state in the Union reporting to it. It may even be necessary, as was recommended by the Chief of Police of Copenhagen, Denmark, at the September meeting of the National Police Association in New York, to compile a directory of all the criminals in the United States, classified by finger-prints, kept continually up-to-date and distributed to every police department and sheriff's office in the land.

Another purpose for which we need criminal records is to enable us to handle adequately the case of the individual criminal. A judge before passing sentence or a parole board before determining upon the advisability and terms of parole needs to know as much as is practically possible about the man whose fate is being determined. In some states a careful and detailed investigation is made of each case. I have seen reports of over a hundred pages in length on a single individual that must have taken weeks to obtain. In other states, parole boards act merely on the basis of a man's record in the penitentiary and the warden's opinion of his fitness for freedom. Boards that act without more information usually do not do so from preference or because they fail to realize that the professional criminal may make a model prisoner, but because they lack the funds necessary to make a more detailed investigation. But I believe this situation will be short-lived everywhere. The public is becoming more and more aware of the advisability of probation and parole. And, of course, you cannot have any adequate system of probation and parole without the money necessary to investigate the individual criminal.

Besides needing criminal records for identification of criminals and the handling of the individual case, we need them for general statistical purposes. We need to know what crimes are the most prevalent and what are on the increase or decrease in order to properly cope with the criminal situation. If we do not know the amount of crime, something of its causes, its nature and who commits it, we cannot judge of the efficacy of the various measures we are taking to combat crime, as for example, the relative merits of different parole or probation systems.

Just what information we need, it is hard to say. Take an actual case: ought the police to be required to record the hour and place of every known automobile theft in Detroit? It would involve considerable expense to obtain that information, and so tabulate it as to make it available for use. Would the information be worth it, when obtained? Suppose we ascertained that the peak of automobile thefts occurred at

ten o'clock at night and in places where theatre-goers parked their automobiles. Would that information be worth anything? Could the police make use of it in their contest with automobile thieves? Suppose we decide that the information is worth obtaining. It does not necessarily follow that it is worth while, to require that a record of these facts be made in each case. It may be that the police in the course of their contact with automobile thieves are bound to get the information without our going to the expense of recording and tabulating it.

This illustration raises two of the three problems that I believe will have to be considered in determining the value of each bit of information desired. First, would the information when obtained be worth the expense of obtaining it? Second, is the fact one that interested authorities will know even if the information is not recorded? The third problem is whether with the means at our disposal we can get the information. The practice of some penitentiary officials of asking inmates whether their mother's character is good illustrates this problem. That information may be very valuable in trying to determine the causes of crime, but it is utterly foolish to ask a criminal that question. To my knowledge, that question has never been answered in the negative. Even the inmates of penitentiaries have not fallen so low that they will admit their mothers are bad characters. I am here assuming that the prisoner knows the correct answer, which is doubtful.

At present, the criminal statistics in the United States are so fragmentary as to be virtually non-existent. The police and courts keep records of their proceedings but they are not compiled and published. Even if they were published, they would not be sufficiently uniform to be useful for comparison. The different penal institutions publish reports, but they do not report a uniform set of facts.

So far I have mentioned what I believe to be the three great purposes for which criminal records are necessary. The identification of criminals, the proper handling of the individual case and as the basis of statistics on the causes, nature and extent of crime that will enable us better to cope with the problem of crime. It is the object of the Committee of the American Institute of Criminal Law and Criminology to draft a model set of records and a model act, which if adopted, will supply the information necessary for these three purposes. We aim that there shall be in each state not only adequate criminal records, but uniform records, so that the experience of one state may be compared with that of another. We should like to accomplish in our field what the committee that drew up the Uniform Vital Statistics Act accomplished

in its. That statute has been adopted in nearly all of the states, so that there are now published in the federal census uniform statistics as to births, deaths and marriages.

Just a word as to the program of the Committee. The Committee proposes to determine: first, the information to be obtained; second, from whom to obtain it, and third, the exact wording of each question necessary to obtain that information and the form of the blanks to be used. The Committee is now working on the first part of its program, the determination of the facts to be obtained. When its labors are a little more advanced, the Committee expects to submit a draft of its ideas to you for suggestion and criticism. Even though the Committee contains men who have spent their lives studying the problems of crime as chiefs of police, district attorneys, judges, wardens and criminologists, it realizes that no committee can unassisted get up a set of criminal records that will meet the needs of this country. Further, no set of criminal records will be actually kept, no matter how many statutes may order that they be kept, unless they meet with the approval of the police, court and prison officials. I, therefore, on behalf of myself and my committee request your assistance in the working out of this project, so vital to us all.

MONDAY MORNING, OCTOBER 16.

WARDENS' ASSOCIATION

SPORTS IN A PENAL INSTITUTION—LIMITS AND
CONTROL

R. K. ATKINSON, DEPARTMENT OF RECREATION, RUSSELL
SAGE FOUNDATION.

Sports have a definite place in the program of a penal institution. This is the result not of any propaganda by faddists or sentimental meddlers but of the practical conclusions of hard-headed administrators, who during the past few years have been studying the human aspects of their task and have by careful and gradually extended experiments proven the value of such activities. We are safe in saying that this experimental period is past, and our chief concern now is to consider how their use may be so safe-guarded that they may be of the greatest value to the penal institution in its task.

When we speak of sports we of course mean competitive and athletic games and play. In the penal institution we are most vitally interested in the use of sports by a fairly mature group of men. The problem of recreation for juvenile offenders of both sexes and for women is rather different. In the former case recreation is one of the serious constructive forces to be reckoned with and because of the opportunity it offers for definite character training should be made one of the major items in the program. With mature women offenders very little inclination or ability for active physical exercise is found and the recreation program has to be carefully adapted to their needs and abilities. Because our adult male group is by far the largest we will during this hour confine our discussion to them.

One of the first considerations must of course be the relation of sports to the program and activities of the institution. For many years we have recognized the folly and inhumanity of allowing men to be idle, and yet in many an institution the mere matter of keeping a large number of men busy is a really serious problem. Where sports must be resorted to as an alternative to idleness the problem is much more difficult than is the case where games and contests are a diversion after close application to industry. It is axiomatic that only those who work hard can really play hard, and by all odds the best organization and conduct of recreation is found in those prisons which have the best and most productive shops and industries. If there is not enough wholesome and interesting work to be done in and about the institution, the task of conducting sports will be more difficult but by no means insuperable. It will require a higher type of leadership and better planning.

As long as institutions lack sufficient industrial equipment it is possible to look to sports as an antidote to idleness, but far more fortunate is that institution which can use sports as a means for the relaxation of the tension that comes with interesting work. The active use of leisure allows for real enjoyment in a change of type of activity and there is real satisfaction in a sense, in freedom to do the thing that one wills rather than that which he must, to act from choice rather than from compulsion.

In the institution which has plenty of work, and we should never be content with any other sort, sports will be limited to leisure hours. Any proper organization of the daily regime will of course take into account the findings of modern industry as to the relation of hours of labor to efficiency. It is needless at this day to argue for an eight hour day, wholesome working conditions and an honest attempt to make the day's work interesting, whether our interest be inside or outside

of the prison walls. If these conditions are met, and only as they are met, we have a proper background for the organization of sports.

Many an institutional official has been unjustly criticized because of the extensive use made of sports, when the choice lay not between play or work but between play or idleness. There is absolutely no point to a thoughtless criticism of an institution which uses motion pictures seven nights per week, when by the very arrangement of the place the alternative is movies and nine hours in an ancient and unsanitary cell block, or no movies and thirteen hours of the same sort of punishment for a thousand men. And just as foolish is the criticism of tennis and baseball for men who otherwise would be loafing in cells or about the grounds.

So important is the matter of the proper control of sports that no institution with any large number of men, say two or three hundred or more, should be without expert advice and leadership. Whether or not the ultimate control of sports is in the hands of a specialist, one phase if its conduct must for the greatest success remain the same; a certain responsibility and control must be vested in the men themselves. Many details can be thus handled and in addition to the training in democracy which it gives them, such a plan promotes greater interest and fixes upon inmates the responsibility for the best use of the time which they can be taught to think of as their own.

In whatever way the minor details as to the arrangements of teams, the scheduling of contests and events and the establishment of rules of eligibility may be determined, the right of veto and of ultimate control, must be kept in the hands of some authority of the institution, either the warden or one of his representatives. This is especially needful if the use of sports is so controlled as to minimize certain evils which constantly arise. In a school or college the students are urged to develop leadership and made to feel that sports are their affair but the wise leader never lets them get beyond the reach of his guidance. The same plan of organization should obtain in a penal institution.

One of the first unwholesome tendencies which is almost constantly in evidence in sports is the spirit of professionalism. In an institution it does not manifest itself in ways that are recognized by the U. S. G. A. or the A. A. U. The danger of a money consideration figuring largely in such sports is not greatly to be feared, but the very real danger of the activities being almost entirely confined to a small coterie who keep constantly in the lime light to the exclusion of "lesser fry" is very real.

The ideal should be to get the largest possible number of the inmates into active participation and this ideal is impossible of realization if a few men monopolize all the positions in all the games. Good as the "stars" may be there is always real ability that ought to be developed and right control means constant watchfulness to have the largest possible number of men actively "in the game."

This tendency toward a close corporation is especially apparent in boxing. When it is first introduced there is generally a much wider participation than there is a little later when certain stars begin to develop. An occasional "star bout" is good but if boxing is allowed, and there is no finer sport for men—constant watchfulness must be exercised to keep it open to the largest possible number of participants.

The tendency of institutional inmates to become "bleacher sports" is just as great as it is on the outside and the tendency is even more harmful. We have long known that no man can take his exercise vicariously, yet world-series profits are still large. I do not minimize the value of sports as a wholesome form of exhibition, but think this phase of the matter must be intelligently controlled.

Another element of control worth attention is the necessity for a varied program. Certain games are well known and become popular and they are used almost to the exclusion of any others. There is no need to limit the use that is made of any popular game or sport, but leadership always means alertness in devising and starting games that will really interest those who are so prone to stand on the sidelines. There are so many good games and the number in regular use is so small that there is abundant room for some excellent progress here.

We have long had "inside" leagues in baseball and in some places in basketball. There ought to be certain prolonged competition going on throughout most of the year. In addition to baseball and basketball, there are quoits, horseshoe, handball, volleyball, track and field athletics, which offer enough opportunities for active competition and for team organization to allow of their being "something doing" most of the time. Leagues composed of teams representing different units within the institution are especially valuable, not only because of the interest they engender but because of the larger participation which they promote.

In a number of institutions, where large foreign groups are found, considerable interest has been aroused by allowing them to play their own native games. At one prison "boccio" is almost as popular as baseball, and while the distinctively American games excel in the development of team work, other games are not without merit and may be used with good

results if sympathetic interest and inquiry reveal a desire and ability to play them.

The fundamental idea in all sports is competition. One of their most wholesome effects is realized when they arouse the fighting spirit and yet here is a danger point that cannot be ignored.

In highly individualized sports such as boxing, a personal animus is very apt to creep in, and grudge fights are not unknown. This rarely does any great harm. A more insidious and a greater difficulty occurs, however, when loyalty to the smaller group as represented by an individual champion or by a team, becomes so strong in the heat of competition that it submerges the larger loyalty to the institution. In one institution which has for years used boxing very intelligently and with excellent results, the rivalry became so strong, not among the individual boxers so much as between the partisans of the stars, that the entire program of boxing had to be discontinued for some time, and an entire new start made with slightly different regulations. In another institution two baseball teams which represented two divisions of an institution, in which part of the buildings were up on a hill and the other down in the valley, carried on a competition which extended throughout the entire summer, and the competition became so strong that the outcome was one of the worst riots known in the history of the institution. It certainly was a mark of poor management and of lack of proper control which did not sense the situation and allowed this spirit to go to such lengths. In this particular case the situation was complicated by the presence of a number of negro stars on one of the baseball teams, which lead to a division along racial lines.

There is no magic in sports considered by themselves, they must be used as a vehicle for the expression of an intelligent interest in the welfare of the men. Properly used they will provide an outlet for suppressed emotions and instinctive desires that will keep the inmates in a better frame of mind and in better physical condition than they would be without the use of such activities. Permitted in an institution and allowed to go their own course in an unregulated and uncontrolled way they will do about as much harm as good, and introduce many discordant elements into the discipline and routine of the institution. Let us by all means have the greatest possible use of sports but always bear in mind that they are something that we should have not for their own sake but rather as a means to the accomplishment of the work of the institution.

INDUSTRIAL INSTRUCTION FOR REFORMATORY INMATES

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I feel keenly my inability to do justice to the important subject assigned me today, for I firmly believe that the economic status of the individual has a greater influence on his "making or not making good" than any other one factor that enters into it. The problem of delinquency in general and particularly of the so-called "reformatory group,"--the boys of sixteen to twenty five, who are beginning to join the ranks of the producers--is inextricably bound up with their ability and disposition to earn an honest living.

A careful statistical survey of our young men shows that practically none are skilled workers or have made any actual attempt to become such. Their industrial standing is so low that they are the last to be employed and the first to be discharged when there is any slackening in industrial activity, consequently, the normally difficult task of living honestly on one's earnings is especially arduous for them. Aside from this, is lacking the incentive of interest in the daily task and of pride in its performance which is the special prerogative of the skilled worker. No man can take much interest in his work when he realizes that anyone with two hands can do it fully as well as he can.

Doubtless conditions vary in different localities, but in Connecticut only three of the more than sixteen hundred boys committed to us have attended one of our five State Trade Schools, and only two of these were graduates. This, when you consider that many of the boys who attend the Trade Schools are the ones who do not get on well with the regular school work, is, in itself, almost proof of the value of trade instruction. Of course, not all boys will, or can, profit equally by such training. Unfortunately, not all our courts have the necessary facilities for determining the intellectual status of the individual, and a certain number of those who come to most reformatories will prove to be of the class for whom, because of their feeble-mindedness and lack of ability to distinguish between right and wrong, a place for permanent custodial care, rather than a period of training, should be provided--and in most states is not! Even among those of low mental grade however, careful selection should be made, for experience has shown that a man's ability to become an economic success and a good citizen can not be measured entirely by his intelligence test. Where it is possible to teach

certain sub-normal individuals to use their hands skillfully, they often make the steady, useful "hewers of wood and drawers of water" of which society must have a certain number plodding through their daily task, shielded by their very defects from the discontent that drives the normal youth to something different, whether better or worse.

At least fifty per cent. of the population of penal institutions are of normal intelligence, and the higher grade sub-normal individuals that can be successfully trained constitute a fairly large group of the remainder, thus leaving only a very small number for whom industrial training would be of little value.

In establishing industries in a Reformatory, the idea of making money, or saving expense to the state by having one or two large industries, must be wholly removed from consideration. Connecticut is a small state and its various institutions and departments could not absorb the output of its prison, reformatory and jail shops if maintained on a proper commercial basis—and any other basis is worse than useless, is definitely harmful, as it either condemns the prisoner to periods of idleness or "slows him down" so as to utterly unfit him for a place in the rush of modern industry. For this reason the State Prison so maintains its industries that the men are nearly self-supporting, and opportunity is afforded them to earn something for themselves, either to apply to the aid of their families or saved against the day of their release. The Reformatory, however, thinks less of earnings and more of training, less of providing an article that may be used by some other institution and more of providing a means and incentive for a better life after the young man's release. The institution is designed to care for boys from every section of the state, from every sort of environment, having inclinations and aptitudes, fitting them for many different occupations. To interest them all along the same lines would be impossible. This question I argued long and earnestly a short time ago with that literary gentleman who has so sweepingly condemned us all in his magazine articles, his contention being that I should abandon my shops and set all my boys to work on the land, since every skilled mechanic we turn out displaces or competes with one already in existence, while, if he were taught agriculture he might add materially to the food supply of the country, thereby reducing its cost to these same mechanics and city dwellers who, he felt must be protected. With that tendency common to literary gentlemen to deal in theories unhampered by stubborn fact, he had neglected to consider several things: First, you cannot successfully run large numbers of individuals in the same mould. Second, Connecticut is an industrial rather than an agricultural state, and a large proportion of our young

men come from the cities. I, for one, have found it difficult to interest the average city-bred youth in making farming his life work. Country boys may take to the city, but the city boy, save in exceptional cases, finds country life rather dull and colorless. Thirdly, the farmer, quite as reasonably as the mechanic, objects to competition and the consequent lessening of his profits, for no one industry should be made to absorb the total paroled population of the institution. Properly distributed, it need never be felt by any class or trade.

Fortunately our legislators and directors see things more clearly than he and under our laws we are permitted to establish industries especially common in our state and at which our young men can secure employment near home when released.

When a young man comes to the institution, as soon as the necessary legal records are completed, an investigation is made covering his past industrial and social life, he then goes to the psychiatrist and physician who makes a careful mental and physical examination. Such physical defects as are possible to correct are corrected in the hospital. During the mental examination a boy expresses preference as to what he would like to do, and is then sent to the Deputy Superintendent to be detailed to that department which comes nearest to meeting his physical and mental abilities and his personal desires. If a boy's father is a skilled tradesman, we like to have the boy follow his father's line, unless there is some really good reason why he should not do so. Many times, if a boy can regularly work with his father, a few of the ordinary rough spots may be smoothed out and a bond of great value established between them. The instructor in each of the trade departments must not only be skilled and experienced, but he must have the ability to interest and impart his knowledge to others. When the boys in a shop refer to their foreman in that very "unprisonlike" manner as "The Boss," I feel fairly well satisfied. Such a man does not need a guard to keep discipline because he invariably keeps everyone busy and interested. So far we have been able to operate our various shops with an instructor as the only paid employee. We endeavor to run them as nearly as possible like those to which the boys must go upon leaving the institution. In order to do this, it is necessary to do commercial work, that is, the boy must know that the work he is doing, is useful and is to be used. We have found this in our own case, where 95 per cent. of the boys paroled from our machine shop and garage in the last two years have made good. I might add that this is one of our best departments, from the standpoint of the boys' making good, which is the real and only standard

that should be considered. Very probably one of the reasons this department has made such a good showing is because it is run on a real commercial basis and this fact is impressed on the boys by direct contact with their customers. Automobiles are brought to us by outside people for repairs and we must compete with garages in our section, both in price and work, especially in work, as most car owners are willing to pay if they can obtain good work. Nothing disturbs the shop as much as a dissatisfied customer and nothing pleases it like a satisfied one. Each young fellow realizes that the customer is paying real money and wants real value, that he does not come to our shop because he has to, but because he feels that he will obtain good, honest value for his money. A case in point:

"Fred C—, born in Quebec, Canada, came to us at the age of 22 years. His father was tubercular, alcoholic and illiterate; mother of very low moral standards. The boy's home environment was very poor and little parental care was afforded him. He attended a parochial school for three years, but as he was a chronic truant, he gained little knowledge and was unable to read or write. We found him to be mentally sub-normal, but had no vicious traits in his character, although he lacked ambition and energy. His habits were unsteady and in a drunken condition, he committed the crime for which he was sentenced to the Reformatory. His occupational history showed that he was an irregular employee, but that his relation with his fellow workers was good. He was employed chiefly as a factory lathe hand and his earning capacity was \$10.00 per week. After coming to us we placed him in our machine shop and garage where for two years he worked and learned the trade. Upon release he made good as a mechanic, but otherwise violated his parole and was returned. After ten months, he was again paroled as a repairman in a garage in a neighboring village, where for the past two years and a half he has worked steadily, gaining a good reputation in the town and giving perfect satisfaction in all he does."

Fortunately for the institution, the State had no State Printer. We felt that if we could secure the right type of instructor, it might be possible to establish a printing department that would give interesting occupation to the brighter and better educated reformatory inmates. After a long, careful search, we located a man who had had many years of experience, not only in job and book printing but in newspaper printing. Added to this, he had nearly five years of experience as a successful instructor in the printing department of a large state trade school. He came to us when we had only two small job presses and a few cases of type; was

told that it was up to him to produce good work and hold every customer that we could find. Most of the credit of the success of our printing department belongs to him, as he has lost neither a state department nor an outside customer whom he has served. He now has three assistants and the plant has been increased from its very insignificant beginning to a point where we now have three linotypes wholly operated by inmates, two large Miehle cylinder presses, one Kelly automatic and one Miller feeder, besides the hand fed job presses. We have added a bindery department which has not only the necessary equipment for this work, but a ruling machine which enables us to do all ruling of blanks books, blank forms, etc. The rule of our Print Shop is that the foremen are not to do the work themselves but are to show the boys how to do it well, and do it at a commercial speed. Our outside work, largely from state departments, during the past year has averaged about \$3,000 per month. This figure is not quoted to show "profits" but to show that the young men are actually trained to produce commercially. At the present time, a boy who was a high school graduate prior to his commitment to the Reformatory, and had been engaged at clerical work, when paroled, secured a position as a substitute with one of the daily newspapers and is now making good as a linotype operator in a large printing plant in the State. Another boy, who had had some experience as a cylinder press feeder, entered our printing department and learned the trade of pressman. He now has been out on parole nearly three years, working for one firm and holds the position of foreman of the press-room.

Our woodworking department is not particularly successful as a money-making plant. We have a fine equipment, consisting of all of the latest machinery for the woodworking craft. In all shops, where orders are received for large quantities of articles, there is a tendency to assign an individual to one certain operation and keep him there while he grows more and more efficient, with little opportunity to ever detail him to other operations, but in our own shop, we endeavor through small orders to supply the various kinds of training. It is not our purpose to keep any boy at one certain operation for too long a period, and this is overcome through manufacturing many small articles of all descriptions. However, we do find it necessary to have a few standard articles wherewith to "fill-in" and have found that the making of cedar chests in one or two styles is a very satisfactory method. We also make up for Christmas trade, Martha Washington sewing cabinets, costumers, and similar articles. We have, during the past year found it possible to dispose very readily of garden furniture which has furnished, because of the varied

sizes and shapes, much diversified training for the boys. As we are situated in the market gardening section, there is a demand for special truck bodies and we have made a number for our customers. As a rule, a boy starts the training in this department in our assembling room and as soon as he uses his hands well, he is transferred to the milling department. We often find a boy unfitted, through his inability and lack of desire, to to cabinet work, and he is then transferred to our carpentry department, where an unusual opportunity is provided for him in the construction each year of three or four cottages for our employees.

Very recently a boy on parole came to the institution to visit me. He had been committed for a serious offense and had the reputation of being one of the "bad boys" in his community. After being with us only a short time, he made an attempt to escape but was returned the same day. We placed him in our cabinet shop where he remained for a long period. We observed that he took much interest in his work, endeavored to do it well and was well-behaved at all times, and we finally placed him in the carpentry gang outside of the yard. He was paroled at the end of three and a half years and worked regularly at his trade. When he came to see me, he was nicely dressed, told me that he was married, and asked me to assist him in securing a position near Waterbury. He had been working as a carpenter at one of the shore developments and when I asked him if he had saved any money, he showed me his bank book with a balance of about \$400.00. He said that he had funds enough to carry him through the winter, but he wanted to work, even though it was only as a common laborer. This, of course, was not necessary as he secured a position at his own trade within a short time.

In all institutions, a painting department and a blacksmith shop are needed, if only to care for the institution's own requirements. Only a few boys enjoy this kind of work and receive any benefit from training in these departments. It is necessary, however, to be careful and assign only such boys to these departments as can be conveniently handled, as they should not kill time, but must learn to do real commercial work.

Fortunately, as we have a new institution and one that is only partially completed, we have an unusually fine opportunity to train boys in our mason, plumbing and steamfitting departments. These departments take care of all repairs about the institution and do all the work in connection with new construction. We have a large shop for our mason department in which the boys are given instruction during the winter months, and thus are prepared to do real construction work in the summer, at a commercial speed. Last year, we

laid over 200,000 bricks in permanent structures and I might add that we have no hesitation in allowing either a citizen contractor or a citizen union member to inspect the work of our boys, as it is fully as good as that which is obtained from ordinary journeymen. Thus our boys are trained in these departments, so that they can go out as employees of a contractor and make good, which is proven by numerous cases.

Our State is, as you know, noted for its various metal working factories. In many of these factories, men require only a superficial knowledge of machine work in order to accomplish a good day's work and help in the production of articles. To this end, we decided to establish a department that would teach the boys only the ordinary shop work of such industries, and one that would prove of great value to the type of young man who could not become a skilled mechanic. Therefore, we have at the Reformatory a department for the manufacture of automobile license tags. Our trade departments built the shop, erected the electrical ovens, and installed all of the necessary machinery. Whereas, this department does not actually teach the boys a trade, we have found that it affords some of them a splendid opportunity to learn shop practice and shop work. Many who have gone back to their home towns have been able to accept positions in the local factories, and have been far more successful than before they had received experience in our auto marker shop. From a financial standpoint tag making is very successful, and helps in maintaining some of the trades departments that have not been so great a financial success.

Although Connecticut is not an agricultural state, we have found that some of our boys are interested in this branch. Only two weeks ago, a young man came to me who had been working in our dairy barn, with the request that I secure for him a catalog and information as to the possibility of his entering our State Agricultural College. He stated that his people had recently purchased a farm and were willing to assist him if he would take a course of study in dairying. Farming is not the drudgery it was years ago, when there were few tools or implements to lighten the burden of labor, and if any institution attempts to make its farm work drudgery, instead of an interesting line of work, I feel it will tend to keep those who have a slight interest in agriculture from following it up. We have in use at the Reformatory all up-to-date farm machinery and tools that are available for our particular kind of farming, and furnish the boys with every modern implement possible in order to teach them how to become the successful agriculturist of today. We have a herd of thoroughbred Holstein cattle and require all milch cows to be officially tested for advanced registry. So far, I have

found that it was not at all difficult to create an interest among our boys in dairying, and in the care of cattle, when they once realize that the particular herd of cows for which they are caring is as good as any in our section.

As I stated at the beginning, many institutions are handicapped by laws that make a difficult job of establishing industries much more difficult, and I should add at this time, that the laws referring to the financing of industries should be of such nature that they furnish sufficient capital for the work and is not in any wise connected with the maintenance account. We find a revolving fund which may be drawn from and added to by the proceeds of our industries, is a very satisfactory method for meeting these requirements.

We have found that in conducting our schools on the elementary evening school plan, which enables the boys to cover the essential part of each grade in a ten weeks' term, and allows them to complete eight grades in two years, the time a boy is with us, is a very great aid to their advancement in our industrial training and I feel that it is the work of the Reformatory to take a boy who is anti-social, train him to be a producer, not a parasite, bring him to the point where he can determine for himself most of the fundamental questions of his life and return him by such training to society as a useful citizen.

MONDAY MORNING, OCTOBER 16.

COMMITTEE ON PUBLIC CONTROL AND
SUPERVISION

DO THE COURTS SEND PRISONERS TO THE RIGHT
INSTITUTIONS?

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I suppose today the general public is pretty well educated away from the idea that the institutions to which prisoners are sent are instruments for taking vengeance for anti-social acts or even primarily places for punishment. Rather, among informed persons the idea pretty generally prevails that they serve two purposes; the protection of society and the improvement of the individual offender.

We, who have given time and thought to the matter, who have come in daily and hourly contact with the individuals who make our problem, realize that until the time comes when

prevention shall have done its perfect work, our institutions can only accomplish the greatest good when they care only for those for whom the institution was planned, built and equipped to serve. It seems axiomatic.

What stands in the way of the institution's greatest usefulness? Given the well and carefully planned institution, staffed with conscientious workers, well trained for their particular tasks, with equipment and resources even fairly adequate—and the great source of failure is that the human material on which it works is in the language of the law with which some of us are so familiar—"mentally and physically incapable of profiting by the discipline of the institution."

And, of course, we who know do not confound discipline with punishment, but understand by it the entire mechanism working for training.

Shall we blame the courts for the failure, great or small, to send the right individual to the right institution? Are they alone to blame? Let us briefly consider various elements which enter into the situation.

First: The law. This, within limits which vary from city to city and from state to state, sets the bounds for the action of the court.

Second: The number and kind of institutions public and private to which the court is permitted by law to commit.

Third: The facilities at the disposal of the court outside the legal evidence in a given case which can aid him in determining his course within the limit of the law.

Fourth: The personality of the judges.

First, the law. The penal codes of the several states have been based on English Common Law, influenced in some states by the English Ecclesiastical Law, in others by the Napoleonic code. All have felt the influence of local social conditions, economic and racial.

In most states statute laws attempting to mete out punishments exactly measured to fit the degree of crime have been modified to meet the modern tendency toward commitment with maximum and minimum limits, freeing a man when he is believed to be fitted to take his place in society, or indeterminate sentences possibly with a definite maximum in states where reformatories have been established.

Nothing short of critical study, which the writer did not have time to make, would show the differences which exist in the several states in the matter of legal limitations to the discretionary power of the judges.

It is obvious, however, for example that in states where no reformatories exist as an alternative to imprisonment in state prisons judges have no alternative but to make such commitments, however much they may desire a different environ-

ment for an individual prisoner. In the case of women there are only eighteen states in the Union which have passed laws establishing reformatories for women and in at least two of these the reformatories are not yet open. Nor have all the states in the Union reformatories for men, although there are more of these. The situation is better where juveniles are concerned inasmuch as only three or four of the smaller states still lack such institutions for girls under sixteen.

In a large proportion of the states only one state prison is needed and in many of these the institution has not been developed so as to give a sufficiently varied type of work necessary for the development of individual cases. Furthermore, adult probation is permitted by law in a limited number of states. So, however desirable it may be, a judge is prevented from giving release under supervision even when all the circumstances point to it as the most desirable method of treating a case. Again, the penal codes vary considerably as between states, reflecting to a large degree not only existing differences in social and economic conditions, but retaining in the laws the reflection of earlier conditions. Crimes which are misdemeanors in one state may be felonies in another. Lengths of sentences reflect the sentiment of the community in regard to special crimes. In a state which still is influenced by frontier conditions, for example, a horse thief may be regarded as a more serious offender than a murderer.

Second: Limitation as to number and kind of institutions within the state. It is obvious that in the smaller states where the number of criminals is limited the number of institutions which care for them will be limited. It will, therefore, be impossible to differentiate in the type of treatment given under existing conditions. By no means have all states adequate facilities for non-criminal feeble-minded and insane, and there are still many states where no proper provision is made for this type of prisoner. Where institutions do not exist it is useless to pass laws attempting even a rough classification.

Third: The facilities at the disposal of the courts for such examination and investigation as may be necessary to guide the decision of the judge in sentencing vary enormously as between state and state, and even city and city in the same state, and in the less densely populated centers are practically nil. These facilities, of course, consist in the court having at its disposal trained social investigators to look up the social and economic history of the accused or convicted individual, physicians to determine physical condition, and psychiatrists to study the mental condition of the accused, let alone opportunity for observation as to behavior. Naturally, a judge is not to blame if he commits a feeble-minded person, unless so

feeble-minded as to belong to the idiot group, or persons suffering from certain types of mental disease, to a penal institution.

Fourth: And possibly most important of all—we have the personality of the judge. I feel like beginning this paragraph in the style of the schoolboy—"There are many kinds of judges too numerous to mention." There are the judges who with all the facilities of clinic or detention house observation still prefer to disregard advice and use their personal impressions as a basis for sentence. There are judges bound by the old traditions of criminal law who look at the individual delinquent not as a problem to be studied, but as a criminal to whom the exact measure of punishment allowed by the code should be meted out. There are impressionable judges; we may say even sentimental judges who are influenced by the importunities of the wife or mother of the criminal, if he is a man, or by the beauty and tears of the prisoner, if she is a woman. We have judges who have risen to the bench because of their personal qualifications, their learning, their merit, their humanity; and we have others who come to the bench as a reward for partisan service to a political group. The personal characteristics of the judge are a factor in committing prisoners to the proper institution, which is undoubtedly more important than any other, and possibly the most difficult to deal with.

In any state or city these four factors:

The law,

The type of institution available,

The facilities at the command of the judge to guide him in pronouncing sentence and

The character of the judge himself,

are mingled in varied proportions in the various localities.

Behind these four factors is still another factor, probably worthy of mention and that is the attitude of the public. Unless there is a pretty general level of intelligent appreciation of the penological problems of the state on the part of a considerable proportion of the population it is unlikely that any given state or city will have either laws reflecting the latest standards of intelligence dealing with penological problems, institutions fitted to deal with all types of delinquents, and intelligent judges upon the bench capable and willing to make full use of the facilities at their disposal in the disposition of individual cases.

Let us turn now to some of the possible solutions of this difficult problem of securing for every prisoner the kind of sentence that will best serve the community and the individual.

It goes without saying that no institution whether it be one for criminals, for the feeble-minded, for psychopathic or pure-

ly educational purposes, can function properly if it is loaded down with the type of inmates for whom it is not fitted to work.

1. To me the ideal method of securing commitment to the proper institution is what is known as a clearing house method. This would mean either in a city or a state a central institution conveniently located, equipped and staffed to make all proper investigations into the heredity, environment, education and economic history of the prisoner, to give a complete physical examination and complete mental examination made by both a psychologist and a psychiatrist. Furthermore, an opportunity to study the personality and the behavior reactions of each individual over an adequate period of time is an essential.

The function of the court should be limited to determining the innocence or guilt of the prisoner. He should then be remanded to the clearing house for study. Sentence should not be imposed until the reports from all divisions, sociological, medical, psychological and psychiatric examinations are in his hands. Commitments should then be made in accordance with the recommendations accompanying the reports.

It has always seemed to me, however, that unless we can be certain of judges who will act in accordance with the recommendations it would be wiser to leave the question of the placement of the prisoner with the director of the clearing house, who will be a man of high scientific attainments.

Ideally, in such a situation we should have also a genuinely indeterminate sentence. Whatever the tribunal which would consider release or permanent care, it should only be made when it was practically certain that either the individual was ready for a trial in the community or that he was an absolutely hopeless case.

Many objections will be brought against such a system, not the least of which will be the abstracting from the court its time-honored prerogative of imposing sentence.

2. At the present time and for some years past there has been a general tendency toward the establishment of clinics in connection with courts, particularly in the large cities. In this way examinations more or less complete are made in the court or the immediate neighborhood of the court before sentence is imposed. Here again the success of the method rests upon the completeness of the examination, the sanity of the recommendations, which presumably will conform to the possibilities of their application and to the willingness of the judge to be guided by expert opinion.

There are various difficulties in the way of carrying out this system to its logical conclusion, which would be its introduction into every court which sentences criminals. First and

foremost is the expense of maintaining clinics in all the centers of population and the practical impossibility of offering the advantages of such clinics to rural communities, although experiments of traveling clinics are under way. Even were it possible to meet the question of expense there are not at the present time enough trained psychologists and psychiatrists, to say nothing of social investigators, to man such posts, particularly at salaries which could be paid. Moreover, what has perhaps come to be regarded as the important feature of all, the personality make-up, could seldom be determined within the very short period usually allowed for the examination, although here again there is a tendency to somewhat lengthen the remand for examination.

3. A system which is developing in some of the large states, notably in New York, is the establishment within the state prison system itself of a clearing house to study and classify the state prison population as a whole after sentence and to distribute them to the appropriate institutions. New York possesses four state prisons. The clearing house and receiving station is to be located at Sing Sing. Great Meadow is a farm prison and industries will be distributed between Auburn and Clinton. New York also possesses two state hospitals for the criminal insane at Matteawan and Dannemora. The reformatory at Elmira is to be included in the plan, together with the institution at Napanoch, which has been set aside for the feeble-minded criminal. Thus there will be ample possibilities for assigning the prisoners to institutions which will serve their needs. In the case of the city of New York with a population greater than that of most states a clearing house and classification system was planned during the last administration to apply to all prisoners sentenced to city institutions, of which there are enough with proper organization to meet the needs of the various types. This plan is obviously practicable only when within the system there are institutions of a variety of types. Such a system would not be applicable to the more sparsely settled states and to the smaller communities.

4. Still another possibility which might be useful in these states which have a small penal population and comparatively small resources for caring for them would be the passage of laws which would permit considerable flexibility in transfers among existing institutions. There are dangers in this method some of which are usually guarded against by requiring judicial orders for transfer.

Missionary work is needed. It seems to me that it is the duty of each one of us who has devoted a considerable portion of his life to a study of these problems to act as missionaries. If we have justification for the faith that is in us we should

be prepared to present the subject in such a way that those who listen will gain something which will help them to give intelligent attention when plans are presented looking toward improvement in our whole penological system. The legislature is dependent for its composition upon the voter. The legislator is pretty apt to keep his ear close to the ground. If there is general demand on the part of the electorate for any particular measure it is pretty certain that it will be enacted into law. Plans suitable for a given city, a given county, or a given state, must be carefully worked out to meet the conditions in that locality. This preliminary work must be done by those whose training and experience fit them for it. When laws are drafted to carry into effect a program it is not alone necessary to work with the legislators, the public must be informed. Proper publicity is the *sine qua non*. And so we come to the conclusion of the whole matter and the answer to our question. Judges will make the proper commitments when they can and must. Give them the proper facilities for help to determination in individual cases; give them the proper machinery for probation and the proper institutions for commitments—give them the knowledge that their constituents both men and women are following their career on the bench, and the results are sure. Judges are human. Where they are not elected themselves the men who appoint them are elected and in the long run prejudice and prerogative must yield to enlightened public opinion.

CLASSIFICATION OF PRISONERS FOR PURPOSES OF TRAINING, WORK, AND PAROLE

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The history of criminology shows four different points of view toward the treatment of criminals. These are in historical succession, (1) retribution or punishment, eye for eye and tooth for tooth; (2) protection of society, involving the safe custody of the criminal; (3) reformation, considered principally from the standpoint of moral and educational instruction; and (4) correction, the modern comprehensive point of view which demands the scientific study of the individual in relation to his environment, the causes and effects, and the systematic measures for combating these.

Correctional treatment in the past, where successful, has been an art rather than a science, and where unsuccessful, has followed the method of trial and error rather than of

system and follow-up. The striking or outstanding characteristics have overshadowed some of the more subtle, yet equally important, causes of crime and methods of correction. In this paper I wish to present the outline of a system of classification which is so comprehensive that no factors are overlooked, so systematic that all the complex of causes in each case shall be properly combined, and so definite that the measures for corrective treatment shall seem necessary and inevitable. It is not my purpose to question the present methods of sentence and commitment, or the problems of a central clearing house to which prisoners might be remanded by the courts before sentence for purposes of study and classification, but to describe the kind of correctional treatment which is now in operation in the correctional institutions of New Jersey. The fact that every phase of this plan is already in operation in some of our institutions and the plan in partial operation in others, will spare me the criticism of impracticability. It is an experience that I am describing, rather than a theory, a condition as well as a plan.

I like to think of correctional treatment in terms of an analogy drawn from medicine. When a person is afflicted with a contagious disease, or an ailment which is a menace to his neighbors, he is quarantined from the general social body, a physician is called in to treat the case. Before prescribing treatment the physician makes a thorough study of the individual, not only of his present symptoms, but of his previous history and those influences which have contributed to the development of the pathological condition. He sums up this study in terms of a diagnosis, in which he indicates the contributing causes. Generally speaking, diagnosis leads almost automatically to methods of treatment which are fairly well standardized for the several diagnostic syndromes. It may be, however, that the circumstances call for specialized treatment, specifically designed to meet the particular conditions presented by the individual. Our plan of correctional treatment is founded on similar procedure. We study the individual prisoner himself from every possible angle. We cover his personal history with a view to understanding the predisposing factors; we study his environment to learn the immediate contributing causes of his crime. We make a diagnosis of the principal cause or causes and specify the contributing factors. We are then in a position to see exactly what the individual needs in order to be socially rehabilitated. We then make sure that our institutions are provided with the facilities required for this purpose. We go further and aim not only to fit the individual for return to his environment, but to prepare the environment for his return. The study of the individual must always include the inter-action between

himself and his environment. Our problem is essentially one of social relations in which the individual himself is but one of a complex of influences.

Our program of classification calls for a period of study of each prisoner immediately after admission to an institution, during which period the prisoner and his environment are studied from every possible angle. The man himself is examined by the physician, the psychiatrist, the psychologist, the chaplain, the head teacher, the industrial supervisor, and the social investigator.

The physician inquires into the man's physical makeup from the standpoint of physique, health, and physiological constitution. He obtains such information as will indicate the causes of crime from the point of view of physical constitution, such as chronic infirmities, acute diseases, toxemias, constitutional abnormalities (both organic and functional), general health, and so on.

The psychiatrist inquires into the condition of the nervous system, personality makeup, and sanity. He obtains such information as will indicate the contributing influences of nervous pathology, defective personality, emotional disturbances, conflicts, perversions, mal-adjustments, psychoses, psychopathies, epilepsies, dementias, and so on. In co-operation with the physician, he determines the importance of syphilitic infection and the use of alcohol or drugs.

The psychologist examines the man from the point of view of intelligence, aptitudes, character, and emotions. He determines particularly the prisoner's individuality from the point of view of intelligence level, intelligence type, temperament, emotion, judgment, inhibitions and desires. In co-operation with the head teacher he determines the degree of literary and educational capabilities. In co-operation with the industrial supervisor he determines motor aptitudes and trade skill. In co-operation with the psychiatrist and physician he determines feeble-mindedness, constitutional instability, and the psychological aspects of psychopathy, including defective personality, judgment, emotional deterioration, mood, and the like. He determines the level and type of the individual from the point of view of such mental processes as memory, association, and reasoning power. The psychologist further evaluates the importance of his findings from the point of view of color, race, and nationality.

The head teacher examines the man from the point of view of his knowledge and educability. He inquires particularly into the degree of literacy and capability for advancement, academic interests, social ambitions, and suitability for training in the clerical and semi-professional occupations.

The industrial supervisor studies the man from the point of view of his previous occupational history, his present trade or industrial skill, and his industrial capabilities. By means of standard trade tests, inquires particularly into the present degree of trade skill which the man possesses, his occupational ambitions and their relation to his environment.

The chaplain studies the man from the point of view of his social attitudes, standards, and responsibilities. He inquires particularly into the man's previous church and spiritual relations, his social and ethical ideals, and his degree of individual responsibility and trustworthiness. He determines particularly the relation of the man's spiritual, moral, and social attitudes and associations as pre-disposing or contributing factors.

The social investigator, sometimes the Bertillon officer, disciplinarian, assignment officer, or parole officer, inquires into the man's history and previous record from the standpoint of family history, personal history, school history, industrial history, criminal record, marital or family relations, and economic status. He studies particularly the environment and immediate neighborhood from which the prisoner is drawn, with a view to determining its influence in the causation of the crime and its resources from the standpoint of rehabilitation. He makes special recommendations as to the changes which must be brought about in the environment before the man is returned to it, or recommends a permanent change in environment. He serves all the previous mentioned specialists, obtaining for them such information as they separately require and supplementing this with such unexpected information as he may be able to obtain.

As a result of their several inquiries into the makeup and history of the individual and his relations to his environment, each specialist presents a written report from his particular point of view. This report covers, first, a statement of findings or data; second, an analysis of their relation to the causation of the particular crime for which the prisoner is admitted; and third, specific recommendations for corrective treatment. These several specialized reports are then abstracted and compiled and, together with the complete reports, are presented with the individual prisoner at a classification meeting. At this meeting the several specialists are individually present, and hear the reports from the different points of view. Discrepancies, omissions, or contradictions in the reports are evaluated and the reports harmonized as completely as may be. The principal causes of the crime, the importance of contributing factors, and the measures for corrective treatment are then determined by the committee as a whole. These determinations are then used as a basis for making

specific, though tentative or provisional recommendations as to the minimum requirements to be met before the prisoner is eligible for parole, and the expected time limits within which these requirements are to be met. Objectives are set from the several points of view and a daily schedule, based on specific assignments, is made. These recommendations are then transmitted to the assigning officer, who is directed to see that they are carried out. Any changes which he may find it necessary to make, either with respect to assignment, schedule, or objectives, must first be passed upon by the classification committee of specialists. The final classification may be delayed pending further inquiry or the acquisition of further data, incompleteness, or uncertainty of diagnosis. In any case, at the time of assignment a date is fixed for reclassification, at which time the prisoner is expected to reappear before the committee, accompanied by the initial reports and such additional examinations, new information, and institutional progress record as may be available. At this time the experience of the institution from every point of view is presented. The original objective of pre-parole requirements and time limits, original schedule, and assignments are revised or modified.

As a result of the classification meeting and group determination, the individual will be classified in one or more of the following groups:

A medical group, including the diseased, ill, crippled, disabled, aged, infirm, constitutionally abnormal, and so on.

A psychiatric group, including the neurotic, psychotic, psychopathic, demented, epileptic, inferior, peculiar, mal-adjusted perverted, syphilitic, drug addict, chronic alcoholic, and so on.

A psychological group, including the gifted, bright, average, dull, inferior, feeble-minded, deteriorated, unstable, verbal-minded, manual-minded, social-minded, unskilled, and so on.

An educational group, including the non-English-speaking, illiterate, borderline illiterate, classified literates, non-educable, scholastically educable, clerically skilled, and so on.

An industrial group including unskilled, relatively unskilled, average, highly skilled, expertly skilled, vocationally educable, routine workers, and so on.

A moral group, including the amenable, the anti-social, altruistic, egocentric, trustworthy, untrustworthy, religious, skeptics, misanthropists, and so on.

A social group, including the colored, native white, foreign-born, foreign descent, chronic offenders, occasional offenders, environmentally unfortunate, economically limited, and so on.

These classifications obviously place emphasis upon the extremes of variation, either above or below the normal, on the

assumption that an entirely normal man from all these points of view is rarely indeed a criminal. Each prisoner will ordinarily be found to be definitely classifiable in one or more of these groups and his inclusion therein will indicate the principal causes and contributing factors of his criminality. The inclusion in one or more of the groups makes the prisoner automatically eligible for the several lines of corrective treatment which are provided for them. These lines of treatment may be enumerated as follows:

Medical treatment, including regimen, diet, medication, surgery, physical training, therapies, psychoanalysis, quarantine, and the like.

Scholastic education, including Americanization, grade school work, special courses, departmentalized instruction, recommended reading, clerical or semi-professional training, and the like.

Trade training, including vocational training, trade training, industrial work, correlated trade and vocational instruction, and so on.

Moral instruction, including religion, ethics, civics, biography, and so on.

Recreation, including physical exercises, games, sports, amusements, music, dramatics, entertainments, clubs, organizations, and so on.

Community service, including industrial placement, parole supervision, financial assistance, community affiliations, home adjustments, and so on.

These several measures for corrective treatment provide comprehensively for the needs of practically all prisoners in relation to their individual circumstances, types, and needs.

This method of classification, as described, when put into operation in any correctional institution, immediately reveals the limitations of corrective treatment in an institution. Some facilities will be found preponderant and others totally lacking, and consistent efforts to classify and assign systematically in these ways will force an institution to provide the facilities which it lacks, and to curtail the employment of other facilities which are being used blindly. With such a system it is practicable to determine in great detail the specific needs of each prisoner or group of prisoners with respect to education, training, and work, and to determine with a high degree of precision the time at which a prisoner is eligible for parole. Such treatment for purposes of parole presupposes the indefinite sentence in its broadest interpretation. In many cases the crime itself will be found to be an incident or accident, requiring no other correctional treatment than the shock of the crime itself, arrest, or court hearing. In many instances the correction is to be sought really

in the home, neighborhood, or general environment, rather than in the individual. A definite percentage of prisoners will be found not amenable to correction because of gross feeble-mindedness, psychosis, extreme anti-social attitude, physical defect, and the like. In such cases the indeterminate sentence may be construed as permanent custody. For the former, immediate parole analogous to probation can be provided.

This plan can be extended in other states and adapted to other conditions. It should also constitute the logical basis for institutional discipline such as is provided for by credit and marking systems. It is also the obvious basis for wage payments to prisoners.

When we have reached that more advanced stage of scientific and humane diagnosis and treatment of prisoners which calls for individual study and classification after conviction but before sentence, then some procedure such as this becomes imperative.

MONDAY MORNING, OCTOBER 16.

MEDICAL SECTION

TUBERCULOSIS WORK IN THE STATE PRISONS OF NEW YORK

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The tuberculosis work in the state prisons of New York had its first inception in 1889, my first year of prison service, when I made a survey and examination of the population of Clinton Prison, consisting of 867 inmates, and classified 128 frank cases of tuberculosis.

This work took more definite form by 1891, when segregation and systematic transfer from other prisons began, and a separate tuberculosis ward was established in connection with the hospital at Clinton Prison. Additional wards were constructed in 1902 and 1904, and in 1915 a separate hospital was established at some distance from the prison proper, for the purpose of caring for all cases of tuberculosis occurring in the population of the several New York state prisons.

The group of buildings comprising the Tuberculosis Hospital is located at a commanding point upon one of the Adirondack Mountains, known as the Dannemora Chain, and is so situated as to permit a most unusual view.

To the right and west are the Lyon, Johnson and Round Top Mountain peaks; and at the head of the Saranac Valley stands White Face, Marcy and Saddle Back; to the east many miles of Lake Champlain in the background, and the Green Mountains, with Camel's Hump and Mansfield to the fore.

The group of buildings constituting the hospital consists of a main ward, advanced wards, dining room and service buildings, which are so placed as to receive the greatest possible amount of sunshine at the different hours of the day.

The main building is 265 feet in length, 38 feet in width, with a 13 foot wide porch extending the whole length. This ward is built in pavilion style, connecting with the porch by French doors for convenience in running out the beds for sleeping purposes. The porch is windowed and grilled throughout. The ward buildings are also supplied with all possible windows for sunlight and fresh air.

Attached to the main ward are bath rooms and lavatories, 100 feet in length, tiled and equipped with the most modern and improved fixtures for spray and tub baths. Connected with this building, at the southwest end is the medical building, containing the doctor's offices, (three in number), clerk's examining, operating and sterilizing rooms and dispensary. The upper floor is used for nurse and attendant dormitories. The basement is devoted to officers' dining room, observation room, X-ray and bacteriological laboratories.

At the eastern end of the main ward building is the advanced ward, connected by corridors, and is made up of ward and single rooms with bathing facilities, and enclosed porch. The basement of this building is used for pathological purposes.

Extending from the center of the main ward building is a dining room, with opening into the service building, in which is a modern kitchen, refrigerator rooms, steward's office and dormitory for kitchen help. The basement is devoted to scullery, storage and boiler rooms. This building is fire proof in every particular.

The porches, and all wards, kitchen and dining rooms are upon one floor, and any vehicle can be wheeled from any part of the buildings without a rise. These buildings are so constructed that an attendant standing in the center of the ward has in view every bed, corner and angle; not a column or pillar in any way obstructing the view. The buildings are trussed, with air spaced roofs.

The hospital is equipped with the very best type of apparatus and fixtures; the heating plant is of the most modern low pressure, over-head type; the plumbing is the very best obtainable; there is sewerage connections with the main plant

of the nearby institutions, and the water supply is from mountain springs.

The medical staff consists of chief physician, assistant physician and interne and orderlies. In performing the medical work of the hospital the staff has at its disposal a well equipped X-ray laboratory, bacteriological laboratory, operating, sterilizing and examining rooms.

The number of employees at present in the Hospital consists of steward, captain of night watch, pharmacist, four attendants and fourteen guards. The capacity is 250 beds.

A dentist and oculist visit the Hospital to care for the needs of the patients.

An up-to-date moving picture apparatus is installed in the mess hall and moving pictures are shown twice a week, the hospital string orchestra furnishes music. A library containing about 2,500 volumes is at the disposal of the patients and there is a school of letters and a stenography and type-writing class which any physically fit patient can attend.

Connected with the hospital by corridor is a large airing and exercise court, situated on the southeasterly side of the buildings and commanding a magnificent view of the surrounding country for miles and miles. This court is enclosed by a modern non-climbable wire fence, not interfering with the view. A shelter, with reclining chairs, running water and toilet facilities, is available, and the patients are permitted to pitch quoits and play hand ball when their physical condition permits.

Adjacent is a large farm worked by convalescent patients, and a dairy farm in connection with the prison furnishing fresh milk to the hospital as well as to the prison proper.

This hospital receives patients from all the state prisons of the state, and the method of transfer to this institution from the several prisons is as follows: When a physician of any of the other prisons finds by examination that an inmate is suffering from tuberculosis, the patient is transferred to Clinton Prison by order of the Superintendent of Prisons. Upon arrival here he is given a careful physical examination and if found to be suffering from tuberculosis, his history and the history of his family is recorded and he is admitted to the hospital. He is then assigned a bed; hospital clothing is given him; his sputum is examined; tuberculin test is given and a careful daily record of his condition kept thereafter; he is also given a copy of the rules governing his personal habits; the care of his sputum, teeth, hair, clothing, etc.

The diet of the patient is considered very essential, and is prescribed by the physician and furnished on his order from the hospital kitchen in charge of the steward. It is aimed

to make this diet as nutritious as is consistent with the means at our disposal in a prison hospital. It includes cereals, vegetables, meat and eggs, with plenty of milk, kumyss, buttermilk and fruits.

Such medical treatment as is indicated from time to time is prescribed, little dependence, however, is placed upon this feature in the treatment of the disease—outdoor air, and sunshine, rest with alternating graduated labor, are more depended upon to effect an arrest of the disease by stimulating the general inhibitory power of the patient.

I desire to emphasize that feature of treatment designated as “graduated labor” and I therefore dwell particularly on this phase of treatment.

What is known as “graduated labor” should not be construed as meaning treatment by exercise, athletic or calisthenic performances; all of which have in them possibilities of injury in the treatment of tuberculosis.

The object of graduated labor in the treatment of pulmonary tuberculosis is to secure a gradual tolerance and endurance to exercise long sustained, and thereby build up an amount or resistance against the possibility of injury from subsequent labor, when the patient must leave the sanatorium or hospital and make his way in the world.

In the past many tuberculous patients when discharged from such institutions were fair to look upon, having gained much in weight; but who, when returning to their former activities or assuming new roles of labor, failed rapidly in health and were obliged to return for treatment, and many of whom ultimately died.

The kind of labor we speak of is intended to assist in every way the inhibitory functions, and is a very element in the cure of any chronic disease, and also furnishes mental pre-occupation. When the patient is intent upon a physical task his mind is usually at rest. He loses the solicitation over his condition; his mind becomes healthy and his thoughts wholesome, and there is a general feeling of well-being, with normal blood circulating in a normal manner.

As you are all aware, formerly the treatment of tuberculosis consisted in rest in the open air, together with so-called forced feeding—some patients having been fed as many as eleven times in twenty-four hours. Now rest in the active stages of tuberculosis and supporting diet are positively essential features of treatment. Forced feeding we believe is never indicated, as it is fraught with great danger.

It has been argued, and much has been said, about the accumulated toxins when tuberculous subjects are compelled to labor; these arguments contending that fatigue would add and overload the excretory processes. As a matter of fact,

however, properly graduated labor tends to promote the excretions and eliminations of body toxins.

The use of graduated labor was suggested to us by experience with a number of men, who, when received at this institution were unusually restless. They were given light tasks to perform and gradually they themselves managed to secure rather heavy work. This was especially manifested in the case of a young negro who was admitted to our hospital in the advanced stages of pulmonary tuberculosis. He was extremely emaciated, carried a high temperature and had all the usual marks of one who was to live but a few weeks. He was given the rest cure, with careful nursing, and after a time was allowed to move about the ward; and a little later to do light service about the hospital. After a time he was given work in the outdoors. From this he gradually worked up until he became employed in excavating for new hospital buildings. From this time on he gained in weight and was swinging a sledge and pickaxe with as much ease as the best man on the job: during this time he gained over 40 pounds in weight.

A number of similar examples of the effectiveness of graduated labor induced us to institute it as a method of treatment.

In our hospital a further demonstration of this method of treatment was made as an experiment. For instance two groups of tuberculous patients were selected, as nearly as possible of the same age; same stage and similar in temperament. The first group of nineteen men was placed at rest and spending the major part of the day in the open air, with bountiful dietary and careful nursing. The other group of nineteen men was subjected to graduated labor, going from light work to heavy construction work. The experiment was continued for five months with the following results: Of the 19 idle men there was a loss of weight of 33½ pounds and a total gain of 81 pounds. Of the working group there was no loss of weight and a total gain of 165 pounds. This clearly demonstrated that a gain in weight does not necessarily depend upon the factors of rest.

An additional experiment was made with 112 men; 35 working out of doors, showing an average gain of 8 5-10 lbs.; 35 working indoors showing an average gain of 4 8-10 lbs.; 42 receiving the usual treatment with rest in the open, showing an average gain of 2 97-100 lbs. It would seem that these results were conclusive as to the advisability of the use of labor in the treatment of pulmonary tuberculosis.

We were strengthened in this conclusion by listening to a paper read by Dr. M. S. Patterson, Medical Superintendent of Brompton Sanatorium, Frimley, England, at the Sixth International Congress on Tuberculosis. Dr. Patterson apparently

stumbled upon the fact that many tuberculous patients were filling their ordinary occupations up to the time of admission to the sanatorium, with a fair condition of health. Then it occurred to him that some consumptives, under natural circumstances, without any medical guidance, labored without apparent injury. He therefore developed a plan submitting his proper patients to very carefully graded types of labor, until he brought them up to the full status of a laboring man.

Previous to this Dr. Otto Walther, of Nordrach, Sweden, had shown extraordinary results by graduated walking exercises.

While this procedure was contrary to all preconceived views of the treatment of tuberculosis, the results were nevertheless highly satisfactory.

Not only is this feature a curative one, but it is also a financially profitable one; as for instance the tuberculosis hospital, with the exception of the plumbing and steamfitting was entirely built by inmate labor, 51 per cent. being tuberculous patients. In fact all the construction work in connection with the building of hospital structures at Clinton Prison has been done entirely by inmate labor, the larger percentage of whom were tuberculous.

After the completion of the hospital the men were placed at work in grading; building walks, retaining walls, farming and gardening. Some idea of the amount of work performed is shown when we quote from the annual reports, and in addition to this all of the work in connection with the tuberculosis hospital is done by tuberculous patients; including upkeep, kitchen, boiler room, household, farm and garden, and none but tuberculous patients are employed at the tuberculous hospital.

During the period from 1919 to 1922 inclusive on the hospital farm worked by tuberculous patients vegetables to the value of upwards of \$4,000.00 have been raised each year, and we have thus been able to lessen the cost of maintenance to a considerable extent.

A very large amount of excavation and fill-in has been done, amounting to millions of feet, considerable land has been cleared and walks, gutters, retaining walls and stone fences built, covering large areas.

We emphasize this feature of the tuberculosis work because we are firm believers in the gospel of work, and whatever theories may be attempted to work out, or whatever plan of discipline may be sought, the absolute essential to a successful administration of a prison both as to its effects upon the organization and the community itself, must have for its foundation, well regulated, remunerative work, if anything worth while is to be accomplished in the so-called reformation

and upbuilding of the inmate. Therefore no matter what feature of a prison population is to be dealt with, the ground work of success must rest upon our ability to employ.

The cases therefore suffering from either tuberculosis, syphilis, or other chronic diseases, should play their part in the general scheme of a truly industrial prison administration. To carry this idea or ideal to a happy conclusion we must find employment for our convalescent and semi-convalescent patients, and this I believe would best come through the use of occupational therapy, and this is especially true with reference to an invalid prison population.

In our tuberculosis hospital little in this direction has as yet been accomplished, although this feature is under advisement, and will probably be put in operation within a short time.

During all this time that the patients are engaged in this graduated labor, they must be carefully watched and the effects of this treatment may be accurately gauged by its influence upon the temperature, the patients' sputum, appetite and weight.

Dr. Patterson states that of 344 patients submitted to this form of treatment who had been discharged from his institution at the time of making the survey, 253 were at work; 9 were idle, 74 had not reported and only 8 had died. Surely this is a most excellent showing.

Under this system we are able to work from 60 per cent. to 70 per cent. of our patients.

It is now nearly a quarter of a century since the tuberculosis work in the state prisons of New York began and we therefore feel justified in summarizing the general effects upon the prison populations as a whole as compared with that which existed prior to that time when 75 per cent. of all deaths occurring in the prisons of the State of New York were due to tuberculosis. In one prison alone 44 deaths were reported in one year. In the period of five years from 1891 to 1895 inclusive there were reported 253 deaths from tuberculosis in the three prisons as follows: Sing Sing 86; Auburn 133; Clinton 34.

This astonishing percentage of deaths has been, through the agency of the tuberculosis work, reduced from 2,021.6 per 100,000 living in 1891 to 120 per 100,000 living in 1921. In 1891 with a prison population of 3588 in the state there was one death from tuberculosis for every 48 men in prison; in 1921 there was but one death from tuberculosis for every 853 men in prison, these deaths occurring in the different institutions as follows: Clinton Prison 8; Auburn 0; Sing Sing 1; Great Meadow 0. The number of men in prison during the year 1921-1922 was approximately 7,500.

Appalling as these figures were, they were really not the worst feature of this lamentable situation, for hundreds of men were being discharged to outside communities in such physical condition they were unfit to labor, and became a dire threat to the community to which they were discharged because of the danger of the infection, and the almost certainty of their becoming public charges or of their return to crime as the only means by which a livelihood could be obtained.

Prison populations are always tidal populations with an outgoing as well as an incoming tide. In the State of New York over 30,000 prisoners are annually discharged upon the public from all classes of penal and reformatory institutions, not taking into consideration the juvenile delinquent. Between this tidal population and the population of the unsanitary areas of our large cities there is a constant intercourse, and this is afforded easy opportunity for broadcasting infection.

At this point in the progress of the tuberculosis work in the prisons of the state of New York we are able to say that there is an astonishing change not only in the death rate, but in the physical condition of the men now discharged from prison. Instead of a death rate as previously shown of 1 for every 48 men in 1891 (or a death rate of 2,021.6 on every 100,000 living); this is reduced in 1922 to a death rate of 1 in but every 83½ prison population, or a death rate of 120 on every 100,000 living, a gain in reduction of 1,585 per cent.

It is also the exception now that a tuberculous inmate is discharged from prison who is unable to perform some form of labor, and where such is the case, provision is made by the Board of Parole for supervision and continuous custodial care. In a majority of cases discharged from prison in fair condition, we usually find if the men are returned to prison that they have maintained their improved condition existing at the time of their discharge.

This certainly is an encouraging showing and far exceeds any results which have been obtained outside in the communities at large.

Just before his death Koch made a survey of Continental Europe and showed a reduction in the death rate from tuberculosis in Continental Europe of about 50 per cent. About the same time the figures accessible in the United States showed about the same reduction, and while there is an increase in the reduction over these figures, especially in the State of New York, in the prison population of the State of New York there has been a reduction of over 1,585 per cent., and there is no question in our mind that the recent reduction in the death rate from tuberculosis in the State of New York is in some measure consequent upon the tuberculosis work in the prisons

of the state, thus lessening the spreading of infection in general.

We are not yet satisfied in the quantity and kind of tuberculosis work in the prisons of the State of New York and there is much yet to be accomplished. But we do feel that results up to the present time have more than justified all of the effort and expenditure of time and money in the establishment and maintaining of this work, and while tuberculosis is better understood and has become less a terror in outside communities it is none the less one of the most persistent and constantly fatal maladies to which the human race is heir.

No chain is stronger than its weakest link and therefore it behooves all administrators of criminal law, and all who have jurisdiction over the custody of criminals to see to it that they discharge the obligation which they owe to humanity in the furtherance and upbuilding of this most necessary feature of institutional and community welfare.

As is more and more coming to be understood in the work of juvenile delinquency, the time to classify and save the criminal is in childhood and youth. It is so often too late when applied to an adult criminal. So with tuberculosis. By far the majority of tuberculosis infections take place in infancy and childhood and the ear marks of tuberculosis is written over the very lineaments of thousands of children.

It is before these children have merged into manhood and womanhood that they should be classified as tuberculous subjects. If we examined carefully the populations of our juvenile institutions, reformatories, and the penitentiaries and other institutions for misdemeanants and segregated the tuberculous and placed them under proper supervision and care, it would in a large measure control the progress of the disease and danger of infection to others greatly lessen, and we shall accomplish more by far than can be accomplished by withholding such measures until the infected have reached adult life and are ushered into a prison environment.

Disease and crime are so often inter-related and tuberculosis is so often an underlying factor in the development of criminal tendencies as well as of ill nourished and inefficient bodily structures, and the problem of how to eradicate tuberculosis from our prison population will never be met until it begins at the threshold of criminal life.

We are slow to accept the simple underlying principles both of animal and social life; we are slow to acknowledge that crime is indeed a potent factor which eventually decides not only the fate of individuals, but of communities and the world itself. We have for so long placed the cart before the horse that we do not realize that we are often progressing backward. Too often the common public conception of the

criminal's community life and his institutional life are of small importance to the world at large, when in fact individuals and aggregations of individuals can never rise higher or develop more symmetrically than the height and symmetry of their criminal problems. The index of a people and of a nation may best be read from its criminal records, and close our eyes as we may to these stubborn facts we shall never solve our problems until we have solved all the features and gathered up all the threads which have proceeded from the very heart of our failure to realize, to anticipate, to control, those destructive tendencies of the human race as depicted and made manifest in our criminal populations, and tuberculosis is not the least of them.

TUBERCULOSIS IN THE PENAL AND CORRECTIONAL INSTITUTIONS OF MICHIGAN

DR. R. A. MCGREGOR, STATE BOARD OF HEALTH, MICHIGAN.

The tubercle bacillus is no respecter of persons. Prison tuberculosis is like tuberculosis outside. The problem can be solved by the same means, but with much less difficulty and with decidedly better prospects of favorable results. The disease occurs inside with the same clinical manifestations, but with environmental conditions which render the situation more hopeful and easier to deal with than in civil communities. Prison populations are closed groups, whose diseases and physical deficiencies the physician should be able to supervise absolutely—if the necessary time and money are granted him to do so. Tuberculosis among men in adult life, where primarily infection almost never occurs, should be a comparatively simple problem.

Years of struggle against the tubercle bacillus have resulted in basing all campaigns on certain foundation principles, namely:

1. The diagnosis and treatment of active cases.
2. The prevention of infection, by isolating these individuals, and by teaching them the necessary prophylactic measures.
3. The treatment of every disease and the correction of defects in every individual, thereby building up immunity to tuberculosis and other communicable infections.

Based upon these general axiomatic rules, the measures which have been adopted in Michigan, together with the incidence of tuberculosis in the prisons, will be reviewed.

In 1916, the State Board of Health made an exhaustive, statewide, tuberculosis survey, and during this campaign 1971

inmates of the three penal institutions (Jackson, Ionia, and Marquette) were examined. The results of these examinations were as follows:

Institution	Time of survey	Active	Arrested	Negative	Total
Jackson,	April 5, May 24	28	8	915	951
Ionia,	June 6, July 1	23	10	584	617
Marquette,	July 8, August 7	16	4	383	403
Total	.....	67	22	1,882	1,971
Jackson	.....	2.9%	.9%	96.3%	
Ionia	.....	3.7%	1.6%	94.7%	
Marquette	.....	4.0%	1.0%	95.0%	

Institutional health administration by the Michigan Department of Health started in February, 1921, with a sanitary and medical survey of the Ionia Reformatory. A careful study of the tuberculosis situation was made. A clinical history was obtained, a blood Wassermann taken, and a complete physical examination done on each ward at this institution. The physicians who carried out these procedures referred all inmates with suspicious histories or suggestive chest findings to a tuberculosis clinician. The suspicious cases received the following diagnostic investigation:

1. Detailed clinical history.
2. Two or more chest examinations.
3. Temperature, pulse, and respiration chart for two weeks.
4. Twelve daily sputum examinations.

Of the 737 prisoners on the roster, 16 or 2.2% finally diagnosed as positive and 12 or 1.6% as suspicious cases of tuberculosis.

These findings corroborate those of the 1916 examinations. The percentages of positive cases are high in both surveys. That is, the 1916 clinician found 3.4% of 1,971 inmates, and the Ionia examiner 2.2% of 737 inmates positive. The clinical tuberculosis in any city or village is customarily estimated at 1% of the total population. Armstrong in the Framingham demonstration found that 1% of the community were actively tuberculous, and that an additional 1.5% were suspicious or arrested cases. In the army draft 1.9% of Michigan men were rejected as consumptives.

The incidence of tuberculosis in Michigan prisons is apparently higher than it is in civil life. The greater number of cases is not due to confinement—the prevailing conception of men languishing and physically declining in their cells being, as the audience knows, quite erroneous. Prisons are largely composed of young men between the ages of twenty and thirty-five, when the incidence and death rates from tuberculosis are higher than at any other time of life (except during early

infancy). Where prisoners come from is also a most excellent reason for the high tuberculosis percentage. A great many inmates are from derelict families, where, because of mental deficiency, poverty and ignorance, there are more tuberculosis, syphilis, and all other communicable diseases. The incidence of syphilis is higher among prisoners. In Michigan 20 per cent. of the state wards in the three penal institutions are luetic, and the percentages of such defects as diseased tonsils and bad teeth are likewise high. The change from universal tuberculosis infection to disease so often follows lessened resistance due to improper diet, bad housing and irregular rest that more consumptives can be expected among men who have led a precarious, hand-to-mouth existence.

The comments made by Dr. R. A. Shankwiler, who conducted the 1916 examinations, on the clinical aspects of prison tuberculosis are of unusual interest and more valuable because they represent an unbiased opinion—that of a physician not regularly engaged in penal institution work.

Dr. Shankwiler makes an interesting general observation to the effect that there is among the tuberculous persons in all three institutions a preponderance of a light form of infection. "I cannot help but feel," he comments, "that the regulation of hours of work, sleep and recreation, coupled with no alcohol or other excess, has gone far in all three of these institutions toward alleviating the virulence of each individual infection, and such being the fact, that a high percentage of these men could receive permanent benefit under proper scientific methods of treatment."

By way of suggestion as to what is to be done with the active cases, Dr. Shankwiler says: "A large percentage of these 67 active men have the disease in the incipient stage, and while some of them will undoubtedly run a very slow subacute course and ultimately resolve and heal their disease, thus joining the ranks of those classified as arrested cases, others will progress to the more advanced form of the disease not only living a life of semi-invalidism, but mingling with and infecting their fellow inmates. This being a fact, it is patently urgent that these men should be removed from close association with their kind whom they will thus protect, and at the same time they will be given a chance to make themselves healthy producers and members of any community in which they may live.

"In discussing the ultimate disposal of these tuberculous men, I am hesitant in venturing an opinion, being employed only to make the survey of the institutions. It has become more and more the opinion of men experienced in the treatment of tuberculosis in Michigan that, while climate and altitude have their significance in its treatment, we are able to

make satisfactory cure of the disease in our own state, even when deprived of these factors."

Our records from the Michigan Department of Health now show 41 active cases and 74 arrested or suspicious cases in the Jackson and Marquette Prisons and the Ionia Reformatory. Of these 20 are incipient, 19 moderately advanced, and 2 far advanced.

While there always remains the possibility of undiscovered cases, the diagnostic features of the problem in Michigan are cared for by the present institutional medical service. Complete histories are taken and physical examinations made on each inmate when he is admitted. (Blood Wassermanns, vaccination for typhoid fever, and for smallpox are also routine.) Prison physicians can obtain tuberculosis consultation whenever they so desire. Sputum examinations are done by the department laboratory at Lansing. Jackson Prison has X-ray equipment. A similar equipment is being obtained for the Ionia Reformatory.

When the writer served as physician at the Michigan State Prison, Jackson, he utilized a small farm as a prison tuberculosis sanatorium. By remodeling the farmhouse, accommodations were provided for 20 inmates. During a period of 4 years 48 patients were treated at the farm. It was necessary to choose for patients only inmates who could be absolutely trusted, there being no guard or any means to prevent escapes at the farm, but even this unsatisfactory, makeshift arrangement demonstrated the value of this type of treatment for tuberculous prisoners.

The treatment of active cases, the segregation of these men, and their education in tuberculosis hygiene, have been accomplished in Michigan by building a sanatorium to house the inmates from all penal institutions. This is located on a hill near the Ionia Reformatory. The building will accommodate fifty patients and is a two-story, frame construction. Each patient has a single room, so arranged that his bed can be rolled out to the porches which surround the building. In a connected brick building are the kitchen, dining room, examining room and physician's office, X-ray equipment, quarters for guards and inmate help, and the power plant. The yard around the building will be fenced and towers built for guards.

The sanatorium is not elaborate—it is a very simply planned and economically constructed building. It was built at a cost of only \$10,000.00, with an additional \$5,000 for equipment. The point to be emphasized is that similar institutions can be erected at a low cost, and that with prison labor available every state should be able to house its penal institution tuberculous at a very moderate expense.

No prisoner is recommended for parole until his physical fitness has been passed upon by the state health department. The policy in regard to tuberculous prisoners will be to hold these men until treatment has rendered them quiescent or arrested. The parole of tuberculous inmates on medical grounds is never recommended, unless these patients are in immediate danger of death or unless the department is given absolute evidence to the effect that the prisoner will be admitted to a sanatorium on his parole.

The views of physicians from other states in all probability confirm these statements, namely: That the incidence of tuberculosis is higher in prison than outside, not because of confinement, but because of the fertile soil the individual and his environment provided for the spread of infection before he was sentenced; that clinically speaking prison routine does not favor the development of activity, but, on the contrary, slowly progressing lesions, with a tendency towards fibroses are the common finding; and that the segregation of tuberculous prisoners is the only logical method of treating their disease and preventing its spread.

With this comparatively simple problem to face, no commonwealth can well afford to shirk its responsibility and incidentally no commonwealth can well afford to lose this opportunity of changing so large a number of men from open cases (carriers of the most dreaded communicable disease) to arrested patients whose return to society will not constitute a menace to the public health.

MONDAY EVENING, OCTOBER 16.

GENERAL SESSION
WARDENS' ASSOCIATION

CRIME WAVES AND PRISONS

LEWIS E. LAWES, WARDEN, SING SING PRISON, NEW YORK.

Has there actually been a "Crime Wave"? In the popular mind these two subjects are very closely connected. Prisons are looked upon as a logical consequence of crime. It is thought that prisons can and should prevent crime. However, it is becoming recognized more and more, by those who make a study of these subjects and are, therefore, in a position to know, that this is erroneous; crime cannot be eradicated by punishment, be it prison, torture, or death.

There was a time when it was thought correct to inflict the severest of punishments to prevent crime. Not only did each prison contain health-racking dungeons, but torture chambers were in vogue, and the list of crimes punishable by death was long enough to include several hundred varieties of felonies. There is no record that would show that in those countries, or in those times, crime was eradicated.

We are moving away from this principle of relying upon punishment for the cure and prevention of crime. The conditions under which the death penalty is inflicted is reduced to one variety of murder only, in times other than war; and that not in all countries, nor even in all states of our Union. There are strong movements on foot to totally abolish capital punishment. Tortures are things of the past, and corporal punishments are permitted only in a very few states, with a growing tendency of their total elimination. Prison conditions are being made more and more humane. It is no longer required of them that prisons be merely organs or retribution. More rational and constructive is their expected function. They are to help the reclamation of criminals.

Crime is a social disease with roots deeper than such as could be cured or prevented by punishment. Whatever there may be in the principle of deterrence to crime, prison cannot be expected to play the main role therein. Rather the certainty of detection, the certainty of conviction, its speed, and all of these may be counted upon to have more of such influence than the terror of the prison. Were it a matter of widespread knowledge that prison, even at its best, would invariably follow the commission of crime, that hope of escaping detection was nil, that the administration of justice was sure

and speedy, the deterring effect on crime were at its highest. Thus it can be readily seen that the burden of crime deterrence cannot be placed upon the prison.

The most substantial manner in which prison can contribute to the prevention and cure of crime, is by its application to the problem of reclamation. It can have little or no effect, except on those who come within its sphere, those who are sent within its confines. From that moment on, the task is set. The inmates are to be questioned, studied, classified and tentative assignments made. At Sing Sing Prison, for the fiscal year ending June 30, 1922, 7 per cent. of the inmates had only the ability of reading and writing English, or reading English only, and 15 per cent. could neither read nor write English. These are compelled to attend the state school conducted by a civilian teacher, appointed by the Warden, from a list of approved civil service candidates. Here they study for one hour daily, until an equivalent of the fifth grade is attained. The health of the inmates receives close attention. Where physical defects are detected, which are amenable to treatment or operations, such inmates are induced to undergo same, and almost invariably readily consent. The number of major surgical operations rarely falls to less than two hundred a year. Where inmates have no trade, an opportunity to learn one is afforded, if not in the state industries, where the choice is very limited, then by the means of the Vocational School, conducted by the Mutual Welfare League, an organization composed of inmates of the prison. In this school, the following trades are now being taught: Automobile repairing; art and show-card writing; barbering; cloth cutting; and sign painting. In the state industries experience is acquired in shoe-making, brush-making, knitting and sheet-metal work. A great deal more can be done along this line, of enabling inmates to earn more upon their release, and steps are now being taken to bring that about and the Governor of the State of New York, the Superintendent of Prisons and Superintendent of Industries, are now, I am pleased to say, receiving splendid co-operation from the officials of the State Federation of Labor.

But, besides building up earning capacity and health, attention is directed also to the building up of character. The despondent or embittered inmate, upon his release, would not be an asset to the community; he would be a liability, and a menace. But with self-reliance, self-respect, with a hope and the ability to become a useful member of the community, the situation is different and the results justify the greatest of efforts along this line.

Permit me to deviate, at this time, from my subject proper, and touch upon one indirectly related to it. It is the sub-

ject of the inequality of sentences. This inequality, bad at all times, is particularly glaring during the periods of "Crime Waves". Exasperation at the "Crime Waves", assiduously fanned by the sensational press, results in an atmosphere, that affects various judges in different degrees, with the almost unbelievable results that the average sentences for crime of the same variety and degree vary in cases of some judges to several times that of other judges. Not only that the average of sentences for the same kind of crime and for the same degree of it varies with different judges, but even in the case of these same judges varies widely, under the influence of this so-called "atmosphere". To complete the picture of the inequalities and the chaotic conditions prevailing in the sentences of those coming to prison, I may add this general observation: It is considered rational to be "easier" on the first offender; in fact, the law prevents any judge from imposing a sentence whose minimum is greater than half of the maximum, in cases of first offenders; whereas the double of that minimum may be imposed upon the second offender. How does this work out in actual practice? As a result of a law of commutations, which applies automatically but excludes first offenders, these latter get the benefit only of the law of compensation, which is allowing ten days off, of every forty, for good work, while the second offenders get, in addition, the benefit of the commutation law, which varies with the length of the sentence. To illustrate graphically, while the average sentences of the second offenders, during the fiscal year ending June 30, 1922, was somewhat greater than that of the first offenders, the actual time to be served is less. The average sentences for second offenders of this period was 5 years and 10 days; for the first offenders, 4 years and 9 months; the actual time to be served by these was, in case of the first offenders, an average of 3 years 6 months and 20 days, while for the second offenders, 3 years, 3 months and 21 days. While the intent of the law is to punish the first offender less severely, in actual practice, he serves longer.

It is to correct this state of affairs that I advocated at the last legislative session the enactment of what became known as the Westall Bill to Amend Parole Law.

Another deviation from my subject and the last one I hasten to reassure you, is upon the extent of the so-called "Crime Waves". Until confronted by actual statistics the average citizen is under the impression, if not of firm conviction, that the increase in crime during such "Crime Wave", is at least the doubling of its extent, if not an increase of several fold. Nothing is further from the truth. New York City "enjoyed", at least its newspapers did, a "Crime Wave" yielding to none the palm for its supposed ferocity and increase.

After the beating of all the available tom-toms and setting all official departments affected thereby agog, what was the net result? The administration of justice was speeded, it is true; but let us look into the number of culprits actually sent to prison. The percentage of convictions, in view of the "atmosphere" was undoubtedly high, and yet the total sent to prison, during the height of that "crime wave" exceeded, during the year ending in June, 1922, by only 15 per cent.; whereas in the year ending in June, 1921, there were 1,264 sent to Sing Sing from the district, which includes the city and environments; in the year ending in June, 1922, the total was 1,457, or only 193 more than the preceding year. Nor is this all. The crimes of violence, that is crimes against persons and those against both property and persons, increased by only 6 per cent.! Or, by an increase of 573 over 540, a difference of 33 cases during the year. So much for the "Crime Wave." Much of this increase was caused by recalling those who were on bail.

In conclusion, I can do no better than to refer you to an address of the late Colonel Joseph F. Scott, made in 1908 at this Congress, which applies equally well at this day, who, although speaking with special reference to reformatories, covered the whole subject of the reformation of prisoners:

"The old system of punishment was a certain amount of time for a given offense. The prisoner drifted along the line of least resistance with no special effort on his part, until the end of his time. In prison parlance he was "doing time." No special effort for his reformation was made either by the prisoner or those having him in charge.

"The old system might be likened to causing the prisoner to pass through a horizontal tube in which he would eventually drift out at the other end in a certain definite time unless he was fortunate enough to slip through the side gate of pardon—no effort of his own bringing him to the exit any sooner.

"The reformatory system places this pipe perpendicularly instead of horizontally and under the incentive of the indefinite sentence, compels him to reach the top by his own efforts, regaining his freedom by so doing. The reformatory system compels development through constant manual work, study and training, so that when the prisoner reaches the end of the vertical pipe he is a very different product from the one drifting through the horizontal pipe. . . Under the pressure of the indeterminate sentence, it (the reformatory) is able to induce strenuous efforts on the part of the criminal so that he may be liberated, with safety to the community, in a shorter time than under the old system. . .

"One thing is noticeable in the prisoners paroled from the reformatory—the percentage of reformations is not affected by the nature of the offense committed and it is apparently as safe to parole one class of prisoners as another. I have been asked what class of offenders it is safe to place upon probation by the courts. I believe, in placing men on probation, the character of the man should be considered rather than the nature of the offense. A person who commits a serious crime may many times be a better subject for probation than a petty thief. . . As time goes on the nature of the offense will be less considered and the character and environment of the criminal will be the determining factor in probation."

Public interest in the conduct of prisons should be aroused. We who are close to the work and who have ample opportunity for intensive investigation permit outsiders to capitalize the experience of prison officials and to mould public opinion. A day's visit to an institution, an interview with two inmates, perhaps a conversation with a guard, and the education is complete.

The thought I wish to leave with you, we realize all the time that our institution moulds the lives of thousands who must go back to live among men and women in the open world, and that we must be guided in the management of such an institution by all the complexities of the human nature with which we deal. The way of progress is not to take a cheap fling at our efforts in handling a hard job, but to get down to the fundamentals of our 365-day per year problems and to offer constructive suggestions. Of constructive criticism, which is always welcome, there has been very little in all the recent publicity.

TUESDAY MORNING, OCTOBER 17.

SECTION MEETING

WARDENS' ASSOCIATION

Warden James Devine: Ladies and gentlemen, members of the Wardens' Association, I wish at this time to express my appreciation of the honor conferred and only through your co-operation can I make this a success. I hope that those elected and who are associated with me will give their best endeavor to make our next meeting a great success.

THE PUBLIC, THE PRISONER, AND PAROLE

CHARLES A. VASALY, SUPERINTENDENT, MINNESOTA STATE REFORMATORY.

I conceive that the principal part of my remarks should deal with the attitude of the public toward the offender, for, after all, correct training in the institution and proper administration of parole systems are only the means to an end—the protection of society, the greater good of the public. This greater good was always the reason for whatever was done for or to the prisoner, although expressed often in ways which in this age we do not approve. Deterrence was desired, but it was too often animated by the spirit of vengeance. It took time to develop the idea that the law might be used for reformation, and the rehabilitation of the offender was a

better protection to society than simply imprisonment without that end in view. The certainty and impartiality of punishment is believed to be a deterrent more effective than severity of punishment alone. Gradually it began to be perceived that the offender was a part of the society he had wronged, at times what he was because the society was what it was. Although by his deed he became isolated, apart from the community, out of the law, out cast, it was seen that even though he had assaulted the citadel of society, had broken the common bond, he could not be easily cast away. He was ever present, the source of fear, of contempt, of terror. He was mutilated, he was tortured, his property was taken from him, he died an ignominious death in many hideous forms. Yet his tribe continued and increased. He was the skeleton in the dark closet of civilization. Finally light began to break. A system which proved to be a failure in that it did not protect society, did not prevent crime, could not endure, even though its spirit permeated law and thought for ages.

The responsibility of the offender to society was not overlooked, but the responsibility of society to the offender began to be realized. It was found that humane conditions in penal institutions did not injure society. The history of penology shows how in every age whenever some kindly disposed person suggested or insisted upon improvement of conditions in penal institutions and in the courts, he was met with the criticism that coddling was bad for offenders, that they deserved no consideration whatever. This was not necessarily in malice, but in resentment that anything better than cruel punishment should be allowed law violators. As there grew a saner and better conception of the offender and his real relation to society, conditions were greatly improved in institutions, and then it was seen that ameliorating institution conditions was not enough. The next step was to provide better means for moral, spiritual, physical and industrial regeneration, and the sending forth of the offender ready to redeem misconduct by good citizenship. Although the process of change went on, the public still continued to regard the offender as a detached object. Improvements went on, the indeterminate sentence came, and parole systems, but still the offender was an object of suspicion, of curiosity, or of fear. That he is a human being, with a body and mind and soul, that he may possess or develop human virtues, that his vices and his crimes may be atoned, is still imperfectly understood.

If it were always realized that the weak, unstable, misguided, often mentally defective violator of law, is a part of society, that his problem is the problem of society, there would be better understanding, less likelihood of extremes of maud-

lin, irrational sympathy and demands for excessive severity. When an atrocious offense is committed the instincts within us call for vengeance, and the righteous indignation which should justly animate our minds is confused with a strong resentment, and it is difficult to do impartial justice. The average person who has not been subjected to temptation causing crime, or has been strong enough to withstand it, or is of sturdy character, and has profited by his training, social, religious and environmental, looks with curiosity on the offender because he thinks he is different from himself. The spirit of the laws and of society has been for so long calculated to set the offender aside as a thing apart, that it is not strange that the offender himself has cause to feel that he is a stranger, and one of the tasks in the penal institution is to convince the offender that there is hope of reconciliation with the society whose laws he has violated and whose traditions he has outraged.

The work of the institution should be known. There should be intelligent publicity. The public should be enlightened as to the nature of the problems confronting the penal institution, and the methods and principles at the basis of what is done. A public that is informed will be fair. If the public is to be convinced that rehabilitation of the offender is its best protection, the institution must provide proper training industrially, morally, socially. The offender must be transformed from anti-social to social. He must have a change of viewpoint in his thinking, in his actions, in his habits. He must learn that loss of liberty is not only unpleasant, but unprofitable—that it does not pay in any sense, and he must be readjusted so far as possible. To understand the crime one must understand the criminal. When the institution is able to do that, and to provide proper training, the prisoner should be given an opportunity, and if his training has been adequate, he has already won half the battle, and can meet the obstacles which consciously or unconsciously are thrown in his path, with possibilities of success. There are indeed those who because of the nature of their offense, or rather what their offense reveals, mentally and morally, should always be in custodial care. The right of the individual in such cases must be subordinated to the greater good of the general public. There must, too, be careful consideration by the releasing power of the effect of its action on the administration of justice and on the people, who, unless thoroughly informed as to the methods and principles of parole, will have a wrong view and hurtful and prejudicial criticism will result. Most folks have their pet prejudices and pet abhorrences, with which they are loth to part. The righteous anger of a community over certain offenses, such for instance as those in-

volving morals, is healthy, but to measure together all offenders guilty of one kind of crime without reference to circumstances, motive, history or mental conditions, is not only unscientific, but inhumane, and contrary to every principle of progressive penology.

If such doctrine is sound, then the theory of the punishment fitting the crime is a good one, and we should cut off the forger's hand, poison the poisoner, and burn the incendiary. In times past this was good logic, and relentlessly carried to a conclusion. We claim to live in more advanced times, yet we sometimes think and act like cave men. The spectacle of so-called civilized human beings burning a human being at the stake, and searching in the ashes for bones as souvenirs, can occur in a country which gladly sends missionaries to Africa. No part of the country is exempt from frenzied ebullitions of this kind. Recognizing, as penal administrators and boards of parole must, that the inherited repulsions of ages lie dormant, extreme care must be taken not to arouse them. This does not mean that there should be compromise with principles, but that prudence must be exercised. We are still, and will be for a long time, in process of developing a sound and reasonable public understanding of the offender and his problem.

When we have trained him adequately, and he is ready to go forth, what does the public expect of him? If he has been trained as he should be, made industrially competent, morally and spiritually strong, he will realize that the time he spent in incarceration does not balance his offenses, and that he can only be quit with society by being always a good citizen. He has been put on his feet; henceforth he must stand erect. If he does well, he will ultimately be restored to full fellowship. There is no good reason why his entry into the world shall be generally known. There should be confidence and faith in those who, without fear or favor, without personal or partisan prejudice, administer parole laws. From the very nature of things they should know more about the offender and his possibilities than anybody else, and while, being human, they are subject to error, their judgment will be wiser and safer than that of the uninformed. To rehash over again the details of an offense, to subject the paroled man and his family and friends, to the new humiliation of publicity, not only in most cases serves no good purpose, but creates obstacles difficult to surmount, particularly in securing employment.

No paroled man should ever receive employment without his employer, be it head of the firm, manager or foreman, knowing his history and the nature of his offense. He should start on a foundation of truth. Beyond this it does not

seem necessary to go. When the period of his parole shall have ended, and he is restored to the rights of citizenship, it does not seem that he should be persecuted, and the proposal made in some quarters, that once condemned, he should be under necessity of continuous surveillance, reporting at intervals, seems abhorrent, unfair, and un-American. He has repented, he has been tried, he is a citizen. Why should the memory of his transgression make of him a social leper? Those who fail will find their place in penal institutions, and for the purpose of follow-up statistics, the extension of central bureaus of identification, like the very ably conducted one at Leavenworth, and making it compulsory for all penal institutions to send measurements, finger prints, photographs and history to the central bureau, will give information needed as to the offenders who fail. I do not think the American people will ever consent to please a few statisticians by such an infringement on the liberty of the citizen as is involved in compelling everyone to report at police headquarters. If we cannot improve conditions without resorting to such methods, our state is bad indeed. The public at heart is full of sympathy for the offender. If waves of emotion sometimes sweep over it, and because there seems to be more crime, or rather more publicity as to crime, the public fears for its safety, and extreme penalties and harsher treatment advocated, the reaction follows, and there is no likelihood of a permanent return to methods based on principles long since proved inadequate and unwise. It may be questioned whether the alleged greater occurrence of crime is any greater than that which followed the Civil War, allowing for the difference in population. The well organized news service carries the record of a burglary in Maine and a burglary in California to the reader in Nebraska, and although nothing may have occurred in his neighborhood, he is naturally impressed with the evidence of delinquency, forgetting that the news comes from a continent in territory and a nation of 110,000,000. That there has been an increase in crimes of violence, possibly a remnant of the lingering atmosphere of war, is probably true, at least in some quarters. There is more than enough delinquency, whatever its proportion, but the core of the nation is sound, and crime is simply a clinging parasite, produced by defective personal or environmental condition, lack of proper training, and weak moral responsibility. The so-called wave of crime will not be a misfortune if it directs the attention of the thoughtful to the need of prevention, of social and moral education, of understanding of the offender in his many phases, of the cultivation of interest in him as a misguided but not totally lost child of society, and lastly, and most important of all, of religion as the greatest solvent of delinquency the world ever knew.

DISCUSSION.

Colonel Barnum: I would like to ask Mr. Vasaly what is done toward restoring released prisoners to citizenship?

Mr. Vasaly: After a man has been on parole a year, the Board of Parole may, by certifying him to the Governor, return him to citizenship. That is, of course, where he had citizenship before he was convicted. Where he was alien he lost no rights in Minnesota and therefore he is not certified. In certain cases where he may have been on parole quite a while and the warden believes it unwise to restore that prerogative, he does not certify to the Governor. It is not compulsory.

Colonel Barnum: What about the men who do not go on parole?

Mr. Vasaly: They may also be restored by the Governor on proper presentation to the Governor by the warden of the prison.

Colonel Barnum: What does the prisoner have to do to get his citizenship, the man who has been released from prison?

Mr. Vasaly: He may apply to the Board of Parole.

Colonel Barnum: If he wants his citizenship restored.

Mr. Vasaly: That is done practically automatically by the wardens and superintendents who look after that, but if there should be an omission or a reason why he wants citizenship he could secure it by applying directly.

Colonel Barnum: We heard last night a good deal of discussion as to finding employment for men who are released from prison. Why doesn't the State departments give employment to some of these men? Is it only because of politics that keeps it out? Here is a great problem. The State runs the prison. Why doesn't the State give employment in putting the men in State institutions?

Mr. M. F. Amrine: In Kansas City we do that to quite an extent. Our State Board is a State Board for every department in Kansas,—our brick-layers, plumbers, and men of that class who have been paroled from my institution, have been placed by the Board at work in some other institution, and in a few cases we have had a little conflict with union labor, but in most cases that has been adjusted and the prisoners were allowed to go to work. We have three brick-layers at work at one institution. We are furnishing the brick and brick-layers for some of the State institutions and I think it is an excellent plan. If the Parole Board has authority to place paroled men because they would be more or less in touch with them, and the prestige of the Board over the men helps

that man to make a good record, I think. We have found it so in a number of cases.

Colonel Barnum: Now he speaks of the paroled prisoners. What about the man released absolutely? Does the State employ him?

Mr. Amrine: Our State has made no distinction between paroled men and discharged men.

Chairman Devine: I think, Colonel, there is probably an indisposition on the part of the prisoner to work for the State. He usually feels he wants to get out of partnership when he comes out of the institution.

Mr. Amrine: It works both ways.

Mr. H. E. Donnell, Maine: I am wondering if there is any other superintendent who has ever tried employing any of the better class of paroled prisoners in his institution? I have three at the present time that we paroled from my institution that I would say are the three best officers I have in the institution. I have also got some other men that are working in other State departments and I am trying to put those men in State departments wherever I can. One of these men is a mason instructor who practically learned his trade with me and he is doing a much better job than the man I let go, and I have two other fellows on other positions at the present time. I find it worked out very well with the other inmates. They seem to take to working with those fellows and to get good results. I wanted to know if any other institutions have tried a similar experiment?

Mr. Howard of Indiana: I have tried the experiment of employing men who served sentences in my institution with varying degrees of success. There is a man today who was in the Indiana State Prison. He served a term in the institution six years ago and upon his release we employed him. He has been my head carpenter since. I likewise employed a brick-layer who served a term in the institution, and he stayed about four years. He left suddenly about two months ago without giving any warning of his intention to leave. At present I have another brick-layer who served a 190 day sentence. I don't know how long he will remain, but he is doing excellent work. I have tried to employ in a number of instances the better grade of men as engineers, construction men, men with especial ability in some line, but ordinarily it has not proven a success in my institution. These men will stay until about the first pay and then go away and either come back drunk or not at all. It is only in about three instances of the men I have employed who have proven good, which is a very small percentage of the men I employ.

TUESDAY MORNING, OCTOBER 17.

GENERAL SESSION

UNDER AUSPICES OF PARDON AND PAROLE
OFFICIALSFREDERICK C. HELBING, PRESIDENT, PARDON AND PAROLE
OFFICIALS, RANDALL'S ISLAND, NEW YORK CITY.

During the past few years there has been considerable criticism of the administration of the parole system. We have heard it criticised from the bench, particularly in my own state. Newspapers have condemned it. Many persons have written articles on these subjects as to what should not be done. About six weeks ago I sent out a questionnaire to every penal institution; that is, the prisons, penitentiaries and reformatories dealing with adult offenders throughout the country. There were 86 questionnaires forwarded. I have tabulated and have ready for use the information obtained. It is not as full as I would like to have it, but it gives us some idea whether the paroled man was responsible for the crime wave. Just let me give you the questions in their order. I am going to be very brief because we have most excellent speakers here. Let me give you the questions which were asked and the replies thereto. The questions were prepared by myself with Mr. Cass, and they were prepared because I could answer those from the records of my own institution and I believed that the institutions throughout the country could answer them also.

The first question was, "Give the total number of men received on court commitment during the year ending June 30, 1922." 61 questionnaires were returned. That is a large percentage, 71 per cent., but of the 61 reporting only 16, or about 26 per cent., answered all the questions. There were only nine questions and only sixteen of those institutions answered all the questions. The first question was the total number of commitments. All the institutions answered that question and gave a total of 36,361 men committed to the penal and reformatory institutions of this country. There are a great deal more because we haven't heard from them all.

The second question was, "How many of the above had never previously been convicted?" Eleven institutions reported that they had no record to show this. The fifty who did make answer reported a total of 19,801, or about 71 per cent., were without previous convictions and sent to prisons or reformatories for the first time on their first conviction. About 29 per cent. had never been previously convicted.

The third question, "How many had previously been in your institution?" Seven reported that they could give no record,—very peculiar that they could not say how many men they had in their own institutions a second or third time. Fifty-four institutions reported a total of 5,494, or about 17 per cent., who had served a second or third time in their own institution.

The fourth question. This is the question which much debate has been had on since Sunday evening when the statement was made that about 80 per cent. of the men in prisons were former inmates of reformatories or industrial schools. "How many had previously been in other curative institutions, such as prisons, reformatories, industrial schools, etc?" Sixteen institutions reported that they could show no record. Forty-five institutions who did report showed 5,740, or about 21 per cent.

The fifth question, "How many had previously been pardoned from any corrective institution?" The reason I had that question sent out was because in New York State there had been considerable criticism in one of the New York daily papers on the pardoning power. Thirty-seven of the institutions, or about 61 per cent. stated that they had no record to show this. Nine reported none, and the fifteen who did report showed a total of 226, or about 2½ per cent. of the total number of their commitments had been previously pardoned.

The sixth question. This is an important question as to show whether the paroled man was responsible for the crime wave. How many were still on parole from any corrective institution when they committed the offense which culminated in their commitment to your institution?" Thirty-four institutions reported they did not have any record to show this. The 27 who did report stated that only 426, or about 3½ per cent. of the men that they received during that year were on parole from some other institution at the time that they received them.

If the answer to the last question is correct, then I very frankly say I have my doubt as to whether it is accurate, whether every institution goes into the history of its inmates as it should. I think the percentage would be a little more, but if it is correct, surely they cannot say the paroled inmate was responsible for the crime wave.

The seventh question was, "How many men were paroled from your institution during this year?" Three reported that they had no record; four reported that they had no parole system; the balance, 54, showed a total of 14,368 men paroled during this year.

The eighth question, "How many men were discharged without parole supervision from your institution during this year?" One reported that they had no record, the same institution reported that they had no parole system. I don't know what they do with their men. (Laughter.) The other 60 gave a total of 13,123 men discharged from the institution without any parole supervision, discharged and allowed to go and do as they please apparently. Of course as many men were discharged from the institution as there were paroled.

The last question related to the census of the institutions on July 1st, 1921 and on July 1st, 1922. This is only 61 out of 86 institutions reporting which showed 57,077 men in prison on July 1st, 1922, or 9,343 more than on July 1st, 1916, the lowest being in 1920, only two years ago, when the census was 40,634, or 16,443 less than in July 1st, 1922. To the average layman these figures would show that was what we might call the crime wave. It is to be regretted more definite information could not be secured, but of course without a Federal bureau of identification, which I hope will be put into effect, it will be hard for institutions to find out a great deal about their men unless they are followed out more closely. I don't want to take any more time. These figures have been collected. They are going to be turned over to the Secretary and I hope during the next year some more data can be secured.

THE ATTITUDE OF THE COURT TOWARD THE INDETERMINATE SENTENCE AND PAROLE

HON. HUGO PAM, JUDGE, COOK COUNTY SUPERIOR COURT,
CHICAGO, ILLINOIS.

The increase in the cost of crime to a community demands that every effort be put forth to prevent crime. Crime itself shows weakness in our social structure: it is a waste of social energy. When crime exists and increases we know that there is something wrong with our social organization.

The problem of the causes of crime has been the problem of the ages. It is not for me to state definitely and authoritatively, the causes of crime; I can only give my impression and judgment. In my opinion there are three causes.

First. The criminal who becomes so by reason of inherited mental and physical weaknesses. That cause of crime needs not the attention of criminologists but rather belongs to the domain of medicine.

Second. Crime that is attributed to the economic conditions. By that I mean those wherein poverty, with a resultant poor social environment, is a great compelling factor.

Third. The treatment of criminal classes. In that division comes not only the final punishment of the criminal but as well his apprehension and intermediary detention.

While it would be interesting to discuss here the questions arising in connection with the first and second causes for crime, yet this conference has more to do with what I have designated as the third cause for crime, namely, the treatment of criminal classes, which includes not only the final punishment of the criminal but as well his apprehension and intermediary detention.

But, in connection with a criminal problem, we must not only consider the loss in money actually expended in the suppression of crime and the care of the offender—there must be taken into consideration the damage to life and property brought about by the offender; that in any community in which there is an increase of lawlessness, there is corresponding lessening of the sense of safety and security, and such lessening of the sense of security and safety makes that community a less desirable place to live in, affecting thereby both the property and business interests in said community. The increase of crime diminishes the happiness of the individual and affects seriously the health of the community.

And then we must also take into consideration the actual economic loss because of the failure of the offender to participate in lines of production.

Returning to the actual expenditures in connection with the suppression of crime, most of those expenditures are for the apprehension, detention and punishment of the criminal.

Another serious question that is agitating the public mind today is the question of parole. In discussing that subject there is bound up with it the principle of indeterminate sentence in the punishment of criminals, and also the character of our prisoners and prison management. The question of parole, in the light of the adoption of the principle of indeterminate sentence, has taken much more significance and importance.

Previous to the adoption of the indeterminate sentence act, parole was but the granting to an offender the time for good behavior, which varied in different states. Now, under the indeterminate sentence act, parole does mean the liberation of an offender, as is provided in most of the indeterminate sentence acts, between the minimum sentence and the maximum sentence. Daily we see in our newspapers indiscriminate attacks against parole,—judges from the bench proclaiming that parole should be abolished, also probation; cor-

oners, state attorneys, chiefs of police, who say that commission of a crime is due to paroled convicts. The newspapers in headlines reflect the opinion of the officials, and even themselves suggest that the parole law should be repealed or greatly modified.

I have sat with the parole board connected with the penitentiary at Michigan City, and I know with what care and earnestness they have taken up their responsibilities, and my observation of this parole board at work but urges me to bestow upon them the highest praise for determined, unselfish devotion to their responsibility, and if the men who gathered news and published it could sit with them, they would not be so indiscriminate in their attacks, because, in my opinion, the indeterminate sentence act, which necessarily carries with it the granting of parole, is a distinct advance in meeting the criminal problem.

The indeterminate sentence act was not born out of the mind of a theorist—it came as the result of the inadequacy, the injustice, of the administration of criminal law, because even judges, constituted differently in mind, in temperament, will bestow upon one prisoner what would be deemed a harsh sentence and upon another an unusually light sentence, because the judge or jury could not have before them the various considerations which go to make up the character of the punishment that shall be inflicted.

Before the days of the indeterminate sentence act there was still less knowledge than there is today, at the command of the jurors or the judge, with reference to the character of the man that was being tried,—his antecedents, his mental and physical makeup. So it was also a guess as to what the punishment should be. The extent of the punishment, the number of years, when referred to a jury, would often be a question of compromise. There could be no standards from which there could be a reasonable measurement of the punishment of the individual and, because this situation resulted in injustice and unfairness, and had an effect, first, upon the offender in the feeling that he was being discriminated against because he happened to be before one judge, and also upon the community, because it might have felt that in some instances there was too drastic a punishment and in others an inadequate punishment, there arose a demand for the indeterminate sentence act, and that demand was based upon a universal feeling that there was need for this reformation. There is now in practically every state in the Union, upon its statute books, the indeterminate sentence act.

While there may be incidents of misplaced confidence or a judgment too hastily formed, resulting in a too early release of a prisoner, but the number of a parole board yet,

if men, whose responsibility it was to administer the parole law, would be selected from the standpoint of ability, competency, integrity, and not because of political favor, there would be no consistent or deserved criticism of the acts of a parole board.

The statistics will show, gathered in every state where the indeterminate sentence act is in force, that the average length of imprisonment which men serve is greater since the indeterminate sentence act than before. And almost every judge in this room, or any official connected with the trial of criminals, as well as I, can testify from his experience that we have more to fear the tendency of a jury to extend mercy, when it is not deserved, in the finding of a man not guilty, than in the act of any parole board in granting parole to a prisoner too hastily.

Many of the criticisms with reference to probation and parole would be obviated if we would have sufficient well-trained probation and parole officers. We should not place upon any officer too great a burden, in the sense of too many parole men or too many probationers to look after. These men require a great deal of observation to make this period of probation or parole a period of favorable progress. All this cannot be done save by having sufficient, adequate and competent parole officers. Of course you have heard and I have heard that, because of the great expense it is not warranted. When we consider the great expense that is incurred in the apprehension, detention and punishment of criminals, the expense of having sufficient probation and parole officers would be but infinitesimal in proportion thereto. Especially, when one takes into consideration the saving to the community in the restoration of these men as economic factors in lines of production.

An additional great factor that the community must consider is the effect parole has upon the convicted man who is serving his sentence in prison. It is conceded that no system of prison management is progressive unless there is an objective toward which the prisoner is constantly working. While in places of confinement he may show advancement, such as from a cell-house to a cottage prison, and from an enclosure to comparative freedom, restricted only by the limits of prison territory and extending even to work in places entirely apart from prison surveillance, the real goal that is ever before the prisoner is his ultimate release. If that can be hastened by proper observance of prison regulations, by understanding service in the various branches of work assigned to him, by earnest application to educational advantages offered, all of which is a preparation for the resumption of the responsibilities of good citizenship; if the reward for

this effort within the prison will secure for him the earlier opportunity to demonstrate his right to meet the responsibilities of good citizenship out of prison, such objective will prove the great urge in his prison life.

The consciousness on the part of a convicted man that he has been released on parole before the expiration of the maximum sentence is a tremendous factor in his reformation and in the rebuilding of his character.

I also feel I should say a word about prisons and prison management.

Any prison which allows a man to stagnate, that limits his vision merely to the life within its walls, and does not impress him with the belief that while there he can prepare to meet the responsibilities of good citizenship, fails to accomplish the essential purpose for which the offender was imprisoned, namely, reformation.

But in the limited time I have left I can only present to you two phases of this subject.

First, let me call your attention to the fact that in most of the prisons throughout our country today the labor of the prisoner is confiscated by the state. That practice has come to us from time immemorial, and less advance has been made in this regard than in any other branch of prison management.

Restraint of one's liberty—that is, the right to come and go at will—proves, as time goes on, a severe strain upon every normal impulse within us. Let anyone in this audience be limited to his home, and that home a comfortable one surrounded by spacious grounds, and yet if his movements be confined to that area even for but a week, such restraint would prove most irksome.

While there have been improvements in some of our prisons with reference to the buildings and their equipment, yet we do know that there is some form of cell-house and a very limited opportunity for the release of physical energy. The education of the prisoner is a negligible factor in the routine of prison life. By employment of persons in various occupations, either within the prison walls or within certain limits outside of them, the time of the prisoner is consumed, but his entire life is one determined for him, and it is his province to obey the prescribed rules and regulations subject to the order of those in charge of the prison. In other words, there is a complete subjection of the will of the prisoner. That is the essence of physical restraint, and that is why it proves so burdensome. The state has the undoubted right to deprive an offender of his liberty, but I am strongly of the opinion that it has no right to appropriate the right and ability of the men to labor. Of course, work must be pro-

vided, otherwise life in prison would be unbearable, and all efforts for the reformation of the prisoner unavailing. It is only in the sane occupation of his time, with due allowance made for recreation and education that a correctional institution can restore the man better equipped to resume his responsibilities once he has regained his freedom. While the offender may reconcile himself to a restraint of his liberty and also welcome the opportunity to work, yet I am of the opinion that he resents the appropriation of the proceeds of his labor without return of the equivalent of its value; a fair wage over and above the expense of his confinement to the state.

Where a prisoner's time is used in labor, which either brings a profit to the state from the articles manufactured by him or saves to the state the employment of another individual whose work the prisoner does, the prisoner should be entitled to have placed to his credit either the profit or the wage saved to the state by his labor. Against this should be charged the expense of his maintenance. Everything over and above should be either given to the family depending on him, or it should be given him upon his release from the prison, when he again assumes his place in society.

There is no more degrading influence upon the man who still has some character left that the knowledge that by his criminal act he has not only forfeited his right to freedom, but has also brought misery and a state of helplessness to those who had been dependent upon him; and there is no greater force for uplifting a criminal and making him look to the future than the knowledge that while by being deprived of his liberty, he is contributing to the welfare of his family.

In closing, I cannot impress you too strongly that, in my opinion, any change in lessening the scope and application of the principle of probation and parole would be a step backward. What we need to do is to see that they function normally and properly by having an intelligent, efficient and proper application of these principles. To that end, we ought to place to the aid of the court, in determining whether or not he shall give probation, and to the assistance of the officials in charge of our penitentiaries and our parole boards functioning in such prisons, the necessary equipment by which can be studied the mental and physical conditions of the offenders; that to every agency be given also all the necessary information by a full and competent investigation of the antecedents of the offender and his environment. In most of the juvenile courts there is provision for this equipment, but in most of our courts dealing with the adult offender, such equipment is woefully lacking. In Boston, however, there is at the command of the judges and the other officials

charged with the administration of justice, a psychopathic and psychological laboratory. There ought to be similar facilities attached to every court dealing with the punishment of crime, even in those courts dealing with the minor offender.

Then our judges would not merely be administrators of Blackstone, the statutes, and the ordinances, sitting apart from life, making the case fit the code, and mere imposers of sentence of punishment. Our wardens of prisons and reformatories would not be merely the keepers of men and women, to guard them and keep them safe and punish infractions, but the courts and the prison officials, with the help of proper probation and parole officers, would help make the derelict, the criminal offender, realize his potentiality for usefulness and responsibility, instead of lawlessness and crime, and aid him in maintaining or attaining self-respect and confidence, and impress upon him that society is interested in making him a useful and happy member of the community. Then we would have such an administration of the criminal law which would be effective both in the protection of society and the reformation of the offender. This would be justice, even, and without hatred, and the various agencies would be doing a constructive work in becoming builders of a normal human and social life. (Applause.)

THE INDETERMINATE SENTENCE AND PAROLE FROM THE VIEWPOINT OF A PAROLE COMMISSIONER

DR. HENRY C. SWEARINGEN, ST. PAUL, MEMBER STATE
BOARD OF PAROLE OF MINNESOTA.

Much is said these days about the modern ideas in penology representing the opinion of "theorists" and soft-hearted "sentimentalists." It appears to have escaped the attention of such critics that the chief advocates of these measures have been the prison men themselves, who are in actual contact with offenders and dealing with them every day. By a strange inconsistency these very men are censured in the same uninformed quarters for being cruel and barbarous in their treatment of inmates. The fact is that the "theorists" are those who never saw the inside of a prison, who have no first hand knowledge whatever of criminals—well meaning persons who give long distance opinions of little real value.

It is a significant fact that the American Prison Association, whose judgments are dominated by those who are acquainted

with the fact and who are dealing with the problems of penology in a practical way, is the foremost advocate in this country of the indeterminate sentence and the parole plan.

The wisdom of the system is further witnessed by the fact that the indeterminate sentence in some form has been adopted by every state in the Union; and this is the more significant because it is not the result of a sudden wave of sentiment, but represents the slow growth of sound views and practices covering a period of more than half a century.

To be sure, no state has yet ventured to adopt the indeterminate sentence in its pure form, and some of the commonwealths have made only feeble gestures in the direction of a real trial of it. All of which indicates how much remains yet to be done, and how necessary it is that the public be informed of the actual results obtained through application of the plan.

The advance made under the indeterminate system is registered, perhaps, by the apparent unwillingness of anyone to advocate a complete return to the old method. The most that opponents of the indeterminate sentence venture to propose is a curbing of such efforts as have been made, and application of the brakes to what appears to many genuine progress.

A discussion of the relative merits of the old system and of the new is likely to prove futile unless there be some agreement respecting fundamental ideas.

The old system takes account of the crime rather than of the criminal. At most, consideration that is given to the criminal is usually incidental. He is regarded as an individual. He has committed a wrong, and he alone is responsible for it. Contributory factors are given little, if any, weight. He is blackened as a culprit, and must suffer for it. Society's one duty is to exact the penalty. The effect upon himself amounts to little, and the best way to prevent his repeating his deed is to fill his soul with terror. "So much time for so much crime" is the motto of this system. The man is thrust into prison, without much regard for results to those who may be dependent upon him, and with little thought of the numerous other social effects flowing from this act of the public; and then he is thrust out again, when his time has expired, to make his battle in the world under the fearful handicap of a convict's stigma and expected to keep his feet in straight paths and his heart in the pure atmosphere of hope and contentment.

The mere recital of this philosophy is enough to condemn it. It seems like turning back the clock of history five hundred years, and one is rather surprised that such a system can be seriously advocated in the twentieth century. Probably

it would not be, if all that is involved in it were fully realized. It is one of the commonest inconsistencies in every phase of life, that men will advocate practical measures when the real underlying philosophy supporting them would, if presented baldly, revolt their minds.

The new method, on the other hand, rests upon ideas which deny that the offender is a segregated individual like some Robinson Crusoe, and that his motives and purposes rise out of his own bosom exclusively. It regards him precisely as he is;—a human being placed in society and subject to all the varied influences that go to determine our lives. It takes account of the fact that there are causes for crime other than native devilishness, that there can be no cure for it until the causes are identified and removed, and that progress in the direction of cure must take account of all the causes, and see to it that they do not return to produce a repetition of the offense. This method regards the further fact that there are, not one only, many social relations which are touched and thrown out of proper correlation, both by the man's offense and by the public's treatment of it.

One could wish that the problem of penology were as simple as some of our friends would have us believe, a question, merely, of prison bars and prison discipline. Unfortunately crime presents a very complex situation, and the tragedy of the whole thing is that the old system does not accomplish even the single purpose at which it aims, namely deterrence,—so to make the offender suffer, so to visit upon him humiliation and contumely that he and others who may be ill disposed, but who may not have committed an overt act, will forever shrink from such offending.

If there is any thing which has been demonstrated by experience, it is that severity of punishment alone will not prevent crime.

In the state in which the reader lives, a law was passed three years ago, providing a life sentence for bank robbery. The prison of that state has among its inmates now five persons serving such sentence, and yet never in its history have there been so many bank robberies committed within the borders of that commonwealth as have been committed since the above mentioned law was enacted. This is but one instance of many which might be cited, all to the same effect.

It is estimated, we believe, that there are more than one hundred thousand inmates in the penal institutions of this country,—a small army in itself, and the personnel of this group is changing constantly. Thousands are entering the gates and almost an equal number are passing out. This is a corrupting stream, or may be such, flowing through our society. At least 75 per cent. of those imprisoned offenders

are not criminals at heart, that is, criminality has no place in their fixed purpose. They have violated the law and suffer for it justly, but they represent the effects of weakness and temptation and misfortune of various kinds. Many would put the proportion higher than three-fourths. But what a mass of humanity this fraction represents and what possibilities for social injury, if their attitude be not changed and their position in orderly society be not rendered secure. To treat these three-fourths just like the remaining one-fourth, except as to the length of time they serve, (the latter representing the deliberate and purposeful enemies of public order) exhibits a futility and a carelessness on the part of society which one can scarcely credit, did he not see it with his own eyes and hear it seriously advocated. Would it not seem worth while to expend time and energy and patient thought upon the 75 per cent. that are recoverable, with a view to re-establishing them in the way of right living, and thus in position, once more, to make some useful contribution to society? And is not this after all the best method for protecting the public? Sending men out of prison at the conclusion of their terms, grinding their teeth and hating law and the government, and we depending only on the fear which has been cast into their hearts, is not a very satisfactory way of guaranteeing that life and property are going to be safe. The best way to protect society, even if no object except this were in view, is to transform the violator of law into a good citizen. It is precisely this result which the indeterminate sentence and parole plan aims to accomplish, and the fact that it is possible in three-quarters of the cases, would seem to make the attempt worth while.

The system of indeterminate sentences and parole begins with a consideration of the man himself, his character, his temperament, and his environment, and seeks to discover somewhere in these regions the seeds of his crime. It takes account of his physical condition, his mental equipment, his moral and religious training, his family history, his schooling, his associations, his companions, his work, and every other possible phase of life which might incline him in one direction or another. It takes account also of all the circumstances of his offense, the degree of temptation or of criminal initiative, the motives which may have played upon his will and the processes of false reasoning which may have swayed his mind, the character of his offense, his general attitude toward order and toward the law which supports order, the innocent dependents who may be affected by his act, the result of his confinement on their future, the peril of a possible broken home and the social consequences of scattering children to the shelter of strange and artificial protection, the response

of the man himself to discipline and to imposed restrictions, the effect of his incarceration, and particularly of his release, upon others in the same institution, the effect of his treatment upon evil-minded persons who may be meditating violation of law, and upon the weak-willed who are subject to temptation, the effect upon the general public,—upon its respect for law and upon its judgment concerning the justice, humanness and wisdom of the methods of maintaining law.

In the state with whose practices your reader is most familiar, investigation on certain lines begins so soon as the inmate is admitted to the institution. Representatives of the Parole Board visit the man's home, if he has one, and make a thorough study of his family connections and family obligations. The aim is to visit the scene of the offense also and to learn all the facts and circumstances so far as they can be ascertained, both from his relatives and neighbors, and from the person or persons injured and others who may be presumed to be not friendly to him. Where a man's home is outside of the state investigation of his social antecedents is carried on by correspondence. The result is that the calendar of cases to be considered by the Board of Parole offers, in each instance, a complete showing of the offender's entire record and associations from childhood to the time of his admission to the institution. This has been found to be a most helpful factor in the making of decisions which are both just and constructive.

A rather surprising misconception appears in some quarters regarding the attitude of paroling authorities on the subject of punishments. Of course, all wise friends of the parole system and of the indeterminate sentence set their faces against any theory of punishment which has in it the element of vengeance; but this does not mean that they are the advocates of softness, or that water flows in their veins which ought to carry blood. On the contrary the parole plan properly applied may result, and often does, in prolonging the period of an offender's confinement, the purpose being to keep him until he can go out in safety—and the public be secured from his further depredations. There is often ample reason for prolonging his term of detention. There need be no shrinking from the idea of discipline or even of punishment. One who violates law must be made to feel the wholesome reaction of an orderly society against his deed. Civilized society is supposed to be based on righteousness, and righteousness reacts sternly against wrong. The Almighty has His way of impressing upon those who disobey His laws, the inviolate moral order which He has established in the universe. He does it by natural means. Society must do it by somewhat artificial means, and so puts offenders in re-

straint and curtails their liberties and subjects them to a series of inconveniences and disadvantages. They suffer pain of mind and anguish of heart, and it is right that they should, for in a certain view they are in the position of one who butts his head against a stone wall and must feel the soreness and pain of the bump. But society can make its response to an evil deed without the spirit of vengeance. In fact its holy indignation is more powerful as a deterrent and a remedial agent too, when the element of vengeance is wanting. Under the modern system there can be just as much humane severity as anyone possibly can desire, but it is sanctified and made helpful by a right motive and a constructive purpose.

There appears to be a widespread fear that paroling authorities will be too tender toward offenders, and some go the length of claiming that the so-called crime wave is to be attributed chiefly to this cause. Unfortunately, the knowledge of your reader on this subject is limited to conditions in Minnesota. There, precisely the claim referred to has been made, that the Parole Board by its leniency and soft sentimentalism has encouraged crime. And there, the incontrovertible facts refute this claim utterly.

The present indeterminate sentence law was enacted in 1911. Comparing the last fifty cases where definite sentences were imposed, under the old system, for grand larceny in the second degree and assault in the second degree, with the first fifty cases of the same two classes of offenses with indeterminate sentences, under the new system, the time served in the institution by offenders released by the Parole Board was approximately twice as long as that served by those who were sentenced under the old plan.

It may be answered that the Parole Board was new and on its good behavior, desirous of allaying the fears that had been expressed when the law was under discussion in the legislature. Fortunately we have later statistics.

The Parole Board was keeping men so long that, in 1917, the parole law was amended giving the courts discretionary authority to name a lower maximum than that fixed by the statute. Since that time the courts have availed themselves of this authority in about one-fourth of the commitments to the state prison. Taking the last biennium for comparison, and the two classes of offenses cited above, namely, grand larceny in the second degree and assault in the second degree, the Board of Parole, operating under maxima fixed by the statute, have kept men in the prison more than twice as long as those have served who came with a lower maximum fixed by the court. This ought to be sufficient indication that, at least in the state referred to, severity, if such be what the public demands, is to be secured through the indeterminate

sentence and the parole system rather than through sentences whose possible length can be reduced by authority lodged in the courts.

The reason for this, of course, is not that judges are more soft hearted than members of the Parole Board, nor any less disposed to regard the righteous sentiment of the public, but because they have neither time nor the facilities for ascertaining all the facts about the men with whom they are dealing, and, consequently, are misled and deceived by designing culprits who fear to have their records uncovered by the searching methods of investigation employed by the Board of Parole.

At the Minnesota State Prison, of 387 cases in which the court fixed a lower maximum than that named in the statute, 207, or 53 per cent. were found by investigation of the Board of Parole to be either instances in which circumstances, which could not be brought out in court, rendered the offenses very serious ones, or instances in which the offender had committed previous, often repeated, crimes and had succeeded in concealing from the court knowledge of them.

Every paroling authority knows that the men in prison who hate the indeterminate sentence are the recidivists and old offenders; the reason being that after they are inside the walls with an indeterminate sentence hanging over them, they have little opportunity to take gambling chances with tribunals which have adequate facilities for ascertaining their full records. The persons who, speaking generally, are advantaged by the parole system are first offenders and persons without special criminal intent, and these are the very ones who should be benefited by it.

Of course, one of the chief reasons that pleads for the indeterminate sentence and the system of parole, is that a sentence definitely fixed by a court cannot possibly take any account whatever of the man's response to discipline in the institution nor of the effect which his training there will have on his character. Moreover, there is no possible forecasting of the general influence upon him, of his facing a door, bolted to be sure, but nevertheless a door of hope and not a door of despair, a door which it is possible for him to open by the magic of a right mind and a reconstructed disposition.

Another factor in this situation which is often overlooked and rarely, if ever, given the weight it deserves, is the opportunity which a single tribunal offers for treating the inmates of an institution with approximate impartiality, thus giving them sound reason for believing in the justice and fairness of public authority. In most courts the sentence is the product of one mind. There are no more conscientious or worthy officials in this land than the judges of our courts, (the

reader's own brother is one of them, and, therefore, he speaks on the subject feelingly); but they are men, and the court when it comes to passing sentence is usually an individual, subject to individual temperament and to the effects of tradition and environment which every individual must feel.

Each state has quite a number of these jurisdictions. The sentencing judge in one district may view the very same facts and circumstances in an entirely different light from that in which they appear to another judge, both being sincere and both working under a high sense of public duty. We have found by experience that one judge may be very severe in sex cases and inclined to be lenient in offenses toward property. Whereas in a neighboring district a judge may be sitting who has little mercy upon offenders against property rights, but who regards with comparative lightness violations of sexual morality.

The men who have been sentenced by these various courts of a commonwealth meet together in prison. They compare their treatment and in certain instances, find it so unequal that their minds are effected by a burning and corroding sense of injustice; and such a state of mind, while it continues, renders almost hopeless any effort toward changing the man.

If an offender is to be re-established in the ways of right living, and if there are to be instilled into his mind and heart the motives necessary to sustain him in such a course, a beginning must be made by having him feel that the State has treated him, at least, with impartiality.

The system of parole, which vests authority to determine the date of release from penal institutions in one tribunal, before which all offenders in the state must appear, has, it would seem, great advantages over a number of separate jurisdictions; and such advantage is greatly augmented by the fact that a Parole Board is a plural tribunal, composed of a sufficient number of members to neutralize the effect of individual temperaments and of individual mental and social inheritances, so that their composite judgment may more nearly represent the opinion of the general public for which they speak.

It is often declared that parole boards may undo the faithful and painstaking work of the courts which receive and sift testimony according to the laws of evidence and give it due weight, which hear the witnesses and cross-examine them and have special opportunities for determining their credibility. Any tribunal which tended to cast into the shade the conclusions of the courts, would be put on instant challenge. It must be admitted that if there were any real danger of such a result, it would be a very serious one indeed. But no such consequence is necessary. In the state from which your read-

er hails, the Board of Parole accepts the action of the courts as a settled fact. It does not go behind the records. Every one committed to penal institutions, it presumes to be guilty. So true is this that inmates are not given a hearing until they have served approximately one year. Only the most special reasons such as serious sickness, will induce the Board to make an exception. Whenever there is claim of miscarriage of justice or of other mistake touching an inmate's guilt, he is referred for redress to the Board of Pardons consisting of the Governor, the Attorney General, and the Chief Justice—two of them, and usually, all of them, learned in law. The Parole Board sometimes, on its own motion, brings cases to the attention of the Board of Pardons, but itself never meddles with legal questions. Determination of the fact of error in the trial, and of the remedy for it, lie with the Courts of Appellate jurisdiction and with the tribunal for clemency, not with the Board of Parole.

It goes without saying that the system of indeterminate sentences and parole is not perfect. No human institution can be. Neither will it be disputed that in its application there have been instances of glaring defect. The question is, however, are these faults inherent in the system, and, therefore, incurable, or are they merely incidental and due to imperfect administration? The overwhelming weight of evidence is that they are incidental. They afford no adequate reason for scrapping the whole plan. That plan can be employed honestly and, on the whole, wisely, and with marked benefit to the entire body of citizens, and it is being so employed in many places. Considering that in most commonwealths, if not in all of them, the system is yet in the experimental stage, it is encouraging to reflect that it offers fewer solid grounds for adverse criticism, than many of our most revered and trusted civil institutions presented, even when they were very much older than the method of indeterminate sentences and parole at the present time.

TUESDAY EVENING, OCTOBER 17.

GENERAL SESSION

UNDER THE AUSPICES OF THE MEDICAL SECTION

THE FIELD OF THE PRISON PHYSICIAN

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Since reformation is an achievement and is not a bestowal, and true service consists not in bestowing but in enabling; the prison physician's problem as well as that of his institution and its whole officer personnel may be stated as the enabling of self reformation by the prisoner, a mental process to which all physical ministrations are secondary in importance, though not in time. He may remove impediments to physical well-being, may treat diseases and perform needed surgical operations, may supervise diet, exercise, work and recreation, may instruct in body and sex hygiene and treat venereal diseases and thus prepare the way for enabling self reformation; but his highest service will consist in his laboratory activities with individuals to whose mental needs he ministers as he ascertains those needs, whose doubts and fears he explains, whose special ignorance he brings into consciousness and informs, whose unworthy ambitions he exposes and substitutes, whose misdirected energies he endeavors to redirect.

What are the issues in this problem of enabling self reformation in offenders? First of all; our problem of reformation deals with responsible offenders; since the psychotic and grossly defective are to be treated rather than taught self reformation. Therefore, we emphasize the fact that while the prison physician classifies and treats the psychotic, the neuropsychiatric and grossly defective prisoners all of whom are fully responsible; his culminating usefulness lies in his classifying and teaching each responsible offender his best way to achieve self reformation.

It is true of course, that no man may be reformed against his will and, therefore, that neither the physician nor the chaplain nor the prison administration is responsible for the reformation of any prisoner. Penal institution responsibility for reformation extends only to the enabling thereof. The college and the church are not responsible for the education and conversion of students and members; but only for enabling such to wisely use the opportunities offered.

Some prisoners it is true are found on examination to be handicapped by intelligence defect; but prisoners generally are almost as well equipped intellectually as other members of their sociologic group*. All prisoners have misbehaved conspicuously, however, while the majority at least of their sociologic group have not misbehaved so conspicuously. It is not the intelligence of our prisoners primarily, then, that needs to be reformed or can be reformed; but the character of every offender is far more widely deviate than that of other members of his sociologic group and a deviate character is susceptible of resuming progress toward rectitude. After determining the intelligence age level of a prisoner then, as a contributory fact in his personality evaluation it is logical for the physician to investigate the characterial organization of the prisoner's mind, that mental organization whose expression is action, behavior, one which is still plastic in even older offenders, as compared with the mental organization of intelligence which becomes relatively implastic at a much earlier age level. He may then proceed intelligently to develop the more constructive social service portion of his interview which deals primarily with the characterial organization.

In the province of character lie the possibilities of reformation. If the time and energy of the offender can be diverted by him from the pursuit of amusement and self gratification into the pursuit of progress and self development, the possibility of restoring a measure of self control by improving judgment and developing capacity for correctly using the volitions and inhibitions in his behavior is inspiring. And it is true that defective delinquents, that small group of trouble makers, are more hopefully approached and possibly influenced through their characterial organization; essentially by correct habit formation, than through their intellectual equipment. Correct character development is the *raison d'être* of the prison and there is a peculiar fitness in the recognition of this function of character building as preeminently in the field of the prison physician. The physician deals with his human material as he finds it and the prison physician's material has no longer the opportunities of the formative period of life; material, nevertheless, hardly to be reached by any other human agency unless by the trained professional and social service resources of the prison.

Probably every prison warden and chaplain and physician can trace his success with prisoners, i. e., those whom he has reached and influenced toward reformation, to impressions made in some private personal interview. In any instance of thus endeavoring to occasion a reformation the effort was to induce the prisoner to abandon his accustomed mental

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attitude, and to determine to change his course of life. In every instance of this kind too, the prisoner's determination to reform results from an appeal to his reason. His emotions, feelings and impulses may be involved; but it is always an appeal to his reason in the last analysis which occasions decision and rouses determination. Trace any failure you may have in mind to its source and the chances are you will find that an appeal to the man's reason was rejected by him. He refused to change his mode of life even when the appeal to his reason seemed to be timely and tactful. Why does the latter prisoner refuse to be influenced and why is the former convinced? Our answer is that the prisoner who rejects an appeal skillfully made to his reason to reform is adhering to his habitual mental attitude toward reformation and toward those who would influence him to try to reform and that the prisoner that yields and undertakes self reformation changes his habitual mental attitude. Continuing our analysis further: What is the habitual mental attitude of prisoners toward reformation and those whose propaganda it is? The answer to this question involves the recognition of one of the most elemental and universal traits, or tendencies of human character, the impulsive tendency to seek self determination or self expression. So inherent and primordial is this characterial tendency in every one of us that we can hardly conceive of what we would be or how we would act without it. The infant shows this tendency when he tries to have his own way and the aged show it in their continuing tenacity of purpose. In offenders this characterial tendency to self determination has been perverted or misdirected till ill chosen conduct or misbehavior has become habitual. Every one of us does habitually as he pleases, i. e., expresses his impulse to self determination; but some do this in guarded or reasonable ways. Those who are successful refrain from ill chosen modes of self expression; but the offender lacks self restraint in some directions without losing, however, his innate tendency to self determination. What is the effect of incarceration or coercion on an offender's impulse to express his tendency to self determination? In the penal institution where prisoners must be treated en masse an individual personality is deprived of self expression. He can not do as he pleases. His self determination is frustrated and his reaction in many instances is to persist in doing as he pleases so far as he can without self injury, i. e., in many instances he secretly determines to stand out against the purpose of those who have incarcerated him. Knowing that the intent of his captors is to induce reformation and that he can indulge in his wish for self determination in no other way, he accepts the common prison sophistry which you will

not fail to recognize and which he might express as follows: "I'll do this bit, since I have to; but when I get out again, I'll do as I please."

The private, individual personality study and social service interview with its appeal to reason, its frank recognition of the prisoner's right to well chosen modes of self determination and its suggestion of correct methods of self improvement, is constructively suggestive to the inmate and we may expect that such success as is possible in inducing responsible offenders to attempt self reformation lies along the line of individual personality study; study to ascertain the real difficulties, the definite hindrances of each case. The warden and the chaplain and the physician each in his own way attempt social service work with individuals for the realization of penologic ideals and each has his own peculiar advantages in such work; but the prison physician's functions are most cogent, though by no means exclusive. The physician's professional training in scientific methods of observation and his appreciation of the relative values of characterial factors of strength and weakness and other mental phenomena and his ability to explain or subvert the prisoner's perplexity or prejudice or ill founded belief and to point out sources of characterial strength and ways of training the volitions and inhibitions makes his opportunity peculiarly inviting.

No elaborate material equipment is needed for the beginnings of a psychopathic laboratory. The prison with its fairly homogeneous group of inmates presents a very different field to the physician from that which confronts the justice of a city court, that of Justice Brown of Philadelphia, e. g., or that of Justice Bolster of Boston, whose social service clinic is very diversified and much complicated with familiar obligations, questions of probation, hospitalization and education. The physician's psychopathic clinic is one of individuals only to be studied, mentally treated and recorded and the prison physician may put into his one man clinic his utmost of both the human and scientific sides of his nature and training. Rewards for service in this eminently important field are proportionately great, however, for there is always recognition in store for the successful moulder of character and there is sufficient compensation for him who occasions the transformation of even one social parasite into a producer.

In considering this problem of occasioning the reformation of responsible offenders, however, we must not overlook the fact that much of the material encountered by the prison physician is refractory. Some of this refractory prison material reappeared in the American Expeditionary Forces in France as the misfits, military offenders, conscientious objectors, neuropsychiatric cases or cranks. Now some of it

is filtering back into the civil prisons again. It is not strange that some of the misguided or neglected children who, in youth did not succeed in the competition of civil life before the war, did not make good soldiers in manhood, nor is it to be wondered at that some who failed in military service fail also in returning to the stresses of our intense industrial activities. But while we recognize the fact that cases exist in prisons which are sometimes hastily called incorrigible, are we justified as professional men and philanthropists, in neglecting to study these cases or in failing to attempt to occasion the reformation of those fully responsible? Certainly not. Our medical military brethren tried to salvage this material and we applaud their efforts and admire the results they achieved; though they would readily admit that not all of their material was transformed into efficient soldiers. Our task with civil misfits and sociologic failures would seem to be to differentiate the psychotic, the neuropsychiatric and the defectives from fully responsible offenders and to find appropriate treatment for the former. For fully responsible offenders there is clearly the possibility of making an effective appeal to the individual's self interest; if not to some higher motive, through his reason. No hard and fast method of inducing men to reform has yet been found; but the vital principle of adapting logical steps of progress to each offender's ascertained needs appeals to common sense and satisfies sociologic demands. On the side of scientific satisfaction, the fact remains that the scientific value of the truly professional aspects of the laboratory workers' activities are not measured by his social service successes and failures. The scientific value of a search for correct methods of securing social service results is not to be discredited by the failure of those methods to occasion the reformation of some hardened offenders.

The physician who attempts to develop this field of psychopathic research will encounter many personalities among offenders in whose mental or physical equipment are the stigma of arrested development. And one of the intensely interesting scientific problems presented in connection with these cases will be that involved in discriminating between those intellectual inadequacies and characterial deviations which are associated on the one hand with inherent mental defect or feeble-mindedness and those associated on the other hand with the arrested or retarded mental development traceable to the damage done in pubescence and early adolescence by continuing indulgence in a vicious sex life. The characterial deviation or moral degeneracy of the youthful victim of continuing sex vice is strikingly characteristic and fearfully damaging; yet almost no scientific work has been done with this

pitiful sociologic group. The systematic efforts of army and navy medical officers in the last war were directed to the combating of the effects of sex vice, the first such attempt in the history of the world, and we see therein the awakening of thinking man to the importance of this social service endeavor. It is useless to expect any jaded, undeveloped victim of continuing sex vice to determine to discontinue his offenses against others until he recovers characterial force therefor in his struggle to recover his own self respect and control by first discontinuing his offenses against himself. Some offenders are deeply impressed and their little used reasoning powers are stimulated to healthy action, temporarily at least, when they realize the supreme importance of resuming self control first in the matter of secret sex vice. Frequently an offender will betray eagerness to be fully informed when the medical criminologist leads him to see clearly for the first time, perhaps, the real cause of his failure and sometimes potentialities of very great value and promise are discovered to the offender which may be utilized to rouse his determination to reform when he sees clearly where to begin, perhaps, enabling the awakening within him of that central, absorbing, profitable interest in life we all need, but which he has not hitherto found. Frequently the most significant and earliest to be applied characterial test is the noting of success or failure of self control, i. e., behavior in the matter of discontinuing sex vice.

Recently a boy offender was examined psychopathically who had several times stolen bicycles, but whose record otherwise was excellent. It was discovered that he stole only when in a temporarily irresponsible condition due to epilepsy, a condition that could be controlled by the administration of a recently discovered drug. After it was demonstrated that his periods of irresponsibility were controlled by treatment, he was released and sent back home to attend school under continuing medical observation. He was not a thief essentially.

A few days later another boy was examined whose mother was convinced that her son had "spells" in which he acted "queer" and committed acts he could not help committing. The presiding judge wrote the superintendent, raising the question of the offender's full responsibility. It was found the boy had served 25 months in another state for arson, which he claimed he was impelled to commit and on the basis of which claim he had been examined by psychiatrists who found him sane. A psychopathic and neuropsychiatrist examination disclosed no basis for a diagnosis of epilepsy or of epileptic equivalent, and a social service talk in which the importance of his neglecting to recognize at 14, when he left

school against advice and ignoring opportunity the less obvious fact that he left school also because he had lost interest therein, led him to admit full responsibility for the mistake of leaving school. Then, when the value to him of his recognizing the disagreeable but essential truths in his personality problem had been suggested and the application of this principle was made to his other acts and mistakes, especially that of his committing arson and that of his vicious sex life, he volunteered he had "let himself down easy" with his mother and the judge by lying about his feelings of impulsions and freely admitted he could have avoided setting fires and could avoid setting them thenceforward. He apparently saw for the first time the danger and damage of allowing himself to be blind to the disagreeable part of the truth, which unchecked impulse led to his falsifying. He seemed really relieved to have this bit of mental confusion cleared up and readily agreed to write to his mother and the judge telling them of his deception and assuming full responsibility. He volunteered favorably also on the discontinuance of sex vice.

One more case illustrating the characterial significance of sex vice and the importance of recognizing that significance in the psychopathic investigation may be cited. The offender is a male, age 19, sentenced for shop lifting after a suspended sentence for express package stealing. His mother and two sisters are eminently respectable. His father died when the prisoner was 15½ years old and 1½ years later, his mother married a man of some property. The prisoner did well in grammar school and into the first year of high school when the death of his father occasioned his discontinuing day school. He continued a business course in an evening high school, however, for 1½ years till his mother's marriage seemed to relieve him of family responsibility. He readily admitted he could have continued his day high school course in spite of his father's death and said that he was advised so to do, and that he realized he made a mistake at that point. At 17, when he decided to discontinue evening high school to go to work, he admitted he made another mistake and a bad one and he dated his discontinuance of progress, and of his industrial failure and of his characterial deterioration back to this crisis. Asked to go back over his career and locate the time when he began any sex vice, he hesitated and said he could not just remember. Promptly told that now for the first time he was laying himself open to the suspicion that he was lying he began to show resentment; but subsided when he saw that it was only a suspicion of untruthfulness that had been imputed to him. When the disagreeable issue of when sex vice began was again pressed he replied at 17. Then, for the first time he realized the significance of the

characterial weakening due to some form of sex vice: what form was intentionally left unrevealed. He showed intense interest in tracing the deleterious effects on his character of the invalid excuses he invented and accepted for his repeated sex offenses. He showed much affect as he volunteered he could see now how he excused himself later for stealing to secure the money he wanted to use in his life of license and readily agreed that as long as he chose to retain sex license as part of his policy he could not expect to achieve self reformation. This man, better equipped intellectually than most of his fellow prisoners, to be sure was earnest in his stammered expression of appreciation of this new insight into the issue of his problem: an insight he believed to be the true one.

The first of these three cases, thus briefly sketched shows how a prison physician by making a psychopathic examination may discover an unnecessarily incarcerated individual and the second and third cases show how a prison physician may help an offender to recognize his own characterial weakness and how to set about characterial upbuilding.

As to the classification of these three reactants whose cases have been outlined; the first is a case of epilepsy, masked. The second and third are responsible offenders. Is any of the three to be reported as "reformed?" Certainly not. An attempt to classify on the basis of results of effort to induce reformation would be anything but scientific. No reliable determination of reformation can be made, any more than a reliable determination of the question on an individual's education or an individual's spiritual salvation can be made by any human agency. No human agency can know all the facts essential for a determination of these questions. For another reason, some of the essential determinants of these questions are mutable and a man counted as reformed one day might have to be counted as unreformed on some other day. No well trained criminologist will allow himself to be beguiled out of his own field into that of the pseudo-scientist who attempts to announce too much. The results of case studies up to and including the time of study may serve as a statistical basis but no one may read the future. Any attempt to estimate whether an offender will reform or not is without scientific value; but the prison physician may be quite competent to determine whether an offender can reform or not.

The practitioner entering this field will soon learn to avoid the pitfalls which might threaten his success. He declines to accept the superficial, ill considered first answer to his questions: answers which may be intentionally or unintentionally misleading; but searchingly sifts the evidence he

delves deeply to secure. He need not insist on an answer, however, to some of the delicate questions of a personal nature which he may raise. He at once sees he is not a spiritual adviser nor a judge; but that, as a medical investigator he is concerned with the principles underlying habitual behavior. He soon learns to convey the impression that he is not responsible for the use made of his findings and teachings; but is responsible only for their discovery to the offender and that his teachings of the truth, while helpful, if utilized, can never be the cause of reformation; but may be the occasion thereof and that, therefore, all credit for reformation rests with the offender who reforms, also discredit for failure, the institution occasioning reformation being entitled to credit only for doing its duty well in its own province. He early learns to teach that the task of self reformation is by no means an easy one, like turning over a new leaf, even for the adolescent, that character building on the contrary is a long, hard, uphill struggle for self mastery and that a good plan and decision and determination and then endurance and self denial are demanded of the successful: qualities or capacities not found sufficiently developed in the characterial organization of many offenders.

A few points may be recapitulated by way of summary:

1. For reformation, the characterial organization of the mind, the essential organ of behavior, must be adjusted or developed to control behavior. The intellectual organization, which is also involved is of less significance, relatively.

2. Be an offender's intelligence what it may; his characterial deviation or moral turpitude energizes or allows his anti-social behavior, and correct or acceptable behavior may be exhibited by him only as he achieves characterial rectitude.

3. Reformation can not be bestowed or conferred; but self reformation may be achieved by the responsible offender, especially if he be individually studied and a skillfully adapted appeal be made to his reason.

4. Responsibility for reformation rests with the offender; but the penal institution is responsible for doing all it may do to occasion self reformation in every competent inmate.

5. The prison physician has a peculiarly promising social service opportunity in his own professional field and a particularly direct access to the characterial organization of his clientele.

6. The prison physician's field includes the mental welfare of his patients not less than the physical. In the province of mental ministration as well as medical his laboratory activities take the form of diagnosis, treatment, prognosis, and the making of appropriate records whence data of great scientific value may be drawn.

7. Some offenders may seem to be unamenable to any appeal; but no one should presume to classify on the basis of apparent amenability; but only on the basis of ascertained conditions. All prisoners should be studied, treated and recorded as laboratory cases, after the manner of any other branch of psychiatry.

RECENT DEVELOPMENTS OF PSYCHIATRY IN DELINQUENCY

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A noticeable swing of the pendulum is taking place in the application of psychiatry to social problems. The early phases of interest centered around the recognition of the insane and feeble-minded among offenders, and for a while the conception of psychiatry's position in delinquency was limited to the classification of the mentally handicapped.

For a period of years most contributions in this field called attention to the striking frequency of mental disease and feeble-mindedness among the inmates of penal and correctional institutions. One cannot but wonder at the effects of many of the early extreme statements. We have read in reports published several years ago, statements that 89 per cent. of all recidivists are feeble-minded. Another report calls attention to the fact that 75 per cent. of the repeated offenders are suffering from dementia præcox; another showed that from 75 to 80 per cent. of all prostitutes were feeble-minded. And yet these studies, even if radical and extreme, and based upon superficial data, certainly served to call attention to the fact that insane and feeble-minded persons, whether found in 75 per cent. or 10 per cent. of the population of institutions, were being bandied about from place to place and were spending the greater portion of their lives in and out of prisons, jails and alms-houses.

The great pity of it all is that whatever chance of recovery or social adjustment there may have been in any of these cases was usually lost sight of until dementia in the mentally sick and character deterioration in the feeble-minded had become so marked and fixed as to have rendered remedial work hopeless. But psychiatrists could aid institutions and courts in determining the insane and feeble-minded, and this sort of service began to be supplied.

In this way it came to be appreciated that the psychiatric classification of the inmates of penal, correctional and juvenile delinquent institutions and of individuals passing through the courts rendered a practical, as well as human service, to the state.

Chicago, Philadelphia, Boston and other cities began to develop psychiatric clinics for their municipal courts. Certain state prisons and reformatory institutions secured the services of psychiatrists as permanent members of their staffs and so it was, as far as delinquency is concerned, that for a time covering a period of several years, psychiatrists concerned themselves mainly with the issue involved in classifying and tagging the mentally handicapped among delinquents.

More conservative and careful studies pointed out the fact that mental disease and mental defects were less frequent than had early been thought, but that other factors that had everything to do with criminal behavior were being brought to light, factors in the home, in the school, at work and at play; the physical health, the emotional life and other conditions that formed the very basis of character and acted as the driving forces in behavior. As an illustration of some of these studies, we may mention a mental hygiene survey of Cincinnati. In that part of the investigation that had to do with delinquency, a careful study was made by the psychiatrists, psychologists and social workers of the "run of the mine" of the juvenile court. We found feeble-mindedness in only 8 per cent. of the cases; 63 per cent. of the children had an intelligent quotient above 80. Intelligence was not a very important factor in the delinquent conduct of these children. In fact their intelligence was in no way inferior to that of the average non-delinquent child, while mental disease had no part to play. It was pointed out in the report of this survey that a great variety of individual and environmental factors entered in to play a most important part in the career of each child. Serious mental conflicts, mental mal-adjustments, emotional complexes, unhealthy mental imagery, varied physical disorders, bad home influences, were constant factors in the case of each child. Sixty per cent. of these children came from homes where the parents before them had already been social problems to the organized agencies of Cincinnati, in some instances a great many times. It may be of further interest for you to know that these juvenile delinquents, in approximately 70 per cent. of cases, came from homes where parental conditions and parental control received the very lowest possible rating (desertion on the part of father or mother, bad moral influence exercised by one or both parents, total lack of supervision of the child were marked in these cases.) In the case of the girl delin-

quents passing through this court, 90 per cent. came from such homes. We were daily impressed with the fact that the largest influence in the lives of those children were not to be found in the so-called physical necessities and sanitation of the home, but in the personalities with which the child daily came in contact,—in the moral and religious atmosphere, in the character training, parental control and supervision received. It is those conditions, we believe, which have much to do with the formation of character and the development of personality; and here, so often, is the crux of the problem, as far as the delinquent child himself is concerned. Eighty-four of these juvenile court children showed character defects and personality difficulties of such a nature as undoubtedly were important factors in their delinquent behavior. We may regard these personality handicaps as the covert mechanisms that later issue in overt behavior.

The great importance of physical health in dealing with delinquent children is made from the frequency with which physical disorders are found. Eighty per cent. of these Cincinnati cases suffered from physical disease, physical defects or physical ill-health. It is worthy of note that approximately 40 per cent. of those children showed disorders of the ductless glands; heart conditions were found in 14 per cent. of the cases.

If there is anything to be said of the recent developments of psychiatry in delinquency it is this: Psychiatry is not merely interested in the determination of feeble-mindedness, insanity, and epilepsy among delinquents, and is not concerned in the mere classification of individuals, in pigeon-holing the delinquent and giving him a Latin designation. The aim and ideal of all medicine has been towards treatment and ultimately at prevention. This seems to me to be now the dominant note in the field of psychiatry. We have left behind us that period when we were satisfied at mere calling an individual something, in simply diagnosing him and then leaving him to his fate. A classification is often at best purely an artificial thing and is frequently of little practical value.

The contribution of psychiatry should be, and is, to the study of the individual as a whole, to determine all of those factors, intrinsic as well as extrinsic, that influence his behavior, and to map out in the light of a psychiatric understanding of the case a well rounded plan of treatment. Psychiatry has an interest in delinquent behavior as such without any reference to whether disease or defect is an explanation.

I think the mere fact that this branch of medicine has only recently come from the state hospital and has brought along with it the state hospital's conception of the limitations

of psychiatry has had much to do in explaining its point of view in attacking delinquency and necessarily has limited the extent of its services. Particularly is the hospital viewpoint in the classification of cases still evident.

But mental disease and mental defect are only some phases of the behavior problems with which the psychiatrist might well be concerned. Let us not forget that psychiatry is a branch of medicine devoted to the treatment of human behavior, particularly that form of human behavior that is now, or may later become, inimicable to the welfare of the individual. The only difference between the psychiatrist and any other physician is that he concerns himself with the human being as an integrated organism, not so much with the heart or lungs or skin or the gastro-intestinal tract or nervous system by themselves, but with these organs as an integrated piece of machinery and as a whole, and with their expression in human behavior. The psychiatrist approaches the problem of conduct with the idea of finding out and seeking to correct those causes of mal-adjustment that are found within individuals. These may be purely mental or they may be largely an expression of physical ill-health, or of fatigue, or nutritional disturbances, or metabolic changes, or disorders of the ductless glands. The psychiatrist views the personality as having its foundation largely in the physical makeup of the individual. The physical constitution and the integrity of the various internal organs has much to do with the personality of the individual and with the maintenance of his mental health. Their balanced functioning is essential, not only to the physical well being and physical health of the individual, but to the maintenance of his mental health as well.

Character is probably not inherited, permanent and unmodifiable, but is the product of the life experience of the human organism and is subject to modification and treatment. Character is something largely moulded by the environment and may be affected for good or for bad.

I hope I have not given you the idea that ours is a laboratory science interested purely in the study of processes or causes, nor a narrow specialty concerned only with the care and treatment of the insane and feeble-minded, but that it is an intensely human branch of medicine that is destined to play, we believe, a useful part in the solution of many social welfare problems. I have wanted to bring to your attention the fact that though in the past its contribution has been in the field of mental disease and mental defect, there is now a rapidly growing interest upon the part of psychiatry in the application of its knowledge to other social conditions, to the subjects of delinquency of such dependency, industry, education and other welfare problems.

It may be of interest to tell you of some recent developments in bringing psychiatry to the service of delinquency. Through a special gift from the Commonwealth Fund of New York and as part of its Joint Committee's Program for the Study of Methods for Preventing Delinquency, the National Committee for Mental Hygiene has been able to create a new department known as the Division on the Prevention of Delinquency. One of this Division's activities will be to furnish free, psychiatric service to a limited number of juvenile courts throughout the country upon request. To each court in which it will be possible to render such aid will be assigned for a specified period a demonstration clinic staffed by a psychiatrist, psychologist, psychiatric social workers, a clinic manager and stenographers. This clinic will not only conduct careful studies of individual delinquents, but will demonstrate what can be done in the way of treatment and social adjustment of each child. The assignment of a clinic to a city will depend largely upon the interest manifested by those concerned in dealing with juvenile delinquency and the prospects of there being established and maintained at the expense of the community later on a permanent psychiatric clinic.

The establishment of this psychiatric field service will make it possible to supply to courts and probation officers and public schools in the United States a means of becoming acquainted at first hand with the practical value of psychiatric work in the management of delinquency and will assist them in organizing such work on a permanent and scientific basis. It is becoming more and more appreciated that many valuable agencies, which have been created by society for aiding, developing, protecting and caring for children, have accomplished less achievements than had been hoped for. The evidence of this failure is to be found in the presence of large numbers of individuals who have not developed during their early years those qualities of mind and body which are the basis for normal adult life. There is ample evidence that the causes for these human failures can often be ascertained by the application of scientific methods of inquiry. Through competent psychiatric, psychological and social diagnoses, many of the factors that tend to produce delinquent careers can be discovered early, and sound and constructive methods of treatment and prevention applied.

The significance of scientific studies in the field of delinquency is becoming increasingly apparent. Juvenile courts throughout the country are appealing for clinical facilities to aid them in dealing with that large army of mal-adjusted children whom we call delinquents. An extremely small number of the 2,391 juvenile courts in the United States are properly equipped for the scientific study of individual delinquents.

Even where there is such equipment, the courts are often too poorly financed to give the full measure of service in the treatment and prevention of delinquency which the opportunities offered should enable them to do. Providing demonstration clinics to juvenile courts for limited periods will, it is believed, do much towards placing the work of such courts on a sound and scientific basis and will result, it is hoped, in the reduction of juvenile delinquency.

The prevention of juvenile delinquency is one of the most pressing duties of the present day. No problem of childhood is more serious than that of delinquency and the importance of centering all constructive work upon those forces that train children for a wholesome and socialized adult life cannot be overemphasized. The adult is what the child was; whoever can control the mental, physical and moral life of the child can thereby direct the child's actions as an adult. Of this we can be sure,—whatever we do or fail to do for juvenile delinquents to-day, will show itself in their future criminal or non-criminal conduct.

May I add that the first demonstration clinic in this program has been placed in St. Louis. It has been under way since last April. Around the regular clinic staff has been grouped a number of volunteer and consulting physical examiners, psychiatrists, neurologists, psychologists and social workers. So that the clinic is able daily to make a careful study of each child passing through the juvenile court, problem adult cases from the municipal court,—individuals from penal and correctional institutions, from social agencies, and finally, what is most important, difficult children from the public schools. The clinic has a group of psychiatric social workers who are specializing on treatment and social adjustment in difficult cases. I shall not weary you by an account of the results thus far obtained with some particularly delinquent individuals. Suffice it that St. Louis is planning to take over and permanently maintain the clinic. To those of us who fear the antagonism of the judges, may I add that recently the Sixteen Circuit Judges of St. Louis met in general session and adopted resolutions which in substance stated that such a clinic was not only of service to the juvenile court but a necessity for all the courts of the city, and a subcommittee of judges was appointed to present the resolutions to the City Council and Mayor. The ordinance calls for the creation of a Division of Corrections and Dependency which, with the psychiatric clinic, will include all the city correctional, delinquent and dependent institutions.

These traveling clinics are to remain about one year in each city. Already, approximately twenty cities have applied for demonstrations. A permanent clinic will be developed

in each city in which we demonstrate, and will be so tied up with existing bodies and agencies as to make its work of practical value in the treatment of cases. This has been the great short-coming, as we see it, throughout the country. Many valuable experiments in studying causes of delinquency have failed to obtain satisfactory, practical results because the diagnostic study is never fairly tested out in adequate medical, psychiatric and social treatment.

This divorce of clinical diagnosis from case treatment has been the great stumbling block in the way of practical results in dealing with delinquents. Unless diagnosis finds its end in treatment, it is of little or no value.

In conclusion may I add a warning? The greatest thing one can bring to the study of such problems is a freedom from the ever present desire to prove pet theories,—a mental attitude so unprejudiced by special lines of thought that one is not anxious to formulate a panacea for the treatment of all criminals, but is willing to apply time, patience, science and commonsense understanding to each individual case.

PRISON DIETARIES

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Both national prosperity and individual welfare are best promoted by our adoption of such a policy as will tend to make every human life as long, as useful and as happy as possible. All who are engaged in any phase of public health work or medical practice are striving to attain this objective. There is at present no close agreement among persons so engaged as to the relative importance of several agencies in their relation to human health and efficiency. Thus, many would still affirm that attention to the sick with a view to restoring them to health should be the objective of the medical man. It is no longer fashionable to believe in charms, sorcery and magic words as protective agents against disease, yet a large part of the public is as yet but little advanced beyond this stage. This is made evident by the usefulness to the physician of prescriptions for the purpose of gaining and maintaining the desired mental reaction of his patients. Although he dispenses many drugs, every physician will admit that one of the most striking tendencies of modern medicine is to relegate to the class of useless remedies a very large part of the contents of the pharmacopoeia. Medical treatment to-day is characterized by the trial of many new remedies for which extravagant claims are made, but which fail to

maintain their positions, created by skillful advertising, and are ever being replaced by new ones with new names. Notwithstanding the fact that there are very few remedies of proven value, mankind has profited much in peace of mind by the application of the science of medicine to the cure of disease.

Among public health workers the idea widely prevails that bacteriology, serology, and the control of epidemics, constitute the most important phases of public health work. The main feature of their work aims at prevention of disease, or at increasing the effectiveness of the protective powers of the body against invading organisms. It is, in fact, preventive medicine. Its place is assured in the future development of public health work but it does not include the idea of effective preparation of the individual during development to enable it to cope with the unfavorable factors in its environment.

Deeply rooted in the minds of the bacteriologists, serologists, epidemiologists and health officers is the idea that the maintenance of life in man and animal implies an adjustment of the organism to its environment. That adjustment, in so far as health is concerned, is regarded as including the acquisition by the race of immunity to diseases through long experience with them or through vaccination or serum treatment. It also includes partial control of the environment through isolation of the sick, and the eradication of disease germs by means of chemical or other treatment. Much has been accomplished through the understanding of these principles, and their application represents a decided advance over the long period when nothing was attempted for the protection of those who were not regarded as being ill, and when dependence was placed upon drugs to restore health when illness prevailed.

Slowly, and with great difficulty we have at last become aware that it is possible to do something better than to adjust ourselves to our environment. We are beginning to control our environment instead of merely adjusting ourselves to it. The movement of the industries toward conserving the health of their workers through elimination of dusts, improvement of lighting and ventilation, and the institution of rest periods, illustrate some of the activities in this direction. There is another phase of our environment which we have as yet done almost nothing effective to improve, but which is of paramount importance, and should be receiving far more attention than it is. I refer to the chemical environment which is determined by the character of the food which we ingest. The maintenance of a nice adjustment of the nutrient medium which bathes our tissues is of fundamental importance for

optimal development during growth, and for optimal maintenance after growth is completed.

Although physiologists and physicians have long admitted that an abundance of good food is an important factor in the preservation of health, they have made the statement without enthusiasm. They have made it without a full realization of the significance of diet as a means of developing a body free from physical or mental handicaps, and with defensive barriers which we may speak of collectively as natural resistance, which enables us to withstand with a minimum of injury the many accidental agencies to which we are exposed throughout life. There are but few people today who have had the kind of experience which enables them fully to appreciate the importance of a well planned dietary for physical and mental well-being. I desire to make as clear as possible the perspective in which I have come to see this subject. The subject of nutrition relates more obviously to your daily experience than it does to that of the medical practitioner.

You are all doubtless aware that a dozen years ago even the closest student of nutrition believed that the more important facts relating to food and nutrition were pretty well known. Thousands of analyses of food were recorded, so that the average chemical composition of most foods in so far as chemical methods could reveal it was well understood. Numerous digestion studies had been carried out. The chemical processes in the digestion of proteins, carbohydrates, and fats had been revealed through many years of study. The importance of palatability in relation to the secretory activity of the digestive glands was fully appreciated. The energy requirements of the body under a variety of conditions were known, and the calorific value of all the more important foods had been carefully determined. The most important point on which specialists disagreed was that concerning the amount of protein in the diet which would best promote well-being.

Today we have a great body of knowledge concerning various phases of nutrition which only an imaginative mind could have even dreamed of in 1910. We know that there are great differences in the biological values of the proteins from different sources; that some proteins are capable of supplementing others so as greatly to enhance their value in nutrition. We know that the human and the animal body are very sensitive to an unsatisfactory relationship between certain of the essential mineral elements which the food must furnish. This is especially true of calcium and phosphorus. Both of these elements tend to occur in our ordinary foods in amounts below the physiological requirements of the human or animal during the developmental stage or during lactation and pregnancy. We have come to appreciate the existence

of four dietary essentials, the chemical natures of which we know nothing about, but of whose existence there can be no question. We know these only by the effects which follow their omission or subminimal provision in the diet. These substances are now commonly designated as vitamins A, B, and C, and the fourth will probably be named the vitamin D.

There is no single symptom, or even a simple symptom complex, which can be said to be characteristic of an animal deprived of one of the vitamins. Lack of any one of them leads to profound damage of a more or less general nature, but animals deprived of but a single one of them manifest certain characteristic symptoms which are familiar to all students of nutrition. Lack of the factor A, or fat-soluble A, is always associated with a type of ophthalmia which, if not too far advanced, clears up in a very remarkable manner when the missing vitamin is provided. Lack of the factor B, or water-soluble B, leads to the development of multiple neuritis, terminating in loss of motor function. Lack of the factor C, the antiscorbutic substance, results in those species which like man, monkey and guinea pig, suffer from scurvy, in the development of this syndrome. The most prominent symptom of this disease is subperiosteal hemorrhage, attended with swelling and marked sensitiveness, changes in the gums and loosening of the teeth. The fourth vitamin is associated closely with the development of the bones, and its effect can best be observed in animals whose diets are (1) too low in phosphorus and contain the optimal or excessive amounts of calcium, or (2) too low in calcium and contain the optimal or an excessive amount of phosphate. The requirements for this vitamin are very low when the mineral content of the food is properly adjusted, and increases enormously when the content of calcium and phosphorus is unfavorable to normal bone development.

In 1915 Miss Davis and I described a procedure which may properly be called a biological method for the analysis of a foodstuff. A chemical analysis does not give us any definite information as to the nutritive value of a food. What we know of the specific properties of our more important food substances was learned by our method of feeding the article under examination supplemented with single and multiple additions of purified food substance, in order to discover what are the simplest additions which render the food complete from the nutritive standpoint. Much has been written about this kind of investigation by numerous students of nutrition, and it would take us too far afield to discuss it further here.

By way of introduction to the main theme which I wish to discuss, I may say that almost all of our ordinary foods are defective in their composition in one or more respects,

so that they are not satisfactory for the promotion of growth or the maintenance of physiological well-being when each serves as the sole source of nutriment. There is no one article of diet which is entirely satisfactory as a source of nutriment for omnivorous types of animals throughout life. Milk comes nearer fulfilling this condition than any other foodstuff. The leaves of many plants, on the other hand, the substances which form the sole source of nutriment for the grazing and browsing animals, are complete foods, and serve to maintain full vigor throughout many generations of animals. An example of this is seen in the bison, which lived exclusively on the "buffalo grass". Cattle and horses are reared in parts of California and Arizona exclusively on alfalfa from generation to generation, and are fairly well nourished. The meat such as steaks, hams and others derived from muscle tissues, are very deficient foods, lacking calcium, and low in all the vitamins, in such a degree that mal-nutrition of extreme grades soon follows in animals subsisting on them. All the cereal grains, legume seeds, tubers, fleshy roots and fruits have been found too deficient to maintain growth in young rats, or to maintain continued health in adults. Even with diets containing wide variety, but derived solely from cereal products, tubers, fleshy roots, and muscle meats, young rats are unable to grow to even approximately the normal adult size, or to live beyond a small fraction of the extreme span of life of which the species is capable. Swine have been shown by many experiments to have the same or closely similar dietary requirements as the rat.

This leads us to a consideration of diets which do succeed in the nutrition of animals. In an extensive inquiry covering over fourteen years, and based on over 4,000 experiments, we have succeeded in nourishing animals in an approximately normal manner on only three types of diets. It is possible to select a carnivorous diet so as to induce very satisfactory nutrition, but in order to do so it is necessary that several tissues such as blood, bone, glandular organs and fat be included along with the muscle tissue which forms our most appetizing meats. Young animals cannot grow or long remain in health when confined to a diet consisting of muscle cuts of meat. When we imitate the practice of the wild carnivorae in feeding laboratory animals, and give them all parts of the creatures which serve them as food, we succeed with their nutrition. Young rats which are fed such strictly carnivorous diets as we have just described, have good skeletons, good teeth, and appear fine and strong. There are several examples of carnivorous man, including the primitive Eskimo, American Indians, Lapps and Patagonians. It has been found possible to supplement a diet derived from cereal

grains, tubers, fleshy roots and meat, which is itself a failure, with liberal amounts of leafy vegetables so as to make it complete. A liberal supplementing with leaf is required in order to make good the deficiencies of the remainder of the diet. This type of diet is common in the Far East, and I have designated it as the Oriental type of diet.

The third type of successful diet is that derived from cereals, legume seeds, tubers, fleshy roots, with or without meats, supplemented with liberal amounts of milk. The vegetable foods enumerated, even when supplemented with liberal amounts of muscle meats, are a failure from the standpoint of nutrition, but either milk or the leafy vegetables are so constituted as to make good their deficiencies. It is so important to appreciate the special virtues of milk and the edible leaves of plants that I have designated them the protective foods.

The average American is incredulous when told that the cereal grains are unsatisfactory foods. He is prone to point out that the cereals are our most important articles of diet, and have been so for many centuries. I have become convinced, however, that the use of cereal grains in liberal amount as human foods is a relatively new thing, and has, indeed, not extended beyond a century. Let us consider what it would be possible for a man to accomplish in the way of agriculture if he were isolated on the best American farm land, and armed only with the most effective modern hoe. How well could he succeed in coping with grass, and the rearing of cereals? Cereal culture was never possible on a large scale until the modern age of invention supplied the plow, the reaper, and the thresher, and steam transportation the means of moving such crops long distances to the centers of population. One needs only to examine the statistics of agriculture to learn that during the last century the cultivation of cereals has increased the world over by leaps and bounds with each succeeding decade. We are now deriving about forty per cent. of our food supply from this class of vegetable foods.

A further fact of great interest and importance is the development of the modern milling industry which deprives the grains of their bran layer and their germ. This is done primarily for the purpose of improving the keeping qualities of the milled products. Bolted wheat flour, degerminated corn meal, polished rice, and foods manufactured from them, are very inferior to the whole grain products which were commonly used as human food a half century ago.

Reduced to its simplest terms we have during modern times changed from a rural to an urban people, and have gradually adopted a diet which may be characterized as the meat, white bread, sugar, and potato type. Breakfast foods, canned corn,

peas, beans, meats, tubers, and root vegetables, are all similar in most respects in their dietary properties to cereals, notwithstanding the fact that their chemical analyses may appear very different. On such a diet we are becoming a nation of underweights and overweights, diabetics and arteriosclerotics. From 20 to 40 per cent. of the children in the public schools everywhere throughout the country are 10 per cent. or more underweight. They are pale, flat chested, flat footed, angel-winged, small-jawed children with the fatigue posture and the expression of fatigue. They are the victims of a wrong system of living. Their mothers did not take a satisfactory diet during pregnancy or lactation. The mothers suffered the loss of some of their teeth as the result of the unusual demand upon them. The children were poorly nourished in infancy because the mothers had nothing satisfactory from which to form a milk supply. The children were weaned early, and cereals were substituted for milk as early as possible. When bottle fed after a period of half successful nursing, their milk was modified in one of the dozens of ways recommended by physicians. Many of them developed rickets. Their teeth and jaws failed to develop normally. The enamel of some of the teeth was poorly formed, and failed to form a perfect union in the sulci. The roots remained unfinished. It is teeth with such a history which decay early, as do the teeth of the average child of the present generation. It is unprofitable at this time and place to pursue further the relation of the character of the diet to tooth development and tooth preservation. I may say, however, that numerous very capable dentists have assured me during the past year that they are convinced that the present intolerable condition of the teeth of the people of America and England is due to faulty development, and that the failure to preserve the teeth in adults is to be attributed far more to an unsatisfactory diet than to lack of cleanliness.

One of the most striking experiences which Miss Simmonds and I have had during the last six years in our animal experimentation relates to the effect of the character of the diet on the stability of the nervous system. Most of our experimental work has been done with the domestic rat, of which we have used many thousands. A well-nourished rat is always very docile, does not anticipate danger nor resent being handled. It is a common event in our laboratory for one of us to take out 5 or 6 rats at one time with bare hands, holding them with the tails collectively in one hand. There is no squirming, squealing, or evidences of fear or resentment, even if exhibited for several seconds with the heads down, although there is some discomfort to the animals when held in this position.

We are never bitten by rats which have been long on a diet which we regard as highly satisfactory.

When however, as frequently occurs in our experimental work, the diet is defective in respect to amount and quality of its proteins, or contains too little of one or another of several essential inorganic elements or faulty proportions between such elements as calcium and phosphorus, or when the animals are deprived wholly or in part of one or another of the essential vitamins, their disposition is regularly very different from that of well-nourished animals. This is manifested in nervousness, irritability, restlessness, and apprehensiveness of danger. We have many times seen young rats on faulty diets so timid that when the cage door was opened they would retire to the farthest parts of the cage, sit up on their haunches, squeal in terror, and ready to attack instantly any one who should attempt to lay hold on them. Frequently we have found great difficulty in weighing such animals because of the frantic efforts which they make to avoid being caught, and their attempts to escape from the box in which they are confined while being transported to the cage. Such rats we have very frequently transformed within a month or six weeks into quiet, tractable creatures by modifying their diet so as to make good its deficiencies. While such peculiarities in behavior are by no means limited to animals whose diets are faulty in respect to calcium and phosphorus, we have very frequently seen extreme nervousness in rats whose diets were too low in calcium. The condition is accentuated likewise by having the phosphorus relatively high. About a year ago we had a considerable number of young rats on diets containing rather a high content of phosphorus and a very low calcium content, and it was not uncommon to see these animals die of fright on being picked up for the purpose of weighing. This nervous reaction disappears very promptly on correcting the fault or faults in their food supply.

In the light of the very extensive experimental data which has become available during the past decade, one seems justified in attempting to correlate the results of animal experimentations with those of human experience. The four most common syndromes occurring in man as the results of malnutrition of specific types are an ophthalmia of dietary origin, the oriental disease—beri-beri or polyneuritis, scurvy, and rickets. The reaction of domestic or laboratory animals to diets of different types which are defective in one way or another, is in many instances strikingly similar to that observed in man.

It has seemed to me as I have gained more and more experience in this direction that there is little room for doubt that the condition of subnormal physical development in hu-

man beings is widespread, and that the character of the physical defects is such as to warrant our conclusion that these are referable in considerable measure to an unsatisfactory food supply. Our efforts to evaluate the quality of the diet of the average American of to-day, in the light of animal experimentation, leads us to conclude that it is not a good diet. It consists too largely of highly milled cereal products of which bolted wheat flour is the principal one, of meats of the muscle variety, tubers, and sugar. We have been uniformly unsuccessful in many efforts to nourish animals on such a food supply. I am convinced that as a nation we would be physically much better off if we could institute a very simple dietary reform, which would involve a reduction in the quantity of refined cereal foods, meats, potatoes, and sugar, replacing these in part by milk and other dairy products, vegetables of the leafy type, and fruit. A certain amount of the latter should be taken raw. Reduced to its simplest terms, the most important dietary reforms which we can introduce are:

1. Salads should be eaten twice each day. This will insure the regular consumption of some raw fruit, raw cabbage, raw celery, tomatoes, lettuce, etc., since these enter so frequently into the composition of salads. The consumption of such foods provides an abundance of the antiscorbutic substance in which our diet of cooked foods is likely to be lacking.

2. Each day a liberal helping should be taken of some food which we would class as pot-herbs or greens. This insures the regular consumption of some leafy vegetable. These, as has been pointed out, possess dietary properties which make them unique among the vegetable foods. The practice will likewise go far toward correcting constipation, which is the bane of the existence of a large portion of our population.

3. Each day a quart of milk or its equivalent in the form of manufactured dairy products should be taken.

It is not intended to suggest that we cease using refined cereal products or any other of our common food stuffs which we have come to understand through exact studies of the last decade are defective in one or more ways. We cannot, if we would, cease to employ as the principal components of our diet products which form our most successful agricultural crops. The wise policy is to accept these for what they are and with a full understanding of their shortcomings, and to so combine them with what I have designated as the protective foods as to make a complete dietary.

Under the headings of 1, 2, and 3, therefore I have tabulated the essentials, and with the suggestion that the entire diet be built up around these. I have frequently made the assertion that if these three rules are complied with one may eat anything else desired, and cater to the appetite so far as may seem desirable, and it will be practically out of the question to make a serious error in nutrition.

Our experience with the effects of mal-nutrition on the nervous system should be of special interest to those who are dealing with the problems of crime. It would doubtless be premature to make at this time any radical assertions as to how far the tendencies of individuals to hold radical views, to be over excitable and apprehensive, to harbor grudges, or to do acts of violence, may be referable to faulty chemical environment in the body fluids which nourish the cells of their nervous systems. The time has come, however, when we possess sufficient exact knowledge both in the human and animal fields to serve as very profitable food for thought.

If this suggestion is sound, the problem of feeding the prisoner is one of greater importance that it has been considered in the past. About three years ago I wrote a number of prison wardens throughout the country for information regarding the food served in their institutions. Several of them responded in a very generous way with lists of food purchases which were sufficiently detailed to enable me to evaluate fairly accurately the quality of their food supply. I was impressed with the fact that there appeared to be a strong tendency not only in prisons but in insane asylums as well, to make large purchases in a routine fashion of the cheaper and staple foods. There seemed little tendency, in some institutions at least, to provide a diet in which the special foods which we have come to regard as of unique value in correcting the defects of a refined cereal, muscle meat, tubers, and potato mixture, were included. The purchases of white flour, corn meal, rice, oat meal, sugar and meats, were disproportionately large, and the consumption of milk, fresh vegetables and fruits was disproportionately small. The character of the diets of prisons and insane asylums in so far as I have been able to secure information about them are in many instances strikingly similar to those described by Goldberger and others as quite common among the cotton mill workers of the South where pellagra is so common. I believe all students of pellagra are in agreement now that the disease is in some way caused by faulty diet, although the exact nature of the etiological factor is unknown. They are further all agreed that the only effective treatment for pellagra is liberal feeding with diets in which milk, eggs and fresh vegetables are abundant.

I could not help asking myself as I inspected the list of food purchases of several prisons and insane asylums whether it was not likely that any man confined to such a diet in such an institution for a period of a year or more would not leave the institution physically inferior to what he was when he went in, this aside from the effects of confinement indoors. The thought presents itself as to whether it is not now cus-

tomary, through lack of appreciation of the importance of the proper food supply, for prisons and insane asylums to be so managed in their culinary department as to contribute to further deviation from the normal functioning of the nervous system. I would not think of minimizing the factors of heredity and environment in the making of criminals, but would suggest that it is very logical to insist that any plan for the management of criminals or the criminally inclined in which the idea of reform enters, should embody the provision of a system of feeding which will tend toward creating stability of the nervous system, and of raising his threshold of stimulus rather than of lowering it. I do not desire to go far at the present time in predicting what the result would be, but I am offering these suggestions to you as a group of prison officials, and suggest that you consider this as one of the important phases of prison management. I would suggest further the advisability of making a study of this specific problem, the results of which would form the basis of a more extended and intelligent discussion of the problem of the relation of diet to human behavior than is now possible.

WEDNESDAY EVENING, OCTOBER 18.

SECTION MEETING

COMMITTEE ON PUBLIC CONTROL AND
SUPERVISION

THE RECORD OF THE NEW DEPARTMENT OF PUBLIC
WELFARE OF PENNSYLVANIA

J. M. BALDY, M. D., D. SC., COMMISSIONER.

Pennsylvania has created a Public Welfare Department under the administration of a commissioner, the work of which is maintained in four separate bureaus—one of which is the Bureau of Restoration. It is in regard to the hopes and aspirations of this Bureau that I have been requested to address you.

I am no sentimentalist—"high brow" I believe you call them. I have no idea that those convicted of crime deserve no punishment or any special consideration; that their way should be made easy. I am much afraid, like all animal nature, I have much in me of "an eye for an eye and a tooth for a tooth." On the other hand, I have much in me that is

also natural; a strong regard for the law of self preservation. Maybe it is all selfishness; if so let it go at that.

I am a taxpayer in Pennsylvania. As a taxpayer it has been dawning on me for the past year, since I have been studying penology, that it was a pretty tough proposition that I, a law abiding citizen, should pay for the full support of criminals and allow them to live in idleness while I worked. Not only that, but that I should see such things I was daily seeing in the jails and prisons of the State which were tending to render good able-bodied men unfit for work either physically or mentally, after they had served their terms. Furthermore I was seeing men sullen, with hatred and revenge in their eyes and manner, portending not a very healthy future for us taxpayers. It did not look like good business to me, it did not look like easy taxes, consequently it did not look like common sense.

I found in one penitentiary in a large city what seemed to me to be too much liberty of prisoners; in groups apparently unattended about the jail yards, talking, gardening, playing baseball, working in the Prison Labor Commission shops in the institution, being paid actual cash for their labor, and I must admit it did not altogether come up to my idea of an "eye for an eye" and "a tooth for a tooth"; in another penitentiary in another large city, locked in cells, not allowed to talk even in the Prison Labor Commission shops, no games, sullen and dissatisfied, repression at every turn. Two different theories you see. The result: a riot in the penitentiary of repression, all the work shops burned down, all the stock of the Prison Labor Commission destroyed, a loss to the State of \$100,000 and a number of prisoners shot down; no sign of riot or dissatisfaction at the "too free" penitentiary. As a taxpayer I became a bit thoughtful, turned my attention to a third penitentiary in the building on a farm of over 6,000 acres in the central part of the State and observed some 600 prisoners drawn from the riotous penitentiary, located in temporary barracks, building on a comprehensive plan the new institution and doing all the work of the farm, content like any plain healthy workmen, paying for their own upkeep, no sign of riot or disturbance. I was learning a bit and the idea was gradually formulating in my mind as a taxpayer, that the State of Pennsylvania was an amateur in business, and still had its lesson to learn; when later the candidate for Governor stated that the business of the State was badly conducted I smiled and thought I could show him a few ways, of which he probably was not aware, in which it could be improved.

And so the policies of that division of the Public Welfare Department which deals with the delinquent grew. It is

primarily with us an economic question. Any benefit which may result from considering this matter from the humanitarian viewpoint is an incident which of necessity follows the working out of our economic viewpoint. If then we view this matter from different angles possibly why quarrel; we will both inevitably arrive at the same goal. I will grant this however to the sentimentalists that if we did not see the humanitarian side of the question practically taken care of, we might be tempted with little trouble to shift our theoretic angle of vision. From the purely sentimental viewpoint I think our progress would have been slow and very uncertain. As regards myself I am no longer a young man and my fighting powers, at present fairly vigorous, will soon begin to wane. I have therefore none too much time to put over this which is probably the last constructive effort of my life. On the economic basis we think we see the way clear to putting the policies of the Department so far on their way at least, that our successors will have a comparatively easy time. We have before us a practical work to accomplish and have outlined a practical constructive campaign which we mean to take to the politicians and for which we shall fight a good fight. The taxpayer in Pennsylvania is crying out in his agony, his pain is our opportunity, he wants relief. We see our way clear to offer him some measure of that which he seeks. We have for six months been preaching this doctrine straight from the shoulder to every community in which the opportunity of publicity has come to us and the reaction is universal, from both business and professional men and women. We are making every effort to arouse for our programme as many units in the State as possible and to show to their legislators that the communities are back of our suggestions.

The last issue of "The Common Weal", a small publication conducted by the Department of Public Welfare contains in part the following:

"The Policy of The Bureau of Restoration of the Department of Public Welfare provides for:

"The abolishment of the county prison system; these institutions should be used for the housing of untried prisoners only.

"The establishment of a system of prison farms in various sections of the State, under the control of the Commonwealth, where primarily first offenders will be taken care of.

"The introduction of a system of segregation in the penitentiaries and correctional institutions in order that the "morally sick" of the Commonwealth may be treated as individuals rather than in a collective way as now prevails. The plan calls for a complete physical and mental examination of every inmate upon admission.

"The establishment of a state board of pardons and parole in the Department of Public Welfare which will give continuous attention to its work and correct the many abuses surrounding the parole system now under the jurisdiction of the county officials. The recommendations of this board would be submitted to the Board of Pardons, now functioning, at any hearing.

"The establishment of a Bureau of Legal Aid in the Department of Public Welfare, whose duty it would be to see that the inmates of our institutions receive proper consideration. A system of this character would do away with the iniquitous practices now employed by unscrupulous men and women over whom the State has no control and would give the poor an equal chance with the rich.

"A state use system similar to that now in vogue in New York, New Jersey and other states, requiring the institutions under control of the commonwealth to use the articles manufactured in the vocational schools of state institutions, with

"The completion of the Western Penitentiary at Rockview to relieve the overcrowded conditions existing in the Eastern and Western Penitentiaries.

The programme is easily workable and wholly practical. Each element of the programme is a part of the whole and each supplements the others.

The county jail system can only be abolished gradually, so gradually as to not be felt by the local politicians. Patronage they will never willingly give up but if it gradually and imperceptibly slips away they will just as gradually become used to its loss and will in fact hardly know it is going until some day they awaken to the fact that it is gone. As a matter of fact the jail will remain and the office will still be there; its function will merely change. With a changed and limited function it will be comparatively easy to reform it; as it is reformation is almost an impossibility. If we can obtain the recognition by the state of the principle that the delinquent offends against the laws of the commonwealth, not merely against the laws of the county and that he is therefore a ward of the state; then, even a small appropriation with which to begin the development of a single state prison farm; the department and time will do the rest.

The county jails are full of able-bodied men. Two of the farms of the state insane asylums have large deposits of brick clay from which they have in the past produced bricks and tile thus giving occupational therapy to the insane inmates and which they have been compelled to give up because they had no use for the bricks. Labor in abundance housed in

cheap temporary buildings, unlimited brick and tile for building, a good sized farm of 1,000 or more acres, cheap land near some of our forest preserves and what may not be saved to the taxpayer? Self support of the delinquent, health and self respect when discharged, a great state institution presented to the State at a trifling cost, a barren farm made for all time productive, reforestation of our State preserves together with fire fighters, occupational therapy of our insane, a demonstration to the legislature that the taxpayers' complaints may be ameliorated! Is there anything visionary in all this? If there is, then all I have myself seen at Occoquan, Va., at Bridgewater, Mass., at Rockview, Penn., and other places has been a dream. If one farm developed along these lines, why not another and another until suddenly the county jail shall find its occupation gone. The Department of Public Welfare of Pennsylvania is going to demand of the legislature this winter that it be given the opportunity to demonstrate its ideas, and if they agree to give it, the foundation is laid and the end is not far distant.

As to the other parts of our programme, the mere mention of the items are convincing. Our penitentiaries will give us every aid in segregation and we in turn will encourage and stimulate them to that end. We are well assured of sympathetic assistance from our wardens. The proposed State Board of Pardons and Parole is not too radical for the times; other states have it and have shown full measure of its usefulness and success. The courts of Philadelphia just at this time are crying aloud for some reform in this direction; one opportune court scandal having occurred. The Bureau of Legal Aid is a logical sequence! We already have a good local demonstration of this principle in the Philadelphia city government which will be a great help as a persuader. The state use system we have in part already and its full fruition will be but a small step and we judge will meet with little opposition. The state is already committed to the development of the new penitentiary at Rockview and will not be shocked at our efforts to have that work pushed to full completion.

So much for our policies for the future, but the present urgent necessities have not been neglected.

During this the first year of our existence, in addition to organizing the Bureau of Restoration, we have to note as already accomplished:

A thorough survey of all penitentiaries, reformatories, and county prisons has been completed and a constructive criticism dealing with the findings of the survey has, in each case, been directed to the proper authorities. Several of these institutions have been re-inspected to note the improvements which have been made following the survey.

All women sentenced to penitentiaries have been segregated in the Eastern Penitentiary and there provided with work which occupies the time of each.

The Bureau has adopted the policy of providing work which will not only occupy the time of all prisoners, but will at the same time give them vocational training. There are now ten or twelve trades giving employment to seven hundred in contrast with three hundred prisoners a year ago. Besides these seven hundred there are six hundred others at work at Rockview in the construction of the new penitentiary.

Twenty-five looms have been added to the equipment at the Eastern Penitentiary. A sewing room for the women has been equipped with thirty-six power machines. A complete printing plant has been established in the Eastern Penitentiary. The shoe shop has been enlarged.

The workshops at the Western Penitentiary, which were destroyed by fire, have been rebuilt and are rapidly being placed in operation again. Their capacity has been increased and new machinery added.

A woodworking department has been started at Huntington Reformatory, which will eventually manufacture furniture suitable for use in institutions. The auto-tag factory has been enlarged and perfected by the addition of new machinery thus providing for better production and the employment of more men.

The Bureau is now preparing data to use as the basis for constructive legislation leading to a system of state prison farms, which will eventually make possible the employment of all inmates of the penitentiaries, as well as the convicted prisoners now in the county jails.

The year has been productive of much hard work but we think the results are quite satisfying.

STATE BOARDS OF CONTROL AND ADMINISTRATION VERSUS STATE BOARDS OF CHARITIES AND CORRECTIONS

AMOS W. BUTLER, SECRETARY, INDIANA BOARD OF STATE
CHARITIES, INDIANAPOLIS, INDIANA.

I want to take exception to the subject. It is a false premise, therefore not capable of reaching a logical conclusion. State boards of control and state boards of administration are executive boards, while state boards of charities and correction are supervisory and advisory, with no executive authority whatever. The question is not one of administration versus supervision, as the subject would seem to imply but

rather a central administrative board for all the institutions versus separate administrative boards for each institution. The other premise would be administration with central supervision versus a system of administration with no supervision. The latter would be an incomplete system. There should be both administration and supervision. We recognize this principle in the operation of our public utilities, our schools, the public health. In banking it is necessary to have state and national bank examiners. How much more important to have a proper system of inspection and supervision of the institutions which exist for the care of human beings! An administrative agency can no more supervise its work than a bank can examine itself.

All of us who have given much thought to the subject recognize that there are many theories regarding state institution affairs that are not practical. There is much that is experimental and that, too, without basis; much that is transitory and not enduring. Study the laws of any state. Note how many are unused, superseded, repealed. Note the changing systems in institution management. Some that in their time were mentioned as the best have been replaced by what is now regarded as better. Some states are adopting or proposing to adopt what others have discarded. Any system can be expected to be commended and favored by its originator or administrators. That is but natural. There are some who recommend the bureau or cabinet system. So far as I can learn these are not persons of experience in institution administration. Those who have had such experience realize how difficult if not impossible it is to conduct institutions under such a system. Under it the bureau head goes in with the executive and retires with him. His term may be two or four years. The experience so far is that persons wholly unacquainted with institutions have been chosen for such positions. They accept with the idea that they are only going to be there for a brief term. Some have been business men appointed to secure a business administration. Usually they find there has been a fairly good business administration before. The executive and the head have failed to recognize that the state institutions are not business institutions. A bank, a factory or a store exists to make money, to pay dividends. That is not the purpose of the state institutions. They exist to furnish care, treatment, training and custody to the sick and unfortunate of the state. For that only were they established. They would not have been founded for any other purpose. The business side of an institution is important. Do not misunderstand me. It is not the most important thing and it certainly is not all important.

How can any system which changes its head every two or four years work according to any well recognized plan or pursue a definite programme? We all know that out of the experience of many years there has been built a body of information that is recognized. It must be interpreted and applied by persons of special knowledge and experience. In fact the institution service has been professional. Its administration requires specially trained persons. There is required planning, looking for decades into the future. There is need of programmes extending over considerable periods of time. How can those things be achieved with new and inexperienced directors every few years? Is not the state that has such a system suffering both financially and socially? Especially will the suffering be great if the changes are based upon partisan politics which it is so easy to inject under the bureau system. In fact, if reports are true, that has been the result somewhere.

We fail to recognize that the processes of government are slow, that frequent changes overturn systems and disturb institutions. That system which is least likely to little change is the one that works best in achieving the results for which institutions exist.

How many splendid things have we seen come and go! How easily they are overturned by political effort! In Kansas, Illinois and Ohio there have been three or four changes in a score of years. Both Illinois and Ohio have abandoned the board of administration or board of control system and have adopted a bureau system with one man in charge of all.

Why should we put our benevolent and penal institutions upon the same basis as our colleges and universities? Why should not each have an administration board under one central visiting supervisory and advisory board?

The first board of state charities came into existence at the time of the Civil War, probably out of the quickened conscience of the people. It was composed of outstanding citizens whose word would be accepted by all. It was given full authority by the legislature to investigate conditions. It was a purely supervisory board with visitorial, investigating and recommending authority. That is the theory upon which such boards are created. In the states generally each institution was then under the authority of a separate administrative board. In time in some states central boards of control with administrative and executive duties combined took over the work of these separate institution boards.

In Indiana we have been educated to the plan of the separate institution board with a central board of visitation and general supervision. Our institution boards with two exceptions are composed of four members each, appointed by the

Governor. They in turn appoint the respective superintendents who appoint and discharge their own employees and are held responsible for the conduct of the institution. We have a state law looking to uniformity in such matters as are common to all institutions without in any way hampering individuality or special lines of effort. The boards are non-partisan and the law requires that the institutions shall be conducted on that basis, officers and employees being selected according to merit without regard to political or religious affiliation. Supplies are purchased on competitive bids, on specifications standardized by a joint purchasing committee which is composed of one representative of each of our twenty state institutions. This committee has an executive secretary with an office in the state house.

Our board of state charities, now in its thirty-third year, has no administrative authority over the institutions. It visits, investigates, recommends. Its duty is to see that every inmate of every public institution receives proper care; that the public funds are properly expended; that the institutions are properly conducted, and that the management is protected from unjust criticism. Its duty also is to report its findings and conclusions.

Not being burdened with the endless details of institution administration, the board has opportunity to study not only the state but the local charities and in the light of its knowledge of the whole system and of what is being done in other states, to recommend desirable methods and needed legislation. Its policy is to know the conditions and needs; to deal with conditions as they are, working at the same time toward the prevention of crime, pauperism and defectiveness; to co-operate with the various departments of state government; to bring about desirable changes by co-operating with the management of institutions and with local boards, rather than by publicity; to render any help in its power, to the end that the service may be improved, and that each institution and agency may fulfill its purpose and do the most possible good with the money available.

Altogether we believe that this plan works for stability, for slow but steady growth, and while by no means blind to our shortcomings, or hesitant in voicing their criticisms when they have any to make, the people of Indiana for the most part are satisfied with this system.

In this talk I have only referred to the supervision of state institutions by a board of state charities. The functions of such a supervisory board should extend to the supervision of all local institutions and agencies. In other words to the whole system of public charities from the smallest governmental unit to the state itself. It is out of local conditions

and local institutions that most of the state institution population comes, so it is essential that causes and sources be known, studied and supervised.

WEDNESDAY EVENING, OCTOBER 18.

GENERAL SESSION

AUSPICES OF THE COMMITTEE ON CRIMINAL LAW
AND CRIMINAL STATISTICS

Hon. Sanford Bates, presiding: We are here tonight to discuss the subject of capital punishment, which is of very great interest and importance. The subject of this discussion is of particular interest to this state because I believe that the State of Michigan has not had capital punishment since 1847. It is a question of great interest in many other states and we have asked tonight two exceptionally able men to discuss the question, not in an attitude of controversy, but with an effort to bring out clearly and fairly and dispassionately the argument for and against the practice of capital punishment. Our first speaker is Colonel Chamberlin of the City of Chicago. Colonel Chamberlin is the Operating Director of the Chicago Crime Commission and he will speak on "The Importance of the Death Penalty for Murder". I have the honor to introduce Colonel Chamberlin.

Colonel Chamberlin: I may say in the beginning that while I believe in the death penalty as a punishment for murder that I do not believe in the death penalty generally, and I wish you would understand that I am attempting to show the desirability or the necessity rather of a death penalty in murder cases alone. I may say further that my observations have been for the most part local. I have attempted to get some facts and figures. There are a great many facts and figures to be found in Michigan, because they had the subject up at the last session of the legislature, and there is a great mass of data which I shall not attempt to speak concerning, but which you may find if you care to pursue the subject further.

In Illinois the enforcement of the death penalty, although it is statutory and legal, has been very spasmodic. I doubt if the death penalty has really ever been inflicted consistently in the United States. In Illinois it has never been inflicted against a woman, because in Illinois I think the general rule is when a woman kills a man the feeling is the man deserves his punishment. (Laughter.)

I also wish to further indicate that in this contention my thought is that the death penalty for murder should be inflicted only when the murder is committed in the commission of a crime, and, as for its being a deterrent, I want to cite one fact with which I am very personally familiar. In Chicago in 1920, there were 158 persons awaiting trial for murder; 104 of them, I believe, on bail and at large, and the Chicago Crime Commission undertook a murder drive and succeeded in having 11 judges assigned to the trial of murder cases for 60 days, and in that period I think 58 cases were tried. There were 14 verdicts of guilty and the penalty was imposed. It is a record in Cook County,—14 verdicts of guilty and the death penalty by hanging imposed. That year murder in Chicago was reduced 51%. Whether or not that was a deterrent I leave for you to decide.

THE IMPORTANCE OF THE DEATH PENALTY FOR MURDER

HENRY BARRETT CHAMBERLIN, OPERATING DIRECTOR,
CHICAGO CRIME COMMISSION.

Since the time when Cain murdered his brother Abel, crime and its suppression has been a world problem. The expectation that crime may presently be cured is an idle dream of Utopians. Crime is incurable. It may be minimized. It may be controlled. It will never be eradicated, because the reforming of men's conduct without reforming their natures is impossible; and to expect that their natures may be reformed, otherwise than by the forces which are slowly, very slowly, civilizing us, is visionary. But I am not here to discuss the theory of crime nor the science of criminology. I have been asked to express a view on the importance of the death penalty for murder. Capital punishment is lawful. In the present state of society, I believe it to be necessary, reasonable and just.

At the outset I shall assume that no one will dispute the authority of government to maintain itself at any necessary cost of life or property, nor that society as represented by the state has that right. The right of the state to execute a murderer does not exist because of the gravity of the offense, but solely because of the necessity for protecting itself from the murderer. If capital punishment does not protect the community there should be no capital punishment.

It is the necessity that makes it lawful. The fate of the murderer is of relatively small importance. He is an individual. The protection of the community is of every conse-

quence. It is the whole. Where there is a collision of rights, even though it be the natural right of the individual to protect his own life and the right of society to preserve itself, the right of the individual must be set aside in the interest of the group.

I shall not consider murder as a sin but as a crime. Punishment of sin is not a matter for the state. Punishment for crime is. Therefore when the state decrees by law that he who takes the life of another shall sacrifice his own, it is clearly within its right. The state is impersonal; justice is impersonal. The true measure for punishment to be meted out for crime is determined by the nature of the crime and not by the nature of the criminal. It is on this opinion that the state isolates those afflicted with death-dealing contagious diseases, not because it lacks sympathy for the individual, not because other individuals composing the community are lacking in the sincerest love for them but because it is necessary. The state also protects individuals from self-destruction. Individuals acting as officers or agents of the state endanger their lives in the handling, transporting and care of persons afflicted with contagion, nor do they hesitate to risk their lives to save some would-be suicide. The principle is the same.

To be just the punishment must fit the crime. It must be proportionate. Murder deprives another of his natural existence. The only proportionate punishment for deliberate murder is a similar sacrifice. The punishment of criminals is not a pleasant duty. The normal human being finds no pleasure in the sufferings of others no matter how much they deserve it.

If capital punishment does not reduce murder or if it does not protect society from the murderer it should be abolished. Practical experience, however, as reflected from records with which I am familiar, fully convinces me that it is a deterrent, that it does reduce murder and that it is a benefit to society.

Those who argue that there are many potential murderers who have contempt for death but who are restrained by the fear of life imprisonment and from that premise argue for its preference to the death penalty, forget (that in approving a sentence which they classify as more severe and in recognizing the authority of the state to inflict it) that they must also agree that the state has the right, if it so chooses in the interest of its citizens to inflict the lesser penalty of capital punishment.

Unjust punishment is admittedly no deterrent but just punishment is, provided it is certain and irrevocable. Life imprisonment is not as effective in ridding society of criminals and of preventing their operation as is capital punishment. The life sentence carries with it also the possibilities of es-

cape and the hope of executive clemency. Abolition of the death penalty for murder in this country usually has been for short periods followed by its restoration when the murder rate rose. Murder in France increased sixty-eight per cent. after the abolition of the death penalty and the guillotine was restored in 1909.

Many of the worst murders, where definite information is available in Chicago in recent years, were committed by professional criminals in the course of holdups, robberies and burglaries. They had no malice toward the victims, but killed deliberately on the theory that dead men can make no identifications. For such men life imprisonment as a penalty for murder is not a sufficient deterrent. They would have no hesitancy in murdering as many of their keepers as necessary to escape from prison, because, (under the theory of the life sentence) if successful they would suffer no physical harm.

Some who admit that capital punishment is just, deny that it is ever necessary. They deny that the death penalty horrifies the criminal. The murder rate in the United States is rising, not because capital punishment is not the proper penalty for murder but in the opinion of our greatest statesmen because capital punishment is not inflicted in all cases of deliberate murder and because sentimentalists, well meaning and sincere, but badly misguided, are giving most of their attention to the consideration of the murderer rather than to his victim.

In Illinois the insanity plea as a defense for murder has been one of our most dangerous evils. Punishment of the slayer, of course, will not bring back life to the victim. The irresponsible slayer certainly should not remain at large. His existence is valueless to society and the possibility of escape a constant menace to the innocent. I am inclined to very strongly agree with the Chicago Tribune, which in an editorial last December said, "It is certainly a travesty on justice and danger to the public to refuse punishment for crime, on the theory that a murderer is irresponsible and then carefully preserve the danger he represents in existence. For the benefit of all concerned, dangerous irresponsibles should be painlessly put away."

Criminals are non-social. They are not adapted to the life of the community, just as wolves and other beasts of prey are not adapted to the ways of men. As men tame the waste places of the earth and build homes for themselves, they clear away the creatures and conditions that menace their well-being—the tigers, the snakes, the noisome swamps, the death breeding, unclean places. They do this with no especial hatred but in the spirit of love for the higher forms of life and endeavor.

So right minded, sane, normal men, seeking for the better, higher form of human life, must remove from their midst those men and women whose evil modes of living menace the well being of the decent elements. It is necessary when an individual shows that he cannot adjust himself to the conditions under which the majority of men and women move and have their being, to remove him and place him where he cannot injure those who have a right to life and the fruits of their labor.

The criminal is moved by hatred. Whom he has injured he also hates. He is obsessed by the idea that the community and every official employed by it to protect itself from his misdeeds, is moved by personal hatred of him. In every court room, in every jail, in every prison, if you talk to the murderers, the burglars, the forgers, the pickpockets, the embezzlers, you will hear tales of persecution and complaints of mistreatment.

The pity of it all is that these whining complaints of men and women who have themselves outraged the basic rights of innocent victims, are so often taken seriously and used by sentimentalists as bases for appeals for pardon, reprieve or lightening of punishment.

Several years ago, occurred an especially atrocious murder—a case in which a young gardener, bringing the products of his toil, his fruits and vegetables, to the Chicago market was tortured and killed by several young ruffians who had waylaid him, hoping to take from him money which he did not possess. Soon after this brutal murder, a group of highminded social workers, moved by compassion—not for the youth who had toiled and striven and been robbed of his life—but for the young murderers who had tortured and killed him—came to me. I was at that time the editor of *The Chicago Record-Herald*. They asked me to use the power of the newspaper to arouse sympathy for the murderers.

The murdered man—he was about twenty-two—had a young wife who was expecting her first baby. I was full of compassion for that young widow waiting for the baby who would never know its father. That father had begged for his life. The murderers told of his pleading, but they were so angered because of his not having money to reward their holding him up that they pulled out his tongue before killing him. Reporters who saw the dead body told of this but the details were so revolting that they were not printed.

Yet these good women, to whom I told these facts—were bending all their efforts, exerting all their energies, not to protect other toilers from a similar fate, but in intercession for the murderers so that they might escape punishment. Their plea was that the murderers were boys to whom life

had denied a chance—perhaps the community was partially responsible—yet many other boys in the same community, including the gardener whom they killed, had grown to decent manhood.

Three of the five young men guilty of this crime were hanged. Two, because of their youth, were given life imprisonment. They are both in the Illinois State Penitentiary at Joliet. One of them has twice made application for pardon, which has thus far been denied. The application of the other was being considered by the Division of Pardons and Parole yesterday.

At any rate, the first duty of the community is to protect the law-abiding from the law-breaker, not to encourage murder, robbery and burglary by showing greater sympathy for the criminal than for his victim. Even the criminal's reform is of lesser importance than the safety of the man who has always respected the rights of others. Modern society does not wish a revival of medieval methods. It does not wish to torture needlessly its wild animals or its wild men. It does wish to protect itself and to do this criminals must be placed where they cannot work injury to others. At times they must even be denied the right to live, because their living means death and disaster to others who have done no wrong.

In nearly four years' close observation of Chicago's crime figures I recall but few cases of murder caused by a sudden heat of passion. Revolvers and shot guns, knives and billies were the usual weapons. Other deaths were caused by poisons deliberately administered. In many cases skillful methods were used to hide the crime and great caution exercised to evade capture. The murderers themselves showed the keenest intellectual activity in escaping and in the preparation for defense. Surely they realized in advance the danger of death to themselves and used every precaution known to them to avoid it.

Canada's very low murder rate compared to that in the United States—the ratio is about ten to one—is due to the vigorous enforcement of the law which calls for capital punishment. A writer in the American Magazine for June, 1914, states that: "In the United States a trifle over one per cent. of the murderers are executed, in Great Britain and nearly all Europe a much greater proportion is speedily and relentlessly put to death; as the direct result of this there are more murders in the United States per million inhabitants than the combined totals per million of Great Britain and all Europe, omitting Russia.... Take for example the year 1906. In that year Germany recorded four murders to every million inhabitants. Great Britain has eight and the United States showed a total of 118.

"During the eighteen years succeeding 1882, a growing opposition to the death penalty reduced the number of legal executions in the United States to one-fourth its former figure; during the same period the murder rate—responding to the stimulus of our mistaken humanity—leaped to three times its former figure.

"In passing let it be noted that those states which have abandoned capital punishment without a resulting increase in the murder rate had failed for a long period prior to its final abolition to enforce the penalty effectively."

Uncertain, tardy justice is the cause of most anarchistic outbreaks in which lynchings occur. Lynchings are usually caused by the conviction that known murderers will ultimately escape when tried according to forms of law. Life imprisonment, when a final sentence, is an invitation to the imprisoned murderer to slay wantonly, if necessary, to effect an escape or to avenge a slight or fancied wrong for he knows that his penalty can under no conditions be increased.

Even the most ardent advocates of life imprisonment as punishment for murder admit without hesitancy that it is necessary to provide the death penalty for murders committed by men under life sentence. This in itself is a complete admission that life imprisonment does not produce sufficient horror in the mind of the killer to deter him. Advocates of life sentence usually admit that the greatest deterrent is the fear of execution. Is it not fair then to conclude that they advocate the life sentence on purely sentimental grounds? Criminals are punished not because we hate them, nor because we lack sympathy for sufferings they must endure because of their crime, but because it must be made impossible for them to repeat their crimes and that through their sufferings they shall be an example to others of like inclination.

Most of you perhaps are familiar with the Sautelle case which is cited in a pamphlet issued by the Massachusetts Civic Alliance in 1917. The case is not of recent date but it is very much in point. As related by the Reverend O. R. Miller, State Superintendent of the New York Civic League and Eben W. Burnsted of the Massachusetts Civic Alliance, the facts are these: "Isaac Sautelle decoyed his brother Hiram from Boston to Maine to murder him where he would not have to forfeit his life. He drove through New Hampshire over the state line into Maine as he supposed and killed him. It proved, however that he failed to cross the state line but committed the murder in New Hampshire where he was later tried and executed. He feared to commit the murder in the state of New Hampshire because of the capital punishment law of that state. When the adjoining state of Maine said that if he committed murder there he should not pay the

penalty with his life, he was willing to take chances over there in Maine, knowing that the greatest penalty would be life imprisonment. Is it not fair, therefore, to infer that Sautelle's awful murder was due directly to the supposed humane law of Maine, rather than the stern law of New Hampshire with its death penalty?"

I have no preconceived notions on this question but in the face of such facts with which I am familiar I most earnestly and sincerely advocate the infliction of capital punishment in every case of deliberate murder as the best and most effective means of stopping the slaughter of innocent men and women which is going on in the United States today. Our murder rate is appalling. It is increasing. It is a menace. This situation is deplorable because it is preventable. Those who show great emotional concern about the preservation of the life of the murderer seem slow to realize this.

I am not only in favor of legal provision for capital punishment in every state of the Union, but I am for restoring actual capital punishment in every murder case and in every state in the Union where the statute now provides. Lest I be misunderstood, let me illustrate. Illinois has a statute providing capital punishment for murder. The same statute also provides that the sentence may be from fourteen years to life imprisonment. Accurate count of the murders and convictions for murder in Cook County have been kept. In 1921 there were 208 murders in Cook County. During the same period 225 defendants were arraigned on murder charges. There were fifty-five convictions. Forty-six were sentenced to the Penitentiary and one to the Reformatory and only six were sentenced to hang. In other words, in the largest county in Illinois, a county which includes about half of the voting population of the state, less than three per cent. of all murderers convicted last year suffered capital punishment. In the first eight months of this year there have been 140 murders in Cook County. It is not unlikely that if there had been fifty-five hangings of guilty murderers in Cook County last year that there would not have been 140 additional murders in the first eight months of this year. Incidentally, of the six men sentenced to hang for murder last year one was Tommy O'Connor who escaped from the Cook County Jail on December 11, 1921, while under sentence of death and who has not yet been captured. Chicago has had many examples tending to prove that "bars do not a prison make".

Consider this news item related by Arthur Brisbane in the Chicago Examiner on January 18 of last year. "Four convicts, two serving life term sentences for murders, were released from the Penitentiary at Jefferson City, Missouri, on 'their honor' to spend Christmas and sent off alone unwatched.

They all came back and announced a good time had been had."

I also recall a news item reporting the escape of five prisoners from the honor farm near Joliet. Two of them were under sentence for murder.

I have also in mind the story of Edward "Ammunition" Wheed, because it was the murder committed by Wheed which crystallized public opinion and led to action which resulted in the organization of the Chicago Crime Commission. On December 22, 1908, Wheed was sentenced by the United States court to serve ten years in the Federal Penitentiary at Leavenworth. If all penitentiary terms were served in full Wheed would have been released December 21, 1918, yet on August 28, 1917, he was the principal in a \$9,000 holdup, in which five bandits participated and during which two express messengers were deliberately shot and killed.

The Massachusetts Civic Alliance in a bulletin issued in January, 1917, said:

"Murder in Iowa increased very rapidly, from 1872 to 1876, until, for this reason, the death penalty was restored.

"Murder in Rhode Island increased and violence within the state prison became so serious that capital punishment was restored in 1882 for murder committed inside that institution.

"Murder in Colorado increased and the state re-enacted the statute.

"Murder in France increased 68 per cent., in consequence of which the guillotine was restored in 1909.

"Murder in Switzerland increased and in 1879 a return to the law was authorized and 10 cantons have been coming back wiser though sadder for the experience."

The importance of the death penalty for murder lies in the fact that it has proved to be a deterrent. It is a service to society. A protection of the group against the individual not influenced by the laws of God or man.

Hon. Sanford Bates: It is a great pleasure for me to introduce the next speaker, who I believe is as well qualified as any man in this country to take the other side of this very interesting and important question. He was for a great many years Dean of the College of Law of Columbia University; for a short while Acting Warden of Sing Sing Prison, New York, and is now head of the Department of Criminology of the New York School of Social Work. He is well trained in the science in which he is an expert. He is called in by various states when they want to know anything about crime. He sat in as counsel for the Pennsylvania Committee in 1919, and is now conducting a very important investigation relating to the Cook County Jail in Chicago. I am sure we are very much privileged to be able to hear from Dr. George W. Kirchwey of New York, who will present the other side of this important question.

THE DEATH PENALTY

GEORGE W. KIRCHWEY, L.L. D.

I am glad to find myself on this occasion pitted against my friend, Colonel Chamberlin, the intrepid leader of a lost cause. I was reluctant to engage in the contest, not because the cause is not worth the battle but for the reason that both the protagonist and the antagonist seemed to me little more than bubbles on a stream whose course we could do little or nothing to affect. Nothing that he can do or say will stay its course; nothing that I can do or say will accelerate it. For we are both of us a part of that resistless tide of humanitarianism which, more powerful than any propaganda, more conclusive than any argument that we may employ, is sweeping on to the elimination of the death penalty.

Looked at in the perspective of time, what a short period it is in which the more tender sentiments, which are the better part of our human endowment, have gained the ascendancy over the more cruel and bestial half of our human nature. From the dawn of history life has been a shambles. We talk of the sacredness of human life but that sacredness is not a fundamental principle or an original endowment of humanity but an achievement, or, shall I rather say, an aspiration of what I have ventured to call the better part of our dual nature. As described by Tennyson it is a process—that of working out the beast and letting the ape and tiger die. And today, even in the imperfect degree to which that process has been carried in our own humaner civilization it is a possession of only a small part of the world. In this morning's paper there is an appalling picture drawn by Maxim Gorky, of the incredible cruelties that are the note, one may say, of every day life in Russia. The revolution in that ill-fated country was only the release of instincts and passions which are characteristic of a backward people whose daily life is an orgie of cruelty—cruelty of the "red" to the "white", cruelty of the "white" to the "red", cruelty to women, cruelty to children. There is enough cruelty of all those kinds among us, God knows! but in our land it has happily become only sporadic, not an integral part of life itself and here it has no longer any official recognition except in the persistence of the death penalty for murder and a few other crimes.

It was the great Beccaria who, in 1764, a little more than a century and a half ago, sounded the death knell of official cruelty. When this epoch-making pamphlet "Crime and Punishments" was given to the world, torture—torture to enforce confession of guilt—was prescribed and practiced as an or-

dinary incident of legal procedure in every country of continental Europe (it had never been sanctioned by the English Common Law) and death was the ordinary penalty for crime. According to Blackstone there were not less than 163 forms of crime punishable by hanging in England in his time. That Beccaria spoke not for himself alone or for the humanists of his day is demonstrated by the fact that his words went like a clarion call over the continent and resulted in the all but complete abolition of torture and the disappearance of the death penalty for most offenses within the short term of a single generation.

England, which is little affected by movements of thought on the continent, clung to her drastic system of capital punishment for still another generation, striving vainly to stem the tide of criminality by adding new offenses to the death list—the number of crimes punishable by death having, we are told, been doubled in the reign of George III. But the humanitarian sentiment that reformed the criminal codes of the Continent, wrecked the criminal code of England. Juries refused to convict until parliament was forced to choose between letting criminals go free and substituting a milder penalty.

But the struggle for

“The nobler modes of life;

With sweeter manners, purer laws”

in England was a long and bitter one. Even as late as 1837 there were still 37 capital offenses on the statute book, a number which was shortly thereafter reduced to two—wilful murder and treason.

It is disconcerting to read the literature of that long and acrimonious debate. Mr. Chamberlin hasn't advanced an argument for the retention of capital punishment for murder that was not employed by Lord Eldon, Lord Ellenborough and the great Paley for its necessity in cases of shop-lifting and for stealing a handkerchief from the person, and I shall say little or nothing that was not better said by Romilly and Sir William Mackintosh. As one looks back one feels how futile was the debate, how irresistible the tide that discredited and then swept away that ancient survival of primitive cruelty.

In the great debate, then and now, I find three arguments for the retention of the death penalty.

First. The human need of meeting violence with violence, crime with expiatory vengeance. “I think it highly desirable that criminals should be hated”, said Mr. Justice Fitzjames Stephen,* and “that the punishments inflicted upon them should be so contrived as to give expression to that hatred”.

*Sir James Fitzjames Stephen, *History of the Criminal Law of England* (1883) Vol. II. P. 82.

Second. The social necessity of eliminating from society those who are a menace to its life and security.

Third. The necessity of imposing a punishment which will have the maximum deterrent effect on others who are under temptation to commit similar offenses.

Let us briefly examine these arguments:

The first of these may, I am sure, be summarily disposed of. While, I believe, the vindictive sentiments is latent in all our hearts and finds expression in many features of our punitive legal system, it is no longer respectable to avow it or to admit its existence. No protagonist of that system would today subscribe to Justice Stephen's declaration of principles. Mr. Chamberlin would be the first to disavow the doctrine that criminals should be hated and that the law should be so framed as to declare and encourage that hatred. The growth of humanitarian sentiment in the last generation has put the quietus on that argument.

The second argument is defective because of its unscientific selection of those who are, for the good of society, to be eliminated. From the point of view of eugenics there is, abstractly speaking, something to be said for a policy of elimination of the socially unfit. But why pick on the murderer? He is by no means the worst of the lot. On the contrary he is the one who is chosen by the prison warden for tasks involving trust and responsibility both within and without the prison wall. On the convict farm of a great Western Penitentiary a few months ago, I found thirty-five murderers in the colony of fifty-two men who were working and living practically unguarded at a distance of several miles from the prison.

I was new to prison life when, at Sing Sing in the winter of 1915-16, the Principal Keeper, an old prison official, applied to me for instructions as to the guarding of the squad of thirty inmates whom he had selected for the duty of cutting ice on the pond outside the prison wall. He couldn't spare keepers to guard them. I asked him what kind of men he had picked for the work, "The best men in the prison", he answered, "every one of them a lifer." Now, a "lifer" is a man who is doing a life sentence for murder.

The argument for the elimination of the murderer as a menace to society is founded on an assumption which everyone who has an intimate knowledge of men convicted of murder knows to be baseless, namely that murderers are murderers by nature, men prone to kill, or, on the other hand, that they constitute a professional class like burglars, pick-pockets, robbers, and the like. Both these types may be represented among those whom the law has branded as murderers but they constitute an insignificant fraction of the total number. Among the thirty men whom I knew in the death-house at

Sing Sing and the 200 or more who were "doing life", I found only half a dozen who seemed to answer that description—one of them a reputed "gun-man" from New York City, who became violently insane a few days before his execution, and the other the only person I ever knew who seemed entirely devoid of any sentiment of pity or sympathy and who was diagnosed by the physicians as a psychopathic personality. Doubtless the execution of these two was no loss to the world, but most of the others seemed to me to be of the type described by Sir Basil Thompson, the head of the British Secret Service (Scotland Yard), in his recent work: "You have to be in charge of a prison", he says, "in order to realize that the murderer is rarely a criminal by nature at all. But for the grace of God he is just you and I, only more unlucky. Most murders are committed without any deep laid plot. . . . The murderer is repentant and is planning only how he can earn an honest living after he is discharged."

If this seems a bit too sweeping, let me assure you that it is far nearer the truth than is the popular conception of the murderer. I made it my business to know every man in the death house while I was at Sing Sing. The only characteristic that they had in common was that they were sick, tortured souls over whom hung the pall of the awful fate that awaited them. Only a few of them were criminals in the ordinary sense of the term and one, whose death sentence had been commuted to imprisonment for life, complained to me of the fact that he was in a situation where he could get so little decent companionship. There were so many crooks. A few of my murderers were obviously feeble-minded, a few apparently insane or psychopathic, but most were of the kind described by Sir Basil Thompson, men who, but for the accident of fate—some jam in the wheels of life, some uprush of upsetting emotion, some bewilderment of the faculties—might have been even as you and I are this day.

I trust that, in thus controverting the popular notion as to the character of the man who kills, I shall not be suspected of being insensible to the horror of his crime. When people speak of the sacredness of human life, I, like other well-regulated folk, think rather of the innocent victim and of those bereft by his slaughter than of the fate which society pronounces on the slayer. But no pity for the victim, no sentiment or horror which the crime arouses can absolve us from the obligation to deal with the offense and the offender in the interests of humanity and of the welfare of the community. The sentimentality which impels us to strike out blindly and savagely at the murderer is as weak and foolish as the sentimentality that sees in him only a pitiable victim of a murderous system of justice. Both are equally unworthy

of the good citizen, both equally destructive of the moral tone of a civilized society.

To such a society, governed by reason and not by passion, all murderers will cease to look alike, and the popular picture of the murderer as the pestilential enemy, whom it is necessary to kill as one kills a man-eating tiger, will find its proper place along with other outworn delusions with the heretic, the witch and the man possessed of a devil.

With the third argument for capital punishment—the value and the necessity of the death penalty as a deterrent influence—we enter a wide field of conjecture. A humanitarian age puts the burden of proof on those who would maintain the barbarous practice, but no proof is forthcoming. The statistical evidence is, at best, negative or conflicting. Isolated instances which seem to show the efficiency of the remedy are matched by other instances which show the contrary. If Colonel Chamberlin can point to a reduction of the murder rate in Chicago following upon a rigorous enforcement of the criminal law, I can cite orgies of homicide following upon a single execution. Thus the hanging of the notorious Kemmler at Auburn Prison, New York, a few years ago was celebrated by twenty-four murders in New York, ten in New Jersey and ten in Pittsburgh, all within the space of thirty days. Editors of leading newspapers in several cities called attention to the startling coincidence and demanded evidence that the infliction of the death penalty did not operate as a direct incitement to murder. On June 21, 1877, ten men were hanged in Pennsylvania for murderous conspiracy. The New York Herald predicted the wholesome effect of the terrible lesson. "We may be certain," it said, "that the pitiless severity of the law will deter the most wicked from anything like the imitation of these crimes". Yet, the night after this large scale execution, two of the witnesses at the trial of these men had been murdered and within two weeks five of the prosecutors had met the same fate.* In the latter part of the year 1915, Police Lieutenant Becker and four gun-men, alleged to have been hired by him, were electrocuted at Sing Sing for the murder of Rosenthal, a New York gambler. Yet, when I was warden of Sing Sing in the early months of 1916, there were in the death-house five men awaiting execution for murders committed under precisely similar circumstances only a few weeks subsequent to the execution of the gun-men.

Let us beware of the argument *post hoc ergo propter hoc*. It is a notorious logical fallacy. Let us also guard against "the will to believe." It is the great enemy of reason.

Turning from this wilderness of single instances, in which the heedless traveler may so easily lose his way, I do not pro-

*A. F. Schuster, in the *Nineteenth Century*, October, 1912.

pose to lead you into the more impenetrable wilderness of criminal statistics; and that for two reasons. In the first place, we have no trustworthy statistics of murder in the United States. The two sources of information on which we are compelled to rely, the Chicago Tribune, and the United States Census Bureau, derive their information from newspaper stories of crime and from the imperfect and oft-times garbled reports of the police as to crimes reported to them, and the two authorities are wide apart in their conclusions. In fact the Chicago Tribune reports nearly twice the number of homicides that the Census Bureau is able to discover. But even if our figures were reliable we should still be far from establishing a relation between murder and the death penalty, inasmuch as the statistics do not discriminate between wilful and accidental or excusable murder. The criminal law recognizes six different varieties of homicide—murder, first and second degree; manslaughter first and second degree; excusable homicide and justifiable homicide—only the first and rarest of which, deliberate and premeditated murder not committed in the heat of passion or on a sudden impulse, is punishable by death. As only a trial can determine to which of these classes a given homicide belongs and as only a small percentage of known homicides are, in fact, ever brought to trial, it is certainly “going some” to argue from the general homicide rate in a given year to the efficacy of the death penalty as administered in the same city or county during the preceding year.

Colonel Chamberlin has told us that in 1921, following the fifteen hangings and death sentences of 1920, the murder rate fell off fifty-one per cent. in Chicago. Let us accept his statement, incredible as it seems and in the face of the fact that it is disputed by an eminent criminologist.* Colonel Chamberlin says “murders,” but he means “homicides.” The only actual murders that he knows of are the handful in which a verdict was rendered after a trial. He knows no more than you or I do how many of the other homicides were wilful and deliberate murders. He is assuming, as a fact, a thing that has never been established and one that is in the highest degree improbable, namely that there is a constant ratio, year by year, between the number of wilful, deliberate murders and the total number of homicides committed. I venture to say that there is not even a speculative basis for such an assumption. It is a blind guess, a leap in the dark.

In turning now to the second point of my argument relative to the bearing of homicide statistics on the question of the deterrent effect of capital punishment, you may wonder why

*Professor Edith Abbott of the University of Chicago, in *Journal of Criminal Law and Criminology*, Vol. XIII, pp. 351-5, to the effect that there was a marked rise in the homicide rate in 1921 over 1920.

I should have been at such pains to prove their worthlessness. For the fact is that, taking the figures at their face value, they prove absolutely nothing for or against the death penalty. The figures as to the percentage of homicides in states and countries having the death penalty and in those that have abolished it, practically cancel one another. In some places, here and abroad, there appears to be a slight rise in the homicide rate following the abolition of capital punishment. In at least as many others the statistics are to the contrary effect.

The data relating to this phase of the problem have recently been studied in detail by Governor Harry L. Davis of Ohio,[†] who compared the homicide rate "before and after taking" in the five states (Missouri, Tennessee, Oregon, Washington and Arizona) which, after a repeal of the death penalty, had recently re-enacted it, and who made a similar comparison as between states which had abolished capital punishment and others of like economic social conditions which retained the death penalty. The following paragraphs may be taken as fairly representative of the entire report:

"In the Eastern group of States, Maine, without the death penalty, has the lowest homicide rate in the country—1.5 for each 100,000 inhabitants from 1915 to 1919, with New Hampshire's ratio just a fraction higher, with capital punishment. Rhode Island, an abolition State, averaged 3.3 murders, as against its neighbors, Vermont, Massachusetts, and Connecticut where homicide ranged from 2 to 3.9 per hundred thousand population. In the Middle West, Michigan, Wisconsin and Minnesota, without capital punishment, are shown by the same statistics to have a homicide rate of 4, 2.2, and 3.2 per hundred thousand, while the corresponding average in Ohio, Indiana and Illinois, with capital punishment is 7.8, 5.1, and 7.5 respectively.

"No Southern state is without capital punishment; but in the West the record of Kansas of 6.8 homicides per hundred thousand population, with no capital punishment, is comparable with Colorado with an average of 9.2 and Utah of 5.6 where the death penalty prevails."*

And this is Governor Davis' conclusion: "It is thus easily to be seen that, on the whole, it appears to make little difference in the prevalence or scarcity of homicides whether the punishment is death or life imprisonment. In fact, there would seem to be a slight lessening of homicides where no death penalty exists. At any rate, these figures tend definitely to show that the deterrent of capital punishment is largely mythical and merely an imaginary factor."

[†]Death by Law, The Outlook, July 26, 1922.

*The more elaborate statistics, covering a longer period of years, given in Bye's Capital Punishment in the United States, pp. 12-46 are to the same effect.

The same uncertainty and vacillation with respect to the efficacy of capital punishment which we have noted in this country appears to prevail in Europe and other foreign countries as well. Where, as in Holland, Italy, Norway and most of the Swiss Cantons, the death penalty has long been dispensed with, no increase in homicidal crime has resulted. In some of those countries, indeed, there has been a notable decrease as, for example, in Italy, where it is reported, there have been no executions since 1876 though the death penalty was not formally abolished till 1888. It is significant that, following this legislation, the percentage of homicides based on 100,000 population fell from 9.68 for the period 1860-1886, to 6.93 for the period 1890-1892 and to 5.52 in 1903.** It would be absurd to claim this reduction in the homicide rate as a consequence of the abolition of capital punishment but it may well be viewed with alarm by Colonel Chamberlin and others who believe that only that society is safe which lives under the shadow of the gallows. The only conclusion that can be ventured on is this: that there is not a scintilla of evidence that the abolition of the death penalty in any American state or in any foreign country has had any appreciable effect on the security of life in the community that has ventured on the experiment.†

This may seem to some of my hearers a lame and impotent conclusion, but it is something to have made good the Scottish verdict, "not proven." Once out of the labyrinth of statistics we shall find light on the path that we have to traverse.

1. There is first the light of history.

It must not be forgotten that the death penalty, which is struggling on to its inglorious end among us today, has been tried before on a colossal scale and judged and found wanting. Reference has already been made to the savage penal system maintained in England for half a thousand years when the hangman lay in wait for every petty offender. But what is not generally known is that the growth of this system represented the desperate effort of the better elements of the community to cope with an increasing flood of criminality. To produce the maximum deterrent effect, the execution of malefactors was made a public spectacle attended by curious or morbid crowds in which thieves and robbers and murderers plied their trade. But it was of no use. As death penalties multiplied, capital offenses multiplied, until the whole abominable system collapsed in the weariness and disgust of the commons of England. And then, as the social histories of the last century show us, as the gallows faded into the background of English life a new sense of law and order and of

**Handbook on Capital Punishment, National Committee on Prisons and Prison Labor, New York, 1916.

†For statistics see article by A. F. Schuster, above referred to.

the worth and dignity of life came to pervade the community and we find ourselves in "The glad, confident morning" of Victorian England.

I draw no unwarranted or extravagant conclusions from this picture. I don't ask you to believe that this social transformation resulted from the abolition of the death penalty but only that the two processes went hand in hand in the swift amelioration of manners that marked the period, and, further, that the bankruptcy of the death penalty as a means of curbing crime was once and for all time demonstrated.

2. Then there is the light of experience.

It has become a truism that it is not the severity but the certainty of punishment that gives it its deterrent effect. We recognize this at once in the case of the dog or the child in whom we seek by the dread of punishment to form the habits that we think it desirable to inculcate. Is the case different with children of larger growth? If these are more reflective, they are also shrewder, more given to calculating changes. Who can tell me what the danger of detection and punishment is in the case of the man or woman plotting a murder? In England, with their highly efficient methods of administering criminal justice, it is calculated that they get and punish one out of six malefactors. In this country with our more slipshod methods of detection and criminal procedure, it is estimated that not one murderer in ten is apprehended and not one in twenty punished, and that one rarely with death.

Can it be seriously argued that phantom terror such as this can exercise any serious deterrent effect? In the year preceding Colonel Chamberlin's banner year of 1920, when, as he tells us, by superhuman effort seven men were executed and eight more sentenced for murder, there were, according to his own statement 330 murders committed in the same jurisdiction. What fact will be most likely to affect the purpose of a subsequent gun-man—the 4.5 per cent. who were unlucky enough to be caught, convicted and hanged—or the 95.5 per cent who escaped the legal penalty.

Mr. R. T. Bye, in a work previously referred to declares that out of more than 7,000 homicides (estimated) in the United States in 1917 only 85 were executed. "That means," he says, "that only one man in 80 who commits a homicide suffers death for it. . . . Of course not every homicide is a deliberate murder but, even if not more than half can be so classed, it is still true that one murderer out of every 35 or 40 escapes the full penalty of his act. These figures render the deterrent argument in favor of capital punishment extremely weak. Every criminal knows that few murderers are executed and he reasonably expects to be one of the 34 out of 35 who are spared the extreme punishment."

This chancy character of our criminal procedure is due to a variety of causes, ranging from the sensational and inefficient methods of the police and detective service to the technicalities imposed on the trial procedure by our appellate courts and the ease with which the pardon power can be called into play. Perhaps the worst feature of the system from this point of view, is the delay in bringing the offender to justice. Everyone recognizes that the deterrent effect of punishment depends on its swiftness as well as on its certainty. The criminal who has lain in jail or been at large for months or years, until everybody has forgotten him and his crime, comes to be regarded as the victim of a system which kills to make good rather than an awful example of the consequences of crime. Last year there were four men executed in the Cook County Jail, Chicago, who had been kept in confinement there for from 15 to 18 months. In the death-house in Sing Sing Prison, in January, 1916, there were eighteen or twenty men awaiting death in the electric chair, over half of whom had been waiting more than a year, several more than two years and one nearly four years. The last named had had three trials and was expecting a fourth.

Let us recognize the fact that there is a widespread movement afoot in this country to remedy these evils and to make our criminal procedure more swift and certain. The crest of that wave is represented here this evening by Colonel Chamberlin, the capable executive head and director of the Chicago Crime Commission, which was created under his inspiration for that very purpose: Power to his right hand! That our processes of criminal justice shall cease to be the "disgrace to our civilization" which President Taft in 1909 declared them to be, is a consummation devoutly to be wished. I suspect that if I were here and now to put to Colonel Chamberlin the direct question: "Do you really believe that our penal law as at present administered in Chicago or elsewhere in this country really operates to any considerable degree as a deterrent to murder?" he would answer: "Perhaps not at present; but we hope to make it so." Certainly he believes that, if it is not now a deterrent, it can and will be made so in the future. Frankly, I cannot share that belief. The present movement will not, I am sure, be barren of results. With a growing sense of judicial responsibility and a new spirit of co-operation between the courts and the prosecuting attorney, we may, indeed hope that there will be a speeding up of the criminal process, with the elimination of many of the technicalities which now too often make a farce of criminal justice: but I submit that nothing that we can hope to accomplish in that direction will relieve the death penalty of its precarious char-

acter. It will to the end be a gamble, with the chances enormously in favor of the murderer.

For this conviction I have two reasons—the increasing unwillingness of juries to convict of murder in the first degree and the inveterate tendency of governors of states to employ the pardon power to save men from the gallows or the electric chair. In Chicago recently I found the judges of the criminal court, the State's Attorney and Colonel Chamberlin all together lamenting the fact that, however clear the case, juries would not convict in capital cases. I hear the same cry in New York, here in Detroit, in many other cities. It is country-wide. In the same way there comes to my ears complaints of the abuse of the pardon power. And, then, more sinister still, I hear the charge that in all but the worst or most sensational cases, there is a tacit conspiracy between judges and district attorney and jury to cheat the gallows of its victim.

What does Colonel Chamberlin propose to do about this? Will any improvement of the machinery of criminal justice give us hard-boiled law fearing judges and jurors and prosecuting officials and governors? Don't you see that what we are up against is the very situation that wrecked the English penal system of a century ago by this identical process of bringing it into contempt? You may call it sentimentality, if you please; or you may denounce it as lawlessness. That may do you good, but where does it get you? It is a fact, a terrible fact, that you, Colonel Chamberlin, and those who, like you, believe in the possibility of making capital punishment an instrument of effectual restraint of murder must take into account. There is no such thing as the automatic enforcement of law. Law is law only in so far as public opinion permits or compels its enforcement, and public opinion in the United State has set the seal of its condemnation on the death penalty.

3. And finally there is the light of psychology.

Thus far, in arguing for and against the deterrent effect of the death penalty, we have given little or no consideration to the state of mind in which murder is almost invariably committed. In taking up this phase of the problem we emerge from the field of conjecture into the clear light of scientific knowledge.

The old, naive conception that every act of our lives is a calculated, purposeful effort was still dominant when the battle over capital punishment was fought in England. It has in popular understanding persisted to our own day and it still governs the policy of the law and the attitude of its agents. But modern psychology has given a rude shock to the proud conviction that we are at all times and under all circumstances the masters of our fate and the captains of

our souls. It appears that we are only to a limited extent, even in our calmer moods, the thinking and planning creatures that we deem ourselves, that reason plays a subordinate part and that impulse and habit determine most of our activities. This is especially true at times of great emotional excitement or under intense strain, when we "see red" and plunge into action with little or no reflection. Even reflection at such times is little more than a rehearsal of grievances, a brooding over real or fancied wrongs, a process which distorts the perspective and confuses the issue instead of clarifying them.

Read the accounts of the murders that fill the columns of our newspapers and try to estimate the extent to which cool reflection and calculation of consequences enter into the act. Even when in the legal sense the act is deliberate, note how inevitably, under the circumstances the ordinary processes of reasoning are suspended or confused or pushed into the background. It is almost true to say that in a civilized community nobody in his right mind kills or can kill another in cold blood. Call the person normal if you will; his act is abnormal and the result of an abnormal state of mind in which the calculation of consequences is out of the question. "My God! What have I done?" was the cry of a murderer after the commission of his act, an act of "deliberate" killing, for which he would have paid the penalty of death in Sing Sing if a tender-hearted governor had not commuted the sentence to imprisonment for life. I strongly suspect that nine murderers out of ten echo that same despairing cry. With the shock of realization, after the awakening, their bloodstained hands and souls overwhelm them with the horror that you and I would experience. And if the murderer should be, as he often is, feeble-minded or a psychopathic case or the victim of insane delusions, how futile it seems to throw across his path the dim shadow of the far-away gallows or electric chair.

You do not invalidate this reasoning by pointing to a few actual or hypothetical cases where murder has been deliberately plotted with the death penalty in mind. These are the exceptional cases and I can see neither reason nor justice in the policy of hanging or electrocuting a hundred men for the sake of deterring one, like Colonel Chamberlin's monster.

It is upon these unstable foundations that the whole structure of capital punishment stands. But the argument against the system is not confined to the demonstration of its worthlessness as a safeguard of human life and security. It is itself a menace to human life and security. It works out its fatal results through an elaborate mechanism of so-called justice, which is itself so imperfect that it inspires dread rather than confidence. From the police administration, which subjects three persons to the ignominy of arrest for

every one held for judicial action, to the jury trial and the judgment on appeal, it is what President Taft called it—a disgrace to our civilization. No one has criticized the system and its procedure more severely than Colonel Chamberlin. What has stirred his righteous indignation is the inefficiency which lets the vilest criminals go unscathed. What has excited mine is the slaughter of the innocents. How many innocent men undergo the death penalty will never be known. Dead men tell no tales and few of them find such a vindicator as the pitiful Colas found in Voltaire. Sir James Mackintosh declared that least one innocent man was hanged by the High Court in England every three years. How many do you suppose our five hundred American criminal courts, with their less exact procedure, execute every year?

I am not referring to the numerous cases of those, technically guilty of murder who are doomed to death by the antiquated test of mental irresponsibility to which our criminal law clings and which makes no allowance for newly discovered forms of mental disease and defect. One such case in the Sing Sing death-house I shall never forget—a pathetic Italian, submerged in melancholia, who had taken the life of his only child in order to save it from the misfortune of living in such a world as the father had found this to be. What I have in mind is the enumerated cases of actual miscarriage of justice. Such was the case of Charlie Stielow, four times brought by successive reprieves to the very threshold of the death chamber in Sing Sing and finally pardoned through the discovery of his complete innocence of any connection with the murder of which he had been convicted. It was only the chance discovery of a clue and the persistent devotion of new-found friends that saved this man to go back and resume his blameless life with his wife and children. Lord Shaw of Dunfermline, the distinguished Scottish lawyer and judge, who was the honored guest of the American Bar Association at its recent meeting in San Francisco, tells us that he became an enemy of capital punishment through a similar accidental discovery of the innocence of a client who had been convicted of murder and whom he, himself, had believed guilty.

Not every one tried for murder has such a lawyer as Lord Shaw nor such friends as Charlie Stielow found, and chance works too fitfully to be depended on to save all the victims of justice. The type of lawyer that falls to the lot of the poor in our criminal courts, their friendlessness and lack of financial resources, leaves them too often at the mercy of the shrewd and practised district attorney whose business it is to convict and who cannot afford to indulge the scruples or to encourage the doubts that hamper efficiency. Clearly, for such as these, the dice of justice are loaded.

But I would go further. To those who, like Colonel Chamberlin, believe in the perfectibility of our system of criminal justice and who entertain the vision of a system that works with the swiftness, the precision and regard for human rights of the English system, I have this to say: No human instrumentality is fit to pronounce and execute an irrevocable judgment. Only omniscience, directed by infinite wisdom and charity, can be entrusted with that awful power. "Vengeance is mine; I will repay," saith the Lord. And to us he says, "Judge not that ye be not judged." So, like Lafayette, "I shall continue to demand the abolition of the death penalty until I have the infallibility of human judgments demonstrated to me."

Here, on the bare plane of justice and expediency, we might let our argument rest, in the full confidence that a system which violated both those canons of civilized living cannot much longer be endured. But the problem has a deeper aspect. Justice and expediency are not enough. The whole upward struggle of humanity is an effort to realize and consecrate new human values, a nobler range of feeling. It is not enough to "let the ape and tiger die"—The one must be supplanted by the man, "looking before and after"; the other by the finer feelings which are embodied in the humanitarian sentiment to which I have previously referred. What, then, can be said for a system of punishment which keeps reviving in us the sentiments of hatred and cruelty which are our worst inheritance from our animal forbears? We aim to inculcate a respect for human life by ourselves showing our contempt for human life. Some of the most tragic effects of this procedure have been noticed in an earlier part of this paper. But there is no way of estimating the more general and subtle demoralization which it produces. It is probably no exaggeration to say that every execution is accompanied by a distinct lowering of the moral tone of the entire community. Its only redeeming feature is the horror it excites in more sensitive natures. To the much larger number, to whom it presents itself as an act of vengeance, a gratification of primitive blood-lust, it is an unmixed moral evil.

From this point of view, there is little to choose between the various methods that are "mercifully" employed to inflict the death penalty. The guillotine, the hangman's rope, the electric chair, the lethal chamber—all are equally revolting to humane feeling, all become equally sensational, all are equally cruel. Indeed, the cold blooded, deliberate killing of the criminal by the state, by whatever method, is the refinement of cruelty, and the victim dies a hundred deaths before he is mercifully relieved by the actual extinction of life and feeling.

In this study of the system of capital punishment, I have left for the last, what seems to me, from the point of view of social betterment, its worst effect—that it supplies a psychological refuge from the duty of dealing realistically with the problem of the persistence of murder in our civilization. “Off with his head. So much for Buckingham!” cried the king. It was done and that was the end of Buckingham. Nothing could be simpler—if there was only one traitor to be dealt with. But, if Buckingham was only a type or a symptom, what a lame and impotent conclusion it was, after all!

A profound student of human nature* has recently reminded us that “causes are not excuses,” meaning that our immediate concern is the character of the individual, not how he came to be what he is. The question for us, however, is not how to deal with the individual but with a condition of which the individual is only a symptom, and from this point of view our concern is the causes that have made him and others like him what they are—not to find excuses but remedies.

It is an over-simplified view of a complex social phenomenon that makes it possible for us to believe that a grave menace can be seriously modified by the processes of legal justice. I am sure that Colonel Chamberlin will agree that such a phenomenon as the persistence and increase of the murder rate in our civilization has a profounder cause than the inefficiency of our system of criminal justice and that if we are to eradicate or even appreciably modify the evil, we must go to the root of the matter, find the deep lying causes and deal with them. It is not the murderer, but murder, that is the enemy. The primitive method of striking blindly, in impotent rage, at the life of the offender has had its day, but it still obscures our vision as to the real nature of our problem. Let us here and now dedicate ourselves to the task of bringing in the new day when justice shall have become humane and humanitarianism wise and both shall work together for a better social order.

Chairman Bates: Inasmuch as Dr. Kirchwey has asked Colonel Chamberlin some very direct questions, and inasmuch as he has the affirmative, we think he should have five minutes in which to reply to Dr. Kirchwey.

Colonel Chamberlin: I appreciate as you do the keen presentation of this subject by a very wise and adroit lawyer, who has intrigued your interest and sympathy. I also realize that my experience and observation has been confined to a local zone and that the statements I have made have not been based on scientific data, but only upon an observation which must be considered wholly experiential, having extended over a period of less than four years.

*John Dewey, *Human Nature and Conduct*.

I do believe that the fear of death is a deterrent to all deeds. It is to me. I am afraid that there have been occasions during the time I have been active in the work which I am now engaged in, that I should have committed a murder or two if I didn't feel the penalty of death. (Laughter) Life imprisonment at the Honor Farm, as conducted in Illinois, would have been a rather pleasant way for me to end up the years I have given to some causes in Chicago. But I cannot agree with Dr. Kirchwey that we should hang gold medals on murderers. If of course the fear of death is not a deterrent, as I said at the beginning, the death penalty should be abolished; capital punishment should be set aside. I have found in my experience and in a very considerable conversation with men of the underworld and I might qualify as to my knowledge there; I never was a party to the operation; that I spent seven years as a night police reporter in the City of Chicago in the earlier days and four years in the Criminal Court, and then had a long criminal career as a newspaper man. (Laughter.) I have been in the Military Intelligence service and have commanded combat troops and I have found in times of stress that the only possible way to control groups of men was to threaten them with death. Men went on of course in battle up the hill, over the top, anywhere they were ordered when they were swept by their patriotism or perhaps, as was I, the fear to not go because of what the others would say. I think that actuated me more than any patriotism or desire to be a hero,—the fear of being called yellow always made a man go on unless he was very deeply yellow. If he was just a little yellow, he went on. (Laughter.) But men could only be stopped from looting; they could only be stopped from assaulting women, men who came from as good families as you or I, out in the field for six months, coming to a place and having seen no women for all that period, they had been denied everything in the way of rest and refreshment, and had seemed to have lost all sense of decency, and would conduct themselves like beasts regardless of any punishment you could give them in the line of confinement, but when they were told if this shop was looted or that house pillaged, or this woman violated that they would be taken over there and "good night" it didn't happen. It was the fear of death that stopped them. And I think in that drive in Chicago, I don't believe that our activity was the cause of the reduction of murder 51 per cent. in that year; there were other circumstances surrounding it. One was it was such a tremendous percentage or decrease, because during that year we had a race riot and there were 64 people killed, and, by the way, not one of the 64 has ever had anybody punished because of those deaths; they never found anybody; nobody has been tried or

convicted. It was a black and white war in Chicago. But we did find in our talks that we had with certain crooks I know well and because that investigators for the commission had with others, that they knew well, and some of my men who are secret service men, tried, trustworthy, experienced and are not known as operatives, brought back the word that the underworld was stampeded and alarmed because they said at that time that over on the north side, because the jail is on the north side of the river in Chicago, "Over on the north side they are getting out the yellow tickets and we must be careful." And it was true and they were frightened; they were afraid they would go to the "coroner" as they expressed it, if they were caught, and a great many of the burglars and the robbers apprehended were not armed because during that period the feeling that they might be apprehended and found with arms, or if they committed a murder, they would be hung, terrorized them and they didn't commit these depredations. That may or may not have any bearing on this. It was just an experience we had in the local zones of Chicago.

Dr. Kirchwey referred to Beccaria. I have in my hand that priceless volume, which is not mine, which was loaned to me by a friend in Chicago, "An Essay on Crime." I began to read it when I was notified by Mr. Bates that Dr. Kirchwey was to talk and I am going to read one or two paragraphs from various sections of the commentary that is attributed to Voltaire. And most of this you will discover, is not in favor of the position I have taken as to capital punishment, but I want you to remember at the time this book was written you could be hung for spitting on the sidewalk, and I advocate only the death penalty for murder, where the murder is committed in or during the commission of the crime. Some of this is so naive and the situation hasn't changed at all in all the years that I want to read to you two or three having no particular bearing and as a matter of fact rather weakening the presentation that I have tried to make on the Punishment by Death.

Chapter 10. "It hath long since been observed that a man after he is hanged is good for nothing." (Laughter.) "And that punishments invented for the good of society ought to be useful to society."

The contention there is of course it is useful to society to have a man who might murder somebody else away, and, by the way, in this state not long ago, I forgot the name of the man, a fellow who was sent to the penitentiary for murder at Lansing has already killed four or five different keepers in the last six months in his attempt to escape and he is still there and ready to kill a few more of them.

"The more immediate after the commission of crime punishment is inflicted, the more just and useful it will be."

I think in that instance all of us agree thoroughly.

Here is the essay on the intention of punishment, and with reading of this one paragraph I will close.

"The end of punishment therefore is no other than to prevent the criminal from doing further injury to society and to prevent others from committing the like offense. Such punishments therefore, and so a mode of inflicting them, ought to be chosen as will make the strongest and most lasting impression on the minds of others with the least torment to the body of the criminal."

President Hart: The Chair will ask the audience to remain a very few moments for a little bit of a closing ceremony. I will ask the President-elect, Warden Lawes of Sing Sing Prison, and the Superintendent of the Detroit House of Correction, Mr. Stutsman, to come to the platform. (Applause.)

(Warden Lawes escorted to the platform.)

President Hart: I very much regret Mr. Stutsman is not here. Mr. Stutsman has acted as Secretary of the Local Committee. During the past year he has been indefatigable in his efforts for the success of this Conference and in making the arrangements for it. It is largely due to his diligence in making the people of Detroit acquainted with the purpose of this meeting and with its practical interest to the citizens that we have seen these splendid audiences like the one tonight and the one the first evening, and, in fact, all the way through. Not only that, Superintendent Stutsman and his wife have entertained in their own home a considerable number of delegates, and not content with that, yesterday they entertained most beautifully 500 visitors.

We have elected as President for the coming year the man who perhaps occupies the greatest point of advantage in prison work of anybody in the United States. Warden Lawes has come up by promotion and training to his present position; connected for a considerable number of years with the Elmira Reformatory, where he got his training under the great teacher Joseph Scott; he came up by Civil Service examination to take charge of the Reformatory Prison which was established by the City of New York, where he went out and lived in shacks with the prisoners and conducted that institution with such a degree of efficiency that he was selected to head Sing Sing Prison. He has an extraordinary opportunity because under the new laws of the State of New York the Sing Sing Prison becomes a great laboratory, a criminological, psychological laboratory and is to be the distributing prison for the whole of the State of New York, where prisoners will be studied, where, after the complete study and a

little psychiatric treatment and medical treatment and surgical treatment and outdoor treatment they might need, they may be assigned to that place where it is believed the most may be accomplished for their improvement and for the protection of the community.

Mr. President, I have the honor to present this gavel, and I wish you a year of work which shall be of the utmost usefulness to the community and will give you as much satisfaction as I have experienced in my efforts during the past year. I congratulate you. (Applause.)

President Lewis E. Lawes: Ladies and Gentlemen: I don't say "Mr. President," now. I am the President. I feel very keenly this honor because of the fact that I did rise from the ranks. I also feel deeply the responsibility of attempting to fill the shoes of our esteemed friend, Dr. Hart. I also feel tonight quite keenly on the question of capital punishment. I am not going, through delicacy, to make a statement of how I feel. There are 27 men in the death house in Sing Sing now. Our State has a law which is enforced where capital punishment is the penalty for first degree murder. It is a question that has been admirably handled tonight. I think perhaps both gentlemen gave the subject a great deal of thought and certainly presented it in a manner that was interesting to all of us, but it is one that you cannot help but feel deeply when you are associated so closely with it as I am.

I wish to thank the retiring President for his kind words and to assure him that I felt as if I were at my own funeral when he was talking. (Laughter.) I desire also to supplement, in behalf of the men in the ranks in this association a sense of appreciation. I desire to tell you how much we really feel indebted not only to Mr. Stutsman but Warden Hulburt and Mr. Blaney and all the citizens of Detroit, the officials of the City Institutions and the State Institutions. They have used us splendidly and given us an opportunity to look into your institutions here and some of them are indeed very excellent institutions. The prison subject is one that every citizen of every city should pay more attention to. It is part of your problem, and this organization, the American Prison Association, stands for not maudlin sentimentalism nor cruelty nor harshness of treatment; it stands for a rational programme of prison reform that will teach the man inside to be a decent, self respecting citizen when he comes out, or at least give him the opportunity to be one if he so desires to take advantage of same.

(End of Conference.)

MATTERS OF BUSINESS
MINUTES OF EXECUTIVE COMMITTEE MEETING
OCTOBER 12, 1922

Present: President Hart, and Messrs. Sehon, Butler, Sawyer, Koren, Leslie, Faulkner, Vasaly, O'Brien, and Secretary Cass.

President Hart: The Secretary will advise us as to what business will be transacted.

Secretary Cass: Report of President as to activities during the year.

(A brief report of activities was made by the President.)

Secretary Cass: Report from the General Secretary.

ACTIVITIES OF THE GENERAL SECRETARY

OFFICE ROUTINE.

1. This includes all kinds of correspondence, such as letters of inquiry relative to the American Prison Association Congress, and requests for information relative to courts, reformatories, prisons, parole, probation, etc. Many of these requests come from places outside of the United States. This work consumes considerable time.

2. Preparation of the Newsletter. We are again indebted to the head of the printing department and the boys of the St. Charles School, Illinois. The April issue was printed there to the number of 3,000, and was distributed all over the United States through a mailing list of 2,500; the balance being sent to local secretaries and others.

It was necessary to pay the full cost of printing the August issue of the Newsletter. This contained the preliminary programme of the Congress and could not be made ready in time to be handled at the St. Charles School. Five thousand (5,000) of this issue were printed and were distributed through our mailing list, in batches to local secretaries, and 1,200 directly to Detroit to be distributed by the Secretary of the Local Committee.

3. The distribution of institutional directories printed by Mr. Faulkner at the Maryland Training School for Boys, and without cost to the Association. Also schedule of meetings.

4. The preparation and distribution of 500 bibliographies, printed at St. Charles without cost.

5. The preparation of a leaflet entitled "The American Prison Association; What It Is and What It Does." Seven thousand (7,000) of these were printed and widely distributed.

6. A brown folder entitled "What About Crime and Criminals," the idea of which originated in Detroit, and which was improved upon in the one prepared at the General Secretary's office. These folders were distributed to the number of 5,000.

PROCEEDINGS.

The 1921 Proceedings were worked over first by Mr. John Koren, who was assisted by Mr. Spaulding of the Massachusetts Prison Association, then by Dr. Hart and the General Secretary, and the manuscript was again finally gone over by the General Secretary before submission to the printer. The reading of the galley and page proof was done by the General Secretary.

Six hundred and fifty-seven (657) copies of the Proceedings were ordered at a cost of \$1,547.37 to the Association, although the General Secretary is disputing a charge of \$166.00 in this bill.

Four hundred and six (406) copies were sent to members, and 100 to libraries, book agents, and other purchasers. There are on hand, in the storeroom of the office of the Prison Association, 99 copies. The balance were given as complimentary copies, or used for publicity.

The number of volumes ordered this year was smaller than that of previous years, necessarily so because of the limited funds available, and also in order to avoid the accumulation of a large number of back volumes.

The General Secretary attended for several days the National Conference of Social Work at Rhode Island in June. During his stay there he busied himself distributing American Prison Association publicity literature and urging attendance at the Detroit meeting.

After considerable correspondence, which included much urging, the General Secretary succeeded in persuading the various Passenger Associations throughout the country to grant a reduced rate fare for those attending the Congress.

Considerable time was spent in the preparation of the programme for the 1922 Congress. This necessitated several meetings of the Programme Committee, and subsequently much correspondence by the General Secretary with the various section heads.

The usual letter to the Governors was sent out on July 21st, and then about the middle of September a reminder notice was sent to those Executives who had not replied.

The membership of the Association is as follows: Life Members 5; other members 402.

In order to raise money to print the Annual Proceedings two letters were sent to members, requesting that they pay their 1922 dues in advance. The net result of this effort was

that 173 members paid. Of that number 5 became \$25.00 members and 19 became \$10.00 members. The balance of the 173 renewed \$5.00 memberships.

POSTAGE

Between November 1st, 1921 and September 30th, 1922, the following stamps were purchased and charged against the American Prison Association:

5,805	.....	2 cent stamps.
8,350	.....	1 cent stamps.
14	.....	8 cent stamps.
12	.....	4 cent stamps.
15	.....	10 cent stamps.
5	.....	5 cent stamps.

The bulk of the letter writing postage was charged against the Local Fund, also the postage for Newsletters and all publicity matter.

The postage for sending out the 1921 Proceedings was rightly charged against the General Fund of the Association, and also postage charges incurred in the sending out of literature in answer to requests made to the Bureau of Information of the Association.

Additional publicity was gained for the Detroit Conference through newspaper items in various parts of the country and the following publications:

1. The Survey.
2. The Round Table—published by the Arkansas Commission of Charities and Correction.
3. The Pennsylvania Prison Society Journal.
4. The First Friend, published by the Society for the Friendless, Topeka, Kansas.
5. The Journal of Criminal Law and Criminology.
6. Better Times, New York.
7. The Wayne County Medical Society Journal.
8. The Probation Bulletin, published by the National Probation Association.

Most of these publications have a very large circulation. The Survey for instance, has a circulation of approximately 15,000, the Probation Bulletin 2,000, and the First Friend has a circulation of over 17,000 in 12 States.

The General Secretary, in company with President Hastings H. Hart, visited Detroit in April, to discuss plans relative to the Congress.

This year charges were made against the General Fund of the Association by the New York Prison Association for clerical services, and stationery not directly purchased by the American Prison Association, but used for the purpose of the American Prison Association. These charges amounted to \$166.43. I think it unnecessary to emphasize that this is en-

tirely disproportionate to the amount of service rendered. The General Secretary's secretary is paid by the Prison Association of New York, and has devoted a considerable part of her time during the year to American Prison Association correspondence, the keeping of necessary records such as the payment of dues, distribution of Proceedings, Newsletters, etc. In addition to this other members of the staff have been frequently employed in matters relating to the American Prison Association. In other words, the staff of the New York Prison Association has to a degree functioned as the staff of the American Prison Association. However, the local organization has been happy to render this service in the interests of the American Prison Association and the field of prison reform generally.

The General Secretary has been in constant touch with the Detroit Local Committee, also the Detroit Convention Bureau, and Girl's Protective League, and takes pleasure in reporting to the members of this Board the most thorough and conscientious co-operation on the part of these groups. Much has been done to advertise the Congress through the press, circular letters—several thousand—folders and leaflets.

President Hart: What will you do with the report of the Secretary?

Mr. O'Brien: I move it be accepted and placed on file.

President Hart: So ordered, unless objection is made. So ordered.

The next is the Treasurer's report to be read by the Secretary.

TREASURER'S REPORT.

The Auditing Committee of the American Prison Association approved a balance of \$533.61 on October 31, 1921. During the year, up to September 30th, 1922, there was added to this amount \$2,875.25, which represents dues collected at the time of the Jacksonville Congress, 1922 dues from 173 members, and the sale of Proceedings to libraries and others. Against this there has been charged expenses incurred for the period beginning November 3rd, 1921, and ending September 30th, 1922, to the amount of \$1,597.21. The difference between \$3,408.86, the total receipts for the period up to September 30th, 1922, and \$1,597.21, the expenses for the same period represents a surplus of \$1,811.65. However, there is yet to be deducted from this the cost of printing the Proceedings, which will reduce the surplus amount to approximately \$300.00.

President Hart. What will you do with the Treasurer's report? Moved and seconded that it be placed on file. As many as are in favor say aye; contrary. So ordered.

It is proper at this time to appoint an auditing committee of two. Will you nominate?

Mr. O'Brien: I place in nomination Dr. Butler and Mr. Koren.

President Hart: Moved and seconded that the committee consist of Dr. Butler and Mr. Koren. All in favor say aye; contrary, no. So ordered.

Secretary Cass: There are two motions pending, one introduced by Mr. Shideler which will change the methods of electing officers for the coming years. Another is that which affects a change in the name of the organization.

President Hart: Those are motions for an amendment to the constitution and under the rule, as I remember, there has to be some action by this body.

Secretary Cass: No, no action by this body.

President Hart: What is the next business?

Secretary Cass: There is need for the President to appoint tellers for the preliminary balloting and for the final balloting. It has been suggested that a communication be sent from the organization to Wardens Garvin and Pettigrove.

President Hart: I visited Warden Garvin and he is in serious physical condition. He was awaiting the verdict of the physicians as to what treatment could be had, whether any operation would avail, but while he was cheerful and courageous, it appeared to me his condition was quite critical. Mr. Garvin had a fall a couple of years ago going down the stone steps. He struck the base of his spine and he had trouble and it was treated for rheumatism before an X-ray was taken and an alarming condition was discovered there. Mr. Garvin's full term of prison service amounts to 43 years. I guess he comes next to Brockway. Don't you think that would be wise to have that brought up on the floor? The Chair would suggest someone make himself responsible for such a motion to be made and we can have the rules suspended and put it through. I am sure that the entire body of people who know these men will be delighted to extend that consideration.

Mr. Sehon: I will be very glad indeed.

Mr. O'Brien: Mr. Koren knows Mr. Pettigrove.

Mr. Sehon: There may be one or two other names of persons who haven't been considered and I would suggest inasmuch as I am to present that resolution, that these names be given to me in the next day or two.

Secretary Cass: The suggestion was made to me and I bring it to the members of the Committee.

President Hart: I think it may be well to have it understood to have some one man propose all those names in one motion.

Mr. Koren: I think one motion.

Mr. Sehon: I will be very glad to do that. I understand I offer a resolution at some fitting time that such action be taken relative to both these people and request the Secretary to prepare that.

Secretary Cass: Appoint the committee on resolutions, committee on time and place, committee on organization.

President Hart: The Chair will welcome suggestions for filling those committees if any of the members of the board have any suggestions of people that ought not to be overlooked. The Chair in filling these committees would like to give some representation to some of the newer members of the Association. I think it is always a good thing, especially where a young man takes the pains to come here at his own expense or at the expense of his State to have him feel he was in.

Mr. O'Brien: Last year I think the chairmen were appointed first and they selected the others and conferred with the members of the Board and President, and, I think, with you.

President Hart: The Committee on Organization has to get in its work during the Congress so that committee will have to be appointed early, and the Committee on Time and Place. I shall ask the different State delegates to nominate and if they fail to do so, then we will have to appoint. We will have that request made this evening. That committee has to be appointed tomorrow.

Secretary Cass: I think that is the usual time for it.

President Hart: What further business?

Secretary Cass: No further business.

Treasurer Sawyer: I am charged with the care of the money and so it is constantly brought to my attention through the year how badly off we are financially. It seems to me it is a thing for the Board of Directors to talk over. We are assessing ourselves \$5 a year, as has been done for fifty-two years, and everything costs more now than it formerly did, and whereas formerly \$5 brought in enough funds to pay for the publishing of the proceedings and the other small expenses of printing, etc., that came on during the year, it isn't sufficient now. We come along every year with a deficit and drag one year over into another. This report has shown we have taken the annual dues from practically half of the members and we have seized that to pay last year's bills and we are practically without funds. It isn't the way it ought to be.

President Hart: The Prison Association has always suffered from the fact that its constituency is comparatively lim-

ited. The National Conference of Social Work has grown to four or five thousand members, while the Prison Association has remained with a membership never up to five hundred paying members. And the consequence is our paying membership is very small. It appeared, in discussing the matter with the General Secretary at different times that it was extremely desirable to in some way enlarge our constituency, to enlist a lot of people who ought to be interested in penology who are indifferent, and we had hoped to be able to present a concrete plan. We have been negotiating with the man who has been working with the Probation Association and we ought to be able to present a definite proposition from him, and while he showed me the rough matter, it wasn't in such shape that I felt we were in condition to present it. But the success this man has had with the Probation Association led me to believe if the matter were properly handled there would be a prospect of making a material increase in our membership and revenues through a system of letters, such as he has pursued for the Probation Association.

Mr. Sehon: Wouldn't it be a good idea for the Secretary to put our condition before the members and take such action as many of them will be prepared to take?

President Hart: There was a very long and elaborate letter sent out and there were two different appeals, so the members are pretty familiar with that.

Secretary Cass: That was not only done in this letter but also done by Dr. Lewis at Jacksonville. I think one of the discouraging things is that when we made the request for the advance payment of dues we stressed the point that we needed the money and still we have only nineteen increasing their membership to \$10, and four to \$25, and the others still pay the \$5 membership. The \$5 membership, which is the minimum, gets you just as much from the Association as the \$25 or \$100 membership.

President Hart: The question arises whether there isn't a means of increasing the membership? The National Conference of Social Work have had the rule that the membership did not carry with it the proceedings.

Mr. Sehon. I don't think we ever had a harder year than last year for all of us to secure additional help for our institutions. I don't know of a year in the South more harmful to all kinds of business than last year. But things have changed. There is a general prosperity and I believe if a plea is made now that it will have twenty or fifty times the response you had last year.

President Hart: You mean in a meeting?

Mr. Sehon: Yes, sir. I think the people are governed by their local situation. I know with us last year it was the hardest year's work I ever did in my life.

Secretary Cass: Last year in order to print the proceedings we had to make a special levy. This year all we did was to ask for the payment of dues in advance. That is, the levy last year included dues plus the loan. It is mighty poor business because we are spending this year's money to do last year's business.

President Hart: What is the pleasure of the Board with reference to this matter? Will you appoint a committee or lay it over to the next meeting of the Board?

Treasurer Sawyer: Are the Board of Directors going to have another meeting while we are here?

Secretary Cass: That has been the custom. I think we shall have one, if not two.

Treasurer Sawyer: There is not much to be done unless we make the proposition to advance the dues arbitrarily. I don't mean that this group should decide on it, but make the proposition that the organization vote to increase the dues.

President Hart: That would necessitate having a committee to formulate it.

Mr. Sehon: Suppose you leave it in the hands of the treasurer to present a financial report. He can make a more earnest plea than any of us, because he is more acquainted and let it be backed up by the members who are willing to help.

Treasurer Sawyer: I think we ought to ask for \$10.

President Hart: Is there a motion to be made?

Mr. Faulkner: How much was the total expenditure last year?

Secretary Cass: \$1,549.37.

Mr. Faulkner: That is counting the money advanced?

Secretary Cass: That is exclusive of the cost of printing proceedings. To that you must add the cost of printing proceedings so it runs close to \$3,000.

Mr. Faulkner: If we had 500 members our income at the present time would be \$2,500.

Secretary Cass: Yes.

Mr. Faulkner: We haven't 500?

Secretary Cass: No, 482.

Mr. Faulkner: There is \$2,410 and by doubling it it would be \$4,820. \$4,000 would help you out?

Secretary Cass: We ought to have a minimum of \$4,000.

Mr. Faulkner: I will risk incurring the wrath of the Conference, if Mr. Sawyer presents his appeal, in making a motion that the dues be increased to \$10.

Mr. Leslie: What percentage of that 482 is local?

Secretary Cass: I am not prepared to give that.

Mr. Leslie: If we made a regular fee to those who take an active part, and then have a fee of \$5.00 to the local per-

son, because if you put it up to \$10 to the local man, he will hesitate, whereas he would pay the \$5 and I think if we had some figures along that line it would be worth looking into.

President Hart: Did you have any considerable local membership from Jacksonville last year?

Secretary Cass: No.

Treasurer Sawyer: My thought is we don't get much local at any time.

Secretary Cass: That is true.

Mr. Leslie: I just had it in my mind. I took the \$25 proposition up with my Board.

Secretary Cass: I think it is safe to state that practically the same group is bearing the burden year after year.

Mr. Faulkner: If we could get \$10 under the present running of the Association you ought to get it.

President Hart: Mr. Cass has spoken very modestly of what the New York Prison Association has done. It furnishes office rent, typewriters, and I imagine a certain amount of stationery, and Mr. Cass, the work he does for this Association if paid for at market rates would amount to a very considerable sum. I think last year Mr. Lewis put in certainly very nearly half of his time. So it is a thing we ought to consider,—the generous spirit shown by the New York Prison Association which calls for a cordial response on our part. We should not load too much of the burden on a local body.

Mr. O'Brien: I don't think there will be any complaint if dues are increased.

President Hart: The Chair is of the opinion if this comes up it ought to be put in such a way that there will be a fair opportunity for discussion. I wouldn't want to put this through without an opportunity for a frank discussion of the whole matter.

Mr. Sehon: Isn't this the most important thing to come up before the general meeting? Why not give it time for a general discussion, a discussion lasting thirty or sixty minutes?

Mr. O'Brien: That is in order anyway in business meetings. The action of the body is based upon the final findings.

Mr. Sehon: They cut those debates down.

Mr. O'Brien: That is purely in the hands of the Chair.

President Hart: The Chair will endeavor to make it as democratic as possible.

Treasurer Sawyer: When do we have a business meeting?

Secretary Cass: Monday, between five and six o'clock.

President Hart: We have taken no action on this, have we?

Mr. O'Brien: I understand Mr. Sawyer will state the financial condition and Mr. Faulkner will make a motion to bring the matter before the meeting.

President Hart: Will the Treasurer make a definite recommendation that he recommends the dues be increased, and then a motion made to adopt his report?

Treasurer Sawyer: Yes, I think so. I will make a formal statement and in clear language the people will understand and then you or someone else propose in view of this condition of things we change the dues from \$5.00 to \$10.00.

Mr. Faulkner: There is another thought, if it has the approval of the Board of Directors at this meeting, that there is a very decided need, that our income is practically \$2,000, that our disbursements are something over \$3,000 and that \$4,000, or doubling the dues, would make it possible for this organization to function smoothly, and I think that would carry weight. In other words have some action if the Board of Directors will endorse this and then the Treasurer present that.

Mr. Vasaly: Why shouldn't we endorse that now?

President Hart: We have asked Mr. Sawyer to be prepared to present that Monday. Suppose we make an adjourned meeting and let Mr. Sawyer present what he is going to put in and then let him come in with this recommendation by the Board of Directors. We can adjourn now and leave it in his hands. The Chair will entertain a motion that when we adjourn we adjourn to Saturday.

Treasurer Sawyer: I move when we adjourn it be at the call of the Chair. Seconded and approved.

ANNUAL BUSINESS MEETING

MONDAY AFTERNOON, OCTOBER 16.

President Hart, presiding. The Congress will be in order. You are aware that in February our General Secretary, our Beloved, died. His assistant, as Assistant Secretary of the New York Prison Association, Mr. E. R. Cass, was elected to take his place. Mr. Lewis gave a very large amount of time to the work of the Association. He was able to do so because he had a competent assistant who took care of details, and with the consent of the New York Prison Association, Mr. Lewis gave a great deal of his time to our work.

Mr. Cass was elected as Acting Secretary of the New York Prison Association at the same time that he was elected as

Secretary of the American Prison Association to take Mr. Lewis' place, but Mr. Cass was not favored as Mr. Lewis was with a competent assistant who could take charge of details. He hasn't up to this time gotten a man who is to fill that place and he has had to carry a double burden this year. I know something of what Mr. Cass has done because I have been in daily communication with him when in New York City, often three or four times a day by telephone. and he has devoted himself to the work with the utmost industry and fidelity, and I feel that there is due to him a recognition of the very extraordinary burden placed upon his shoulders and of the fidelity with which he has met that obligation. It has involved a very large correspondence; it has involved interviews with the Program Committee and other people; and it has involved the reading of proof of the proceedings. First Mr. Koren went through and revised the proceedings and then Mr. Cass again went through the whole thing and then he read proof on that book and put it through in addition to the rest of what he has had to do.

As President of the Association this year, having been engaged for the past twenty-five years on children's work, I desired to renew my acquaintance with the prisons. Fifteen years I was an inspector of prisons and in recent years I had not kept up that intimate acquaintance. During the past year I visited over eighty prisons in the United States and became re-acquainted with the prisons and with the administrators of those prisons, and I wish at this time to extend my grateful appreciation to the wardens and the sheriffs and the jailers and the superintendents whom I met in those explorations, for the great courtesy and hospitality which was extended to me, and I certainly not only enjoyed my intercourse with these people, but I absorbed a very large amount of information which I wish I were able to give over to you, as I have been able to observe these prisons in the somewhat impartial way. I have renewed my respect and admiration for the work being done by most of the administrators of our institutions.

We think at this meeting it is proper that we shall hear the report of our Treasurer. The Treasurer will now report.

REPORT OF THE TREASURER.

Mr. Sawyer: Mr. Chairman and friends. I would like to say "Amen" to what the President said and his modest statement of what he and Mr. Cass have done. They have done an incredible amount of work to get this program ready and the great result we have had in this meeting shows the thorough-

ness and the care and diligence and intelligence they have brought to bear upon it all.

When I became Treasurer two years ago, I found that I was what these scientific men call the under-privileged class. I was a Treasurer with a deficit. We had been paying ever since the war began this year's dues with next year's income, and Mr. Lewis and I felt that ought not to go on, and we asked a few people to contribute a special fund to take care of that deficit so as to be caught up. We did for the time being, but last year we slipped back into the same deplorable condition. At the end of the fiscal year last year,—we call our fiscal year the first of October because the meeting comes immediately after it, although the year in which your dues fall is the calendar year,—we had a balance on hand of \$533. We had debts to pay immediately after of something more than \$2,000, so we slipped right back and had to send out a call early in the year asking people to pay earlier than usual to bring in money to carry along the small expenses which are inevitable for printing and other matters. The chief expense each year is the printing of the book. Last year it was a trifle over \$1,800; this year it is a trifle over \$1,500. We have always paid the Secretary \$500. Those are the two large items. It is impossible to get along without a good deal of printing, which, as you all know, costs double what it used to, and more or less clerical work, postage, and a myriad of small expenses. We make the income of four hundred memberships at \$5 each a total of \$2,000. It is too little to carry on the work of this Association on the modest scale on which it has operated hitherto.

I would like to add as the unpaid Secretary of the New York Prison Association, that we have allowed Mr. Lewis, and, after him, Mr. Cass, to use the employees of that institution far beyond what we should have done these last two years. Mr. Cass has been re-elected and we shall be glad to continue to house the Association there, but I feel that there is a certain responsibility toward both; that the New York Prison Association should not be expected to contribute quite so much of real money expense as it has done this past year.

I leave these facts before you for your consideration.

President Hart: The next in order will be the report of the Auditing Committee, Mr. Butler.

REPORT OF THE AUDITING COMMITTEE.

Mr. Amos W. Butler: Mr. President, I have a report that the Auditing Committee appointed on the first day of this meeting have gone over the report of receipts and expenditures and the vouchers of the Treasurer and have found them

correct and so entered them in his books and made it in the form of a formal report to be filed with the President.

President Hart: What will you do with the reports of the Treasurer and Auditing Committee?

Mr. Faulkner: Move they be received and adopted.

President Hart: It is moved that the reports of the Treasurer and the Auditor be received and adopted. Any remarks? All in favor please say aye. Contrary, no. It is adopted.

The next in order is the report of the Committee on Resolutions.

REPORT OF THE COMMITTEE ON RESOLUTIONS.

Mr. Faulkner: Mr. Chairman:

To the President, Board of Directors and Members of the Fifty-third Annual Congress of the American Prison Association:

Your Committee on Resolutions respectfully begs to submit the following resolutions for your consideration and appropriate action.

We believe that this Congress has been one of the largest and best attended and, in our judgment, one of the finest in the history of the Association, all of the section meetings being well organized, with good attendance and splendid programs, offering much opportunity for beneficial discussion. Much credit for the splendid success of the entire program is due to the earnest and indefatigable efforts on the part of our President and the General Secretary.

We deplore the fact that while the attendance of the institution delegates has apparently been the largest in the history of the Association, there have been several of our most beloved and esteemed colleagues who, by reason of sickness or for other important reasons, have been unable to be with us.

Therefore, Be It Resolved, That the American Prison Congress now in session send greetings of love and sympathy to Albert Garvin, West Hartford, Conn., expressing deepest sympathy in his recent illness and wishing him a speedy recovery.

Furthermore, Be It Resolved, That the American Prison Association now in session send greetings of love and remembrance to its oldest living members, Timothy Nicholson, Richmond, Indiana, and Frederick G. Pettigrove, Boston, Mass., and that the General Secretary be instructed to immediately wire these members the action of the Congress.

Furthermore, Be It Resolved, That this organization go on record in favor of the establishment of a Central Federal Bureau of Criminal Identification and Information and the Secretary be instructed to communicate this action to the President of the United States and the Attorney General.

Furthermore, Be It Resolved, That it is the sense of this Congress now in session that in the future, in construction of reformatories for juveniles and reformatories for women, the cottage type of structure, so-called, shall be given preference over the congregate system.

Furthermore, Be It Resolved, That since the American Prison Association for many years had advocated the establishment of a reformatory system, and since there is at present before Congress a bill for the establishment of a Federal Industrial Reformatory, that the American Prison Association be recorded in favor of this measure, now before the House of Congress under the number of 12,123.

In conclusion, we desire to express our heartfelt appreciation and gratitude to the citizens of Detroit, the local committee and its competent and energetic secretary, J. O. Stutsman, as well as Warden Harry L. Hulburt of Jackson, Michigan, for the splendid hospitality and entertainment afforded the American Prison Congress, also the Detroit House of Correction, the Detroit Council of Churches, the Women's Clubs, the Girls' Protective League, the Detroit Convention Bureau, the Press, the Common Council, the Social Workers of Detroit, the Detroit Transportation Department, the Hotel Statler, and the associated railroads of the country, as well as all other individuals and agencies who have contributed to make this Congress such a success, for the uniform courtesy, consideration and hospitality which they have extended us.

Respectfully Submitted,

LEON C. FAULKNER,

MARGARET M. ELLIOTT,

GEORGE C. ERSKINE,

Committee.

President Hart: You heard the report of the Committee on Resolutions. What is your pleasure with reference to this report?

Mr. Burdette G. Lewis: I move its adoption, Mr. Chairman.

Dr. Koren: Second the motion.

Mr. Faulkner: Your Chairman of the Resolutions Committee is reminded that we have unintentionally omitted the Detroit House of Correction. We attempted in our effort to learn of all the organizations that have entertained, and with the permission of the body that will be included in the report.

President Hart: It is moved and seconded that the report of the Committee on Resolutions be adopted and that the resolutions be adopted. Is there any discussion? If not, are you ready for the question?

Voices: Question.

President Hart: As many as favor the adoption of the report of the Committee and the resolutions will signify by saying aye; contrary, no; the motion is unanimously adopted.

The President of the Congress was requested to prepare a suitable memorial with reference to our President, Colonel Adams, and with reference to our General Secretary, Mr. Lewis. There are other members of the Congress who have passed away during the past year. It has seemed in this body, as in the National Conference of Social Work, that it was not wise or practical to go into extended Memorials for all who leave us from year to year, but the death in the past year of the Ex-President and of our General Secretary in the midst of his work seems to call for a special recognition, and therefore in accordance with that request, I have prepared the following memorials.

COLONEL CYRUS B. ADAMS,

PRESIDENT OF THE CONGRESS OF 1921.

A lover of boys who delighted in finding the hidden possibilities of an unpromising lad. He did notable work for delinquent boys in the Ohio State Industrial School and the St. Charles School for Boys in Illinois. When he was called to Massachusetts to become the head of the Massachusetts Reformatory for Young Men and to become the Superintendent of the Prisons of the State, he carried into the work for men the same fine, hopeful spirit which he had exercised in dealing with boys.

A splendid Christian soldier who realized the highest ideals of "an officer and a gentleman."

He was as modest as he was able, and he held the honor and good will of all who knew him.

ORLANDO F. LEWIS,

GENERAL SECRETARY OF THE AMERICAN PRISON ASSOCIATION.

A friend of man; one who recognized the prisoner as a fellow man of like feelings and passions and weaknesses with himself; a keen and discerning student of the problems of human conduct; one who strove earnestly for the redemption of those who had gone wrong; a graphic writer who drew vivid pictures of the struggles of those, who, having once gone wrong try to come back to right living.

He devoted himself untiringly to the constructive work of the Prison Association of New York and the American Prison Association. His death is a loss to the cause of human redemption.

President Hart: These memorials are submitted.

Dr. Koren: I move that we signify our approval of the memorials by rising.

A Speaker. Second the motion.

President Hart: It is moved and seconded that the Conference express its approval of the memorials by rising. All in favor please rise. The vote is unanimous.

We now have finished the immediate business of the Congress. What further business is there to be presented?

Mr. Shirer: I want to bring up at this time the motion which was introduced at Jacksonville, but left pending because of the Constitution rule, relative to the elimination of all reference to the office of Financial Secretary of the Association.

President Hart: It is moved we take up the resolution which was offered last year with reference to abolish the office of Financial Secretary. The Chair might explain that it was felt last year that as we are now situated it would be better to have the work which has formerly been done by the Financial Secretary done in the office of the General Secretary, and a motion was made for the amendment of the rule and dropping that office last year, and that motion is now before you. What is your pleasure?

Mr. Vasaly: I move its adoption.

President Hart: Will the Secretary read the rule as it now stands?

Dr. Koren: I second the motion.

Secretary Cass, (reading): "That the office of the General Secretary and Financial Secretary be consolidated and the words Financial Secretary be struck out wherever they appear in the Constitution and By-Laws."

President Hart: May I inquire whether that will leave it in consecutive shape if you simply strike out those words?

Secretary Cass: So far as I know, yes.

President Hart: I think that it may be possible it will require verbal change to make it grammatical. Shall it be understood that if this motion is adopted, the Secretary is at liberty to simply adjust it without any change in the meaning so as to make it read straight, if necessary? Is it so understood? It is. Is there further discussion? If not, are you ready for the question?

Voices: Question.

President Hart: As many as are in favor of the motion to so amend the rules as to dispense with the office of Financial Secretary, will signify by saying aye; contrary, no. The motion is unanimously adopted.

What further business is there?

Mr. Burdette G. Lewis: I don't know exactly whether it is in order or not, but I would like to ask if it would be in

order to move that a special committee of this body be appointed for the coming session in Boston to provide a program, a sectional program, looking forward toward the organization of a Public Information Section of the American Prison Association.

President Hart: The Chair is of the opinion that that would perhaps come up in connection with the report of the Committee on Organization, although I think the introduction of such a resolution at this time is proper.

Mr. Lewis: I would like to make the suggestion. I appreciate it calls for rather hasty action and I would like a moment to explain what I mean.

President Hart: Certainly.

Mr. Lewis: I have felt for several years if we are going to get our work done we must have the support of our public and we must have the support of the organs of public opinion. I would like to see our organization invite the leading magazine and newspaper proprietors to the next conference and an effort made to get them there to confer and to discuss the part that the press and the magazines have to do in our American Prison Association work. I think if we went about it with a carefully chosen committee we could see what we should do, and if at the next session it seems advisable to have an auxiliary agency, there are a number of good men in the magazine and newspaper field whose efforts ought to be enlisted directly in connection with our work, instead of spasmodically as today, in the development of this work.

President Hart: Is the motion seconded?

A Speaker: Second the motion.

President Hart: The Chair is of the opinion that this motion might properly take the form of instruction or request to the Committee on Organization, because if there is to be an additional section put in, it will be necessary to have the committee nominated and that would properly fall to the Committee on Organization. What is your idea?

Mr. Lewis: I have no objection to its going to the Committee on Organization if it is possible to have action at this convention. Judge Hugo Pam urged this very strongly in our section meeting and it seemed to all of us simply the expression of what we want to get done and if we could have a moving, I think the Committee on Organization would be the proper committee to have it brought up in.

Mr. Lewis: I will renew again my offer I made two years ago for the coming conference. I will contribute the services of my own director of public information of our own department if he will be of service to the conference.

President Hart: The body will make a note of that offer and if anyone will make a motion to accept that proffer the Chair will entertain it.

The motion is that the Committee on Organization be requested to bring in as part of the organization of the next conference a committee on public information, and that motion is seconded. Is there further discussion?

Voices: Question.

President Hart: If not, are you ready for the question?

Secretary Cass: I think it is fair that a statement should be made about publicity. About a month and a half before the meeting, and on different occasions, two letters were sent to all members of the Association who were to present papers, with instructions that the papers be submitted in duplicate, together with a summary of the high spots of each individual paper. There were some sixty-eight persons to whom letters were sent. About eight or ten replies were received and only two or three of that group complied with the request that a summary be submitted. The press has not been unfriendly or neglectful of this Association. They have sent four or five representatives to this conference daily. This is not the only meeting in Detroit. Last year in Jacksonville we were in a small community. They didn't have much to put in the papers and gave us unusual space. I am afraid they spoiled us.

A Speaker: It needs a newspaper man here.

Secretary Cass: It needs a newspaper man here and perhaps some money, but I don't think it is fair that the impression should be gained that there haven't been arrangements made for publicity and that the press has been indifferent. Any of us know how difficult it is to get publicity in the newspapers of a large city. Our subject is unpopular in the first place, and there are many more interesting and readable things for the people of the community.

President Hart: You understand the motion? I will ask the stenographer to read the motion.

(Motion read by stenographer as follows: "That the Committee on Organization be requested to bring in as part of the organization of the next conference a committee on public information.")

President Hart: Is there further discussion? Are you ready for the question?

Voices: Question.

President Hart: As many as favor the motion of Mr. Burdette G. Lewis signify by saying aye; contrary, no. The Chair is in doubt. As many as are in favor of the motion will signify by rising until counted. Will the Secretary and Mr. Shirer count? Mr. Shirer is a tall man, he can count you. Those opposed, rise. The vote is 65 to 26. The motion is carried. (Applause.)

Is there a resolution with reference to the offer of Mr. Lewis to furnish us a publicity man next year?

Mr. Faulkner: I move you, Sir, we accept with thanks.

Voices: Second the motion.

President Hart: The motion is made and seconded that we accept the offer of Mr. Lewis to furnish a publicity man for the next conference with thanks. Any discussion? All in favor say aye; contrary, no. It is carried.

What is the next business?

Mr. Bates: This is more in the nature of a protest than a motion, but it arises in my mind as a result of having talked to several people after Sunday night's meeting. We spend a great deal of money for two reasons,—to get information about our work and to help impress upon the public the importance of the right attitude toward the prison and prison work. Now what I have to say doesn't refer to the section meetings, but it does refer to the general meetings, when the uninitiated public come to learn something about prisons. I believe there ought to be some committee on hand there on the platform, or somewhere else to correct misstatements and misapprehensions which are made about the prison work. For example, it was said here the other night, that is, the impression was given that no ex-convict was ever hired, and yet in this very city and building Henry Ford himself told me he had hired hundreds of ex-convicts, and they had all made good. (Applause.) We all sat there and knew the falsity of that statement, and yet no one was prepared or delegated to challenge that statement, and hundreds of the outside public who came to learn at the prison meeting about the prisons went away with false information.

Again it was stated last night that 88 per cent. of the people that went to prison were graduates of the reformatory, as though that was some fact to be regretted, and at the same time this speaker stated he had had only 10 per cent. failures. How easy it would have been to have shown that we never get a thing but the failures. We are not able to pick and choose among the community and reform these large numbers of men, and if we save 1 per cent. of those individuals when everybody else has failed, we are doing something to merit public reward and gratitude. (Applause.)

Now, Mr. Chairman, this isn't with any idea of limiting freedom of speech. We have welcomed at these meetings a representative of almost every organization that works with us, but we want them to be working with us and not against us, and if we hear from them and give them an audience at our meeting which we have paid for and financed, we want at least if they are not disposed, or if they do not understand our work, we ought to have for our own protection someone who in a courteous brief way will set the public aright.

If any motion is to be made, I would move that the Committee on Organization, or the governing board, see to it not in the section meetings, but at every public general meeting a man be on hand prepared to answer arguments of that kind. (Laughter.)

A Speaker: I move we appoint Mr. Bates as the man.

A Speaker: Second the motion.

President Hart: It is moved and seconded Mr. Bates be appointed as a corrector, (Laughter) of this correctional organization.

The Chair would have to rule that motion is not in order at this time, but the suggestion is an important one. I would suggest if Mr. Bates were to write a letter to one of the leading papers of Detroit and call attention to those two errors they would doubtless take pleasure in publishing it, and it would reach probably as many people as the erroneous statements reached last night. I think, however, a statement of that kind is immediately discounted from your personal knowledge. We have to take a certain amount of chance as to what people will say, and we cannot always have a person on hand possessed of the facts to make a categorical statement, but in the long run these things take care of themselves.

What is the next business?

Mr. Scott: Is it proper to consider unfinished business at this time?

President Hart: Yes, sir.

Mr. Scott: At the meeting in Jacksonville last year a resolution was introduced by Mr. Shideler of Indiana providing certain changes in the method of election. That resolution is now on the table I believe.

President Hart: It is not on the table, as the Chair understands it, but it had to lie over and you are at liberty to bring it up.

Mr. Scott: I move you, Sir, that the resolution be now adopted.

President Hart: Will the Secretary please read the minutes on that subject. This proceeding, if I recall correctly, was had in Executive Committee, and in accordance with the rules.

Secretary Cass (interrupting): The resolution was presented at a General Session, on November 3rd, 1921, Dr. Hastings H. Hart, presiding.

Mr. Shideler: I desire to make a motion that the By-laws be amended so that sections 3 and 4 shall read as follows, by substituting for the present sections the following: "That the officers of the Association and elected members of the Board of Directors shall be elected by ballot at the first business session of the annual meeting

of the Association on the second day preceding the last day of the meeting, and for the purpose of such election there shall be a business meeting on the said day; the time and place of such election shall be published in the official program of the Association. No other business shall be presented until disposition has been made of the election of officers. Nominations for elective officers shall be made as follows: At a general session, not later than the second day of the conference, the President shall appoint a committee of 9 on organization which shall contain at least one representative of each of the interests represented in the conference, which committee shall nominate the elective officers of this Association and the proper committees."

Section 4 be amended to read as follows: "The President shall also appoint a committee of 3 on resolutions and a committee on time and place consisting of one member from each State, Province, District or Department of the Federal Government."

Mr. Parsons: There is only one question. It says in that amendment, if it is adopted, that this committee shall be constituted of nine members representing the various interests of the association. I would like to know exactly what that means. Does it mean the sections and committees? I haven't looked it up to see whether there are nine sections and committees, and so on, but is that what is intended?

President Hart: The Chair is of the opinion under this ruling it would be a matter of judgment for the president at that time. The interests change from year to year. For instance, next year if we have representatives of the press that would become one of the interested bodies. At the present time, the Chair would be of the opinion that the different bodies here that are represented on our program and their programs printed as part of the American Prison Association, that those bodies would be entitled to a representation, but the Chairman next year might have to make a different ruling. I don't think you can specify those things now because they change from year to year. For instance, last year we had a section that related to jails and this year we have none. I think it would change from year to year, but the Chair would have to construe that.

Mr. Charles E. Vasaly: It is quite evident that the old spirit dies hard. Now, those familiar with the history of this Association know what is behind this motion is simply a desire to return to that system of benevolent despotism which characterized this organization for many years. There were a good many of us in the other days who didn't believe in it and we began an agitation which culminated in 1915,

seven years ago at Oakland, in the introduction of a resolution looking for the revision of the constitution and by-laws. It is not an easy matter. It was covered with ridicule and scorn and many other things, but we persevered and we finally triumphed. There was just one dissenting vote in 1919 in New York when the new constitution and revision was accomplished. That revision was made by a committee, of which I was a member and Dr. Hart, Dr. Butler, Mr. Collins I think were on the committee.

Now, it seems to me, gentlemen, if you prefer to have someone else do your thinking for you, if that is the attitude of the intelligent members of a great organization like this, then you ought to adopt this resolution. I believe the membership deserves a voice in the proceedings of this conference and whom it wants for office, and it shall not delegate that tremendous power to three or four men sitting in a room in the twelfth or fourteenth or some other floor of the hotel, as used to be the case in other days. I say what everyone of you know, there were splendid results, splendid men and secretaries elected, but it wouldn't make any difference to me if under the old system you had elected a delegation of arch-angels to fill every place, this system is wrong. Why shouldn't every one who comes here and who pays his fee, why shouldn't they have something to say as to who shall run for office? Is he going to be an humble follower, or is he going to be an independent, intelligent American citizen who knows what he wants and wants to express his rights as an American citizen and member of this organization?

I know pretty well the old system. I know those in it told me it was a splendid thing to be a party of that old system which ran and manipulated this organization for years, and I don't use that word "manipulated" in any evil sense at all because they thought it was the right system and many still believe so today. Many have changed their minds and judgment on it. Why not give this system a chance? Is the system which elected Colonel Adams president a bad system? Is the system which elected President Hart and a warden from New York as a new president, is that a bad system for you if you judge it alone? Certainly not! It seems to me it is the only sensible thing to give this system a trial. We worked hard to get it and some of us are going to work hard to keep it.

I used to be in politics before I went into the State institution in Minnesota, and I think I know politics when I see it, and I prefer the open politics to the hidden, dark politics in the room on the fourteenth story or any other story of the hotel with all that it implies. At least, there is this wonderful difference: One is in the sunshine of publicity, and the

other is in the hidden "moonshine" I was going to say. (Laughter.) Now, gentlemen, let's be fair with each other. I impugn no man's motives. I respect every man's convictions. I want to have a chance to nominate whom I would like to vote for, and I don't want in a country which calls itself a democratic country to delegate that authority which I believe to be mine own, which I shall exercise as my conscience tells me to exercise it and as my judgment tells me to exercise it, to any council of nine sitting with extraordinary powers in some room and trying to tell us what in their kind benevolence they propose to do for us for the coming three or four years. That is the result. That is what happened. We used to be able to predict, as only the late lamented Lewis could,—a very dear friend of mine, a man whom I respected more than any other man in prison work,—he used to say, "We are going to take care of the organization," and he was one of the most honest men that walked the earth, and yet, as I said, I wouldn't trust that power to a committee headed by the archangel himself. It is wrong. Give us a chance. Let us try this out for a few years more, and then if results are disastrous and evil and need to be changed, change it to something else. I don't say it is perfect. It doesn't represent just what I wanted. Of course, therefore, it is not perfect. It was a compromise. There were strong men on that committee. Don't think Dr. Butler is in the habit of signing a report he doesn't believe in, and he signed that report. I don't know whether he has changed his mind. But let's be fair about the proposition and try it out. We cannot fulfill every man's ambitions. There are not enough offices to go around, but we can fulfill our own conscience by giving ourselves the right to vote as we see fit and not delegate that tremendous power to somebody else to do the thinking for us. The people who want other people to do their thinking for them ought to believe in that kind of doctrine, but for my part I do not believe in it, and I hope the resolution will lie upon the table. Therefore, I move for indefinite postponement. (Applause.)

Mr. Thomas C. O'Brien of Massachusetts: Mr. Chairman, ladies and gentlemen of the conference. I too, have been interested in the politics of the Congress, and my good friend Mr. Vasaly has spoken of benevolent despotism. Of course in our studies of philosophy we were taught that benevolent despotism was the most desirable form of government, and I am content to live under the most desirable form of government.

But we have this situation which is demonstrated by the fact that less than fifty per cent. of those in attendance at this Congress voted at the primary election, which indicates that few, if any, of those who come to this Congress are

interested in its political aspects. We come to this Congress for information about prisons and welfare agencies, and I was content and am content now to go back to the old way of establishing our organization, and I feel that many who come here feel likewise. The politics, under the new form of organization, have been left to a few of us, and my room is on the twelfth floor and not the fourteenth. (Laughter.) And I think during the last few years I have been unable to keep my Irish self out of politics and had something to do with the making of the slate. I am content it should go to the few, because a few now carry on, and I cannot see why those who do not desire to be bothered with politics should be bothered with politics. It is an oligarchy whether we have an election or be a few delegated by the Chair. Under present conditions a few people establish a slate and the result is that the steam roller works perfectly. Why not let it work perfectly under the constitution, and let's have an oligarchy of nine appointed by the Chair as in the old days and I don't think we will have any worse material. We may not have any better material in our official positions and I trust the motion to take the resolution from the table will prevail. (Applause.)

Miss Monahan: May I say to Mr. O'Brien that on the last Presidential election in the United States only forty-nine per cent. of the electors in the United States voted. On the basis of Mr. O'Brien's theory that because 50 per cent. of the delegates to this convention voted in the primaries of this convention, if we followed his logic then voting in the United States, as citizens, is also not to be desired. And yet that, of course, is a very long way off. Surely we citizens who vote in this country do not wish to be deprived of that privilege because 51 per cent. who might vote do not vote. And I think even with Mr. O'Brien's statement that under this system of government of the organization it is doing as well as it will do or might do under another form so I don't see any reason why we should change back.

Mr. Amos W. Butler: Mr. Chairman, Mr. Vasaly and I have met on the bloody sands before. I was very much interested in the work of the committee which worked out the present constitution. We tried several different forms and finally, as he said, compromised, and I am sure all of us felt and hoped that the new constitution would be more satisfactory than the old. None of us, I am sure, had any desire other than the best interests of the American Prison Association. But after watching it for several years, I am rather dismayed at the results. We believe this ought to be the American Prison Association, as its name implies, and yet, as I look over the ballot cast last year, I find that three of the

representative agencies, the auxiliary agencies of this conference, are not represented on the Board of Directors. We find that with one exception there is no representative from the South. (Applause.) And with one or two exceptions, there is no representative west of the Missouri River. Now, I am sure every one of you who lived and worked under the old system will recall that the President and the Committee on Organization strove to get from each of the component organizations of this Congress recommendations or suggestions for official positions, membership on the Board of Directors and members of the committees. Under this system that is impossible. Dr. Hart said at the opening session, I believe, that fifty per cent. of the wardens in this country served less than two years on the average. When we met in Oakland, California, I think nine years after our Seattle meeting, if I am correct this conference sought a western man to be the President of the conference and there was one man, a warden, for it was the right of the wardens under the unwritten agreement of this Association, to have the presidency of the next year, and they found one man, a prison warden from the entire territory west of the Missouri River who had been at the Seattle conference. Now those rapid changes mean we cannot know the personnel of the prisons and of the agencies of this country, as a whole, and I believe that this Association ought to be representative of the whole United States and Canada included. (Applause.)

Look at your ballot you are voting tonight! I ask you to look at it. There isn't a man on that ballot south of the south line of Kentucky. There is only one man on the ballot west of the Missouri River, and yet we call this an American Prison Association. I say, my friends, that this ought to be an American Prison Association in fact; that every component organization of this Association ought to be represented in the organization of the Association and on the Board of Directors, or in the list of officers. (Applause.) I say further than that, that the Pacific slope, the western mountain territory, and the south, should have an equal representation with those of us who are more fortunate and live east of the Mississippi River. (Applause.)

Now, my friends, I call that true democracy and I stand for it. (Applause.)

Mr. Vasaly: I would suggest that my friend, Dr. Butler, add to that geographical description of America, Alaska and the Islands of the Sea. If you want to represent America thoroughly, let's include the Colonial possessions.

I say that those who take the trouble and the time and put up the money to come to this sort of organization, are those who should determine who the officers should be, and that a

committee gathered together in a room shall not pick out some man from Alaska who may not be there, or some man from Honolulu, as has happened in times past. Of course I understand very well, and that prospect doesn't frighten me, that there are those who loved the old system. Of course, that is perfectly all right, because that is their opinion and judgment, but as far as I am concerned I do not believe in it. It is wrong; fundamentally wrong, and you know it. Those of you who are the strongest the other way know the thing is fundamentally wrong. You know you wouldn't yourselves delegate your own business; you wouldn't delegate your own interest in that sort of way to those who are to represent you; not a bit of it. Why make America a benevolent despotism, and my friend, O'Brien, says it is a good thing. If he thinks it is a good thing, he ought to move to Russia where they have a variety of it, following the old variety not strong enough for them. My attitude is not quite like that, and I will tell you a story. Mr. Jones was a notorious skeptic. He had a friend named McCarthy who was not. They used to discuss matters of the hereafter considerably. One day Jones was badly injured and died. McCarthy went to the funeral and he stood by the coffin, and to the surprise and horror of Mrs. Jones, he burst into laughter, and she said, "Why, Mr. McCarthy, how could you do that; how could you laugh in the presence of your dear friend?" "Well, I am sorry. I didn't intend to laugh, but how could I help it? I was talking with him the day before he died and he didn't believe in Heaven or in Hell, and here he is all dressed up and no place to go." (Laughter.)

It doesn't make much particular difference to me personally. I can live if I have to live under despotism. I won't like it any more than I ever have, and I shall continue to protest against it and fight against it and agitate against it, if I am the only man that does it.

Voices: Question.

President Hart: The motion is to take up from the table the motion of last year. This motion was made last year and it was called up and the Chair understands the motion is before the house.

Mr. Vasaly: Regularly before the house?

President Hart: Regularly before the house. If there is any question about that—

Mr. Scott (interrupting): In making my motion, I intended to move it. I intended my motion put the resolution upon its final passage.

Mr. Vasaly: I made a motion, which is a substitute motion, to indefinitely postpone.

President Hart: Your motion was not seconded.

Mr. Vasaly. I beg your pardon, it was.

President Hart: The motion before the house now is to indefinitely postpone.

Mr. Faulkner: Mr. Chairman, seven years ago there was organized in this conference a section on juvenile delinquency and when this method was put out in the way of handling the ballot I say perfectly frankly I was one very much in favor of it. It has been my privilege to serve the convention on the Board of Directors for several years, but it was with dismay last year in Jacksonville when we found we were going to Detroit there wasn't a single representative from Michigan elected to the Board of Directors or any office in the organization. It was only through George C. Erskine's resigning from the Board and allowing the Board to appoint Mr. Blaney, the Chairman of the Prison Board here, that it was possible to put on the Board a representative of our hosts who have taken care of us while we are here at this time.

I have seen other conditions such as politics, which I am frank to say I would be very glad to get rid of, but it seems to be to the interest of the Association and it has been going on constantly. Many people have come and said, "Whom shall I vote for?" It is not my responsibility to say whom they shall vote for, but they know I have an acquaintance. It seems to me if there is a representative from each organization, six in number, at the present time,—it will be necessary for three others to be added to that under this resolution, and this resolution isn't all I would want it; I would like to see them elected from each organization so as to carry over another year, but each organization included, all represented and take a part; that it is better to go back to the old way and not take two or three days and have politics and everything else in this Association to try to get people whom we believe should be elected to office. I am confident when these representatives from each organization get together, whether on the fourteenth story or cellar, that they will arrive at the proper people who will serve our interests, and instead of spending two or three days talking over who and when and all this feeling, we will get the right answer, and I for one would like to sustain the motion going back to the old way, having the representatives. It is not exactly the old way. (Applause.)

Mr. Joseph P. Byers: Mr. President, I think I ought to say a word about the plan of conducting the business of the American Prison Association. I think I have possibly a duty to perform in saying it, for I served this Association many years as Financial and General Secretary.

I believe the great body of members of this Association are more interested in the papers and discussions and the work of this Prison Congress than they are in coming here year

after year and wasting their time as to how we are going to elect a President, or who is going to be President. I don't believe most of us care a hurrah who is President as long as the work goes on.

I want to speak a word about the old way of doing things. Possibly I know it better than anybody in the room, the old way of doing things, and I am going to call Dr. Hart and Scott and Sehon and Whittier, and a dozen other men in this room, who, because they were appointed on the Organization Committee by a President who stood above the charge of playing politics in the work of the Prison Association, who selected a committee composed of the older members of the Prison Congress, men and women, who knew the work of the Association, what it was for, which way it was headed, trying to get out of it the best, spending their days and nights in a worry,—Mr. Vasaly charges on the fourteenth floor or first floor,—devoting themselves day and night to going over the entire membership of the Prison Conference to select the best material they could get for the work of the Association, and I call those men to bear witness that that was done; the members of the Organization Committee themselves unable to attend the Prison Congress meetings because they were doing the work of the Prison Congress.

I have no feeling in this matter at all, except as a member of the Prison Congress for many years, and I don't care who is General Secretary so long as the work goes on; and I don't care who is the President so long as the work goes on. I am convinced for myself that the old way of doing things is the best way, the best way for this Prison Congress. There was no politics played in it, so far as I know, and I think I know. Of course, there were always a few who wanted things done, but those things were done by a committee of seven or nine elected by the President, and that committee used its judgment, knowledge, and experience and worked for the Prison Congress.

I certainly hope we are going back to the old order of doing things. Applause.)

A Speaker: I raise a point of order. My point is this: That we are now discussing whether we shall lay this on the table.

Voices: No, no, no.

President Hart: The motion before the house is to indefinitely postpone. The Chair has allowed some latitude in this discussion because he thinks you want to get the matter before you, but if it were a matter to lay on the table it is not to be debatable. This motion was made so it could be made debatable.

Mr. Parsons: I don't think this is exactly going back to the old way. It is going back to the old method of having a responsible committee appointed or nominated, but I would like to have the matter definitely fixed along the lines of the question I asked in the first place. Do the auxiliaries of this Association, as such, constitute the interests which are spoken of in this resolution? There are six and if they are included, why that does include the great representative bodies, and then of course there might be some things that would be determined by the Chairman each year. I would like to know whether the six auxiliaries do form permanent elements or organizations which would be represented?

President Hart: In fact there are certain elements permanent here. There is the Wardens' Association; there is the Chaplains' Association; there are the Physicians and Psychiatrists. There are stable elements that will undoubtedly continue to be represented, but it will be the duty of the Chair to determine in each case, if this is to be adopted, as to what are the representative institutions. I don't think there would be any quarrel about that.

Secretary Cass: I may say at this time I recall the conferences with Mr. Shideler and he said to me, "I feel every organization meeting in this group should have something to say about the appointment of the Board of Managers and election of officers."

Voices: Question.

President Hart: The question before the house is the question whether you will indefinitely postpone this motion. If that motion is voted in the affirmative it will end the discussion of this matter. If voted in the negative, the main question will then come up. As many as are in favor of an indefinite postponement say aye; those opposed, no. The Chair will rule that the negative has it.

The main question is before us as to the amendment proposed by Mr. Shideler. Is there further discussion?

Voices: Question. Question.

President Hart: Are you ready for the question?

Voices: Question.

President Hart: The Chair will now put the question. As many as are in favor of amending the rules in accordance with the motion of Mr. Shideler, will signify by saying aye. Those who are opposed will say no. The affirmative has it.

Mr. Vasaly: Would you rule two-thirds voted aye?

President Hart: The Chair will rule two-thirds voted aye.

Mr. Vasaly: I want to offer this to be considered. It is simply the present method I substitute, and I offer it so it may be understood this will come up again.

(The following was presented to the stenographer by Mr. Vasaly.)

Sec. 3. The officers of the Association and elective members of the Board of Directors shall be elected by ballot at the first business session of the annual meeting of the Association on the second day preceding the last day of the meeting, and for the purpose of such election, there shall be a business meeting on the said day. The time and place of such election shall be published in the official program of the Association. No other business shall be presented until disposition has been made of the election of officers. Nominations of elective officers shall be made as follows: Each qualified member of the Association on registration shall receive from the Secretary a blank ballot indicating the offices to be filled at the election, and shall return said ballot not later than 5 o'clock p. m. on the first day of the meeting (excluding Sunday), following the opening of the Congress. The tellers shall count the ballots and it shall be the duty of the secretary to prepare from these ballots a ticket on which shall be printed the names of the three candidates for each office who shall have received the highest number of votes, if votes have been cast for that number of persons. This printed ballot shall also contain the 25 names receiving the highest number of votes for elective directors. No person shall be eligible for election for any office named herein who is not a qualified member of the Association, and no person shall be regarded as qualified who has not paid annual dues for the current year. At the first session of the congress the President shall appoint three tellers who shall count the ballots for nominees and the votes, the result to be declared at the next general or business session following. The person receiving the highest number of votes for each office shall be declared elected.

President Hart: The Chair will make a statement which will perhaps relieve your anxiety. The General Secretary, in view of the protracted discussion, has arranged to have the banquet postponed until 7:30 so you will have time to make preparations.

Mr. Faulkner: I don't want to monopolize this meeting, but there is one very important matter that should come before this body and I was asked in the Board of Directors meeting to present it, and I was not here when the Treasurer made his report, and that is the conditions of the finances of this Association.

There has, as I understand it, already a considerable proportion of the income of this year been mortgaged to pay the accounts of last year. This condition has been going on for some time and something has got to be done immediately. There were only two ways discussed in your Board that seemed possible to do,—one is increased membership, and the other is increased dues.

Roughly speaking, our expenses for last year were \$3,500. Our income was \$2,000. If the dues were doubled, and it seems to be the thought of this body, it would give the treasurer \$4,000, or a contingent fund of \$500. I simply want to submit this for your thought, because it should receive serious consideration. The deficit has been made up by sending out special appeals, and there has been a certain group who will send a check for \$15 or \$25 to make up the deficit. This year that was not done and the present income was mortgaged to meet the needs and the same thing will be necessary next year unless someone makes that up or the dues are doubled.

President Hart: The Chair finds that the present rate of dues of \$5 is part of the constitution, Article V. It will be necessary if you wish to change that to give notice and have it come up next year.

Secretary Cass: Article 9 of the Constitution provides notice shall be given at the preceding meeting.

Mr. Faulkner: In compliance with the requirements of Article 9 of the Constitution, I desire at this time to make a motion to amend the Constitution so that Article 5 shall read as follows:

ARTICLE 5. Any person contributing annually to the funds of the Association *ten* dollars shall be a member thereof; a contribution of one hundred dollars at any time shall constitute the contributor a life member; and a contribution of two hundred dollars at any one time shall entitle the contributor to be a patron. Corresponding members may be appointed by the board of directors or by the executive committee. The power of electing officers shall be confined to the members of the Association who have paid annual dues for the current year.

This motion is made at this time with the request that it be placed in the printed proceedings of this conference so that it may be taken up and discussed at the Boston meeting in 1923.

Mr. Moore: I would like to call a meeting of the Committee on organization for tonight immediately after the banquet in one of the little rooms on the other side of the corridor.

President Hart: We have yet to hear the report of the Committee on Time and Place, which will be heard at this time, Mr. Sehon, Chairman.

REPORT OF COMMITTEE ON TIME AND PLACE.

Mr. Sehon: The Committee on Time and Place held its meeting the night before last. There were representatives from 28 states. Three cities were considered,—Trenton, New

Jersey; Richmond, Virginia, and Boston, Massachusetts. Very much to the surprise and delight of the representatives after the most delightful offer had been made of \$2,500, which the gentleman who presented his claims said he would raise to \$3,500 if we would come, and then a very earnest plea from Richmond, a plea was made from Boston and Boston on the first ballot received a plurality, so the other cities kindly withdrew and we go to Boston in 1923.

President Hart: Is there further business to be considered at this time?

Mr. Sehon: Mr. Chairman, just a minute. I would like to make a statement in addition to the announcement. That is, the Chairman was requested by the representatives from the various states to ask this conference if possible to hold their meeting earlier next year so that the delegates who live at a greater distance could have the advantage of the railroad fares which hold good up to the 1st of October. Quite a number complained owing to the lateness of the season they were compelled to pay full rates, and I would like that to be considered.

A Speaker: The excursion tickets are good to the 31st of October, but you have to get there by the 1st of October. They are not sold after the 1st of October.

Mr. Sehon: You wanted it earlier?

A Speaker: Yes, but so it meets by the 1st of October.

President Hart: The General Secretary will make a note of that matter and take it up with the Boston people when the time comes.

Is there further business? If not, in accordance with the motion, we shall stand adjourned until after the evening session tomorrow evening.

We stand adjourned until tomorrow evening.

(Adjournment.)

MINUTES OF EXECUTIVE COMMITTEE MEETING

OCTOBER 18, 1922

Present: President Lawes, Messrs. Hulburt, Faulkner, Sehon, Hart, Bates, Amos Butler, Miss Elliott, and Secretary Cass.

President Lawes: I presume the first thing will be the appointment of the Executive Board.

Mr. Hart: I move we go into a Committee of the whole to nominate an Executive Committee.

Mr. Sehon: Second the motion.

President Lawes: Carried.

(The following were suggested as members of the Executive Committee: Messrs. Lawes, Cass, Sawyer, H. H. Hart,

Bates, Faulkner, Leslie, Mrs. Falconer, Erskine, Burdette G. Lewis.)

Mr. Butler: I move that the persons named constitute the Executive Committee.

Mr. Sehon: Second the motion.

President Lawes: All in favor signify by saying aye. Contrary. Carried.

Mr. Sehon: I move that the past president, the president, the secretary, Mr. Bates and Mrs. Hodder be a committee to prepare a program for next year's conference.

Mr. Faulkner: Second the motion.

President Lawes: All in favor say aye; contrary, no. Carried.

Mr. Butler: I would like to make a suggestion with regard to the program. Many have wished that instead of so many papers they could have representative papers and more time for discussion. The new people like to have views of different persons. Of course they appreciate the papers, but if a paper could be discussed by a number of others it gives the newer people the views of those present.

Mr. Sehon: There have been many people who have suggested doing away with the general session at 11:15, having the section meeting in the morning and a general session at night.

Mr. Faulkner: There is one other thing; that is, leaving afternoons clear. Everybody has felt so grateful that they have had a chance in going to the cities that they could have afternoons free, which is a departure from some former conferences.

Secretary Cass: The program committee will have two new sections.

Mr. Faulkner: You have four sections. There is a matter I would like to bring up. We are going to meet the Treasurer. I understand we had mortgaged 173 memberships, something over \$800, and some move will have to be taken to get money until we get the new resolution through which we cannot until next year. I suppose it will be by the means of appeal.

President Lawes: On the Newsletter I think they should be more frequent and less bulky and as we get something we can print those for nothing. I will print them. Erskine said he would print the annual report at absolute cost, charging nothing for the paper.

Mr. Butler: I move that the President and Secretary be a Committee to look into that with power to act.

Mr. Sehon: Second the motion.

President Lawes: You have the motion made that the President and Secretary be granted power to decide the matter of printing the annual report. All in favor signify by saying aye; contrary. Carried.

Mr. Bates. Have you decided upon the time of the convention?

President Lawes: Several people have requested it be held earlier.

Mr. Butler: I would suggest if it is earlier it be early in September. During the last two weeks of September the heads of institutions are very busy.

Mr. Faulkner: There are two things to be discussed: One is the Local Committee will have to take in consideration the question of what other conventions may be going on. They ought to canvass the situation in Boston.

Mr. Bates: The hotels would prefer September to October. The rates are good until the 31st day of October on the railroads, but they have got to get them before the first day of October.

Mr. Hart: I move that the Secretary be made Chairman of the Editing Committee with power to call to his assistance one or more persons for the proceedings.

Mr. Sehon: Second the motion.

President Lawes: Motion made and seconded that the Secretary be appointed Editing Committee with power to select one or more assistants. All in favor signify by saying aye. Carried.

Mr. Hart: I think we ought to take into consideration those who have to come from the Pacific Coast.

President Lawes: If it is the consensus of opinion of the Committee not to definitely determine the date, we may want to find out what dates will be the best for the Local Committee.

Mr. Faulkner: Leave it to the Local Committee and the Chair; between the first and the fifteenth of September; make it the second Thursday of September.

Mr. Bates: We have a holiday on Labor day, and the people don't come into Boston until after that day. The summer season won't close until after Labor Day. It would be safe not to start the meetings until after the fifteenth of September.

Mr. Faulkner. The second week in September if people could do that.

Mr. Bates: I should think that from the fifteenth to twentieth of September would be pretty nearly right.

Mr. Butler: Let's leave it to the Local Committee to canvass the situation and make an early report on it.

President Lawes. Do you wish to make that in the form of a motion.

Mr. Butler: I will, yes.

Mr. Sehon: Second the motion.

President Lawes: All in favor that the Committee canvass the situation and report to the Executive Committee for action say aye; contrary. Carried.

Mr. Faulkner: I will be glad to offer our plant for the printing of the Newsletter and anything of that sort.

President Lawes: Is there any business or suggestions of and kind or character that any of the Committee would care to make to the Chair?

Mr. Sehon: I move we adjourn.

(Adjournment.)

TREASURER'S REPORT.

By D. M. SAWYER.

(November 11, 1921, to October 6, 1922.)

Dr.

1921		
Nov. 11.	Brought forward	\$ 533.61
Nov. 11.	Cash from E. C. R. Bagley (Special fund of 1921)	25.00
Nov. 11.	J. C. Winston Co. (for use of mailing list)	4.53
Nov. 14.	Check from H. H. Shirer, Financial Secretary, Collections, October 1, to November 11	1,308.90
Dec. 5.	H. H. Shirer, Financial Secretary	86.60
Dec. 8.	Cash, sundry checks	38.00
1922		
Jan. 16.	Collections from December 11, 1921, to January 12, 1922	58.70
Jan. 25.	Coupons Southern Railway Bonds, due January 1	75.00
Jan. 31.	Credit by interest	1.84
Feb. 2.	Collections	24.00
Feb. 24.	Check of H. H. Hart	\$18.29
	Check of L. Beeley	.30
Feb. 24.	Collections	23.90
Feb. 28.	Cr. by interest	1.59
Mar. 20.	Collections	45.50
Mar. 1.	Cr. by interest	1.67
Apr. 3.	Sundry checks, as per list March 28, 1922, from General Secretary	283.50
Apr. 29.	Interest	2.20
May 1.	Cash and sundry checks as per list sent by General Secretary, April 29, 1922	222.50
May 23.	Checks from General Secretary	233.00
May 31.	Interest	2.27
June 20.	Checks from General Secretary	75.00
June 30.	Checks from General Secretary	40.00
June 30.	Interest	2.83
July 31.	Interest	2.62
Aug. 1.	Checks from General Secretary	88.00
Aug. 26.	Checks from General Secretary	70.00
Aug. 26.	Checks from General Secretary	5.00
Aug. 31.	Interest	2.85
Sept. 21.	Checks from General Secretary	125.65

(Interest items previously omitted from pass book.)

1921		
Nov. 11.	Interest	1.01
Dec. 31.	Interest	2.10
1922		
Sept. 30.	Interest	2.90
Oct. 6.	Checks received from General Secretary	136.10
		\$3,544.96

TREASURER'S REPORT.

BY D. M. SAWYER.

Cr.

1921			
Nov. 3.	H. H. Shirer, Expenses to Jacksonville Prison Congress. Ordered paid by Board of Directors		\$ 148.75
Nov. 14.	O. F. Lewis, General Secretary, Honorarium voted by Executive Committee		500.00
Dec. 22.	Walsh and Munger, Albany, Stenographic report Jacksonville Congress		250.00
Dec. 28.	Prison Association of New York for sundry expenses incurred in August, September, October, November, 1921, as per vouchers.		185.40
1922			
Jan. 5.	H. H. Hart, Expenses, Detroit	18.59	
Jan. 30.	Exchange on Montreal	.27	
Feb. 10.	Prison Association of New York, sundry petty cash items, December, January	8.89	
Feb. 22.	The Survey, advertising, October 1, ...	12.00	
Feb. 22.	The Survey, advertising, January 12, ...	12.00	
Mar. 7.	L. C. Faulkner, Superintendent, Maryland School for Boys, paper and postage	3.90	
Mar. 11.	Federal Printing Company, 1,000 record cards for General Secretary	7.00	
Mar. 20.	Prison Association of New York, Typewriter, expenses, etc.	23.98	
Apr. 18.	Prison Association of New York, Miscellaneous expenses as per voucher	55.75	
May 15.	Prison Association of New York, sundry expenses	30.35	
May 15.	Clement A. Munger, Stenographic services Jacksonville Congress	100.00	
May 15.	Less Canada exchange on check of General Hughes	.06	
July 7.	New York Prison Association, sundry expenses	109.30	
Aug. 22.	Prison Association of New York, office supplies for period May, 1921, to July, 1922	66.43	
Sept. 20.	Prison Association of New York, postage Annual Proceedings and incidentals	64.54	
			\$1,597.21
RECEIPTS:			\$3,544.96
DISBURSEMENTS:			1,597.21
Balance:			\$1,947.75

Detroit, Michigan, October 14, 1922.

Audited and compared with vouchers. Correct.

AMOS W. BUTLER,

JOHN KOREN,

Auditors.

CONSTITUTION.

ARTICLE I. This Association shall be called the American Prison Association, and its objects shall be—

1. The improvement of the laws in relation to public offenses and offenders, and the modes of procedure by which such laws are enforced.

2. The study of the causes of crime, the nature of offenders and their social surroundings, the best methods of dealing with offenders and of preventing crime.

3. The improvement of the penal, correctional and reformatory institutions throughout the country, and of the government, management and discipline thereof, including the appointment of boards of trustees and other officers.

4. The care of, and providing suitable and remunerative employment for paroled and discharged prisoners and probationers, and especially such as may or shall have given evidence of a reformation of life.

ARTICLE II. The officers of the Association shall be a president, five vice-presidents, a general secretary, a treasurer, and a board of directors not exceeding thirty in number, of which the officers above named and the ex-presidents of the Association shall be ex-officio members.

ARTICLE III. There shall be an executive committee, of which the president shall be ex-officio chairman, the general secretary ex-officio secretary, and the treasurer an ex-officio member; and other committees shall be appointed each year to consider and make reports upon subjects assigned them within the scope of the objects named in Article I.

ARTICLE IV. The board of directors, of whom any five members shall constitute a quorum—two of said members being officers of the Association—shall meet annually, and in the interval of its meeting its power shall be exercised by the executive committee, which shall fix its own times of meeting.

ARTICLE V. Any person contributing annually to the funds of the Association five dollars shall be a member thereof; a contribution of one hundred dollars at any time shall constitute the contributor a life member; and a contribution of two hundred dollars at any one time shall entitle the contributor to be a patron. Corresponding members may be appointed by the board of directors or by the executive committee. The power of electing officers shall be confined to the members of the Association who have paid annual dues for the current year.

ARTICLE VI. The Association shall hold an annual meeting at such time and place as it shall appoint, on which occasion the several standing committees and the treasurer shall submit annual reports.

ARTICLE VII. All officers of the Association shall be elected at the annual meeting; but vacancies occurring after the annual meeting may be filled by the board of directors, who shall also appoint all committees not chosen at the annual meeting and all officers shall hold over till their successors are chosen.

ARTICLE VIII. The executive committee shall consist of seven members of the board of directors—the president, the general secretary, and the treasurer being ex-officio members—any three of whom shall constitute a quorum for the transaction of business.

ARTICLE IX. This constitution may be amended by vote of a majority of the members of the Association at any meeting thereof; provided, that notice of the proposed amendment shall have been given at the next preceding meeting.

BY-LAWS.

Section 1. The order of business at each stated meeting shall be such as is determined by the board of directors and the executive committee.

Sec. 2. The president, general secretary, and treasurer shall perform the customary duties of their respective offices. The general secretary shall be the executive officer of the Association, and shall collect the members' dues and pay the same to the treasurer.

Sec. 3. The officers of the Association and elected members of the Board of Directors shall be elected by ballot at the first business session of the annual meeting of the Association on the second day preceding the last day of the meeting, and for the purpose of such election there shall be a business meeting on the said day; the time and place of such election shall be published in the official program of the Association. No other business shall be presented until disposition has been made of the election of officers. Nominations for elective officers shall be made as follows: At a general session, not later than the second day of the conference, the President shall appoint a committee of 9 on organization which shall contain at least one representative of each of the interests represented in the conference, which committee shall nominate the elective officers of this Association and the proper committees.

Sec. 4. The President shall also appoint a committee of 3 on resolutions and a committee on time and place consisting of one member from each State, Province, District or Department of the Federal Government.

Sec. 5. Societies and organizations desiring to affiliate with the Association shall submit requests therefor to the secretary for submission to the executive committee or to the board of directors.

Sec. 6. No bills shall be paid by the treasurer unless approved and signed by the president and secretary of the Association, or, in case of death or incapacity of either, the persons designated by such [executive] committee to act in his stead.

Sec. 7. Alterations of the by-laws may be made at any business session of the Association by a two-thirds vote.

Sec. 8. The president shall decide questions of order subject to an appeal, and rules of order shall be those in Reed's Manual.

AMERICAN PRISON ASSOCIATION ORGANIZATION FOR 1923

President.

LEWIS E. LAWES, Warden, Sing Sing Prison, Ossining, New York.

Vice-Presidents.

MRS. J. D. HODDER, Superintendent, Reformatory for Women, Framingham, Massachusetts.

CHARLES H. JOHNSON, Secretary, State Board of Charities, Albany, New York.

LEON C. FAULKNER, Superintendent, State Training School for Boys, Loch Raven, Maryland.

GEORGE L. SEHON, Superintendent, Children's Home Society, Lyndon, Kentucky.

SANFORD BATES, Commissioner, Department of Correction, Boston, Massachusetts.

General Secretary.

E. R. CASS, General Secretary, Prison Association of New York,
185 East 15th Street, New York City.

Assistant Secretaries.

F. EMORY LYON, Superintendent, Central Howard Association, Transportation Building, Chicago, Illinois.

MISS FLORENCE MONAHAN, Superintendent, State Reformatory for Women, Shakopee, Minnesota.

J. O. STUTSMAN, Superintendent, House of Correction, Detroit, Michigan.

J. STANLEY SHEPPARD, Salvation Army, 120 West 14th Street, New York City.

Treasurer.

DECATUR M. SAWYER, President, Board of Managers, New Jersey
State Reformatory, Montclair, New Jersey.

Board of Directors.

The following ex-Presidents of the Association, as provided by the Constitution:

ALBERT GARVIN, West Hartford, Connecticut, 1905.

C. V. COLLINS, Troy, New York, 1906.

AMOS W. BUTLER, Secretary, Board of State Charities, Indianapolis, Indiana, 1910.

FREDERICK G. PETTIGROVE, Boston, Massachusetts, 1912.

JOSEPH P. BYERS, Commissioner of Public Institutions, Frankfort, Kentucky, 1915.

DAVID C. PEYTON, Jeffersonville, Indiana, 1917.

REV. B. M. SPURR, Moundsville, West Virginia, 1918-19.

GEORGE W. WICKERSHAM, New York City, 1920.

HASTINGS H. HART, New York City, 1922.

And the following additional members:

F. L. CHRISTIAN, Superintendent, State Reformatory, Elmira, N. Y.
 MISS MARGARET ELLIOTT, Superintendent, Women's Prison, Indianapolis, Indiana.
 GEORGE C. ERSKINE, Superintendent, State Reformatory, Cheshire, Connecticut.
 MRS. M. P. FALCONER, Director, Department of Protective Social Measures, The American Social Hygiene Association, 370 Seventh Avenue, New York City.
 HARRY L. HULBURT, Warden, State Prison, Jackson, Michigan.
 A. H. LESLIE, Superintendent, Allegheny County Workhouse, Blawnox, Pennsylvania.

BURDETTE G. LEWIS, Commissioner, Department of Institutions and Agencies, Trenton, New Jersey.
 THOMAS C. O'BRIEN, District Attorney, Boston, Massachusetts.
 C. B. SWEEZEY, Superintendent, State Penitentiary, Baltimore, Maryland.
 WALTER N. THAYER, Jr., Superintendent, State Institution for Defective Delinquents, Napanoch, New York.
 A. H. VOTAW, Secretary, Pennsylvania Prison Society, Philadelphia, Pennsylvania.

Executive Committee.

SANFORD BATES, Commissioner, Department of Correction, Boston, Massachusetts.
 GEORGE C. ERSKINE, Superintendent, State Reformatory, Cheshire, Connecticut.
 MRS. M. P. FALCONER, American Social Hygiene Association, 370 Seventh Avenue, New York City.
 LEON C. FAULKNER, Superintendent, State Training School for Boys, Loch Raven, Maryland.

HASTINGS H. HART, Director, Department of Child Helping, Russell Sage Foundation, New York City.
 A. H. LESLIE, Superintendent, Allegheny County Workhouse, Blawnox, Pennsylvania.
 BURDETTE G. LEWIS, Commissioner, Department of Institutions and Agencies, Trenton, New Jersey.

Committee on County and Municipal Jails.

GEORGE W. KIRCHWEY, Chairman, 105 East 22nd Street, New York City.
 A. H. VOTAW, 119 South Fourth Street, Philadelphia, Pennsylvania.
 HASTINGS H. HART, Russell Sage Foundation, New York City.
 MRS. M. P. FALCONER, American Social Hygiene Association, 370 Seventh Avenue, New York City.
 DR. KATHARINE DAVIS, New York Social Hygiene Bureau, 370 Seventh Avenue, New York City.
 JOHN L. WHITMAN, Acting Warden, State Penitentiary, Joliet, Illinois.
 S. A. QUEEN, Director, Department of Sociology, The University of Kansas, Lawrence, Kansas.
 F. H. TRACY, Sheriff, Montpelier, Vermont.

MRS. EMMA O. SULLIVAN, Andrew Mercer Reformatory, Toronto, Canada.
 J. L. BLITCH, Superintendent, State Farm, Raiford, Florida.
 J. O. STUTSMAN, Superintendent, House of Correction, Detroit, Michigan.
 H. V. BASTIN, Superintendent, State Reformatory, Frankfort, Kentucky.
 A. K. SANDERS, Superintendent, State Penitentiary, Columbia, South Carolina.
 PHILIP E. BAUER, 309 Hinckley Building, Seattle, Washington.
 E. R. CASS, General Secretary, The Prison Association of New York, 135 East 15th Street, New York City.
 JOSEPH F. FISHMAN, 257 West 71st Street, New York City.
 WINTHROP D. LANE, New York City.

Committee on Criminal Law and Statistics.

SANFORD BATES, Chairman, State House, Boston, Massachusetts.
 AMOS W. BUTLER, State House, Indianapolis, Indiana.
 JOHN KOREN, 503 Audubon Road, Boston, Massachusetts.

F. L. CHRISTIAN, State Reformatory, Elmira, New York.
 C. S. REED, State Prison, Jackson, Michigan.
 LAWRENCE VEILLER, Secretary, The Committee on Criminal Courts, 105 East 22nd Street, New York City.

Committee on Public Control and Supervision.

JOSEPH P. BYERS, Chairman, Commissioner of Public Institutions, Frankfort, Kentucky.
J. M. BALDY, Department of Public Welfare, Harrisburg, Pennsylvania.
J. B. BUTLER, Board of Control, Des Moines, Iowa.
J. E. BOLAN, 207 Oaklawn Avenue, Cranston, Rhode Island.
CHARLES A. BLANEY, 223 North Burdick Street, Kalamazoo, Michigan.
BURR BLACKBURN, State Council of Social Agencies, Atlanta, Georgia.
C. B. ROGERS, Board of Control and Economy, Montgomery, Alabama.
BURDETTE G. LEWIS, Commissioner, Department of Institutions and Agencies, Trenton, New Jersey.
WILLIAM ST. P. HUGHES, Superintendent of Penitentiaries, Ottawa, Canada.
MISS CAROLINE M. CROSBY, State Board of Control, St. Paul, Minnesota.
HEBER H. VOTAW, Superintendent of Prisons, Washington, D. C.

CHARLES F. RATTIGAN, Superintendent of Prisons, Albany, New York.
CHARLES HOPKINS CLARK, The Courtant, Hartford, Connecticut.
REV. L. A. HARRIMAN, Princeton, Indiana.
BROTHER BARNABAS, Catholic Welfare Bureau, Toronto, Canada.
A. J. HERRING, Austin, Texas.
JAMES W. WILLIAMSON, Superintendent, State Penal Farms, Parchman, Mississippi.
MISS JESSICA B. PEIXOTTO, University of California, Berkeley, California.
DR. RUFUS B. VON KLEINSMIDT, Los Angeles, California.
W. BAXTER GASS, Board of State Charities, Nashville, Tennessee.
W. F. FEAGIN, State Warden General, Montgomery, Alabama.
GEORGE S. WILSON, Secretary, Board of Charities, Washington, D. C.
JUDGE R. R. LANCIS, Havana, Cuba.

Committee on Community Agencies and Delinquency.

MRS. MINA C. VAN WINKLE, Chairman, Director, Women's Bureau, Metropolitan Police Department, Washington, D. C.
CHARLES H. JOHNSON, State Board of Charities, Albany, New York.
R. K. ATKINSON, Russell Sage Foundation, 130 East 22nd Street, New York City.
C. B. ROGERS, Board of Control and Economy, Montgomery, Alabama.
MISS EMMA O. LUNDBERG, Children's Bureau, Department of Labor, Washington, D. C.
MISS ELEONORE L. HUTZEL, Director, Women's Division, Detroit Police Department, Detroit, Michigan.
MISS ELVA M. FORNCROOK, Director, Women's Division, Department of Probation, Recorder's and Circuit Courts, Detroit, Michigan.
DR. MARY STEVENS, 47 Pingree Street, Detroit, Michigan.
DR. MIRIAM VAN WATERS, Referee, Juvenile Court, Los Angeles, California.
DR. HERMAN M. ADLER, State Criminologist, 721 Wood Street, Chicago, Illinois.
COLONEL E. J. PARKER, Salvation Army, 124 West 14th Street, New York City.
DR. EDGAR A. DOLL, State Psychologist, Trenton, New Jersey.
DR. WILLIAM HEALY, Judge Baker Foundation, Boston, Massachusetts.
MRS. MAUD BALLINGTON BOOTH, Volunteers of America, New York City.
JAMES AUSTIN, Jr., Judge, Municipal Court, Toledo, Ohio.

CHRISTOPHER J. BALFE, Prison Gate Missionary, Chicago, Illinois.
S. E. BETTS, Superintendent, Society for the Friendless, Kansas City, Missouri.
F. EMORY LYON, Superintendent, Central Howard Association, Chicago, Illinois.
MISS MAUD MINER, Secretary, New York Probation and Protective Association, New York City.
WARREN F. SPALDING, Massachusetts Prison Association, 26 Pemberton Square, Boston, Massachusetts.
CHARLES E. VASALY, Superintendent, State Reformatory, St. Cloud, Minnesota.
F. H. TRACY, Sheriff, Montpelier, Vermont.
DR. W. N. THAYER, Jr., Napanoch, New York.
REV. W. J. SAYERS, Muncie, Indiana.
COLONEL MALVERN HILL BARNUM, U. S. Disciplinary Barracks, Leavenworth, Kansas.
J. A. JOHNSTON, Warden, State Prison, San Quentin, California.
F. C. NELLES, Superintendent, State School for Boys, Whittier, California.
H. B. HICKMAN, Superintendent, State House of Reform, Greendale, Kentucky.
JOHN R. NUTTER, Secretary, Indiana Advisory Juvenile Commission, Jeffersonville, Indiana.
REV. H. S. JOHNS, Chaplain, State Penitentiary, Baton Rouge, Louisiana.
M. W. POTTER, Warden, State Penitentiary, Deer Lodge, Montana.
L. L. STAIR, Warden, State Penitentiary, Bismarck, North Dakota.
MRS. ORIAN W. MANSION, Superintendent, Training School for Boys, Milledgeville, Georgia.

Committee on Publicity.

BURDETTE G. LEWIS, Chairman, Department of Institutions and Agencies, Trenton, New Jersey.
 JAMES L. LONG, Deputy Supt. State Prisons, Albany, New York.
 FRANK D. LOOMIS, 10 South La Salle, Street, Chicago, Illinois.
 GEORGE FAUX.
 DR. LOUIS N. ROBINSON, Cedar Lane and College Ave., Swarthmore, Pa.

DR. HASTINGS H. HART, Russell Sage Foundation, New York City.
 SANFORD BATES, Department of Correction, State House, Boston, Mass.
 JOHN C. TREMAIN, State Commission of Prisons, Albany, New York.
 HUGO PAM, Judge, Circuit Court, Chicago, Illinois.

Wardens' Association.

President—JAMES DEVINE, Warden, State Prison, Salt Lake City, Utah.
 First Vice-President—WILLIAM HUNT, Warden, State Prison, Comstock, N. Y.
 Second Vice-President—FRED C. SWITZER, Warden, State Prison, McAlester, Oklahoma.
 Secretary—M. W. POTTER, Warden, State Penitentiary, Deer Lodge, Montana.

Chaplain's Association.

President-Emeritus—REV. W. J. BATT, Concord Junction, Mass.
 President—REV. M. J. MURPHY, Charlestown, Mass.
 Secretary-Treasurer—REV. LUCIEN V. RULE, Jeffersonville, Ind.
 First Vice-President—REV. W. S. BASSETT, Concord, New Hampshire.
 Second Vice-President—RABBI M. L. SEDAR, Dorchester, Mass.
 Third Vice-President—REV. W. F. HOPF, Jackson, Michigan.
 Fourth Vice-President—REV. H. S. JOHNS, Baton Rouge, Louisiana.

Executive Committee.

REV. W. M. BUZZA, Chairman, Blawnox, Pennsylvania.
 REV. W. D. BEALL, Baltimore, Md.
 MAJOR WILLIAM HALPIN, Salvation Army, New York City.
 REV. S. F. FORGEUS, Huntington, Pa.
 REV. C. E. BENSON, Stillwater, Minn.
 REV. R. V. LANCASTER, Richmond, Va.

National Prisoner's Aid Association.

President—WILLIAM G. BAXTER, Secretary, Connecticut Prison Association, Hartford, Connecticut.
 Vice-President—MAJOR WALTER COLLINS, State Prison League, Columbus, Ohio.
 Secretary-Treasurer—ALBERT H. VOTAW, Secretary, Pennsylvania Prison Society, Philadelphia, Pennsylvania.

Executive Committee.

REV. CHARLES PARSONS, Supt., Society for the Friendless, Des Moines, Iowa.
 GEORGE E. CORNWALL, Agent, Discharged Prisoners, Boston, Mass.
 COLONEL EDWARD J. PARKER, Salvation Army, 124 West 14th Street, New York City.
 MRS. MAUD BALLINGTON BOOTH, Volunteers of America, New York City
 F. EMORY LYON, Supt., Central Howard Association, Chicago, Illinois.

Medical Section.

President—DR. FRANK L. CHRISTIAN, Supt., State Reformatory, Elmira, New York.
 First Vice-President—MAJOR KING, M. C. U. S. A., Fort Leavenworth
 Second Vice-President—DR. DORIS KRAUSE, Framingham, Massachusetts.
 Third Vice-President—DR. R. A. MCGREGOR, State Board of Health, Lansing, Michigan.
 Secretary-Treasurer—DR. FRANK J. POWERS, Baltimore City Jail, Baltimore, Maryland.

Executive Committee.

DR. FRANCIS L. DUNHAM, Psychiatrist, State Industrial Schools, Baltimore, Maryland.
 DR. RAYMOND F. C. KIEB, Supt., Matteawan State Hospital, Beacon, N. Y.
 DR. GUY G. FERNALD, Medical Officer, Massachusetts Reformatory, Concord Junction, Massachusetts.

Pardon and Parole Officials.

President—J. O. WOODMANSEE, Board of Parole, Des Moines, Iowa.
 Vice-President—J. STANLEY SHEPPARD, Salvation Army, New York City.
 Secretary—FREDERICK C. HELBING, Chief Parole Officer, House of Refuge, Randall's Island, New York City.

National Conference of Juvenile Agencies.

President—EDWARD J. HENRY, Cleveland, Ohio.
 First Vice-President—CHARLES A. MCGONAGLE, Plainfield, Indiana.
 Second Vice-President—MISS MARY J. BERRY, Milwaukee, Wisconsin.
 Third Vice-President—REV. BROTHER CLEOPHAS, New York City.
 Fourth Vice-President—GEORGE P. CAMPBELL, Shirley, Massachusetts.

Executive Committee.

EDWARD J. HENRY, Chairman, Ex-Officio, Cleveland, Ohio.
 HOBART H. TODD, Secretary-Treasurer, Ex-Officio, Industry, New York.
 CHARLES H. JOHNSON, Ex-Officio, Albany, New York.

For Three Years—

WILLIAM F. McCLELLAND, Mandan, N. Dakota.
 DR. E. B. JOHNSTONE, Vineland, N. J.
 GEORGE E. MARX, Marshallton, Del.

For Two Years—

GEORGE L. SEHON, Lyndon, Ky.
 MRS. MARTHA P. FALCONER, N. Y. City.
 LEON C. FAULKNER, Loch Raven, Md.

For One Year—

COLONEL F. H. NIBECKER, Glen Mills, Pennsylvania.
 DR. KENOSHA SESSIONS, Indianapolis, Indiana.
 CALVIN DERRICK, Jamesburg, N. J.

LIST OF MEMBERS AND DELEGATES IN ATTENDANCE.

ALABAMA.

- *Amigh, Mrs. Ophelia L., Chief of Parole, Birmingham.
- *Feagin, Wm. F., State Warden General, Montgomery.

ARKANSAS.

- Bassham, W. E., Supt., Boys' Industrial School, Pine Bluff.
- *Deweese, Miss Mary, Supt., State Farm for Women, Jacksonville.
- *Ford, Mrs. Margaret, Executive Secretary Commission of Charities and Corrections, 351 State Capitol, Little Rock.
- Martin, Miss Blanche, Supt., State Industrial School for Girls, Alexander.

CONNECTICUT.

- Allen, George J., Trustee of the State School for Boys, Middletown.
- *Battey, Dr. P. B., Resident Physician and Psychiatrist, State Prison.
- *Baxter, Wm. G., Field Secretary Conn. Prison Ass'n., Hartford.
- *Boyd, Edward S., Supt., State School for Boys, Meriden.
- *Cheney, Wm. C., Director, State Prison, South Manchester.
- Eggleston, Jere J., M. D., Trustee, State School for Boys, 182 Main St., Meriden.
- *Ersline, George C., Supt., State Reformatory, Cheshire.
- *Gay-Lord, Lyman W., M. D., Psychiatrist, State Reformatory.
- *Kellogg, Charles P., Secretary, Dept. of Public Welfare, State Capitol, Hartford.
- Petersen, Miss Anna M., Supt., State Farm for Women, Niantic.
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