

CHAPTER V

PLAYGROUNDS AND DELINQUENCY

A. PUBLIC PLAYGROUNDS AND JUVENILE DELINQUENCY*

BY JUDGE BEN B. LINDSEY

Judge Lindsey is the originator of the whole Juvenile Court system of the United States and has an international reputation as an authority on juvenile delinquency. He now presides over the Juvenile Court of Denver, Col. In connection with his court he has organized the Little Citizens' League, which puts boys on their honor, and whose records show that only three boys out of several hundreds have betrayed their trust. He succeeded in getting the Colorado Legislature to enact a law punishing negligent parents, employes, etc. He was the Democratic candidate for Governor of Colorado in 1906, and is the author of "Problems of the Children."—*Editor.*

The great majority of that part of our so-called criminal class who are caught and confined are from the youth of the nation. I believe that the police and the courts are concerned with the lawlessness of more than a hundred thousand children every year in the citizens of this country, and that means a million in each generation of childhood.

We cannot overdraw the picture of the increase in weakness and crime among the youth in the cities of this republic. It is not their fault; it is ours. It is largely due to that environment, to that condition that we have created. It is not pretended that any one remedy will suffice, but no one remedy proposed can be more serviceable than the public playground.

Perhaps the saddest thing in my experience is the cursing of heartless parents that I have heard from the lips of neglected boys and girls.

Christ said of him who would do an injury to one of these little ones that "It were better that a mill-stone be hanged about his neck and he be cast into the sea." We do an injury to these little ones just so far as we neglect to provide those agencies for their development and protection. Just so far as by lack of interest we compel our school boards to put fifty children in a room where there shouldn't be over twenty, deny a trade school to equip for industrial efficiency and a playground to equip the child for the advantages of the school and life beyond. It is no longer questioned that such agencies do more to prevent crime than jails, courts and policemen.

We must not encourage the parent to shirk. Starting in Colorado about six years ago we established a new offense in this country. It is called contributory delinquency or dependency. It is spreading all over this country. Under these laws the State is exacting of the parent, where the parent is responsible, a more positive responsibility for the moral and physical welfare of the child. The parent who shirks may be punished. Justice demands that this responsibility be extended to all persons who might properly share it. We may all become guilty just so far as we fail to strengthen those whom we have burdened with this responsibility. That strength depends upon our support of these agencies, such as school

*Reprinted from the *Independent* of August 20, 1908.

boards, park boards, etc., to provide the equipment necessary to give the child a square deal through the public playground and the school.

One obstacle to the public playground has been the cost. If the average citizen, if the average business man, if you please, would only wake to the fact that the most economic scheme for handling the problem of crime is that which prevents rather than that which at fearful expense is merely the engine to convict and punish after crime has become an established fact, we could make progress faster. Because the actual return in dollars is more or less invisible it is difficult for some people to see the necessity for public playgrounds. They have as little sense of real values as that boy whom I induced to go to Sunday school. He said, "It's a place where all the little kids go and give up a penny and don't get anything back." He was thinking of the substantial stick of candy he got at the corner grocery for that precious penny. When asked if he hadn't learned anything there he said, "I learned about angels, I did. I learned they had wings just like the chickens, but I didn't learn whether they laid eggs or not." One of the pitiful things of the past has been our confusion in dealing with the problem of crime.

Thomas Carlyle said there is a gregarious or sheep-like tendency in mankind to flock together and have a leader, and this tendency is first manifested in childhood. And this, of course, means the game—it means play. You cannot keep children from flocking together; neither should you. The responsible parent who thinks to solve the problem by keeping the boy away from his fellows is more likely to develop a mollycoddle or a milksop. He is frequently denied association with others, because that means the street. Let us provide a better place than the street for his playground. We want wholesome, vigorous citizens, with rich, red blood in their veins. They are to be recruited alone from our children. Let them mix with others, and learn to face and overcome the difficulties that come from the mixing, as well as to reap the joys and pleasures of the instinct to flock together, to play together. Our duty, then, is not to suppress, but to afford under the best environment the State can provide, the opportunity for wholesome association and helpful expression of natural instincts.

It is only the thoughtless and uninformed who indifferently wave aside these important problems with the suggestion that the children of the past did not require such consideration. It is no answer to our demand for the public playground to say that all that is needed is the occasional vacant lot for the boy in the city. It is as absurd as to argue that because the boy of fifty years ago on the farm in this country was not in need of child labor laws such legislation is not necessary under present conditions. Even this vacant lot, either with or without a trespass sign, is passing away with the old swimming hole. If it exists its joys are mingled with the terrors of the policeman, "Keep off the grass," the broken window, the grouchy neighbor and the dangers that come from the energy that is misdirected through suppression and lack of wise direction. Our plea for public playgrounds

is a plea for justice to the boy. We are literally crowding him off the earth. We have no right to deny him his heritage, but that is just what we are doing in nearly every large city in this country; but he is hitting back and hitting hard, when he doesn't mean to, while we vaguely understand and stupidly punish him for crime. Why shouldn't he rebel? The amazing thing is that he is not worse than he is.

Perhaps the boy needs to be taught where fun ends and the law begins, but his struggle for fun and adventure is met all along the line from the little seven-year old, who tries to reach the door-knocker of the neighbor's house, when the minister coming along lifted the little fellow up. He gave it a whang and a bang, and shocked the good man as he scooted down the street as hard as his little legs could carry him, only to turn and shout to his friend, "Hey, Mister, you'd better run like the devil, or you'll get caught." We must know where to meet this boy and how to understand him; and in teaching him where fun ends and the law begins we must have due regard both for his fun, his exercise, his bubbling energies and the law. I have found that when we do that he is the noblest little creature in the world. He is truthful, generous and honest. He will respect your rights even more than you respect his.

Three of the first culprits I ever tried were little fellows twelve or thirteen years of age. They had been captured by the police after a raid on the gang. In the center of the group stood little Dave, who made his tearful plea to the court. I said, "David, the officer says you are guilty of burglary." "But," said David, "I ain't no burglary." "Well," I said, perhaps you don't understand. You are charged with going into a box car and taking things that didn't belong to you." David was quite typical of the constantly suppressed youngster. He was forced to live in that district that is a part of nearly all of our large cities, known as the Bottoms. Through it comes the railroad tracks. A nice place indeed for the rearing of children. He was a typical, red-headed, freckle-faced boy, quite frazzled out at the elbows of his little coat and the knees of his trousers—and indeed some other places thereabouts—his stockings were down, and he dug his little fist into his tearful eyes, that had filled his face with rivulets of grime. "Judge," said David, "it's dis way. We lives down by the railroad tracks, we do, and we play among box cars, and the kids said there was watermelons in one of them; didn't they, Ikey"—as he appealed to the boy at his right. "Well," I said, "that wasn't any excuse for taking things that didn't belong to you"—as though the judge didn't know that fruit like that had offered temptation to other boys in other ages. "Well," continued David, "when we got in the car and didn't find no watermelons, Ikey said, 'gee whiz, kids, I'll bet there's something good in the car, for there was boxes in there that had figs painted all over them,' and Ikey said, 'Let's get something good anyhow'—yes, you did, Ikey, you know you did—and we got open the box and each one of us got out a bottle and it had figs painted all over it, too, and each one of us drunk

a whole bottle full, and"—to the accompaniment of tears and grimaces—"it was California fig syrup, and I tell you, Judge, we have suffered enough, haven't we, Swedey?" as he appealed now to the boy on the left, and Swedey chirped up in eloquent defense: "Sure we have, Judge, because I drunk two bottles," and I accepted the plea of David that they had "suffered enough." I thought so, too.

Of course it is a bad thing for the boys to be running on the railroad tracks. It is only a short step to stealing from the box cars and then perhaps from the corner grocery and finally to "tapping the till." Such is the progress of neglected childhood. A public playground will take care of that natural curiosity and disposition to play and do things, and would save the railroad companies thousands of dollars they spend annually to keep the boys in the cities from making their property their playground. I know a railroad official who told me that they had dispensed with one expensive officer in one district after a scheme of personal work and helpfulness through the public playground had been built up. It had directed into better channels the otherwise misdirected energies of these children. A gentleman in one city of fifty thousand told me recently that the sixty boys who had robbed the box cars within the short space of one month were furnishing his road a more serious problem than the question of railroad rates that was then pending in the legislature.

I once talked to a young murderer nineteen years of age. He was then in the shadow of the gallows. He told me his lawlessness started down among the railroad tracks where he went to play. It was a powerful magnet for curiosity when there was none other. And all this is aside from the wholesome character-building and the effect, both morally and physically, upon the average boy who has the advantage of clean well-directed helpful play that is now to be supplied alone in many cities through the public playground.

I know a city of less than three hundred thousand inhabitants in which there were over three thousand arrests among the boys in one year. I walked into one of the courts of that city and found the time of the jury, the judge and the counsel taken up in trying a boy of twelve for throwing a brick at a citizen. The next day I met the boy in the bull-pen amid hardened criminals. He had chains about his waist and knees. I asked the boy why he threw the brick. He said, "I never meant no harm, Mister; we was just playing." I saw the miserable shack and crowded district where he lived. Can the boy be blamed if he continued to throw the bricks? Could we be blamed if he shed a tear at the absurdity and injustice of it all? Can we be blamed if we turn from the act of the boy to cry out against the shameful criminal State?

This child is a wonderful human creature—a divine machine. We have much to expect from him, but he has much to expect from us, and what he returns depends largely upon what we give.

We shall suffer with him whether we will or no, for we do not share his

burdens. Let us not weary of the struggle till the child gets a square deal; and until he does, we cannot have and do not deserve that glorious manhood, that splendid citizenship that will come alone from duty done in childhood's sacred cause.

We of the children's courts are optimistic because we see, perhaps with clearer vision the most hopeful sign in this country. It is that awakened conscience of the State to its own responsibility for the child—that in caring for the child the State is simply caring for itself.

We have ceased in this country to question the duty of the State. It must provide free education and pass compulsory school and child labor laws and establish playgrounds, trade schools and juvenile courts, for the State suffers just as far as the child is ignorant or weak. We do not need more to emphasize our responsibility. This nation must take care of its children. From that duty it cannot and it shall not escape. It is only true to itself just so far as it is true to its children.

Denver, Col.

B. RELATION OF PLAYGROUNDS TO JUVENILE DELINQUENCY*

EXTRACTS FROM ADDRESS OF ALLEN T. BURNS

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The only inductive study ever made of the effect of playgrounds on juvenile delinquencies has been prepared by Mr. Allen T. Burns. It is one of the most valuable studies ever contributed to the playground movement.

This paper summarizes the results of the Chicago playgrounds as follows:

A small park neighborhood recreation center, such as those on the south side of Chicago, can be expected to be coincident with a 28½ per cent decrease of delinquency within a radius of one-half mile, conditions of the neighborhood in other respects remaining stable. To provide a probation district with adequate play facilities is coincident with a reduction in delinquency of 28 to 70 per cent, or 44 per cent as an average. In addition, over a much larger area, the small parks have a tendency to decrease delinquency 17 per cent. Remembering that the park areas made only a seven per cent better showing in the matter of successful cases than the rest of the city, it may be said that the small parks have been a greater factor in the prevention than in the reformation of the juvenile delinquent. For the playgrounds, the only indication of a helpful influence is the fact that in the long run and in the neighborhood very close to the playground, the children seem to be so developed that a decrease of delinquency results—a decrease of 24 per cent for such neighborhoods as compared with 18 per cent for the whole city. There was no way of measuring the effect of the large parks upon the decrease of delinquency. They did show a helpful influence in the successful treatment of delinquents, there being 46 per cent of successful cases within a one-mile radius. This is the same favorable showing of seven per cent, as made by the small parks in a one-half mile radius. Upon these figures is rested the case for the thesis that the presence of parks and playgrounds in a neighborhood is coincident with a decrease of cases of juvenile delinquency and with an increase in the proportion of cases successfully cared for by the Court.

A boy nine years of age was brought into court on a charge of stealing and committed to an institution for a short term. A year later he was again arrested for incorrigibility but left under care of the officer to whom he had been paroled from the institution. Three years after the second arrest he was again brought into court for incorrigibility and committed

*Reprinted from *Proceedings*, 1908, Playground Association of America.

to the institution where the less hopeful cases are sent. After his release his family moved from a neighborhood entirely destitute of recreation facilities to a location near Lincoln park which the boy has since used constantly to spend his leisure. He has improved sufficiently to be released from court and causes no further trouble. Such cases as this, of which many are found among the cases traced, indicate that the better showing of park neighborhoods as to successful cases is due in part at least to the parks themselves. Thus we have in the matter of successful cases a possible index of the park's influence such as we could not have where there was no opportunity to measure the decrease of delinquency in connection with the establishment of the park. * * *

But there are citizens who will think of the cost of the small park—\$220,000 to establish and \$29,000 per year to maintain—the cost of \$1.76 for establishment and 23 cents per year for maintenance to the property holder of \$10,000. Ten times these amounts for the South Side of Chicago. And this thoughtful citizen may add that the South Side's 29 per cent favorable showing represents only about one hundred bad boys saved. As a problem in "efficient democracy," I suggest that such patriots of the exchequer consider the cost to the public treasury of handling each case of juvenile delinquency. I hoped to be able to make such a comparison for Chicago, but the accounts of the county were not so kept as to make this practicable within the available time. I do not presume, however, that the cost of caring for delinquents would equal that of preventing them through the establishment of small parks. The approach of the former to the latter expense might be some solace to those who must make money the first consideration.

There is another point of view which maintains that no matter how great the cost, the value of the saved boy is inestimably beyond it. This point of view is suggested by that Master of practical life who knew full well the value of money, even of the widow's mite. For what shall it profit a city if it gain the whole world and lose the souls of its children?

C. PLAYGROUNDS AND THE GRAND JURY

The Philadelphia Grand Jury has made the departure, singular enough for a body of such character, of recommending the adoption of a general playground system for the entire city. The grand jury accounts for its taking the initiative by the explanation that playgrounds are essential for the prevention of crime among the young. The truth of this assumption is unquestionable. * * * The obligation to safeguard the morals as well as the health of the young is one which State and local authorities are alike bound to respect and the observance of which cannot be too strongly and persistently urged.—*Pittsburg (Pa.) Chronicle-Telegraph*.

"In dealing with the problem of crime in youth, we shall make progress just in proportion as we appreciate the absurdity of limiting our remedies to the court, the hangman and the jailer."—*Judge Lindsey*.