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MEDICAL ASPECTS OF THE CRIME SITUATION*

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SEVERAL months ago when I was on a train going back east, an apparently prosperous and intelligent Californian engaged me in conversation in the Pullman. We talked on a variety of subjects and apparently had many common interests including golf, politics and other inexhaustible topics. This pleasant state of affairs was rudely interrupted when he inquired as to my profession. I told him I was a psychiatrist. He looked somewhat confused and finally said, "Oh yes, you are one of those fellows that run around to all the murder trials and try to make all criminals insane." On the basis of the great general interest shown in the many recent developments in the psychiatric field I could not help but be astounded by such a remark, especially as it came from a source that might represent the general feeling of the laity regarding psychiatric work. A greater misconception of facts could not exist. *Psychiatrists seek exactly the same objectives as are sought by other groups interested in the criminal problem; that is, protection for the community from criminal acts, the prevention of crime and whenever possible the rehabilitation of the criminal.*

We feel that more criminals should be segregated and take issue with the legal profession regarding the present method of fixed sentence for a crime, followed by the return of the criminal to the community. The legal approach is based chiefly upon a consideration of the crime committed,

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seeing that the criminal receives the penalty in accordance with the crime and that he is segregated for a fixed period of time. The psychiatrist's point of view is chiefly from the angle of a study of the criminal himself. We feel that a greater emphasis should be placed on an understanding of the social and individual factors entering into crime which is often an expression of long continued maladjustments of varying degrees. *The criminal represents one group of adjustment difficulties and falls within the focus of psychiatry and other branches of science.* The psychiatric view holds that with scientific study and analysis of the physical, chemical, biological, psychobiological, social and psychological factors entering into the personality of the criminal, much can be understood regarding anti-social actions. Through a study of the entire biography of the individual in the sense of personality assets and liabilities the real beginning of criminal tendencies can often be found to date back to early childhood. Preventive studies during this period constitute a part of the modern psychiatric approach to these problems. Such studies through childhood and adolescence indicate that it is possible to foresee that certain individuals are apt to develop criminal tendencies. Early consideration and treatment of these tendencies *will mean in many cases the prevention of criminality.*

The psychiatric point of view is often more drastic than the legal point of view in that we frequently advise permanent segregation of individuals who are well advanced in crime, only to find that at the expiration of a term of so many years in prison, these individuals are allowed to return to the communities without even the formality of a mental examination. This means that a large number, usually the recidivist types, are willfully and lawfully turned loose on the community without any understanding of their mental condition in spite of the fact that psychiatric examination has repeatedly indicated the need of their permanent segregation. This group includes particularly the constitutional psychopathic inferior types, a group of individuals who do not profit by experience and who show a fundamental emotional defect and a moral unimpressionability which makes them one of the most dangerous classes to have at large. Surely the rapidly advancing science of psychiatry would not allow us to send an insane

person to a state hospital for so many months or years. He is sent there to remain until his condition warrants his discharge and the judgment of psychiatrists in the past has proven to be comparatively accurate in safeguarding the community from this class. The public would certainly have a good deal to say in a critical way if the insane were discharged from our hospitals in great hordes without examination, and yet that same public does not realize the even greater danger of our present legal methods concerning the parole and discharge of large numbers of certain dangerous types of offenders year by year. The psychiatric position is very definite and indicates that we will never accomplish anything with the mass treatment of the criminal. He needs intensive, individual study and treatment. Psychiatric study will not be a cure-all but it offers, in my opinion, the only hope in sight for a sensible approach to the treatment of the offender and surely it will result in marked improvement of the present haphazard methods. We hope it may lead to the development of psychiatric clinics in connection with our juvenile courts and all penal institutions. We also hope that it will lead to the development in our state of a psychiatric commission composed of three men well qualified in this field who will have an opportunity to examine completely special cases as in accordance with the successful Massachusetts Law which provides for a psychiatric examination of the following classes:

- (1) Murder of the first degree.
- (2) Persons indicted or bound over for a felony who
 - (a) Have been previously convicted of a felony.
 - (b) Have been previously indicted for any other offense more than once.

If the mental condition of the criminal as revealed by complete psychiatric examination were used as a basis for his continued detention, parole or discharge, it is certain that in general, criminals would be longer confined than is now the case, with the resultant increase in security to society. This would enormously relieve the load now carried by the communities,¹ the loss of billions of dollars (estimated seven billions per year), the exposure of the public to crimes of the most appalling types. For instance, a psychiatrist advised against the parole of a certain criminal. He also advised the creation

of a psychiatric clinic in an eastern state penitentiary at a cost of \$18,000 per year. This criminal, after parole, caused a fire with the resultant loss of \$100,000 and the jeopardy of many lives. Surely it would prevent the psychopathic inferior who is constantly at odds with society from being returned time and again to the community. This method will be possible through a psychiatric classification of all convicted criminals and by having the recommendation for parole on a scientific basis, depending on complete psychiatric studies of the individual offender.

Perhaps it would be helpful if we would review the psychiatric facts of one of our recent outstanding failures pertaining to the problem of crime. This is the case of Edward Hickman whose entire history, beginning with the fact that he should never have been born, indicates the responsibility of the community and state for the occurrence of one of the most atrocious crimes in the annals of American criminology. I shall not take your time by giving a complete case history but will attempt to call to your attention the significant details which indicate possibilities for prevention, quoting extensively from Dr. Van Waters' report.²

The maternal grandmother was said to be insane and was known as Crazy Becky. The maternal grandfather was neurotic and a religious fanatic, given to temper tantrums during which he beat his horses and stamped on his plow. Maternal cousin known as Oddy Buck, the town simpleton. The mother was insane and spent some time in a state institution. She was a defective, as shown by examinations in the University of California Clinic during the trial, and yet she had been released from an institution and allowed to have children.

Psychiatric Lesson No. 1. *"The Hickman case indicates that this is a problem of elementary eugenics and that Hickman should never have been born; also that when a parent is released from an institution for the insane the state or a suitable social agency should supervise the patient and children with a view to preventing mental disease."* This is a part of the present day mental hygiene program for any community.

The five children of Mrs. Hickman were brought up in Arkansas. The mother is said to have had a morbid fear of childbirth. The father deserted the family when Edward

was 10 years old. Mrs. Hickman took her brood into the cotton fields where they earned a living. She constantly threatened to kill the children and often stood over them with a butcher knife or an axe. She belonged to the shouting or rolling sect of religious fanatics. During Edward's impressionable years, surely during his pre-school years he constantly witnessed scenes of morbid emotional excitement. Later he became interested in religious problems and wished to become a minister.

Psychiatric Lesson No. 2. *What would a state wide mental hygiene program, giving special attention to the children of insane mothers have done to prevent the murder of Marian Parker?*

When Edward was 12 or 13 years old the family moved to Kansas City. Edward worked his way through high school. He was president of the Webster Club, a debating society and one of the editors of the school paper. He spent a great deal of time in the library acquiring, no doubt, the numerous references to the classics which astonished his lawyers. Here he read of Frank Kraemer and other criminal celebrities. It has also been said that he sent out for books from his school library regarding famous crimes and criminals. Toward the end of his senior year in high school he entered an oratorical contest, winning second prize. His lack of size, nervousness and effeminate make-up contributed to make this a crushing blow to him in that he had worked until 4 or 5 o'clock in the morning on his oration. A series of severe, repeated disappointments followed. It is significant at this period that he always wished to be in the limelight and to figure as an orator and that he reacted very badly to personal slights and defeats.

Psychiatric Lesson No. 3. *When a student in our public schools shows symptoms of mental tension, it is always a good thing to refer him to a child guidance clinic, to a school counselor or visiting teacher. When a student is unusually interested in crime and shows marked emotional sensitiveness along any line, these crises in the school should stand out as danger signals and indicate the value of wise guidance before possible mental catastrophe.*

Edward went to California in January, 1927. He worked in the First National Bank as a messenger boy at \$15.00 per

week and lived in the home of friends. He became convinced that he needed a motorcycle and forged four checks to the approximate value of \$100. Later, during the murder trial, it was discovered that he was an expert forger. He could copy his lawyer's signature so cleverly that the lawyer himself could not identify the forgery. At this time he was taken before the juvenile court in Los Angeles after spending several weeks in the county jail. His probation officer investigated the case with conscientious attention to all the details and events of the boy's home life, school record and the opinion of his employers. Mr. Parker was especially dumfounded as he considered the boy's services in the bank were very good. Edward was recommended for probation and released July 22, 1927. He did not have an examination by a psychiatrist.

Psychiatric Lesson No. 4. *The community should take the blame and pay the penalty when it is willing to have the juvenile court function without the services of a competent psychiatrist.* There is very little doubt that with complete psychiatric examinations, if the court were willing to follow through the recommendations of one well-trained psychiatrist or of a group of psychiatrists, but that Edward's mental condition would have been recognized and he would have been segregated or carefully supervised for the rest of his life. It is inconceivable that a juvenile court in any community can function without psychiatrists. We also see the advisability of having a better system of probation and of seeing that probation officers receive definite training. I know of a community in an eastern state where the probation officer is 77 years old and receives a salary of \$40 a month for his services. You can imagine his effectiveness in dealing with the active present day juvenile offenders. Psychiatric Lesson No. 4 is certainly a bitter one. There is more to this lesson in that the public which condemned Hickman so justifiably would be the first to make the same outcry if a psychiatrist made a recommendation for life custody not on the basis of what he had done but what he might do.

The last development in Hickman's gloomy drama shows that almost immediately after this juvenile court experience he started a career of crime. Why did the probation officer not check up on him? He stole cars, committed numerous

robberies and at least one murder; that of Townsend, the druggist. During this period of probation he visited Philadelphia, St. Louis, Kansas City, Texas, Washington, D. C., and Chicago. In Cleveland he committed three street robberies in ten minutes. In Washington, D. C., he took in all the sights and had intended to kill the President. He stated that Providence was guiding him all the time and warned him that to kill the ruler of the country was too ordinary and had been done before. He then returned to Los Angeles to commit what he termed the master crime of the century. He certainly lived up to his desire. Edward did not know Marian Parker. She was pointed out to him by the school teacher when he went to the school to say that her father was ill. No one knows how deep this delusional grudge went against anyone who occupied a semblance of power and who could legitimately inflict humiliation. Psychiatrists speak of the mental mechanism of projection when the patient blames others on the basis of his own antagonistic ideas and hatred. Edward in killing Marian was perhaps in some obscure way of getting even with his own parent. "From the humanitarian point of view the monstrous injustice of this staggers us. From the point of view of what we, as a modern society, owe to the children we have permitted to be born to us, it makes us pause."

Psychiatric Lesson No. 5. *The mental mechanisms of a crime can usually be understood and evaluated by competent Psychiatric studies. The early signs of a psychosis in Edward Hickman were definite and a well trained psychiatrist in detecting them could have prevented the terrible crime committed in California.*

The court procedure is of interest. First the judge refused a continuance to the defense sufficient to prepare for the importation of witnesses from Kansas City, stating, "We will give you 20 days to prepare and then hang him." The public, worn out with long delays in other trials and smarting from the criticism of the press, demanded to have the case heard at once without too much formality. The lawyer came on from Kansas City. It is said that moving pictures of court procedure were arranged for by the judge and fortunately stopped by a committee of the Bar Association. Later the trial was assigned to a different judge. The issue was solely that

of insanity. *The defense lawyers offered to submit the case to a committee of psychiatrists appointed by the American Psychiatric Association. This was rejected by the prosecution which, unfortunately, is usual. Why do courts insist on having the ridiculous battle of so-called experts by refusing to accept a joint report from several competent and well trained psychiatrists?* The trial took five weeks. The jury was out forty minutes and they gave a verdict that Hickman was sane and that he should hang.

Psychiatric Lesson No. 6. *To have a jury pass upon the question of insanity at any time is an unintelligent, unscientific, unjustifiable, expensive and dangerous procedure.* A jury chosen from a community which has lost its sense of security and is terrorized by a crime is like submitting a question of science to an infuriated mob. Hickman talked freely. When his stories were checked up they were found to be true but no one believed him when he said he heard the voice of Providence and explained this crime by stating that he learned to listen to this voice and act immediately for if he stopped to consider, it was wrong. The testimony of the psychiatric army in this case was terrible and the publicity given it even worse. One of the prosecution alienists in the heat of the trial said to Edward, "I would like to have you vivisected." Hickman promptly replied, "Doctor, you are as bad as I am." The attitude of the public was of great interest. None of the papers printed all the facts about the real Hickman. They never told the reader that he was an undersized, effeminate boy, looking not more than fifteen or sixteen. Clearly Hickman was dangerous and hanging seemed the only thing to have done. Even after confinement in his death cell he assaulted a cell mate so severely that he had to be taken to the hospital. He committed a major crime every six months and several minor crimes in the concluding drama of his criminal career.

Psychiatric Lesson No. 7. *"Can we expect the community to turn its attention to the causes of the crime until the criminal has been rendered no longer dangerous? We cannot think of prevention while we are terrorized and prejudiced. Is it not reasonable to ask the court, the press and the psychiatrists to present the whole truth to the end that our abhorrence may*

be fastened upon the causes which produced the deed rather than upon the criminal himself?"

I have quoted and abstracted largely from the accurate report of "Why Hickman Hangs," written by Dr. Miriam Van Waters. I do not know of any case that so clearly brings out many of the leading psychiatric aspects of dealing with the crime situation. I will not burden you by quoting an even more remarkable case, especially from the viewpoint of legal procedure; that of the acquittal of George Remus in Cincinnati. *He was found sane by the psychiatrists and insane by the jury.* These two cases when combined with the Leopold-Loeb medico-legal atrocity several years ago, indicate that changes are needed in our legal and medical machinery. Fortunately changes are rapidly being developed by some of our eastern states. The Baumes Laws enacted by the New York Legislature in 1926 chiefly provide for life imprisonment of all offenders on their fourth sentence. For second offenders the minimum sentence must equal the maximum that they could have received for the first offense and the maximum of what may not exceed twice the length of that term.

Since these laws went into effect in July, 1926, uniform testimony of their success has been obtained from all quarters.^{3, 4, 5} Quoting from the Crime Commission report of February 28, 1927, we have the following remarkable testimony of their success: Just before this law went into effect there is a description of a bums' rush to prison, the most remarkable spectacle ever seen in this country. Prisoners began changing their pleas from not guilty to guilty. They insisted on helping the district attorneys, the courts and the state in every way possible in order to get into Sing Sing before midnight of Wednesday, June 30th. In many instances the criminals themselves studied these laws carefully and they certainly feared them, demanding speedy trials and fast trains to Sing Sing. Police Commissioner McLaughlin in his recently published annual report, referring to the Baumes Laws, says, "The Police Department's experience since this law and the other so-called Baumes Laws took effect, leads us to the positive conclusion that up to date they have had a very deterrent effect on individuals pursuing a criminal course. Our experience is based on actual contact with criminals, and from

the information disclosed to the police it is evident that criminals have a genuine fear of these laws." He testified before the Crime Commission that during the months of July, August and September of 1926 there were 161 fewer robberies in New York City than in the corresponding months of 1925, a decrease of 45 per cent in this one class of crime alone in this short period. He also testified that in cases of assault and robbery in that same period there had been a decrease of 50 per cent, there having been but 42 such crimes reported to the police in that period, as against 87 the year before. Previous to the Baumes Laws this class of crime was clearly on the increase in New York, for instance, in the first six months of 1926, the number of assault and robbery cases in Manhattan jumped to 501, as against 425 for the same period in 1925. Police Commissioner McLaughlin states that there is no doubt but that the Baumes Laws reaches the habitual criminal with a long known record. He also states that this type of criminal cannot be changed by reform; that he has succeeded in beating the case year after year, starting with a petty crime and continuing his career of crime with more serious crimes, even killing policemen when he feels that it is necessary. He states that the Baumes Laws have effectively aided the police department. When a gunman with a long record knows in advance that if he is caught it means life imprisonment or an added sentence for using a gun without any chance to sway the court by promises of good behavior or to beat a stiff sentence with a plea of guilty, its effectiveness will be even more apparent. District attorneys within New York City testified also that the Baumes Laws have been a marked crime deterrent, where there has been a decrease of 40 per cent as compared with the corresponding period of the preceding year. The statistics collected and published week by week in one of the great metropolitan dailies showing the extent of major crimes in other cities are equally illuminating testimony to the success of these laws in keeping down crime in New York City. They show the following proportionate rate of crime per 100,000 population: New York, 4.7; Chicago, 9.6; Philadelphia, 16.5; Detroit, 28.9; Los Angeles, 20.8; St. Louis, 18.5; San Francisco, 30.8; Toledo, 24.7.

Statistics from Warden Crawford of the Colorado State

Penitentiary show for the biennial period ending Nov. 30, 1926, there were 197 repeaters out of 1,014 received (19.4 per cent), and for the biennial period ending November 30, 1928, there were 318 repeaters out of 1,062 received (29.8 per cent.) We cannot continue having a merry-go-round of in and out of the penitentiary increasing year by year. The statistics I have quoted regarding the Baumes Law probably are misleading in that professional and habitual criminals are leaving New York and Michigan and migrating to Colorado and other states.

The surety companies whose business it is to write policies for burglary and robbery insurance give the following statement: Robbery, burglary and hold-up losses have been reduced 29 per cent. In the last six months of 1925 insurance paid in greater New York was \$135,607.97. In the closing half of the year during which the Baumes Laws were in effect claims paid amounted to \$96,091.68.

The warden at Sing Sing testifies that these laws are serving as a deterrent in that the number of fourth offenders has decreased in number by 46 per cent in the five months' period during which the laws were in operation. It also has a general effect in reducing the number of new prisoners as evidenced by the fact that during the month of October there were only 110 new prisoners received in Sing Sing as compared with 141 in the same month the year previous.

Letters sent to 62 district attorneys and county judges throughout the state of New York indicate a predominant support of the Baumes Laws. Justice William H. Black of the Supreme Court states, "Had work of this kind been done twenty years ago, the taxpayers of the state would not now be bearing the burden of housing and feeding an army of professional criminals, nor would they be paying pensions to maimed and murdered officers of the law and their dependent families."

What would the Baumes Laws have accomplished in the case of Eddy Ives, a habitual criminal? The findings in this case are as follows:

1. The Denver City Charities have a record of this individual dating from early childhood showing advanced and progressive criminal tendencies.

2. The police and court records show that he began his criminal career in 1898 and received a suspended sentence to the State Industrial School at Golden. In 1904 he was sent to the State Reformatory at Buena Vista for grand larceny. In 1906 he started a 3-year term in the Oregon State Prison. In 1914 he was in prison in Salt Lake City for burglary. In 1916 he was sent to Canon City for ten years for burglary. In 1920 he escaped from Canon City and after another robbery was returned. In 1924 received another term there. In 1927 went back again. Reasons for parole both times from Canon City were not ascertained. On November 16, 1928, he killed a splendid policeman and a negro woman.

Suppose Ives is not hung but receives another prolonged sentence. In how many years will he be again free to continue his burglary and homicidal acts? Surely with a psychiatric classification of offenders and complete studies before parole this crime and many similar crimes could have been prevented. How many similar cases are now at large in Colorado and would it not be worth while to develop careful statistical studies, probation and methods of follow-up and scientific parole of criminals?

In the preparation of this paper I was surprised to learn that statistics from the West Side Court were not available and that the information for which I asked about the number of criminal repeaters each year, the type of sentences received, could not be obtained.

I have indicated in this paper the absurdity of many medico-legal procedures now in vogue. *Surely the day of the so-called battle of experts is passing and is condemned by all representatives of the public and professional groups.* The psychiatric field for decades has realized the defects in this system, both on the medical side and from the viewpoint of cumbersome, time consuming, sleep wrecking, legal technicalities, apparently unchanged for centuries. Is it possible for a psychiatrist called for the prosecution or for the defense to give non-partisan testimony when these procedures continue to be used? Is it possible for a jury to pass on detailed medical questions regarding insanity which require careful scientific study and years of training to decide? Is it possible, allowing for a certain degree of intelligence in psychiatrists

and the public in general, that the obsolete and very annoying hypothetical question can be endured even by the most patient of us? These procedures have been strongly condemned by committee action of the American Psychiatric Association.^{6,7} Medical considerations are brushed aside with a startling deliberateness not flattering to the psychiatrists of our community or to the staff of your Psychopathic Hospital. Years of experience in psychiatry, close study, research and some understanding of the medical phase of this situation carry no weight in many instances and the jury decides puzzling, difficult, complicated medical issues. Would it not be equally sensible to have the jury decide about the localization of a brain tumor or the indications for an appendix or gall bladder operation as well as the type of instruments the trained surgeon should use?

The Colorado Law of 1927 whereby criminals making a plea of insanity may be sent for observation to the Psychopathic or State Hospital has been often quoted as an improvement in this situation. Possibly so for a legal weapon, but it is deplorable to mix criminals with early and remediable types of mental disease and defects, the purpose for which the State Psychopathic Hospital was provided. It indicates a return to the medieval idea of grouping individuals having mental disorders with criminals. I cannot object too strenuously to this mixture and feel the state should provide separate quarters for the observation of criminal cases. A separate institution for the observation of the criminal insane should be provided in connection with our penal institutions. Despite the fact that we have no building, room, facilities or personnel for this purpose, we have arranged facilities on two of our six wards and handled this problem as well as we could along with the admission rate of approximately 700 patients annually, making our Psychopathic Hospital, I am glad to say, the second active one in the country as far as service to the entire state is concerned.

Since the 1927 law went into effect forty cases have been received at the State Psychopathic Hospital. Recommendations given to the court were followed out in 57.5 per cent; they were not followed out in 17.5 per cent; no action of the court in 25 per cent.

In one case, that of S. F., a man who was diagnosed as

having a paranoid psychosis, studied very carefully and a report in agreement submitted by Dr. Delehanty and myself, nothing was accomplished in that the prejudice of the local community and the legal procedure through the jury promptly decided the issue. This man received a sentence of nine years in the state penitentiary. He is definitely psychotic and I think at least nine out of ten psychiatrists would agree with our opinion. At least it was not the type of a case that offers many controversial possibilities.

At the end of a few years this individual, in accordance with our accepted standards, may be discharged directly back to the community in an even more advanced mental condition. He will most likely again become a menace to the community and may possibly decide to square up accounts and shoot it out again when he is discharged in 1938. (It is of interest to note, that this patient has delusions of persecution directed toward the district attorney.) I can cite instances where I have personally testified in court that an individual was dangerous and a menace to the community, where legal technicalities and hypothetical questions have confused the omnipotent jury even more than my testimony and overruled medical opinion and the patient discharged, later on committing violent anti-social acts. One paranoid woman, promptly after discharge on a plea of habeas corpus, attempted to kill one of her persecutors.

Another phase of this situation is the question of allowing numerous psychotic individuals in the penitentiary. We read some time ago of a dangerous assault in our penitentiary, made most likely by a psychotic individual. Two other prisoners were severely injured. Wardens for years have pleaded for a change in this situation. For instance, at Sing Sing, where they first organized a psychiatric clinic, it was shown by the psychiatrist that 12 per cent of the population had been known to be definitely insane and in addition 18 per cent irresponsible psychopathic individuals.

I do not know of any more gloomy, irrational, social waste than our present medico-legal methods of dealing with the crime situation. It seems to me that it is possible to change these legal procedures even if it requires constitutional amendment, in order better to co-operate and to co-ordinate a medi-

cal and legal program to really safeguard the community from the ravages of the criminal. Surely this is the joint desire of the splendid psychiatrists, judges and lawyers I have had the privilege of knowing in Denver and throughout the state.

I realize the inadequateness of this preliminary report but would like to suggest in conclusion the following steps which might be helpful in a state program to deal with our criminal situation:

1. The elimination of partisan testimony and the so-called battle of experts through approval by legislative action of the creation of a commission of three psychiatrists appointed by the court. A majority report of this Psychiatric Commission regarding the mental condition of the defendant is to be accepted by the court. These psychiatrists are not to testify in court but can be questioned by the judge in the presence of lawyers on both sides. This would take away the power of the jury in rendering a verdict concerning medical questions. (In accordance with the committee reports by the American Psychiatric Association.)*

2. Through legislative action, chronic offenders and recidivists should have complete mental examination by the Psychiatric Commission. Recommendations for the permanent legal detention of repeaters should be made based on the findings of complete psychiatric studies.

3. The creation of a Psychiatric Clinic in the State Penitentiary and other penal institutions for:

(a) Classification of all prisoners to acquaint the prison authorities with their mental characteristics; to help in the assignment of work; to see that the criminally insane are treated and segregated in an appropriate institution, preferably on the penitentiary grounds.

(b) To be of service to the prisoners themselves through examinations and treatment, and to help them make adjustment before and after their discharge.

(c) Research work concerning the causes of crime and the best methods of treatment and prevention.

*Vote of The National Council of the National Economic League: 813 for, 118 against.

(d) To establish routine psychiatric examinations of all prisoners at least one month before they are brought up for parole or discharge. Parole or discharge to only be granted if indicated following complete social and psychiatric studies. In certain types (as in the Ives case) parole should never be granted. The prisons should create a parole board and no prisoner should be paroled unless the report of the board is unanimous. On violation of parole the prisoner should serve out the rest of his sentence and the maximum for his second offense and be considered as a second offender (as in Baumes Law of New York).

4. Arrangements should be made and enforced whereby the prisoner has regular supervised employment while serving his sentence. Their earnings should be applied to reimburse the state for their care and maintenance, to support dependent relatives and to make restitution to persons injured by their criminal activities. For this, proper colonization methods should be developed in Colorado.

5. The passage by the legislature of the Baumes Law modified so that all repeaters considered to be dangerous in type by psychiatric examination are promptly segregated for life, as well as all fourth offenders.

6. The creation of a separate building or wards to care for the criminally insane at the penitentiary. Arrangements for the training of lawyers in the relation of criminal law and psychiatry through a course of instruction should be provided here. The three law schools of the state should arrange their curriculum to take in this work, and district attorneys and lawyers specializing in criminal law should serve a period analogous to a medical internship in this institution. (White.)⁸

7. The positions of judges of criminal courts and district attorneys should be permanent, appointment being based on the results of a competitive examination and the fulfillment of requirements for such positions should consist of a knowledge of modern criminology and its various ramifications. (White.)

8. Establishment in connection with our courts of adequate probation and statistical facilities.

9. The creation of a Colorado crime commission to conduct careful studies and formulate data as to the causes and

effects of crime, condition of our present penal institutions, courts and legal and medical procedures with appropriate recommendation for legislative enactment. This commission is to co-operate in every way possible with the National Crime Commission and should freely utilize the splendid reports previously published.^{9, 10, 11, 12, 13, 14, 15, 16, 17, 18}

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¹⁸The Crime Commission of New York State. Report to the Commission of the Sub-commission on Adjustment of Sentences, 1928. J. B. Lyon Company, Albany, 1928.