

II—Abolish Parole Abuses

by J. EDGAR HOOVER

I BELIEVE in the theory of parole and subscribe wholeheartedly to its humanitarian principles, which provide for the release of offenders from prison prior to the expiration of their time after they have shown some sign of genuine reformation and rehabilitation under careful supervision. The parole systems which actually function in accordance with the avowed principles of parole are commendatory indeed and merit the support of every honest, law-abiding citizen. They have mine, to the fullest extent. Unfortunately, however, honest-to-goodness parole systems are few and far between.

As a matter of fact, the report of the New York Prison Association for 1935, after a survey of indeterminate-sentence laws, observes:

On the basis of this study we can readily conclude that not more than six or seven states and the Federal Government have what can be termed suitable and scientific parole methods.

This report also points out that "in some jurisdictions parole is not worthy of the name."

In condemning present-day practices in parole administration, I have never urged the abolition of the theory of parole but I have denounced existing practices which have permitted the release by parole of unreformed, unregenerated, and unrehabilitated criminals. It is therefore rather difficult for me to reconcile myself to the views and actions of certain professional proponents of parole who have adopted a seemingly ostrichlike attitude to parole abuses but who howl to high heaven that everyone who

views the facts as they exist and who denounces practices which certainly are not consistent with the best interests of the body politic is a member of the Machine Gun School of Criminology. I know of no responsible persons who talk about the out-and-out abolition of parole, yet we would be led by the devious, confused claims of parole advocates to believe that everyone who condemns the abuses of parole is just such an abolitionist. This is as far from the truth as the utterances of certain members of the sob-sister fraternity to the effect that crime is not increasing but is on the decline, even though cold, impartial facts and figures revealed a decided increase in crime in 1937 over 1936.

Let me, therefore, explain the feeling and conviction of one whose duty it is to protect the law-abiding from the lawless. I am decidedly in favor of abolition of the present-day parole abuses which are prevalent in far too many of our States. I am unalterably opposed to the release of hardened criminals, time after

time in a haphazard manner upon law-abiding communities, to do as they wish without semblance of proper supervision. If interest in the protection of society is to be subordinated to interest in some criminal's freedom, then I proudly plead guilty to being a member of the Machine Gun School of Criminology. Indeed, I feel that I shall be in a better position to face my fellow men with a clear conscience than members of the Cream Puff School of Criminology, whose deliberate evasion of existing facts is doing much to



Conception by John Vassos for Oscar Wilde's *Ballad of Reading Gaol*
Courtesy E. P. Dutton & Co.

THE FORUM

hinder the building of a parole system which will protect society. If only a small portion of the energy being expended to defend present parole administration were diverted toward correcting its present defects, then indeed the professional parole advocates would have better ground for objecting to criticism of the system.

II

SPACE DOES NOT permit a complete elucidation of present-day parole abuses.

Surely, however, no one will deny that the selection of prisoners for parole falls far short of being scientific. For example, one parole board, according to the press, stationed a "sociological adviser" at a State reformatory, where she was to endeavor to determine the degree of a prisoner's reformation by studying the "slants, strokes, and curlicues" of his handwriting. This sociological adviser said her "knowledge of drugs and sociology, in addition to graphology," enabled her to "decide whether certain types of convicts would be apt subjects for rehabilitation."

Sundown parole — giving released convicts until nightfall to get out of the State — has no place in America.

As a matter of fact, if everything were all right with parole, certainly the governor of a great Eastern State would not have refused to sign a compact with 25 other States providing for the supervision of out-of-State parolees; yet he did feel it unwise to do so until he could be assured that the other contracting States had adequate parole standards. He said: "Toleration of corrupt conditions is more criminal than the criminal himself."

In lauding parole, its advocates frequently refer to the parolee's release "under strict surveillance." That is Utopian. How un-descriptive these statements are of parole as practiced in the great majority of jurisdictions is revealed by the report of the New York Prison Association, previously referred to. In a survey of 133 penal institutions, it was ascertained that 42 had no parole officers to supervise a total of 12,182 parolees. The question now is — where is the strict surveillance that the parole advocates claim exists over an individual released on parole? This report likewise found that 36 institutions had a total of 36 parole officers to supervise 8,566 parolees; 14 institu-

tions had a total of 28 parole officers to supervise 2,407 parolees; and 10 institutions had a total of 30 parole officers to supervise 3,592 parolees. In all, the 133 institutions considered had 191 parole officers to supervise 46,613 parolees, or 244 for every parole officer. It is generally recognized that for maximum efficiency a parole officer should not carry a case load of over 50 parolees. Thus *strict surveillance* becomes just a couple of words.

I quite agree that it is high time for America to leave sentiment and emotion out of the crime problem and face facts as they exist. The question is whether parole as practiced should be abolished or continued. I say abolish the abuses and maladministration of parole and continue it as it should be practiced. Instead of slinging mud and making wild accusations against those who would point out the defects of parole, let the professional lobbyists for it exert a little of their energy in building up the application of this most humanitarian principle. I am forced to the belief that those who are criticizing parole as it is practiced today are better friends of parole than its sobsisterish, gushing, mawkish defenders.

The federal parole system, under the United States Parole Board and the able direction of the Attorney General of the United States, Honorable Homer Cummings, presents a concrete example of how parole should be practiced. Such States as Rhode Island have illustrated that parole can be made to function — but only after its abuses are recognized and a concerted effort made to correct them. It is high time that applicants for parole be selected on the basis of merit, past history, and outward indications of real reformation.

One expert, after a careful survey of parole in his State, urged a statistical study of the success and failure of parole and, in the face of cries by professional parole exponents to the effect that 85 per cent of all parolees make good, declared:

Approximately one-half of the men paroled violate parole within a three year period after release from the institution. These figures do not agree with published statistics calculated on a false basis.

Even Mr. Bates, a former director of the Federal Bureau of Prisons, has been quoted in the press as saying that 60 per cent of convicts become repeaters after their first trip behind prison walls.

HOW GOOD IS PAROLE?

We have heard much about the fact that fewer than 1 per cent of all arrests made in the United States are of persons on parole. That figure is not accurate, because it was compiled in 1934 from records not comprehensive and not complete in detail, owing to failure of many agencies to submit information on parole records during preceding years. Even in 1937, the F.B.I. was receiving information on the release of prisoners from only 41 per cent of the nation's penal institutions.

When we look, however, at the Public Enemy File, for 1937, of the Federal Bureau of Investigation, which has the complete criminal records of our 13,602 kidnapers, extortionists, bank robbers, racketeers, and outstanding gangsters, there is revealed some highly interesting information. Thirty per cent of these notorious hoodlums have been the recipients of clemency not only once but in many cases as often as 6, 7, 8, 9, and 10 times. Of them, 2,802 were granted parole on various occasions during their criminal careers; and 76.4 per cent of those who were the recipients of parole were subsequently rearrested, either while on parole or after the expiration of the parole period. Two thirds of those arrested while they were already on parole were charged with such crimes as murder, rape, robbery, kidnaping, and other felonies. This picture of parole failure is substantiated by many local parole surveys, which show parole failure to range from 15 to 85 per cent.

While there is a decided shortage of comprehensive statistics on crimes committed by parolees, I do know that, concerning the 272 principals in kidnaping cases which the F.B.I. had been called on to investigate up to February 1, 1938, the records reveal 235 instances of clemency for them. Evidence was found that in 115 instances the freedom afforded them had been misused. At the time of the kidnaping crime for which they were held, each had been arrested an average of 4.8 times; each had been convicted an average of 2.9 times; and 25.4 per cent of the total number of kidnapers were at liberty at the time of the kidnaping as a result of clemency, of escape, or of bond forfeiture.

The average time served by persons convicted of crime, as far as I can ascertain, has no bearing on the efficacy of parole administration, yet it is rather appalling to note that the

average time served for the taking of a human life is 58.1 months; following a conviction for rape, 38.9 months; for an aggravated assault, 26.7; robbery, 46.8; burglary, 25.9; and larceny, 18.5. These figures are according to the most recent report of the Bureau of the Census. They include incarcerations throughout the United States and not in any one particular State.

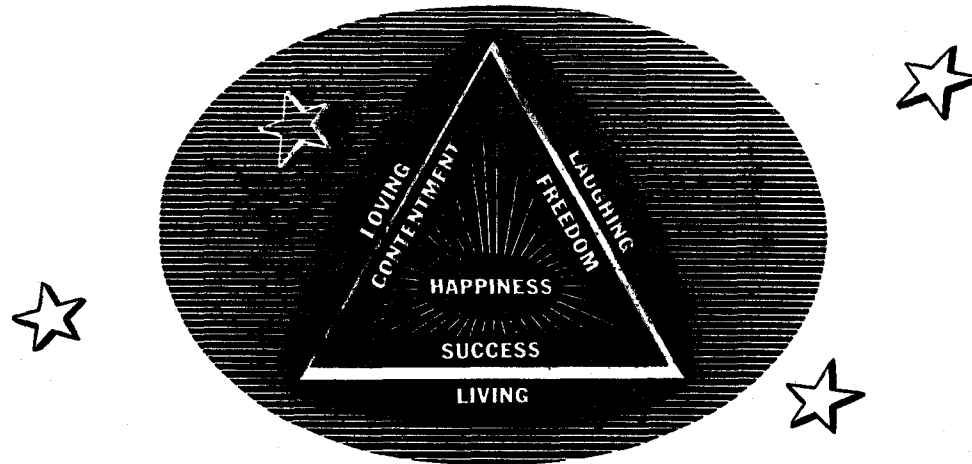
III

THE EFFICACY of parole must be determined ultimately by results — results from practical observations — and conclusions must be based on fact, not theory or belief. There is nothing new to the theory of parole. We have had it in this country for a long time. It would appear that enough time has elapsed to have allowed more than a reasonable opportunity for experimentation with ways of administering it.

John Dillinger slugged a helpless man into insensibility and plundered his store. For that he was sentenced to serve penitentiary terms of from two to fourteen years and from ten to twenty years, respectively. It has been said by some that his later activities resulted from an embittered attitude toward society because of his long sentence. Others seriously contend that his career of crime was the result of unhappiness following a tragic love affair in his teens. Be that as it may, following his parole eight law-enforcement officers and two citizens were killed, six officers and one citizen were wounded, four banks were robbed, three arsenals were plundered, and three jail deliveries were accomplished — the Dillinger gang's depredations. All this occurred approximately ten years before the expiration of Dillinger's maximum sentence.

Humanitarian treatment of the prisoner should be a prime consideration, yet is self-preservation a barbaric practice? I suggest that society preserve itself. The first offender, the wayward youth who has stubbed his toe, should be given every consideration, yet I insist that parole as practiced is unworthy of its name when it subjects society to a reign of terror from the criminal — whatever the psychopathic reason for his criminality — just to accommodate his friends and family or just because some public servant cannot resist the expediencies of politics.

Problems in Living



by **WILLIAM MOULTON MARSTON**

What's troubling you?

The time has come, in our clinic discussions, to thresh out some personal problems in living. The most serious cases in this month's mail deal with despair, hopelessness, the feeling that nothing matters. I deal with them in a group since they all have a common psychological denominator. And I offer to these despairing ones the completed histories of similar cases which have been solved as they can solve their own.

(For R. D., Montana; H. K. J., New London, Conn.; M. H., Atlanta, Ga.; A. T. L., Washington, D. C.; and E. R., Florida.)

NOTHING HOPELESS IS REAL

DOCTOR, *please* come over!" Young Mrs. Tomlin, wife of a clever and prosperous ghost writer, was weeping into the telephone. "It's Hardy. He says he's going to kill himself!"

I went over.

There was Hardy Tomlin, usually alert and cynical, slumped miserably at his desk, eyes wide and black with despair. He was toying with the revolver in his hand, apparently making mental preparations.

I said, "What's this, Hardy, an act?"

Tomlin looked at me with the bitterest expression I have ever seen on a human face. "My last act," he said. "I can't write. I'm no good. There's no hope." He lifted a book manuscript from his desk and dropped it into the wastebasket. "Seventh publisher turned it down," he said. "Book of my own — spent

three years writing." The man was sunk in an emotional sea of hopelessness.

"I am glad," I said, "that your trouble isn't real."

Tomlin stared at me in amazement.

I explained that the exaggerated quality of his feeling proved it false, imaginary. He was suffering from an emotional brain storm, not a material disaster.

Our brains often make trouble for us. They frequently behave like flooded carburetors, overcharged with explosive feeling. There is only one thing to do on such occasions — drain off the excess emotion.

"Get up, Hardy," I commanded. "Put your hat on. Take that manuscript to Blank." I named an intelligent literary agent. "Ask him to read it and advise you."

An hour later Tomlin called me up, chipper as a lark. "Blank says I may have to rewrite the book," he announced happily. "He'll let me know when he finishes reading it." The prospect of doing three years' work all over again had actually made Tomlin cheerful.

Action or even the prospect of it gives an emotional outlet and relieves the unbearable pressure of ugly feelings which otherwise pile up. Active striving toward a desired goal is reality; hopeless inactivity is illusion, a mental mirage that falsely belittles your invincible self.

The next time you feel utterly hopeless, tell yourself that the very deadliness of your feeling proves it false. But don't stop too long to argue with yourself — *do* something. Do the