

POST-REHEARAL ADJUSTMENT  
IN ALL FEDERAL CASES  
IN ATTORNEY...

L. Rosenberger, 1989

*Proceedings in connection with  
the trial of the case of  
James Earl Ray, the defendant in the case of  
the assassination of Dr. Martin Luther King, Jr.*

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PROBATION ADJUSTMENT OF  
200 OFFICIAL CASES OF JUVENILE  
DELINQUENCY IN PHILADELPHIA.

Temple University, Ed. D., 1959  
Psychology, clinical

OF 200 OFFICIAL

DELINQUENCY

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degree, by

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Chapter I  
INTRODUCTION

Probation and the juvenile court system are generally regarded as American contributions to the field of "corrections".<sup>1</sup> John Augustus, a Boston shoemaker, acted as the first probation officer in his efforts to rehabilitate the unfortunates of that city. In the years from 1841 to 1859 he bailed from the courts of Boston some two thousand adult and juvenile offenders and gave them his personal supervision. In the hundred years since the death of John Augustus, probation has been adopted as a correctional method in every state of the union. Although a review of his contributions to the field of probation shows that he is the most worthy of being named "the first probation officer",<sup>2</sup> Augustus was moved by humanitarian motives rather than by any search for a correctional device. The early pioneers in the field of probation and the juvenile court movement who followed Augustus were also motivated

1. Wiley B. Sanders, "Some Early Beginnings of the Children's Court Movement in England," N.P.P.A. Yearbook, 1945, pp. 58-70. The author shows that the treatment of juveniles followed a somewhat parallel course in England.
2. "John Augustus, First Probation Officer", N.P.P.A. Publication, 1939. This publication includes a report of his labors by John Augustus written in 1852 which shows a striking grasp of the possibilities of probation and a professional understanding of the techniques of probation.

by philanthropic, religious and social reform impulses. This early background may have influenced research designed to evaluate probation as an effective rehabilitative device. The technique of probation has, throughout the years, been accepted as a "good" thing. Evaluation has consisted of high sounding statements of faith rather than of scientific research. There have been very few studies attempting to measure the effectiveness of probation. Although every state, down through the thousands of country sub-divisions, has a probation department, research by those directly engaged in probation work is virtually nil. The few studies measuring the results of probation have been made by people outside the field.

#### The Problem

This study is concerned with an inquiry into the post-probation recidivism of two hundred juveniles who have been placed on probation by the Municipal Court of Philadelphia and whose probationary periods terminated satisfactorily during 1950.

The subjects who were adjudged delinquent or convicted of a criminal offense during the five year period from their discharge in 1950 to December 31, 1955, were placed in the "failure" group. Those who remained law-abiding during this period were placed in the "success" group. The two groups were then compared to determine how they differed in terms of factors presumably related to success and failure.

The basic problem of the present study centers about the extent to which the two hundred ex-probationers remained law-abiding and the nature of the variables which were associated with subsequent lawful or unlawful behavior.

The data presented are derived primarily from court and police records.

#### Need for the Study

In recent years the public has been increasingly concerned with the crime problem, especially in the area of juvenile delinquency. The daily newspaper accounts of acts of crime by juveniles are often accompanied by inserts outlining the offender's previous delinquent record. Editorials question the wisdom of showing "leniency" to delinquents by placing them on probation. Those advocating the use of probation counter that these dramatic failures should not be used to indict the entire system. They claim that the many instances of individuals who remain law-abiding after their period on probation offers testimony to the value of this correctional device. They point to the economy of probation as opposed to the cost of commitment.

Very few of the protagonists have offered much in the way of scientific evidence to buttress their arguments. The inadequacy of statistics and research in crime and corrections has been pointed out frequently by qualified authorities. The people in the field appear content to

accept the value of probation as an article of faith. There has been only a handful of studies attempting to evaluate the effectiveness of probation. Yet, this would appear to be the first question that would suggest itself for a critical scientific analysis.

The present study is designed to determine the effectiveness of the probation services of the Juvenile Division of the Municipal Court of Philadelphia. It seeks to determine the extent to which juveniles discharged from probation by the Municipal Court remain law-abiding and the variables which are related to post-probation success or failure.

#### Delimitations

This study is concerned with the post-probation adjustment of two hundred juvenile delinquents placed on probation by the Municipal Court of Philadelphia, whose probation periods terminated satisfactorily in 1950.

The follow-up period was limited to five years. A longer period, perhaps of ten years, would result in a somewhat larger "failure" group. It was felt, however, that the optimum follow-up period was one of five year's duration. It is reasonable to assume that the positive effects that can be hopefully attributed to the probation experience will be most operative during this period. On the other hand, it would appear questionable to consider probation ineffective where an individual breaks the law

ten or twelve years after his probation has ended. A follow-up period of less than five years would pose the problem of whether "success" was due to the effect of probation or merely represented an interval between law infractions.

It is possible to use various criteria of adjustment to determine post-probation success or failure. Thus, we might consider the individual's general social adjustment as a standard. The marginal individual, the person who exists only through the good offices of public and private social agencies or the merely non-productive citizen could be considered "failures". The difficulties of setting up an objective standard of this type are obvious. Furthermore, the most ardent proponents of probation do not claim a degree of success that transforms the socially inadequate into civic leaders.

Arrests during the post-probation period may be used as a criterion of success or failure. The use of re-arrests as a yardstick of recidivism would appear to be more suitable for general purposes than for a comparative study of this kind. Arrest, in itself, is not a definite indication of guilt. Hence, the "failure" group would include individuals who were discharged as innocent of the offense for which they had been arrested.

The single criterion of success and failure used in this study was "subsequent convictions". Conviction in

the Criminal Court and adjudgment of delinquency were considered as equivalent. This criterion is objective and appropriate for a probation study. In order to be placed on probation the individual must be convicted by competent authority. The probation experience is designed to prevent further infractions of the law. The test of the effectiveness of probation is the individual's subsequent law-abiding behavior as evidenced by freedom from further conviction. While a healthy personal and social adjustment on the part of the individual is desirable, it does not present an area of the court's concern.

This problem was limited to a study of juvenile ex-probationers. These individuals went through the probation experience during a formative and impressionable period. The variables operative in post-probation success and failure may differ considerably from those of a group of adult probationers.

This problem was further limited in that it is a study of ex-probationers of the Municipal Court of Philadelphia. Findings applicable to this group of juveniles, in a metropolitan setting, may not be pertinent to a group of juveniles in a rural milieu. In addition, the quality of probation service varies so greatly in the many different jurisdictions through the country that it is most hazardous to try to apply the findings here to another jurisdiction.

The data presented here are derived primarily from court and police records. No attempt was made to

interview the ex-probationers. To do so would have required resources of staff not available to the writer. The Municipal Court, in any event, would not grant permission for such interviews.

#### Definitions

The term, "delinquent", as used in this study, will carry the same implications and the same definition as are set forth in the Pennsylvania Juvenile Court Act.<sup>3</sup>

This act defines a delinquent child as:

- a. A child who has violated any law of the Commonwealth or ordinance of any city, borough or township;
- b. A child who, by reason of being wayward or habitually disobedient, is uncontrolled by his or her parent, guardian or custodian or legal representative.
- c. A child who is habitually truant from school or home;
- d. A child who habitually so deports himself or herself as to injure or endanger the morals or health of himself, herself or others.

This definition is virtually the same as that offered by the National Probation and Parole Association.

3. Juvenile Court Act of 1933. Amended 1937, Pa. Department of Welfare, Harrisburg, Bulletin No. 71, p. 1.

The term, "child", as used in this study will carry the same definition as set forth in the Pennsylvania Juvenile Court Act. The Pennsylvania law defines a child as "a minor under the age of eighteen years". While the act does not set a minimum age it would be most unusual for a child under seven years of age to be brought into court on a delinquency charge. <sup>4</sup>

The term, "probation", as used in this study will carry the same implications and the same definition as are set forth by the National Commission on Law Enforcement and Observance. This report defines probation as, "a process of treatment prescribed by the court for persons convicted of offenses against the law, during which the individual on probation lives in the community and regulates his own life under conditions imposed by the court (or other constituted authorities) and is subject to supervision by a probation officer." <sup>5</sup>

The same report defines parole as, "A method by which prisoners who have served a portion of their sentences are released from penal institutions under the continued custody of the state upon conditions which permit their reincarceration in event of misbehavior". <sup>6</sup>

4. Helen D. Pigeon, Principles and Methods in Dealing with Offenders, p. 50.
5. National Commission on Law Observance and Enforcement, report #9, "Penal Institutions, Probation and Parole", Government Printing Office, Washington, D.C. 1931, p. 184.
6. Ibid., p. 127.

## CHAPTER II

### HISTORICAL BACKGROUND

#### Origin of Probation as a Correctional Device

The term "probation", derived from the Latin probare (meaning to test, to try, to prove), has been used in the sphere of court and penal procedures since the middle of the nineteenth century. <sup>1</sup>

The legal basis for probation stems from the common law practice permitting the court to suspend sentence and allow the convicted offender to remain at liberty for an indefinite period upon condition of good behavior.

John Augustus, a shoemaker of Boston, has been termed the "first probation officer". In the years from 1841 to 1859 he bailed from the courts of that city some two thousand adult and juvenile offenders and gave them his personal supervision. <sup>2</sup> The matter of supervision of the offender while at liberty is the essential feature of probation. John Augustus made reports to the court at stated intervals on the progress made by his charges, using the term "probation" to

1. Negley K. Teeters and John Otto Reinemann, The Challenge of Delinquency, Prentice-Hall, Inc., New York 1953, p. 384.
2. "John Augustus, First Probation Officer", National Probation and Parole Association Publication, 1939, p. VI.

describe the status of his charges and the supervisory function he was discharging.

#### The Juvenile Court Movement

The success of the efforts of Augustus in rehabilitating offenders in his charge and the related work of other pioneers in the Boston area were probably chiefly responsible for the eventual passage in 1869 of a Massachusetts law providing for the supervision of juvenile delinquents by a state visiting agency<sup>3</sup>. This was followed in 1870 by a law requiring separate hearings for juveniles. New York, Rhode Island and several other states enacted similar legislation shortly thereafter.

The first juvenile court in this country was established in Chicago in 1899. The juvenile court applied the principle of rehabilitation of juvenile offenders to the entire court process, rather than merely to the appointment of special agents to sift out children's cases from the general criminal court calendar.

In 1903 a juvenile court law was passed in Colorado. For several years prior to this time Judge Benjamin Lindsey, of Denver, had already been applying many features of this law in juvenile cases.

3. Rufus R. Cook and Miss L. P. Burnham, both of whom worked for the Children's Aid Society of Boston, were two such pioneers in the early days of probation.

The five years following 1899 saw a number of other states passing juvenile court laws. The Pennsylvania Juvenile Court Act was passed in 1903. Today, all states have juvenile court legislation on their statute books.

The history of juvenile probation is tied directly to the emergence of the juvenile court idea. The juvenile court and its philosophy provided the frame-work within which the probation services could exist and flourish. In turn, the use of probation in the adult courts stems from its use in the juvenile courts. The philosophy of rehabilitation and re-education of the offender rather than his punishment, as embodied in juvenile court law, has profoundly affected adult court procedure. The service of the probation staff throughout the entire court process also carried over from juvenile to adult court proceedings. The probation staff conducts the pre-court investigation, supplies a meaningful case summary, makes recommendations at the court hearing and provides supervision on probation after the court disposition.

The very nature of juvenile court procedure represents a profound departure from traditional legal practice. From its inception to the present date there have been questions as to its constitutionality. Legal tests of its constitutionality have been instituted in many states. Primary objections raised have been that the juvenile court law "offends against a constitutional

provision in creating, by its terms, different punishment for the same offense by a classification of individuals". It is further held that, by its very operations, it is devoid of many attributes of the criminal court which must serve to implement the constitutional rights of the defendant.<sup>4</sup> As early as 1905 the Pennsylvania Supreme Court was called upon to render a decision when the Juvenile Court Act of 1903 was questioned in respect to the "due process of law" principle. The Pennsylvania Supreme Court upheld the constitutionality of the Juvenile Court Act as have court decisions in other states<sup>5</sup>.

#### The Juvenile Court in Pennsylvania

The present Juvenile Court Act of Pennsylvania was passed in 1933. The preamble of the law presents the philosophy of protection and prevention in juvenile cases and emphasizes the importance of distinguishing between the power of the court over such cases and the ordinary administration of the criminal law. The act sets up procedures which further differentiate the juvenile cases from the characteristics of criminal prosecution, which call for separate hearings, absence of a jury and confidential records. It provides that the child shall not be considered a criminal, nor suffer any civil disabilities. Neither the disposition

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4. Teeters and Reinemann, *op. cit.*, p. 288.

5. *Ibid.*, p. 289.

nor evidence given in a juvenile court is admissible as evidence against the child in any other court. The jurisdiction of the court applies to all delinquent, neglected and dependent children together with all cases of adults contributing to the delinquency of the child or encouraging his violation of parole. Murder cases are excepted from the juvenile court's jurisdiction.<sup>6</sup>

The present study is concerned with a group of juveniles officially adjudged delinquent by the Juvenile Court, which in Philadelphia is a part of the Municipal Court. Therefore, the term "delinquent", as used in this study will carry the same implications and the same definition as are set forth in the Pennsylvania Juvenile Court Act.<sup>7</sup> This act defines a delinquent child as:

- (a) A child who has violated any law of the Commonwealth or ordinance of any city, borough or township;
- (b) A child who, by reason of being wayward or habitually disobedient, is uncontrolled by his or her parent, guardian or custodian or legal representative;

6. Helen D. Pigeon, Principles and Methods in Dealing with Offenders, p. 49.

7. Juvenile Court Act of 1933. Amended 1937, Pa. Department of Welfare, Harrisburg, Bulletin No. 71, p. 1.

- (c) A child who is habitually truant from school or home;
- (d) A child who habitually so departs himself or herself as to injure or endanger the morals or health of himself, herself or others.

This definition is virtually the same as that offered by the National Probation and Parole Association.

The Pennsylvania law defines a child as "a minor under the age of eighteen years." While the act does not set a minimum age it would be most unusual for a child under seven years of age to be brought into court on a delinquency charge, unless, indeed, some serious offense such as homicide is involved.<sup>8</sup> This follows the practice of Anglo-Saxon common-law which holds that a child under seven cannot be held responsible by the court for an act which is in violation by the law. Only in rare or special circumstances has a delinquency petition been accepted on a child under seven years of age by the Municipal Court of Philadelphia. The juvenile court age limit was originally sixteen. The act was amended in 1939 raising the age limit to eighteen. Under certain circumstances juvenile court jurisdiction may be applicable until the

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8. Pigeon, op. cit., p. 50.

individual is twenty-one years of age. If the court has taken a child of juvenile court age under its care, it may retain jurisdiction over that case until the child reaches twenty-one years, but new cases cannot be presented in Juvenile Court if the individual or individuals are eighteen years of age. Should a child, after reaching eighteen years of age, commit an indictable offense, he may be tried in the Court of Quarter Sessions or the case may be certified to Juvenile Court and heard as a violation of probation.<sup>9</sup>

The Juvenile Court in Philadelphia.

The Juvenile Court in Philadelphia is a part of the Municipal Court. This court was established by the legislature in 1913.<sup>10</sup> The Municipal Court of Philadelphia is a court of record of the first judicial district of Pennsylvania, and hence a part of the states' judicial system. Its bench consists of a president judge and thirteen associate judges. The court is organized in five divisions: civil division (including adoptions), criminal division, juvenile division, domestic relations division and misdemeanants division.

9. Pigeon, op. cit., p. 51.

10. John H. Fertig and S. Edward Hannestad, A Compilation of the Laws Relating to Juvenile Courts, Legislative Reference Bureau, Harrisburg, Pa., 1916, pp. 12-13.

The Juvenile Division is concerned with cases of child dependency, neglect, delinquency, truancy, runaway, mentally and physically handicapped children under eighteen years of age, and cases of adults charged with contributing to the delinquency, neglect or dependency of children. <sup>11</sup>

The probation services are organized under the Director of Probation, who, in turn, is responsible to the Board of Judges. The Juvenile Division is headed by the Supervisor of the Juvenile Division. The juvenile probation staff is organized in five geographical sub-divisions each headed by a district supervisor.

The background for juvenile probation in Philadelphia is, as in other areas, rooted in the efforts of private individuals and philanthropic societies to provide for handling children separately from adult criminals. An act of 1893 provided, first, that children under sixteen should not be placed in association with adults charged with or convicted of crime; and second, that all cases involving commitment or trial of children for any crime or misdemeanor may be heard separately and apart from the trial of other criminals, with a separate docket and record.

11. Municipal Court of Philadelphia, Forty-First Annual Report, 1954, pp. A2-A6

This act was declared unconstitutional three months later. An act of 1897 provided for the establishment of separate detention facilities for juveniles in Philadelphia. An act of 1899 authorized local institutions for juvenile delinquents to accept juveniles convicted in the United States Courts. An attempt to provide separate jurisdiction for juvenile cases was made in 1901, but was declared unconstitutional. The act of 1903, however, was declared constitutional and forms the bases of subsequent legislation. <sup>12</sup>

Prior to the establishment of the Municipal Court in 1913, the Juvenile Court was a session of the Quarter Sessions Court in Philadelphia.

The period from 1903 to 1914 was one of exploration in a pioneer judicial field. Starting with the efforts of John Augustus, the use of probation had been fostered by private citizens of humanitarian bent. The role of the private citizen in the sphere of probation in Philadelphia's Juvenile Court was considerable during the early years because the act of 1903 stipulated that probation officers were to receive no salary. <sup>13</sup> Not until 1909 was provision made for payment of probation officers. <sup>14</sup>

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12. Pigeon, *op. cit.*, p. 49.

13. Act of April 23, 1903, P. L. 274.

14. Act of April 1, 1909, P. L. 89.

Published material is scant for the period preceeding the establishment of the Municipal Court.

A review of the Juvenile Court's work published in 1908 underlines the tribulations of developing policies and procedures in this new judicial setting but offers little information concerning the selection of probation officers or the operation of the court's probation service.

The impression gained is that of a probation department operating under a partnership of the court and private organizations. Dating from about 1901 there was in existence an organization called "The Juvenile Court and Probation Association" which apparently recommended probation officers to the court.<sup>15</sup> This Association operated under the law which stated that probation officers were to be unpaid workers. The probation officers were paid their salaries by societies, churches and individuals, through the efforts of the Association.<sup>16</sup> There is no information concerning any uniformity of salary for these people. While the court accepted suggestions from the Association and appointed a large majority of its probation officers upon the recommendation of the

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15. Comprehensive Review of the Work of the Juvenile Court of Philadelphia 1903-1908,  
p. 3.

16. Ibid., p. 33.

Association, it took pains to make clear that it had no power to share jurisdiction with or surrender jurisdiction to any organization. The court also pointed out that probation officers were under the order and direction of the court and that no private organization could order, direct, or control a probation officer in the performance of his or her duties.<sup>17</sup> That such pronouncements were necessary only serves to illustrate the profound influence exerted by the "Juvenile Court and Probation Society." The various organizations that paid the salaries of the probation officers no doubt also exercised a measure of influence over them.

The provision calling for payment of probation officers was enacted in 1909. This provision represents the first step toward the integrated court probation service as we know it today. The decade from the passage of the Juvenile Court Act of 1903 to the creation of the Municipal Court in 1913<sup>18</sup> represents a period of transition in which the probation services emerged wholly independent of outside societies.

17. Comprehensive Review of the Work of the Juvenile Court of Philadelphia 1903-1908, p. 33.

18. Act of July 12, 1913, P. L. 711.

The only qualification for probation officer stated in the Juvenile Court Act was that the appointee was to be a "discreet individual of good character."<sup>19</sup> Appointments were to be made and compensation to be fixed by the judges of the court. The Municipal Court instituted selection of probation officers via a merit system in 1939. Present entrance qualifications are designed to enlist professionally trained workers to the court's probation staff.

To qualify as a Juvenile Probation Officer an applicant must now meet the following requirements.

1. Graduation from an accredited four-year college or university.
2. Graduate work to the level of the Masters' degree from an accredited school of social work; or a Masters' degree in sociology, counselling and guidance or clinical psychology from a recognized academic institution.
3. A year of pertinent professional experience may be substituted for partial graduate work or two years of pertinent professional experience may be substituted in lieu of no graduate work.<sup>20</sup>

19. Juvenile Court Act of 1933, Amended 1937, Pa. Dept. of Welfare, Harrisburg, Bulletin No. 71, p. 7.

20. Announcement of Merit System Examination #7, 1956.

The Status of Research in the Probation Field

It has been said that more has been written on crime and delinquency than on any other subject excepting the Bible and Shakespeare. The nuances explored range from analysis of urine to analysis of the soul. This is especially true in the area of juvenile delinquency. With mounting public interest and newspaper coverage, "everyone wants to get into the act." Athletes, clergymen, politicians, and others further removed from the field of crime and correction readily offer opinions and panaceas. Indeed, it would be difficult to find an individual who did not feel that he was qualified to voice an opinion. Most adults attain parenthood. Virtually all of us have been part of a family group. Those of us who have not been juvenile delinquents have at least been children. The professional worker in the field, although bewildered by a flood of advice of questionable value, is in goodly measure responsible. The vacuum created by the neglect of adequate research on the part of professional workers in the field has provided such opportunity.

Over a period of many years, qualified authorities have not only pointed out the inadequacies of statistics and research in crime and correction, but have outlined programs to remedy these inadequacies. To date, little has been done. The initial phase, the compiling of

statistics, can be charitably described as being woefully inadequate. <sup>21</sup>

Of all the phases of correctional statistics, probation and parole statistics are perhaps the most inadequate. This, in a way, is surprising when we consider the amount of money being spent on prisons, law enforcement, court systems, support of families of imprisoned men, and the volume of loss, both financial and human, as the result of crime. Very few probation or parole agencies have statistical units. Among those that do, only precious few have facilities for research, and in very few instances does the knowledge derived from these research units become widely known. <sup>22</sup> In fact, a number of agencies, which in the past compiled and published statistics, have since discontinued the practice. <sup>23</sup>

21. For representative opinions concerning the status of statistics and research in the field, see: Donald R. Crassey, "The State of Criminal Statistics," National Probation and Parole Association Journal, 3: 230-241 (July 1957); I. Richard Pearlman, "Reporting Juvenile Delinquency," N.P.P.A. Journal, 3: 242-249 (July 1957); Edward B. McConnel, "Judicial Criminal Statistics," N.P.P.A. Journal, 3: 250-262 (July, 1957); Leon Thomas Stern, "Popular or Scientific Evaluation of Probation and Parole," N.P.P.A. Yearbook, 1948, pp.55-70; Bennett Meade, "Probation Statistics," N.P.P.A. Yearbook, 1934, pp. 194-198.
22. Raymond C. Davidson, "Probation and Parole Statistics," N.P.P.A. Journal, 3: 263-272 (July 1957).
23. An example is the Judicial Criminal Statistics formerly published by the bureau of the Census which were discontinued following compilation of the statistics for 1945.

It is, therefore, virtually impossible to determine accurately even the extent to which probation is used. The federal government and every state, down through the thousands of county sub-divisions, use probation and yet, to what degree it is used cannot be determined accurately. The United States Bureau of the Census, reporting in 1945 judicial statistics from twenty-five states, found that of 70,000 offenders convicted in that year, 31.6 per cent were placed on probation or given suspended sentence. Rhode Island reported the highest rate (64.6 per cent); next came New Hampshire with 49.8 per cent. North Dakota had the lowest rate (15.7 per cent).<sup>24</sup> Ralph W. England<sup>25</sup> in his study of post-probation recidivism among federal offenders points out that statistics, even in this case, are unsatisfactory in that, as is often the case, suspended sentence and probation data are lumped together. While probation operates within the framework of suspended sentence, the offender placed on probation is presumably receiving rehabilitative treatment. In this connection it should be noted that the offender released on suspended sentence is benefiting only from a form of judicial leniency. Since the

24. Bureau of the Census, Judicial Criminal Statistics, (Washington, D. C., 1947), p. 5

25. Ralph W. England, Jr., "Post-Probation Recidivism among 500 Federal Offenders", p. 4. Unpublished Dissertation for degree of Doctor of Philosophy, University of Pennsylvania, Phila., Pa. 1954.

Census Bureau discontinued the collection of criminal statistics in 1945, no additional information of this nature has been made available.

In the Federal judiciary system, 9821 individuals, or 32 per cent of those convicted in the district court (including those found guilty in juvenile delinquency) during the year ending June 30, 1948, were placed on probation. <sup>26</sup>

The United States Children's Bureau published statistics for 1945, covering almost 115,000 cases of delinquent children reported from 374 juvenile courts, showing that probation was ordered in 30 per cent of the cases. <sup>27</sup>

The Municipal Court of Philadelphia ordered probation in 23 per cent of all juvenile delinquency cases in 1950, as compared with 22 per cent in 1947, 21 per cent in 1948, and 24 per cent in 1949. <sup>28</sup>

Massachusetts probation rates for 1947 show that 45.9 per cent of male juveniles and 49.5 per cent of female juveniles were placed on probation. The rate for male and female adults was only 9.2 per cent although the total number of adult offenders was far in excess of the juveniles. <sup>29</sup>

26. Teeters and Reinemann, *op. cit.*, p. 390.

27. *Ibid.*, p. 390.

28. Municipal Court of Philadelphia, Thirty-Seventh Annual Report, 1950., p. A18.

29. United Nations, Department of Social Affairs, Practical Results and Financial Aspects of Adult Probation in Selected Countries, New York, 1954, p. 74.

New York reports that in 1948, 32 per cent of those convicted for major crimes in all age groups, 16 and over, were placed on probation.<sup>30</sup>

State probation rates give little clue to the great variations in the use of probation by courts in the individual counties or by courts existing in the same county. Information concerning the extent to which probation is used in the individual courts is very scant. This type of information is not difficult to compile, but it rarely receives any degree of circulation. Figures for one court in a particular year may appear anywhere in the professional journals, often as an incidental note in an article devoted to some other subject. There is little opportunity to readily compare these statistics with those of other courts of similar jurisdiction, or to note significant variations from year to year.

The mass of written material as contrasted to the dearth of research in the field of probation has been previously noted. Nowhere is this more open to question than in the absence of studies evaluating the effectiveness of probation. This would appear to be the first question that would suggest itself for a critical scientific analysis. In the hundred years since the origin of probation, thousands of juris-

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30. Ibid., p. 74.

dictions have made use of this technique and hundreds of thousands of individuals have been placed on probation. Yet, there has been only a handful of studies attempting to evaluate the effectiveness of this technique of treatment. Some of these studies are quite limited in scope. The criteria used to determine effectiveness of probation is different in various studies, offering little basis for comparison.

The absence of critical evaluation may stem from the historical background of probation. Edmond Fitzgerald<sup>31</sup> speaks of the metaphysical background out of which probation and parole have developed. "As conceived and administered, both have found their principal justification in a categorical ethic - a sort of socio-religious ideal. It is on the basis of the humanitarian component in the conceptions, and not on any confident expectation of substantive social utility that they have been permitted to seep through the cracks, so to speak, in the organic and procedural law. This is the strong impression, at any rate, that one gets from the language of the historical precedents, both judicial and legislative. And it is on the same basis that they have won a very considerable measure

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31. Edmond Fitzgerald, "Critical Evaluation of Probation and Parole", N.E.P.A. Yearbook, 1953, pp. 3-23.

of sustained popular support on the moral as distinguished from the material plane."

Most of the research in the area of probation has been carried on by the people outside the field. The people working directly in probation and parole have contributed virtually nothing, despite the fact that they have at their disposal a vast amount of first-hand case record material.

Fitzgerald underlines that the published papers inside the field rely heavily and characteristically on lofty statements proclaiming the nondebatable, intrinsic value of the idea of probation, not on specific exposition of what the system actually accomplishes or can accomplish. The papers are all highly hortatory but not very revealing of methods.

#### Previous Probation Success-Failure Studies.

This study is concerned with the effectiveness of probation as determined by the subsequent adjustment of individuals who were discharged from the court's care as having completed their probation periods satisfactorily.

The writer was able to discover less than twenty accounts of previous probation success-failure research. Summarizations of this type of study found in the professional literature verify this accounting. Some of these studies were several decades old. Comparisons

are difficult because criteria of "success" and "failure" vary from study to study.

It should be noted, here, that we are referring to studies relating recidivism to the specific technique of probation.

The report of the National Commission on Law Enforcement and Observance defines Probation as, "A process of treatment prescribed by the court for persons convicted of offenses against the law, during which the individual on probation lives in the community and regulates his own life under conditions imposed by the court (or other constituted authority) and is subject to supervision by a probation officer." 32

The related correctional technique of parole is defined by the National Commission on Law Enforcement and Observance as, "A method by which prisoners who have served a portion of their sentence are released from penal institutions under the continued custody of the state upon conditions which permit their reincarceration in event of misbehavior." 33 There have been numerous studies of delinquent-non-delinquent

32. National Commission on Law Observance and Enforcement, report #9, "Penal Institutions, Probation and Parole", Government Printing Office, Washington, D. C., 1931, p. 184.

33. Ibid., p. 127.

groups,<sup>34</sup> police recidivism statistics,<sup>35</sup> parolee recidivism, and the effect of institutional commitment.<sup>36</sup> While studies in these areas are related in the broad field of crime and corrections, they are not here pertinent to our specific problem.

Most of the limited number of previous probation success and failure studies are concerned only with outcome up to the point of termination of the probation period with no follow-up after discharge. These offer little clue to the ultimate effectiveness of the technique of probation. The studies of this type attempt to determine and analyze some factors related to success and failure while on probation. Such studies will hereafter be referred to as probation studies. Those studies concerned with the success or failure of the probationer after discharge from probation will hereafter be referred to as post-probation studies.

#### Probation Studies

There are a few references in the professional literature to "probation studies" which are actually

34. William Healy and Augusta F. Bronner, New Lights on Delinquency and Its Treatment.
35. William W. Wallenberg and Frank Quiroz, "A Study of Twelve Year Old Recidivists," Journal of Clinical Psychology, 10: 61-65.
36. Sheldon and Eleanor Glueck, Five Hundred Criminal Careers.  
Sheldon and Eleanor Glueck, Later Criminal Careers.

only statements of rates of probation violation. These are easily compiled using whatever criterion of failure the individual court may decide upon. To achieve the status of a "probation study," it is felt that an analysis in some detail should be made of the material presented.

Thus, Gillen and Hill,<sup>37</sup> in presenting their study of success and failure of adult probationers in Wisconsin, noted that there had been several studies of parole success, but only one previous detailed study of probation behavior preceding their work. (Monachesi). Gillen and Hill made a study of all cases of male, adult probationers whose cases were closed between January 1, 1933 and January 1, 1936. There were a total of two-thousand, eight hundred, and nineteen cases. The failure criteria were absconding from the probationary jurisdiction and the committing of new offenses. The authors were comparing rural and urban probationers, hence, total probation and success and failure rates are not available. The failure rates were: Rural farm probationers, 13.6%; rural non-farm, 15%; urban 18.4%. Consistency in occupation and

37. John L. Gillen and Reuben Hill, "Success and Failure of Adult Probationers in Wisconsin," The Journal of Criminal Law and Criminology, 30; pp. 807-829.

regular employment were found to be associated with success.

Gillen and Hill reported their work as the first state wide study of this type. However, an extensive study covering the fourteen years from October 1, 1907 to September 30, 1921, was made by the New York State Probation Commission in 1923.<sup>38</sup>

There were 139,948 men and women discharged from probation during this period. Of this number 107,695 (55%) were discharged from probation "with improvement"; 9076 (7.5%) were discharged "without improvement"; 13,479 (9.7%) were committed to institutions; and 9,698 (6.8%) absconded. The number of children discharged from probation during this period was 66,350. The number discharged "with improvement" was 54,244 (81.7%); "without improvement", 2627 (4%); committed, 9,081 (13.7%); and absconded or lost from oversight, 398 (0.6%).

Elio Nonachesi<sup>39</sup> has been a pioneer in measurement of probation results and the use of prediction devices for probation outcome. He made a study of 1515 probationers sentenced during the years 1923-1925 in Ramsey County, Minnesota. Of the 896 juveniles considered, 71.2% were non-violators of probation; of the 619 adults, 65.2% were non-violators.

38. Frederick A. Moran, Probation in New York State.

39. Elio Nonachesi, Prediction Factors in Probation.

In another study by Monachesi,<sup>40</sup> the outcomes of 120 children placed on probation during 1940 in Minneapolis and Saint Paul were determined. As in the previous study, the criterion of success was compliance with the conditions of probation. 73.4% of the children were classed as non-violators; 26.6% as violators. Monachesi uses some fifty factors as possible indicators of success and failure. The author found that a previous criminal career, a bad work record, and other factors of an unfavorable social background, make a violation of a probation order highly probable.

Fred R. Johnson,<sup>41</sup> Chief Probation Officer of the Recorder's Court of Detroit, reports a study made of probation success-failure in that jurisdiction. The study covers the cases of 7,889 men and women sentenced between July 1, 1924 and June 30, 1927. Seventy per cent were "discharged with improvement," eighteen per cent were "discharged without improvement" or absconded, and ten per cent were committed for new offenses or for violation of probation.

The Attorney-General's Survey of 1939<sup>42</sup> gives an analysis of 19,171 adult probationers from twenty-four

40. Elio Monachesi, "A comparison of Predicted with Actual Results of Probation," American Sociological Review, 10; 26-31.
41. Fred R. Johnson, Probation for Juveniles and Adults.
42. Attorney-General's Survey of Release Procedures, United States Government Printing Office, Washington, D. C. 1939, Vol. II, Probation, p. 335.

probation units of 16 states and the District of Columbia who terminated probation within a three-year period from January 1, 1933 to December 31, 1935. Cases were considered failures that had any violation of terms of probation. There was no recorded violation in 11,712 cases (61%). Violations occurred in 7544 cases (39%). Six factors were tested in respect of their relevance to success or failure during probation. They were race and national origin, age, marital status and number of dependents, last offense, recidivism and employment. The most characteristic factor was employment.

A study undertaken in the United Kingdom of 29,500 probationers in England and Wales and 3231 probationers in Scotland, whose probation periods terminated in 1951, revealed that 78% of male probationers in England and Wales and 85.7% of male probationers in Scotland, terminated the probation period satisfactorily. <sup>43</sup>

#### POST-PROBATION STUDIES

The real test of the effectiveness of probation lies in the probationer's conduct after the termination of probation. Success during the period of probation may merely reflect the obvious wisdom of compliance

43. United Nations, Department of Social Affairs, European Seminar on Probation (New York, 1954), p. 224.

while under the direct control of the court, rather than a more permanent rehabilitation.

The New York State Probation Commission was one of the first governmental agencies to attempt systematic analysis of the results of probation. The Commission reported a study made in 1920 of 200 former probationers in Erie County, New York. The subjects were the first 200 persons received under supervision by the Erie County Probation Department in 1917. The study showed 111 (72%) of those discharged as improved, had continued to show improvement. This estimate represents not only absence of arrests but better economic and social adjustment. <sup>44</sup>

A similar early interest in probation results by a governmental agency, was the survey undertaken by the Massachusetts Commission on Probation in 1923 and 1924 <sup>45</sup> of a group of probationers who had been sentenced in 1915. The investigation was undertaken at a time when some critics were clamoring that the use of probation had resulted in a serious increase in crime. Follow-up of a group of 383 men, classified as having committed "general offenses," revealed that by 1923

44. Edwin H. Sutherland, Principles of Criminology, p. 403. (from Report of New York State Probation Commission, 1920).

45. Loc. cit. (from Massachusetts Senate Doc. 431, 1924).

12 per cent had been committed to institutions and an additional 23 per cent had court records without commitments to institutions. Of those who had not been committed during the period of probation, 97 per cent had no subsequent commitments and 76 per cent had no subsequent court records. Among juvenile probationers 43 per cent had subsequent records within seven years.

The Baltimore Criminal Justice Commission<sup>46</sup> in a study made in 1926 of 305 probationers convicted in 1923, found that only 11 per cent of those released as successful were later found to be problems to social agencies and only 29 per cent were later convicted. This study also compared the relative values of probation and commitment. The conduct of the probation group was compared to a group of men discharged from the Maryland Penitentiary. There was no marked variation found in the conduct of the two groups.

Menkin<sup>47</sup> made a study of 300 Jewish women on probation to the Women's Court of Manhattan from January 1, 1919 to December 31, 1922. The study overlaps between the probation and post-probation period. The results are based on follow-up of two-

46. National Commission on Law Observance and Enforcement, report #9, "Penal Institutions, Probation and Parole," Government Printing Office, Washington, D. C., 1931, p. 163.
47. Alice D. Menken, "The Rehabilitation of the Morally Handicapped" Journal of Criminal Law and Criminology, 15: 147-154.

hundred and fifty-two of the women. The author was with the Jewish Board of Guardians which apparently cooperated with the court to provide after-care treatment. Eighty-three per cent showed satisfactory adjustment at the close of the probation period. They were "living under conditions of good home situation, steady employment and healthful recreation." As of December 1922, 62.2 per cent were still adjusting satisfactorily. Results are difficult to assess, as the post-probation period varied from a month to three years.

Beard <sup>48</sup> made one of the first complete, methodical follow-up studies of former probationers in an analysis of the cases of four-hundred boys and one-hundred girls placed on probation in Boston following examination at the Judge Baker Foundation Clinic. Five-hundred cases were chosen serially beginning January 1, 1924. Follow-up investigation began January 1, 1929, providing for approximately a five year interval between the end of probation and the time of the study. Probationers who got into no trouble during or after the probation period were labeled "permanent successes." Those probationers whose probation period terminated successfully but who subsequently were declared delinquent were labeled "temporary successes." "Failures" were those who persisted in delinquency despite the

48. Ella Boone Beard, Juvenile Probation.

probation experience. Forty-three per cent of the boys and seventy-six per cent of the girls were "permanent successes." Thirty-four per cent of the boys and twelve per cent of the girls were "temporary successes." Twenty-one per cent of the boys and twelve per cent of the girls were "failures." Two per cent of the boys cases were labeled "undetermined." Success and failure were related to a number of personal and environmental factors. Broken homes seemed to be less relevant than the quality of parental control and supervision.

Irvin W. Halpern,<sup>49</sup> Chief Probation Officer of the Court of General Sessions of New York, reported the results of a study of 331 probationers discharged in 1932. Two-hundred and ninety (87.6%) had not been convicted again after five years while forty-one (12.5%) had been reconvicted. The author did not feel that factors had been isolated that could predict success or failure, or that it could be determined what factors and forces propelled the 41 failures, as similar forces operated in both groups. It should be noted that when discharged, the entire group had not been labeled satisfactory. In the failure group, 22 had been discharged with "guarded" recommendation and 4 had been discharged with "fair" recommendation.

<sup>49</sup>. Irvin W. Halpern, A Decade of Probation.

Hughes<sup>50</sup> offers an analysis of the post-probation adjustment of 745 males in Coventry, England whose probation terminated between 1931 and 1937. Five-hundred and forty-seven of the group were in the age bracket eight to seventeen. Criterion of success or failure was whether the probationer was committed to an "approved school" (reform school) or prison during a five year follow-up period. Seventy-four per cent were successful and twenty-six per cent were unsuccessful. The author found that the usual factors noted as causing delinquency were potent in the breakdown of successful probation. Unfavorable temperamental traits and adverse personal relationships seemed to be more related to failure than environmental conditions.

The United States Probation System, in seeking to evaluate services, sought the aid of college and university research facilities early in 1950. They offered their aid and the use of their closed records to research seeking to evaluate the post-probation adjustment of Federal offenders who had successfully completed their probation period.

Morris G. Caldwell<sup>51</sup> made such a study in Alabama. The study is an overlapping one covering the probation

50. E. W. Hughes, "An Analysis of the Records of Some 750 Probationers," British Journal of Educational Psychology, 13: 113-125, 1943.
51. Morris G. Caldwell, "Preview of a New Type of Probation Study made in Alabama," Federal Probation, 15: 3-11, June, 1951.

and post-probation period. Of 1862 persons whose Federal probation in the Northern District of Alabama terminated between July 1, 1937 and December 31, 1942, 77 per cent did not violate any terms of probation, 19.1 per cent violated, and the outcome of 3.9 per cent were unknown. Of 403 persons whose probation was completed satisfactorily, 83.6 per cent were free of subsequent convictions during a median period of seven and a half years, while 16.4 per cent recidivated. Factors associated with a favorable prognosis were high occupational skill, full employment, adequate income, home ownership, marriage and children.

A companion study in this program was undertaken by Ralph W. England<sup>52</sup> in the Eastern Judicial District of Pennsylvania. The study inquires into the post-probation recidivism of five-hundred offenders, whose probationary period terminated satisfactorily between January 1, 1939 and December 31, 1944. Determination of success-failure was actually made on 490 persons. All persons who showed no reconstructions prior to 1951 were regarded as successes, while those persons with convictions known to have occurred after their release from probation, but before the end of 1950, were counted as failures. It was found that 17.7 per cent experienced further conviction. England considered a large number of factors in an attempt to construct a

<sup>52</sup>. England, op. cit.

prediction scale after the type pioneered by Monachesi. Variables possibly associated with failure were inadequate social background, broken home, precarious social and economic adjustments in adult life, and prior criminal career.

A departure from the usual methods of determining the success or failure of ex-probationers was made by Rumney and Murphy<sup>53</sup> in their study of 1000 adults and juveniles probationed to the Essex County, New Jersey probation department during the first six months of 1937. The persons considered were the first 1000 received under supervision in 1937. They were followed up ten years after release from probation. The authors used their own criterion of "social adjustment" rather than arrests or convictions. The adjustment scores are compared during probation and during the period following probation. One-fourth of the probationers did not change in their state of social adjustment and two-thirds changed slightly, if at all. Twenty-six per cent showed marked improvement and eight per cent showed marked deterioration.

#### Summary

It is difficult to compare probation studies dealing with success and failure because of differences in the criteria used to determine adjustment, differences in

53. Jay Rumney and Joseph P. Murphy, Probation and Social Adjustment.

size of sample, age of probationers, length of probation and post-probation periods, criminal law jurisdiction and standards pertaining to care prevailing in the probation systems in which the studies were carried out.

Owing to varying criteria of success-failure used, a wide range of estimate may exist as to the effectiveness of probation. Thus, using new arrests as a criterion rather than convictions, would materially increase the failure rate. Using commitment to institutions as a criterion, rather than convictions, would materially lower the failure rate. A standard based on social adjustment would provide different results from one based on reconvictions. Review of the probation and post-probation studies indicates that about three-fourths of the probationers terminate their probation periods satisfactorily and about three-fourths of these, in turn, subsequently remain law-abiding.

## CHAPTER III

### METHOD AND PROCEDURE

#### Problem

The basic problem of this study centers about the extent to which ex-probationers remain law-abiding and the nature of the variables which are associated with subsequent lawful or unlawful behavior.

Discharge from probation as "satisfactory" denotes that the probation period is terminated with the return of the probationer to normal community life without further court supervision. It implies that henceforth he will remain a law-abiding citizen.

To what extent does probation achieve of its purpose, namely, rehabilitation of the offender? The study presented here is an attempt to evaluate the effectiveness of probation as a correctional device by determining what proportion of two-hundred juveniles discharged from probation as "satisfactory" by the Municipal Court of Philadelphia remained law-abiding. It seeks to determine the nature of the variables which are associated with subsequent lawful or unlawful behavior.

The subjects adjudged delinquent, or who were convicted of a criminal offense during the five year period from their discharge in 1950 to December 31, 1955, were placed in the "failure" group. Those who remained law-abiding during this period were placed in the

**CONTINUED**

**1 OF 3**

"success" group. The two groups were then compared to determine how they differed in terms of factors presumably related to success and failure.

Each case was checked through the records of the Police Department, Municipal Court and Quarter Session Court to determine success or failure.

#### Subjects

The subjects involved were two hundred male juveniles officially adjudged delinquent and placed on probation by the Municipal Court of Philadelphia whose probation periods terminated satisfactorily during 1950.

Eighty-seven of the subjects were Negro and one-hundred and thirteen were white. Their ages at the time of discharge ranged from nine years to eighteen years, six months. Their age at time of being placed on probation ranged from eight years, two months to sixteen years, four months. The length of time spent on probation ranged from four months and twenty days to one hundred and forty-four months and twenty-seven days. The average probation period was about fifteen and one-half months.

The subjects were chosen by random selection from a total group of three-hundred and eighty-one male juveniles discharged from delinquent probation during 1950 by the Juvenile Division of the Municipal Court.

### Sources and Collection of Data

The source material of this study came primarily from court and police records. A three-page schedule was devised to collect the data needed. The first two pages were designed so that information could be most readily obtained from the individual case records of the Juvenile Division of the Municipal Court.

The court records are grouped in families with a separate individual record for each delinquent child. Each grouping has a family record which contains information concerning the family contacts with the court of a non-delinquent nature, such as dependency or neglect. The front cover of the family record is a face sheet which contains all the pertinent identifying material concerning the family. One family record, therefore, is made up of a varying number of separate individual records all bearing the same court record number.

The first page of the schedule was constructed to obtain the information from the face sheet of the family record. The second page was designed for obtaining material from the body of the child's individual record. The format of the third page was set up to obtain the data from the files and records of the Juvenile Aid Bureau, the Central Records Division of the Philadelphia Police Department and the Criminal

Courts of Philadelphia. Sufficient space was allowed to make entries concerning verification of data through other agencies.

To obtain the information needed, it was necessary to examine closely the individual and family records of each of the subjects. In addition, all cases were checked through the following agencies:

The Juvenile Aid Division of the Police Department.

To record the instances in which the child engaged in delinquent behavior that did not culminate in court action.

The Board of Education

To verify identifying material and the school information in the court record.

The Central Records Section of the Police Department.

To obtain the arrest data on the subjects for the five year follow-up period.

The Criminal Courts

To obtain the data on convictions of the subjects during the five year follow-up period.

The Central Registration Section of the Municipal Court.

To determine if the subjects were known to any other division of the Municipal Court.

The main source of the data used in the present study was the individual case records of the Juvenile Division of the Municipal Court. The subject's individual case record consists of a chronological account of the child's delinquencies that have been brought to the court's attention. A statement outlining the details of the delinquent act and the circumstances leading to the child's arrest is prepared by the court's intake unit as soon as the offense becomes known to the court. This transcript is forwarded to the probation district in which the child resides and is made a part of the subject's record or serves to initiate a new record. The transcript indicates whether or not the case is serious enough to warrant the child's appearance before the Judge at a court hearing. The probation officer, using the transcript as a guide, conducts a pre-court investigation in each case destined for court hearing.

The court uses a captioning system of presenting case investigations, followed by a chronological record of the probation period. The purpose of developing a standard system of captioning is to have a uniform handling of cases and to cover all pertinent areas. However, probation officers often tend to attach more importance to one area than another. They may, on occasion, omit certain headings. These omissions handicap any future research based on comparison of records.

The captioning system of classifying information under pertinent headings facilitates research but can easily result in a stereotyped report, in which, under a carefully typed red caption, stock phrases are entered in order to have something under each caption. The ultimate result of careless use of the captioning system is a record in which items are neatly pigeon-holed, each under the proper categories, but any idea of the total personality of the individual or the dynamics of his situation is lacking.

The court's investigations follow the outline below:

1. Immediate reason for initiating investigation.
2. Family relationships.
3. Personal history.
  - (a) other conduct difficulties.
  - (b) child's statement.
  - (c) control and supervision.
  - (d) church reports and religious training.
  - (e) school report.
  - (f) impressions of personality.
  - (g) medical reports - includes results of psychometric tests and reports of interview by psychiatrist.
  - (h) interests, recreation and associates.
4. Home and neighborhood
  - (a) economic status of family.

(b) home conditions.

5. Sources of information.
6. Causative factors.
7. Working plan and summary.
8. Recommendation.

This data is supplemented by detailed family identification material on the face sheet and by attached materials such as correspondence, summaries from other agencies and information supplied by Social Service Exchange.

#### Classification of Data

The variables which appear to be associated with success and failure can be grouped into two general categories:

- (a) Those which relate to characteristics existing at or prior to probation.
- (b) Those pertaining to the probation experience.

#### Variables Which Relate to Characteristics Existing At or Prior to Probation.

Most of the data in this category were found in the pre-hearing investigation, supplemented by information entered on the face sheet. However, the variables are arranged in groupings that do not correspond closely to organization of the court's investigation outline. In

order that related variables would be grouped together in a manner most readily understandable to the reader, this data was classified as follows:

1. Previous conduct difficulties
2. Family background
  - (a) number of children in family
  - (b) birth order
  - (c) other siblings in trouble
  - (d) broken home
  - (e) home conditions
  - (f) adequacy of control and supervision
  - (g) economic status of family
3. Residence and mobility
  - (a) parents' birth place
  - (b) child's birth place
  - (c) neighborhood at probation
4. School adjustment
5. Individual factors
  - (a) intelligence
  - (b) race
  - (c) religion
  - (d) age
  - (e) offense
  - (f) causative factors
  - (g) psychiatrist's recommendation
  - (h) probation officer's recommendation
  - (i) interests and recreation
  - (j) health

Variables Pertaining to the Probation Experience.

The data in this category were obtained primarily from the chronological record of the probation period, as entered in the official case record by the probation officer. As there were a limited number of variables in this category, it did not appear necessary to attempt to present them in related groupings. The following variables were considered:

1. Officer - probationer contacts
2. Special aid offered by probation officer
3. School adjustment
4. Behavior during probation period
5. Duration of probation period
6. Age at discharge from probation.

Difficulties Encountered.

The group of the subjects classified as "successful" were those who showed no convictions in the Philadelphia courts during the follow-up period. The possibility existed that a few of those so classified could have been convicted elsewhere. The Federal Bureau of Investigation could offer little assistance as their files are based on fingerprints and Philadelphia does not fingerprint juvenile offenders. The Municipal Court would not permit interviewing the ex-probationers, their families or neighbors, in order to locate them. Even if such permission had been granted, such an undertaking is

difficult and time-consuming even for a team of researchers. This type of follow-up incurs resentment and ill-will in the ex-probationer and his family. They may well view it as an unwarranted harrassment or as exposing the individual to needless jeopardy in his group. The ex-probationer who has led a law-abiding existence following his discharge is not elated by the resurrection of his youthful misdeeds. Suspicious of the motives of such investigation, the people interviewed are often loath to furnish any information.

It was decided that the most feasible alternative was to determine if the families of the subjects were still in Philadelphia at the close of the follow-up period. As the oldest members of the group would just be emerging from their teens it seemed to be a reasonable assumption that they would still be in the family group. The families were checked through the Registration Commission, the Social Service Exchange, public institutions, social agencies, and telephone listing. The last few cases were checked out by field probation officers who were instructed to locate but not interview the families. The response of the few families traced by the probation officers verified previous doubts concerning this technique. The families were invariably cautious, evasive, and fearful.

The results of this investigation indicated that only three of the families of the one hundred and thirty-

five member success group moved from the city during the follow-up period. One family moved to Wilkes Barre near the close of the follow-up period. The other two families moved to rural areas in New York State and nearby South Jersey midway in the follow-up period.

These results coincide with the surprisingly low mobility evidenced by the entire delinquent group considered in this study. Many maintained the same residence over many years. Those who moved, rarely ventured beyond the boundaries of the police district in which they lived or the one contiguous to it.

## CHAPTER IV

### Presentation and Interpretation of Data

It would be reasonable to expect probation authorities to base their rehabilitative techniques on the extensive work done in the field of Psychology on human behavior and individual differences. Yet, there is an appalling sameness to the way probation cases are handled. Each delinquent case plods through virtually the same probation mill. The probation period will be of about the same average duration whether or not the offender is white or Negro, docile or defiant, occasionally or perpetually in difficulty. Willie may be on probation only a short period of time because his probation officer correctly surmises that he needs only a minimum of supervision. On the other hand, Willie, by mere "happenstance", may have gone through the one period in which no temptations battered his weak defenses. An extra-ordinarily long period on probation may result from a shortage of man power and over-burdened staff, preventing anyone from taking over the work of a sick probation officer; rather than from the recognition that the boy involved needed long term training.

The probation experience itself may easily fall into the same pattern of routine practice. The probation officer limits his endeavors to perfunctory inquiries at home and school concerning the boy's

behavior. The boy is discharged from probation after a period of months in which the entries in the case routinely record, "Spoke to boy and mother. Boy behaving."

Such practices are, in part, "carry-overs" from the period when probation officers were well-intentioned but untrained appointees and court staffs were frightfully over-burdened. However, there is also a degree of inertia that seems to make probation authorities reluctant to leave their comfortable faith in simple and uncomplicated exhortation for the more complex solutions that may be suggested by science and research.

An objective of the present study is to determine the variables that are related to post-probation success and failure so that probation services can operate with maximum return. The results of this study and of previous studies, indicate that a large proportion of the individuals who are discharged from probation as "satisfactory" succeed in remaining out of difficulty with the law. We might succeed in reducing the size of the failure group if we were able to recognize beforehand which individuals were likely to fall into this group. Perhaps more intensive, individualized treatment over a longer probation period would be productive with this group, while a minimum of supervision would suffice for the majority. A knowledge

of the variables existing at, or prior to, probation which are related to post-probation success or failure can aid in determining the nature of individual probation services to be rendered. Further, an understanding of the variables pertaining to the probation experience which are related to post-probation success or failure, offers additional information as well as a means of making corrections in the course originally charted.

Variables Which Relate to Characteristics Existing at or Prior to Probation.

1. Previous Conduct Difficulties.

The success group had a considerably higher proportion of individuals who had no arrests prior to the offense leading to probation. Seventy-seven per cent of the success group had no previous arrests as opposed to sixty per cent of the failure group. The failure group also had a higher proportion of individuals with more than one arrest prior to the offense leading to probation. (Table I)

This relationship between successful probation and the extent of previous conduct difficulties holds equally for whites and non-whites (See Table II).

TABLE I

ARRESTS PRIOR TO OFFENSE LEADING TO PROBATION.

<u>NUMBER of ARRESTS</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	N	%	N	%
0	104	77.1	39	60.0
1	19	14.1	15	23.1
2	8	5.9	5	7.7
3	3	2.2	5	7.7
8	1	.7	1	1.5
<u>TOTAL</u>	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

TABLE II

ARRESTS PRIOR TO OFFENSE LEADING TO PROBATION  
ACCORDING TO RACE.

<u>NUMBER OF ARRESTS</u>	<u>NEGRO</u>		<u>WHITE</u>	
	N	%	N	%
0	62	71.3	81	71.7
1	17	19.5	17	15.0
2	3	3.4	10	8.9
3	4	4.6	4	3.5
8	1	1.2	1	.9
<u>TOTAL</u>	<u>87</u>	<u>100.0</u>	<u>113</u>	<u>100.0</u>

## 2. Family Background

### a. Number of Children in Family.

There is a higher proportion of families with more than four children in the failure group (52.3 per cent) than in the success group (38.5 per cent). Table III presents the data relating to size of family.

Table IV compares the size of family for the Negro and white groups. The Negro group had a higher proportion of families with more than four children (49.4 per cent) than did the white group (38.0 per cent).

The Gluecks, in relating size of family to delinquency, find that it is reasonable to conclude the greater crowding of the home meant increased competition on the part of the children for parental attention, more likelihood of emotional strain, tension, friction, and loss of privacy, with resulting sexual and other emotional trauma.<sup>1</sup> The same factors may be operative in post-probation adjustment.

1. Shelton and Eleanor Glueck, Unraveling Juvenile Delinquency, p. 120.

TABLE III

NUMBER OF CHILDREN IN FAMILY

<u>NUMBER of CHILDREN</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	N	%	N	%
1	9	6.7	4	6.2
2	23	17.0	9	13.8
3	24	17.8	10	15.4
4	27	20.0	8	12.3
5	11	8.1	11	16.9
6	10	7.4	8	12.3
7	4	3.0	5	7.7
8	8	5.9	1	1.5
9	9	6.7	2	3.1
10 plus	10	7.4	7	10.8
	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

TABLE IV

NUMBER OF CHILDREN IN FAMILY ACCORDING TO RACE.

<u>NUMBER of CHILDREN</u>	<u>NEGRO</u>		<u>WHITE</u>	
	N	%	N	%
1	10	11.5	3	2.6
2	11	12.6	21	18.6
3	11	12.6	23	20.4
4	12	13.8	23	20.4
5	9	10.4	13	11.5
6	9	10.4	9	8.0
7	4	4.6	5	4.4
8	4	4.6	5	4.4
9	6	6.9	5	4.4
10 plus	11	12.6	6	5.3
	<u>87</u>	<u>100.0</u>	<u>113</u>	<u>100.0</u>

b. Birth Order

The Gluecks point out that only children, first children and youngest children are thought to be especially vulnerable to the development of behavior difficulties because they receive special treatment.<sup>2</sup> This seems to be borne out in this study by the fact that about 58 per cent of the total group of two-hundred delinquents were first born, last born, or only children. On the other hand, first born, last born, and only children had higher proportions in the success group than in the failure group. (Table V). Thus, when, each category was compared to the remainder of the total group, first children, last children, and only children had a lower failure rate. (Table VI).

TABLE V

RANK OF OFFENDERS AMONG SIBLINGS

<u>RANK</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Last child	34	25.2	12	18.5
First child	41	30.4	15	23.1
Only child	9	6.7	4	6.2

2. Loc. cit.

TABLE VI

POST-PROBATION ADJUSTMENT OF LAST CHILDREN, FIRST CHILDREN AND ONLY CHILDREN COMPARED TO THE TOTAL GROUP.

Last Children	46	Others	154
Number Unsuccessful	12	Number Unsuccessful	53
Per cent Unsuccessful	26.1	Per cent Unsuccessful	34.4
First children	56	Others	144
Number Unsuccessful	15	Number Unsuccessful	50
Per cent Unsuccessful	26.8	Per cent Unsuccessful	34.7
Only Children	13	Others	187
Number Unsuccessful	4	Number Unsuccessful	61
Per cent Unsuccessful	30.8	Per cent Unsuccessful	32.6

c. Other Siblings in Trouble.

There appears to be some relationship between the likelihood of successful probation and whether or not other members of the offender's family have been in trouble or not. Three aspects of this relationship show progressive seriousness:

Other siblings known to this court.

Other siblings adjudged delinquent.

Other siblings committed.

About 71 per cent of the failure group had other siblings known to the court as compared to about 55 per cent of the success group. (Table VII). About 45 per cent of the failure group had two or more siblings known to the court compared to about 28 per cent of the success group. (Table VIII).

TABLE VII

OTHER SIBLINGS KNOWN TO COURT

	<u>Total Cases</u>	<u>% Other Siblings Known to Court</u>
Success Group	135	54.8
White	78	51.3
Negro	57	59.7
Failure Group	65	70.8
White	35	65.7
Negro	30	76.7

TABLE VIII

TWO OR MORE SIBLINGS KNOWN TO COURT

	<u>Total Cases</u>	<u>% Two or More Siblings Known to Court</u>
Success Group	135	28.2
Failure Group	65	44.6

Forty per cent of the success group and about fifty-two per cent of the failure group had siblings who were officially adjudged delinquent. (Table IX). The success group had about sixteen per cent of its members with two or more siblings adjudged delinquent, while the failure group had about twenty-five per cent. (Table X)

TABLE IX

OTHER SIBLINGS ADJUDGED DELINQUENT.

	<u>Total Cases</u>	<u>% Other Siblings Adjudged Delinquent</u>
Success Group	135	40.0
White	78	39.7
Negro	57	40.4
Failure Group	65	52.3
White	35	51.4
Negro	30	53.3

TABLE X

TWO OR MORE SIBLINGS ADJUDGED DELINQUENT

	<u>Total Cases</u>	<u>% Two or More Siblings Adjudged Delinquent</u>
Success Group	135	15.6
Failure Group	65	24.6

The most serious of these three categories, "Other siblings committed," shows the failure group again with a considerably higher percentage. Thirty-seven per cent of the failure group had other siblings who were committed as opposed to seventeen per cent of the success group. (Table XI). The failure group had eleven per cent who had two or more siblings who were committed, while the success group had only two per cent. (Table XII).

In the case of all three categories, the trends are about the same for white and Negro probationers.

TABLE XI

OTHER SIBLINGS COMMITTED

	<u>Total Cases</u>	<u>% Other Siblings Committed</u>
Success Group	135	17.0
White	78	15.4
Negro	57	19.3
Failure Group	65	36.9
White	35	37.1
Negro	30	36.7

TABLE XII

TWO OR MORE SIBLINGS COMMITTED

	<u>Total Cases</u>	<u>% Two or More Siblings Committed</u>
Success Group	135	2.2
Failure Group	65	10.8

d. Broken Homes

The proportion of subjects coming from broken homes was virtually the same for the two groups. Although considerably more of the Negroes came from broken homes, there was the same percentage of Negroes coming from broken homes in the success and failure groups. (Table XIII)

TABLE XIII

BROKEN HOMES

	<u>Total Cases</u>	<u>% from Broken Homes</u>
Success Group	135	56.3
White	78	43.6
Negro	57	73.7
Failure Group	65	55.4
White	35	40.0
Negro	30	73.3

e. Home Conditions

The probation officer's evaluation of the physical condition of the home is the basis for the findings in this area. The probation officers consider cleanliness, orderliness and adequacy of furnishings, and sanitary conditions in rating the home conditions. It is apparent that such evaluation is, to a degree, subjective. One probation officer may rate a home as "good," while another would rate the same home as "fair,"

Probation officers, somewhat inured by close daily contact with deplorable living conditions, are probably inclined to be less severe in their rating of home conditions than a layman would be. For this reason the category "poor" is probably the most specific. Those homes rated as "poor" by the probation officer may well be accepted as poor, indeed.

The only category in Table XIV that shows more than a negligible difference between the success and failure groups is the one labeled "poor."

The Negro group had a higher percentage of members from homes graded as "poor" (Twenty-two per cent) than did the white group (Thirteen per cent).

TABLE XIV

<u>RATING</u>	<u>HOME CONDITIONS</u>			
	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Good	63	46.7	28	43.1
Fair	40	29.6	19	29.2
Poor	20	14.8	14	21.5
Insufficient Information	<u>12</u>	<u>8.9</u>	<u>4</u>	<u>6.2</u>
TOTAL	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

f. Adequacy of Parental Control and Supervision

The findings here also depend upon the probation officer's estimate. In making his evaluation, the probation officer considers the degree of control exercised by the parent beyond the front door as well as within the home. We might expect to find that a considerable number of the total group of delinquents had inadequate parental control and supervision. We might also expect to find that adequate parental control and supervision would be a positive influence in helping the individual stay out of trouble after his discharge from probation. The figures in Table XV offer support to both of these expectations.

TABLE XV

ADEQUACY OF PARENTAL CONTROL AND SUPERVISION

<u>RATING</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Adequate	73	54.1	28	43.1
Inadequate	42	31.1	28	43.1
Insufficient Information	<u>20</u>	<u>14.8</u>	<u>9</u>	<u>13.8</u>
<u>TOTAL</u>	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

g. Economic Status of Family

There appeared to be little relationship between the economic status of the family and post-probation success or failure. Table XVI presents the data on weekly family income in detail. It is questionable if the slightly higher percentage of families receiving public aid in the failure group is of any significance. Both groups had virtually the same percentage of families with income of less than \$50.00 per week. (Table XVII) The Negroes had a considerably higher percentage of families receiving public aid than did the whites.

Thus, so far as success or failure of probation is concerned the level of family income does not appear to be a differentiating

factor. To this extent the present study does not give support to the view that the economic factor, as such, is an important determinant, not only of delinquency, but of the possibility of rehabilitating the delinquent.

TABLE XVI

FAMILY INCOME PER WEEK

<u>WEEKLY INCOME</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	N	%	N	%
Receiving Public Aid	24	17.8	15	23.1
Less than \$30.	11	8.1	4	6.2
\$31. - \$40.	18	13.3	7	10.8
\$41. - \$50.	21	15.6	10	15.4
\$51. - \$60.	14	10.4	9	13.8
\$61. - \$70	12	8.9	5	7.7
\$71. - \$80.	7	5.2	5	7.7
\$81. - \$90.	6	4.4	1	1.5
Over \$90.	5	3.7	3	4.6
Insufficient Information	17	12.6	6	9.2
<b>TOTAL</b>	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

TABLE XVII

FAMILY INCOME LESS THAN \$50. PER WEEK

	<u>Total Cases</u>	<u>% Families with Income Less than \$50. per week.</u>
Success Group	135	54.8
Failure Group	65	55.4

Family economic status was also considered from the point of view of the level of occupation of the father. The success and failure groups were quite similar in level of father's occupation. The higher percentage of service occupations in the success group represents mainly small service businesses operated by fathers in this group. These were in the nature of tailor shops, "hoagie" shops, and small luncheonettes. In both groups, the clerical and service occupations of the father were low level jobs in these categories. The failure group had a higher proportion of fathers engaged in unskilled occupations. Table XVIII compares the success and failure groups as to father's occupation.

TABLE XVIII

FATHER'S OCCUPATION

<u>OCCUPATION</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Professional & Managerial	1	.7	0	.0
Clerical & Sales	8	5.9	3	4.6
Service	18	13.3	2	3.1
Skilled	19	14.1	11	16.9
Semi-skilled	27	20.0	12	18.5
Unskilled	19	14.1	13	20.0
Army	0	.0	2	3.1
Other Than Father's Earnings	<u>43</u>	<u>31.9</u>	<u>22</u>	<u>33.8</u>
TOTAL	<u><u>135</u></u>	<u><u>100.0</u></u>	<u><u>65</u></u>	<u><u>100.0</u></u>

Table XIX compares the Negroes and whites as to father's occupation.<sup>3</sup> The much lower percentages of Negroes holding skilled and semi-skilled jobs is not unexpected. There was also a much higher percentage of Negro families which existed by means other than

3. The occupational groupings used in Table XVIII and Table XIX are in accordance with the classifications of the U. S. Department of Labor's, Dictionary of Occupational Titles, 1949 (Washington, D. C.)

the father's earnings. The category "other than father's earnings" in tables XVIII and XIX, consists mainly of families who rely on government aid or the mother's earnings for their income.

TABLE XIX

FATHER'S OCCUPATION ACCORDING TO RACE

<u>OCCUPATION</u>	<u>NEGRO</u>		<u>WHITE</u>	
	N	%	N	%
Professional & Managerial	0	.0	1	.9
Clerical & Sales	2	2.3	9	8.0
Service	9	10.3	11	9.7
Skilled	5	5.8	25	22.1
Semi-skilled	5	5.8	34	30.1
Unskilled	16	18.4	16	14.2
Army	2	2.3	0	.0
Other Than Father's Earnings	<u>48</u>	<u>55.1</u>	<u>17</u>	<u>15.0</u>
TOTAL	<u>87</u>	<u>100.0</u>	<u>113</u>	<u>100.0</u>

### 3. Residence and Mobility

#### A. Place of Birth

Approximately eighty-five per cent of the members of both the success and failure groups were born in Philadelphia. Neither group had anyone who was born out of the country. Mobility has often been put forth as a potent factor in delinquency. Yet, in this delinquent group, most members were born in the city of Philadelphia. There is little indication that in the total group of two-hundred juveniles this aspect of mobility was a significant factor in post-probation success or failure, or in delinquency.

Over ninety per cent of the whites were born in Philadelphia. None of the whites were born in the south. As was to be expected, the proportion of Negroes born in Philadelphia was somewhat lower. However, about seventy-four per cent of the Negro group were born in Philadelphia. Of the Negroes born in the south, there is a somewhat higher percentage in the failure group (23.33) than in the success group (19.30). It should be noticed, however, that more of those born in the south are also in occupational groups where successful probation is low.

TABLE XX

CHILD'S BIRTHPLACESUCCESS GROUP

<u>Birthplace</u>	<u>WHITE</u>		<u>NEGRO</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Phila.	72	92.3	41	71.9	113	83.7
North	5	6.4	5	8.8	10	7.4
South	0	.0	11	19.3	11	8.2
Insufficient Information	1	1.3	0	..0	1	.7
<b>TOTAL</b>	<u>78</u>	<u>100.0</u>	<u>57</u>	<u>100.0</u>	<u>135</u>	<u>100.0</u>

FAILURE GROUP

<u>Birthplace</u>	<u>WHITE</u>		<u>NEGRO</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Phila.	33	94.2	23	76.7	56	86.2
North	1	2.9	0	.0	1	1.5
South	0	.0	7	23.3	7	10.8
Insufficient Information	1	2.9	0	.0	1	1.5
<b>TOTAL</b>	<u>35</u>	<u>100.0</u>	<u>30</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

b. Birthplace of Parents.

Here again the two groups are quite similar. The percentage of subjects that had one or both parents born in Philadelphia was almost exactly the same. By far, the largest proportion of whites had one or both parents born in Philadelphia. The Negroes had relatively few in this category. However, the strikingly similar percentages for the success and the failure groups shown in Table XXI, indicates that this aspect of mobility is not a significant factor in post-probation success or failure. <sup>4</sup>

TABLE XXI

PARENTS BORN IN PHILADELPHIA

	<u>Total Cases</u>	<u>% of Subjects with 1 or Both Parents born Phila.</u>
Success Group	135	61.5
White	78	84.6
Negro	57	29.8
Failure Group	65	61.5
White	35	88.6
Negro	30	26.7

<sup>4</sup>. Nine members of the success group and eight members of the failure group had one or both parents born out of the country. Nearly eighty-five per cent of the Negroes had one or both parents born in the south.

c. Neighborhood at Probation

A dilemma faced by probation authorities is the unfortunate fact that, following the probationary period, the delinquent youth is discharged to return to the same unhealthy milieu that may have been a potent factor in his delinquency.

There are, of course, numerous methods of grading neighborhood. An objective means, pertinent to the objectives of the present study, is in terms of the amount of delinquency in the area. The twenty-four police districts were ranked in terms of arrests per 1000 boys age 7-17. The subjects were assigned to the police district in which they resided. There were very few changes of address during the probation period. A few families which moved, almost invariably moved to the police district contiguous to the one in which they had lived previously. The court records showed surprisingly little mobility for these families. Many lived at the same address or in the same neighborhood for a considerable number of years. In Table XXII, the police districts are divided into three groups. Group 1 includes the eight districts with the highest delinquency rates. Group 3 includes the eight districts with the lowest delinquency rates. As may be seen, the

failure group had a considerably higher percentage in group 1.

To assess the influence of neighborhood on delinquency and the likelihood of probationary success, raises a number of questions. The most important of these questions is the following: If delinquency is consistently higher in certain neighborhoods than others, is this because of the kind of neighborhood, or is it because of the kind of people who drift into such neighborhood. In all probability it is a little of both.

TABLE XXII

PROBATIONER'S RESIDENCE BY POLICE DISTRICT

<u>Police Districts</u>	<u>Success Group</u>		<u>Failure Group</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Group 1	67	49.6	41	63.1
Group 2	32	23.7	10	15.4
Group 3	<u>36</u>	<u>26.7</u>	<u>14</u>	<u>21.5</u>
TOTAL	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

Group 1 - Districts rank 1 to 8 in arrests per 1000 boys.  
 Group 2 - Districts rank 9 to 16 in arrests per 1000 boys.  
 Group 3 - Districts rank 17 to 24 in arrests per 1000 boys.

4. School Adjustment

The subject's school adjustment at the start of the probation period offered few clues to post-probation success or failure. The failure group actually had a somewhat better overall picture in that they had a

higher percentage of subjects rated "fair" and a lower percentage rated "poor".

It is surprising, in view of the common impression that delinquents are generally school problems, that forty-per cent of the entire delinquent group were rated as having good school adjustment. However, the probation officer relied on the school authorities for the evaluation of the subject's school adjustment.

While the data in this case do not distinguish the success and the failure group, it should be noted that more than one-fourth of the total group were rated "poor," so far as school adjustment is concerned. This percentage is far in excess of what might be expected in a normal school population.

TABLE XXIII

SCHOOL ADJUSTMENT OF START OF PROBATION

<u>RATING</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	N	%	N	%
Good	54	40.0	26	40.0
Fair	31	22.9	21	32.3
Poor	41	30.4	16	24.6
Insufficient Information	9	6.7	2	3.1
TOTAL	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

## 5. Individual Factors

### a. Intelligence

The subjects were grouped according to the intelligence classifications used by the Neuro-psychiatric Division of the Municipal Court. The success group had forty-one per cent classified as dull average or below, and fifty-six per cent classified as average or above. The failure group had sixty-four per cent classified as dull average or below, and thirty-four per cent classified as average. None of the subjects in the failure group was classified as above-average. Table XXIV presents the data on intelligence classification in detail. The court psychologists primarily used the Binet for their psychometric testing during this period.

There appears to be some relationship between the level of intelligence and post-probation success or failure.

However, a degree of selection may also be present. The less intelligent subjects may be more likely to be apprehended in criminal pursuits. Once apprehended, they may be more likely to be convicted. The more intelligent subjects, on the other hand, may develop techniques of protecting themselves in these instances.

TABLE XXIV

INTELLIGENCE

<u>INTELLIGENCE CLASSIFICATION</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	N	%	N	%
Low Grade Moron 50-59	2	1.5	1	1.5
Middle Grade Moron 60-69	10	7.4	5	7.7
High Grade Moron 70-79	17	12.6	16	24.6
Dull Average 80-89	26	19.2	20	30.8
Average 90-109	68	50.4	22	33.9
Above average 110-119	3	2.2		
Superior 120-129	2	1.5		
Very Superior 130- --	2	1.5		
No estimate	<u>5</u>	<u>3.7</u>	<u>1</u>	<u>1.5</u>
TOTAL	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

b. Race

As illustrated in Table XXV, the white group experienced a slightly higher degree of post-probation success than did the Negro group. Sixty-nine per cent of the white group were successful and 65.5 per cent of the Negro group were successful.

However, the relatively small proportional difference is at variance with the commonly held opinion that the Negro group experiences more post-probation failure.

TABLE XXV

<u>RACE</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>		<u>TOTAL</u>	
	N	%	N	%	N	%
White	78	69.0	35	31.0	113	100.0
Negro	57	65.5	30	34.5	87	100.0
TOTAL	<u>135</u>	<u>67.5</u>	<u>65</u>	<u>32.5</u>	<u>200</u>	<u>100.0</u>

c. Religion

The percentages in Table XXVI show little difference in the success-failure rates of the two largest religious groups. Sixty-six per cent of the Catholic group and sixty-seven per cent of the Protestant group were successful. The Jewish group numbered only five, all of whom were successful.

TABLE XXVI

RELIGION

<u>RELIGION</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>		<u>TOTAL</u>	
	N	%	N	%	N	%
Catholic	50	65.8	26	34.2	76	100.0
Protestant	78	66.7	39	33.3	117	100.0
Jewish	5	100.0	0	0	5	100.0

d. AGE

Table XXVII gives the complete breakdown by year for age at first arrest. Table XXVIII gives the mean age at first arrest for each group as well as age for whites and Negroes in each group. The failure group was, on the average, one year younger at the time of first arrest.

The fact that the failure group was younger at the time of first arrest is consistent with the findings of the Gluecks and other investigators. These studies show that youths who become more serious problems start at an earlier age. Again, in the case of the Negro group which shows a much higher incidence of offenses, first arrests, on the average, occur at an earlier age.

TABLE XXVII

AGE FIRST ARREST

<u>AGE</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
7-8	1	.7	2	3.1
8-9	9	6.7	6	9.2
9-10	8	5.9	4	6.2
10-11	6	4.5	12	18.5
11-12	12	8.9	7	10.7
12-13	17	12.6	9	13.8
13-14	17	12.6	12	18.5
14-15	35	25.9	9	13.8
15-16	30	22.2	4	6.2
TOTAL	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

TABLE XXVIII

MEAN AGE AT FIRST ARREST

	<u>SUCCESS GROUP</u>	<u>FAILURE GROUP</u>
White	13.1	12.3
Negro	<u>13.2</u>	<u>11.5</u>
TOTAL	<u>13.2</u>	<u>12.0</u>

Table XXIX gives the complete breakdown by year for age at which the subjects were placed on probation. Table XXX gives the mean age at which the subjects were placed on probation for each group. The failure group averaged about one year earlier appearance on probation. One school of thought contends that the earlier the child is reached by the probation services; the greater the chance of success. In this instance, the failure group came into contact with the court considerably earlier than the success group. There is a possibility that a certain degree of maturity, which enables the individual to consider the eventualities to be expected from various alternatives, may be a factor in probationary success. Or, again, as already observed, the more serious problems show up at an earlier age owing to inadequacies in training and home environment. It is interesting to note that although the Negroes in the failure group had the lowest age at first arrest and on being placed on probation, the Negroes in the success group had the highest age in both categories. The proportion of the success group who were placed on probation as late as the fifteenth or sixteenth year is over twice that of the failure group.

TABLE XXIX

AGE PLACED ON PROBATION

<u>AGE</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
8-9	3	2.2	2	3.1
9-10	4	3.0	3	4.6
10-11	4	3.0	7	10.8
11-12	7	5.2	6	9.2
12-13	15	11.1	12	18.5
13-14	22	16.3	13	20.0
14-15	35	25.9	12	18.5
15-16	40	29.6	9	13.8
16-17	5	3.7	1	1.5
TOTAL	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

TABLE XXX

MEAN AGE PLACED ON PROBATION

	<u>SUCCESS GROUP</u>	<u>FAILURE GROUP</u>
WHITE	13.9	13.4
NEGRO	<u>14.0</u>	<u>12.5</u>
TOTAL	<u>13.9</u>	<u>13.0</u>

e. Offense

The offense for which the individual was placed on probation was considered from two aspects. Table XXXI compares the success and failure groups as to type of offense committed. "Offenses against the public order", such as Disorderly Conduct, are relatively less serious and it is not unexpected that the success group would show a larger percentage in this category. Conversely, the larger percentage of the failure group in the two serious categories of "crimes against property" and "weapons and crimes against the person" is not unexpected. Nevertheless, the point is an important one as some probation authorities minimize the type of offense as a factor in post-probation success or failure.

TABLE XXXI

OFFENSE

<u>OFFENSE GROUP</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	N	%	N	%
Incorrigible, Runaway, Truancy	13	9.6	7	10.8
Crimes against Property	66	48.9	36	55.4
Weapons, Crimes against Person	20	14.8	12	18.4
Sex Crimes	8	5.9	2	3.1
Crimes against Public Order	27	20.0	7	10.8
Miscellaneous	<u>1</u>	<u>.8</u>	<u>1</u>	<u>1.5</u>
TOTAL	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

Table XXXII gives the rate of success and failure for all individuals in each offense category.

TABLE XXXII

SUCCESS AND FAILURE RATE OF SUBJECTS BY OFFENSE CATEGORIES.

<u>OFFENSE CATEGORY</u>	<u>TOTAL CASES</u>	<u>SUCCESSES</u>		<u>FAILURES</u>	
		<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Incorrigible, Runaway, Truancy	20	13	65.0	7	35.0
Crimes against Property	102	66	64.7	36	35.3
Weapons, Crimes against Person	32	20	62.5	12	37.5
Sex Crimes	10	8	80.0	2	20.0
Crimes against Public Order	34	27	79.4	7	20.6
Miscellaneous	<u>2</u>	<u>1</u>	<u>50.0</u>	<u>1</u>	<u>50.0</u>
TOTAL	<u>200</u>	<u>135</u>		<u>65</u>	

f. Causative Factors

In dealing with cause or the assignment of cause by the probation officer, we are obviously dealing with highly subjective material. In fact, the probation officers appeared to consider the caption dealing with causative factors as one of the least important. Many omitted it entirely or inserted a single word or short phrase. Often a

stock phrase might be used. Table XXXIII gives a sample listing of "causative factors" cited by the probation officers, and the number of times each was put down as a "causative factor". It is important that the probation department, as part of its in-service training, should impress upon the probation officers the value of accurately determining and noting possible "causative factors" in each individual case. An intelligent plan of probation treatment depends on an understanding of the constellation of factors which may be responsible for delinquency in any given case.

TABLE XXXIII

SAMPLE LISTING OF CAUSATIVE FACTORS NOTED BY THE  
PROBATION OFFICERS

<u>Causative Factor</u>	<u>Number of times listed</u> <u>as Causative Factor</u>
Bad companions	57
Home conditions	
Inadequate supervision	55
Mischievousness	24
Gang activity	22
Desire for money	17
Easily lead	5
Dislike of school	5
Desire for adventure	4
Victim of circumstances	3
Movies	2

G. Psychiatrist Recommendation

A recommendation by the psychiatrist or the probation officer that an individual be placed on probation carries with it the assumption or, at least, the hope that after the probation period is completed, the individual will remain law-abiding thereafter. Table XXXIV shows that in only 108 cases out of 200, was the psychiatric recommendation in keeping with post-probation success or failure. An "unfavorable" recommendation indicates that probation was considered an insufficient means of bringing about a change in behavior and that commitment to a training institution was necessary.

TABLE XXXIV

PSYCHIATRIC RECOMMENDATION

<u>RECOMMENDATION</u>	<u>SUCCESS GROUP</u>	<u>FAILURE GROUP</u>
	N	N
Favorable	99	47
Unfavorable	12	9
Non-committal	24	9
TOTAL	<u>135</u>	<u>65</u>

b. Probation Officer's Recommendation

As compared with the psychiatrists, the data in table XXXV illustrates that the probation officers had slightly more success. In 128 cases out of 200, their recommendation was in keeping with post-probation success or failure.

TABLE XXXV

PROBATION OFFICER'S RECOMMENDATION

<u>RECOMMENDATION</u>	<u>SUCCESS GROUP</u>	<u>FAILURE GROUP</u>
	N	N
Favorable	121	56
Unfavorable	6	7
Non-committal	<u>8</u>	<u>2</u>
TOTAL	<u>135</u>	<u>65</u>

1. Interests and Recreation.

The leisure-time activities of delinquents which appear again and again in the court record are "movies" and "street play." Neither is a particularly constructive form of endeavor. Table XXXVI lists the stated leisure-time activities of the subjects. Percentages are given for only the top three most frequent activities, but the others noted are illuminating. "Boy's games" is a rather vague category that refers mainly to

sports of an unorganized variety, such as ball games in the neighborhood or at the local playground. Although a large proportion of the entire delinquent group gave "movies" and "street play" as their activity, the failure group has a higher proportion of these listings than does the success group. <sup>5</sup>

TABLE XXXVI

LEISURE TIME ACTIVITIES

<u>ACTIVITY</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	N	%	N	%
Movies	90	66.7	51	78.5
Street play	78	57.8	45	69.2
Boy's games	47	34.8	17	25.4
Baseball	7		3	
Basketball	8		1	
Gang Activity	6		2	
Boy's Club	7		0	
Music	6		0	
Football	3		3	

5. For discussions of studies relating movies to children's behavior see: Harold E. Jones, "Motion Pictures and Radio as Factors in Child Behavior," N.P.P.A. Yearbook, 1947, pp 55-70; Franklin Fearing, "The Effects of Radio and Motion Picture of Children's Behavior," N.P.P.A. Yearbook, 1947, pp. 78-92.

**CONTINUED**

**2 OF 3**

LEISURE TIME ACTIVITIES (CONTINUED)

<u>ACTIVITY</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Comic books	4		1	
Swimming	3		2	
Boxing	3		2	
Dancing	2		3	
Bicycling	3		1	
Listening to Radio	3		1	
Drawing	1		2	
Woodwork	1		2	
Church activity	1		2	
Boyscouts	3		0	
Junior Elks	2		0	
Courner lounging	1		1	
Softball	1		0	
Mickey Mouse Club	1		0	
Playing Harmonica	1		0	
Billiards	1		0	
Pinball machine	1		0	
Track	1		0	
Skating	1		0	
Books	1		0	
Walking and Wandering around	1		0	
Watching TV	0		1	

j. Health

The medical records of nearly all of the subjects bear the notations "nutrition good-no abnormalities" or "physically normal youth." Table XXXVII lists conditions noted by the medical examiners. The court medical staff notes that attention to teeth is needed even if the individual has one small cavity in an otherwise healthy set of teeth. This accounts for the seemingly high number of subjects needing dental care. The scarcity of major ailments in this uniformly healthy group ruled out comparison of the success and failure groups on the basis of health.

TABLE XXXVII

<u>MEDICAL CONDITION</u>	<u>HEALTH</u>	
	<u>SUCCESS GROUP</u>	<u>FAILURE GROUP</u>
	N	N
Carious teeth	66	45
Diseased tonsils	39	23
Defective vision	16	7
Adenoids	14	5
Defective hearing	0	1
Malnutrition	13	0
Hernia	3	0
Bronchitis	1	0
Kidney trouble	1	0

## HEALTH (continued)

<u>MEDICAL CONDITION</u>	<u>SUCCESS GROUP</u>	<u>FAILURE GROUP</u>
	N	N
Rheumatic mitral valve disease	5	2
History of Asthma	1	1
History of brain tumor	1	0

Variables Pertaining to the Probation Experience.1. Officer - Probationer Contacts.

There was very little difference between the success and failure groups in amount of contact between officer and probationer. (Table XXXVIII) The average number of officer - probationer contacts for the entire group of subjects came to about two visits every three months. Ideally, the probationer should be seen more frequently. However, during this period, the probation case-load in the court was far above recommended limits. The National Probation and Parole Association recommends that the standard monthly work-load per officer should be about 50 work units.<sup>6</sup> One supervision case on probation equals one work unit.

6. Probation Services in Pennsylvania, p. 64.  
New York: National Probation and Parole Association, 1957.

A pre-parole investigation is computed as three work units, and pre-sentence and pre-hearing investigation are computed as five units. The court probation staff has always had a case-load far heavier than this standard.

TABLE XXXVIII

OFFICER - PROBATIONER CONTACTS

	<u>Mean contacts per month</u>
Success Group	.68
White	.65
Negro	.72
Failure Group	.60
White	.59
Negro	.62

In juvenile probation cases, the probation officer visits the home and the school as well as having the probationer visit the court office. In visits to the home or school, the officer may see more than one person. Therefore, the total number of visits per case or the total number of contacts per case each month will be considerably higher than the number of officer-probationer contacts. While the probation officer may have seen the subject an average of twice in three months, he certainly had far more frequent contact with the case.

## 2. Special Aid Offered by the Probation Officer.

The contrast between the qualifications required to obtain a position as a probation officer today and the qualifications required in the not too-distant past is a striking one. Jurisdictions that formerly required only that the probation officer be a "discreet individual;" now may require a Master's degree in social work. The job opportunities listed regularly in the Journal of the National Probation and Parole Association, revealed that even hamlets that offer pay close to the subsistence level archly list in their requirements, the common phrase, "MSW or equivalent desirable." The need for trained social workers in the field of probation is repeatedly stressed at professional conferences and in professional publications. <sup>7</sup>

The demand for such specialized training implies the expectation that the trained worker will be able to diagnose the client's needs and

7. For representative articles concerning trained case-work in the field of probation see: Clinton W. Areson, "The Juvenile Delinquent Meets Case-work," N.P.P.A. Yearbook, 1944, pp. 84-98; Irving E. Cohen, "Probation As A Social Case-work Process," N.P.P.A. Yearbook, 1945, pp. 207-216; Gladys Hall, "Social Case-work in Probation and Parole," N.P.P.A. Yearbook, 1942, pp. 121-132; Edwin J. Coventry, "How Real is Our Case-work with Adults," N.P.P.A. Yearbook, 1947, pp. 60-65

use the appropriate rehabilitative techniques to aid him. He would be prone to use the resources available in the community to meet the youth's particular needs.

To what degree did the probation staff utilize such special service or aids to help in rehabilitating the subjects? The writer used a very liberal standard in determining what constituted "special aid offered by the probation officer." Virtually any activity by the probation officer in aiding the client, beyond ordinary routine supervision, was considered as "special aid." Every record was read completely to determine exactly what special aid was extended by the probation officer. As illustrated in Table XXXIX, 31 of the 200 subjects received special aid. However, quite a few of this number received more than one kind of special aid.

TABLE XXXIX

SPECIAL AID BY PROBATION OFFICER

	<u>TOTAL CASES</u>	<u>SUBJECTS WHO RECEIVED SPECIAL AID</u>	
		<u>N</u>	<u>%</u>
Success Group	135	23	17.0
Failure Group	<u>65</u>	<u>8</u>	<u>12.3</u>
TOTAL	<u>200</u>	<u>31</u>	<u>15.5</u>

The list that follows illustrates the types of special aid offered.

1. Referred boy to boys' club.
2. Helped family with relief authorities.  
Referred boy for job.
3. Helped boy obtain work certificate.  
Referred boy to Juvenile Labor Bureau for job.
4. Referred boy to Juvenile Labor Bureau for job.  
Referred boy to Penna. State Employment Service.
5. Interceded with school authorities to have boy re-admitted to school.
6. Had boy join boys' club.  
Noted boy's interest in wood work. Enrolled boy in carpentry class in which he took prize.
7. Set up plan to help boy achieve more in school by improving study habits.  
Arranged visit to boys' club.
8. Obtained advice from psychiatrist regarding boy's special school problem.
9. Sought advice from psychiatrist on boy's effeminate mannerisms and their relation to his school and neighborhood adjustment.  
Tried to arouse family interest in boy's problem.
10. Arranged for boy to attend summer camp. Made special financial arrangements.
11. Took special pains in arranging for A. E. G. examination and preparing a disturbed boy for it.

12. Succeeded in getting boy to join Scouts.  
Tried to get help for boy at Child Guidance Clinic.  
Worked out holiday trip for boy.  
Referred boy to Big Brothers.
13. Counseled parents on drinking.  
Sought aid of special worker with alcoholics.  
Helped family with relief authorities.  
Helped prepare family for release of father from House of Correction with the aid of worker for alcoholics.
14. Aroused boy's interest in joining Y. M. C. A.  
Was successful in getting "Y" scholarship for boy.  
Obtained farm job for boy.
15. Referred boy for hearing examination to see if poor hearing had affected his school work.
16. Referred boy for vocational guidance counselling.
17. Followed up boy's complaint of being terrorized by bully and stopped practice with aid of other boy's probation officer.
18. Obtained clothing for boy.
19. Tried to encourage boy's musical talent.  
Arranged for boy to attend summer day camp.
20. Obtained shoes for boy- boy had been unable to attend school because he had no shoes.

It is impossible to measure the effect of these various types of special aid qualitatively or to assess their relationship to post-probation success

or failure. It is interesting to note that somewhat more special aid was offered by the so-called "untrained" workers. Indeed, use of the type of aid listed could probably be taught in an in-service training course.

What possible inferences can be gained from the data on special aid offered by the probation officer? Some 70 per cent of a group of subjects who generally received minimal special aid were, nevertheless, successful in remaining law-abiding during the follow-up period. Perhaps, in most probation cases, the understanding that he has been under court scrutiny, plus the period of added supervision and control afforded by the probation officer, is sufficient to bring about a change in the subject's relationship with authority. A knowledge of the variables existing at, or prior to, probation which are related to post-probation success and failure might enable the probation staff to focus special aids on the cases most likely to need them. Such a program pre-supposes that the probation staff would have case loads which would permit time to offer special aid when indicated.

### 3. School Adjustment During Probation.

The subject's school adjustment during probation showed very little difference between the success and failure groups (Table XL). The category "improved"

includes those cases in which the subjects who had been rated as poor made definite improvement, but whose adjustment still was not satisfactory. The substantial increase in subjects rated as "good" and the accompanying decrease in subjects rated as "fair" or "poor," as compared to school adjustment at the start of probation, (Table XXIII) was to be expected. The probation officers keep very close check on the subject's school adjustment.

TABLE XL

SCHOOL ADJUSTMENT DURING PROBATION

<u>RATING</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	N	%	N	%
Good	91	67.4	42	64.6
Fair	17	12.6	6	9.2
Improved	13	9.6	9	13.9
Poor	12	8.9	8	12.3
Insufficient Information	<u>2</u>	<u>1.5</u>	<u>0</u>	<u>.0</u>
<b>TOTAL</b>	<u><u>135</u></u>	<u><u>100.0</u></u>	<u><u>65</u></u>	<u><u>100.0</u></u>

4. Behavior During Probation Period.

In regard to law-abiding behavior in terms of arrests during the probation period, the success and failure groups were quite similar (Table XLI). A total of 23

subjects were arrested during the probation period. Each group includes one case in which the subject had two arrests.

TABLE XLI

ARRESTS DURING PROBATION PERIOD.

	<u>Total Cases</u>	<u>% of Subjects Arrested During Probation Period.</u>
Success Group	135	11.9
Failure Group	65	10.8

Table XLII carries through the subjects' total arrests to the close of the probation period.

TABLE XLII

TOTAL ARRESTS TO CLOSE OF PROBATION PERIOD.

<u>NUMBER of ARRESTS</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	N	%	N	%
1	89	65.9	36	55.4
2	30	22.2	12	18.5
3	11	8.2	11	16.9
4	4	3.0	4	6.2
5	0	.0	1	1.5
over 5	<u>1</u>	<u>.7</u>	<u>1</u>	<u>1.5</u>
TOTAL	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

When total arrests are carried through to the end of the follow-up period the two groups show striking difference (Table XLIII). Fifty-six per cent of the success group has had only one arrest in their career and eighty-one per cent has had only two arrests. This would seem to lend additional support to the premise that a knowledge of the variables relating to post-probation success or failure, could increase the success rate by permitting the probation staff to render more intensive service to those most in need of support.

TABLE XLIII

TOTAL ARRESTS TO END OF FOLLOW-UP PERIOD

<u>NUMBER of ARRESTS</u>	<u>SUCCESS GROUP</u>		<u>FAILURE GROUP</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
1	75	55.6	0	.0
2	35	25.9	11	16.9
3	17	12.6	11	16.9
4	6	4.5	15	23.1
5	1	.7	5	7.7
6	0	.0	13	20.0
7	0	.0	1	1.5
8	0	.0	3	4.6
9	0	.0	4	6.2
10 and over	1	.7	2	3.1
<u>TOTAL</u>	<u>135</u>	<u>100.0</u>	<u>65</u>	<u>100.0</u>

5. Duration of the Probation Period.

Table XLIV gives the mean duration of the probation period for each group, as well as for whites and Negroes in each group. The length of the probation period averaged about 15 months in each group. The reader will recall that there was little difference between the success and failure groups in "school adjustment during probation," or in "arrests during the probation period," two factors which are of importance to the probation officer. It is, of course, most difficult to determine the optimum duration of probation for the individual. However, it would seem reasonable to plan on a longer period on probation for those subjects who are more prone to failure.

TABLE XLIV

MEAN DURATION OF PROBATION PERIOD.

	<u>SUCCESS GROUP</u>	<u>FAILURE GROUP</u>
White	15.9	15.4
Negro	<u>15.9</u>	<u>15.0</u>
TOTAL	<u>15.9</u>	<u>15.2</u>

Change in probation officers during the probation period was also considered as a factor

in post-probation success and failure. Such changes occur because of re-alignment of probation districts, changes in residence by the probationer, and illness or retirement of probation officers. There was a somewhat higher percentage of such changes in the failure group (Table XLV).

TABLE XLV

CHANGES IN PROBATION OFFICER

	<u>TOTAL CASES</u>	<u>SUBJECTS WHO EXPERIENCED CHANGE IN PROBATION OFFICER</u>	
		N	%
Success Group	135	25	18.5
Failure Group	65	16	24.6

6. Age Discharged from Probation

Table XLVI gives the mean age at discharge from probation for each group, as well as for whites and Negroes in each group. The failure group was discharged, on the average, one year younger than the success group. This may not appear to be of significance as the failure group was one year younger, on the average, at the time when placed on probation. On the other hand, the consistency in length of probation period is suggestive of the routine nature of probation practice.

TABLE XLVI

MEAN AGE AT DISCHARGE FROM PROBATION

	<u>SUCCESS GROUP</u>	<u>FAILURE GROUP</u>
White	15.2	14.6
Negro	<u>15.2</u>	<u>13.8</u>
TOTAL	<u>15.2</u>	<u>14.2</u>

## CHAPTER V

### DISCUSSION

Court records reveal that 32.5 per cent of the 200 subjects who were discharged from probation as "satisfactory" in 1950, were subsequently convicted during the five-year follow-up period ending December 31, 1955.

A provocative point emerging from the present study is the fact that some seventy per cent of a group of subjects who received routine probation service, with a minimum of special aid were, nevertheless, successful in remaining law-abiding during the follow-up period.

Yet, the demand for social work training is constantly on the increase as a requirement for employment in the field of probation. Would the application of social work techniques and the use of all conceivable social agencies effect a more satisfactory level of rehabilitation? In this connection, the Cambridge-Somerville Youth Study is worthy of comment.<sup>1</sup> This Massachusetts study was carried on from 1935 to 1945 and dealt with two groups of problem boys who, in time, entered adolescence. The boys were matched into pairs and put into either a treatment

1. Edwin Powers and Helen Witmer, An Experiment in The Prevention of Delinquency.

group or a control group. Each group consisted of 325 boys who were followed closely over the period of years encompassed by the study. Every conceivable type of treatment was afforded the treatment group- medical examination and treatment, counseling, psychiatric analysis, recreational opportunities and school program. The control group received no aid. Yet, there was no significant difference in the ultimate adjustment of each group. In fact, in over-all amount of delinquency, the treatment group seems to lead slightly. Judging from these results, additional social work techniques, as at present practiced, does not seem to hold the answer.

The treatment group was subjected to a saturation of social services conducted in a permissive counseling setting. Such a program would hardly seem designed to bring about the self-reliance and individual habits of discipline necessary to adjust in today's society. Indeed, the individual of independent character might well rebel against the very plethora of aid. We may also conjecture that, if the control group had received supervision akin to probation, the results may have been more in their favor.

It is possible that in seeking to refine our techniques of coping with the delinquent, we tend to underestimate the powerful effect of authority as represented by the court through its probation staff.

Perhaps, in most probation cases, the understanding that he has been under court scrutiny, plus the period of added supervision by the probation officer, is sufficient to bring about a change in the subject's relationship with authority. The offender certainly realizes that, in being granted probation, he escaped commitment. The unpleasant prospect of commitment if his lawless behavior persists also serves as a deterrent. Perhaps one of the weaknesses in present social work technique is its over-weening emphasis on the insecurity angle as the chief factor in the development of delinquency and crime.

Analysis of the variables which may be related to post-probation success and failure indicates that the individuals who failed to remain law-abiding differed from the group who succeeded in remaining law-abiding, in respect to a number of the variables relating to authority and the acceptance of authority.

No attempt has been made to develop an elaborate predictive device on the basis of present findings. It is the opinion of the writer that those using such devices tend to overlook their basic limitations and often attribute to them an exactness and predictive value which they do not possess. So many imponderables, including the ability of the individual probation officer, affect post-probation success and failure, that

to assign an "exact" degree of success or failure potentiality seems manifestly foolhardy.

The purpose of the present analysis has been to acquaint the working probation officer with such variables - readily located in the case record - as appear to be related to post-probation success or failure.

They may serve as guides in aiding him in locating the cases which are in special need of probationary effort.

The variables considered are, in the main, objective. Those variables which are subjective in nature are of a type that do not call for fine, analytical gradations. A competent school man should be able to evaluate a boy's school adjustment as "good" or "poor" without too much difficulty. Likewise, a simple evaluation of the physical condition of the probationer's home by an experienced probation officer should have some validity and should lend itself to a measure of statistical treatment. On the other hand, refined statistical analysis of such subjective designations as "vivacity" and "temperament," hardly seems in order.

A group of variables that appears to be the most closely related to post-probation success or failure are those centering about the delinquent pattern of

the individual and his family. Included in this group are:

Arrests prior to offense leading to probation.

Age at first arrest.

Age placed on probation.

Type of offense.

Total arrests.

Other siblings known to court.

Other siblings adjudged delinquent.

Other siblings committed to institutions.

A second group of variables which centers about the family and home conditions also seems to be indicative of post-probation success or failure.

These include:

Size of family.

Birth order.

Adequacy of parental control and supervision.

Home conditions.

Neighborhood.

A third group of variables pertaining to individual factors is, to a somewhat lesser degree, indicative of post-probation success and failure.

These include:

Intelligence.

Race.

Leisure-time activities.

Variables which did not appear to be very closely related to post-probation success and failure include:

Father's occupation.

Family income.

Health.

Broken home.

Child's place of birth.

Parent's place of birth.

School adjustment.

Religion.

## CHAPTER VI

### SUMMARY and CONCLUSION

#### Problem

This study is concerned with an inquiry into the post-probation recidivism of two hundred juveniles who were placed on probation by the Municipal Court of Philadelphia, and whose probationary periods terminated satisfactorily during 1950.

The subjects who were adjudged delinquent or convicted of a criminal offense during the five year period from their discharge in 1950 to December 31, 1955, were placed in the "failure" group. Those who remained law-abiding during this period were placed in the "success" group. The two groups were then compared to determine how they differed in terms of factors presumably related to success and failure.

The basic problem of the present study centers about the extent to which the two hundred ex-probationers remained law-abiding, and the nature of the variables which were associated with subsequent lawful or unlawful behavior.

#### Findings

Among the more important findings the following may be listed:

1. Court records revealed that 32.5 per cent of the 200 subjects who were discharged from

probation as "satisfactory" in 1950, were subsequently convicted of a more or less serious offense, such conviction occurring during the five-year follow-up period ending December 31, 1955.

2. Seventy-seven per cent of the success group had no arrests prior to the offense leading to probation as opposed to sixty per cent of the failure group. This relationship between successful probation and the extent of previous conduct difficulties holds equally for whites and non-whites.
3. There is a higher proportion of families with more than four children in the failure group (52 per cent) than in the success group (39 per cent). The Negroes had a higher proportion of families with more than four children (49 per cent) than did the whites (38 per cent).
4. About 58 per cent of the total group of 200 delinquents were first born, last born, or only children. When each category was compared to the remainder of the total group, first children, last children, and only children had a lower failure rate.
5. About 71 per cent of the failure group had other siblings known to the court as compared to 55 per cent of the success group. Forty-

- five per cent of the failure group had two or more siblings known to the court compared to 28 per cent of the success group.
6. Forty per cent of the success group and fifty-two per cent of the failure group had siblings who were officially adjudged delinquent. The success group had sixteen per cent of its members with two or more siblings adjudged delinquent, while the failure group had twenty-five per cent.
  7. Thirty-seven per cent of the failure group had other siblings who were committed, as opposed to seventeen per cent of the success group. The failure group had eleven per cent who had two or more siblings committed, while the success group had only two per cent.
  8. The proportion of broken homes was virtually the same for the two groups. Although considerably more of the Negroes came from broken homes, there was the same percentage of Negroes coming from broken homes in the success and failure groups.
  9. The failure group had a higher percentage of members from homes graded as "poor" (22 per cent) than did the success group (15 per cent).
  10. Forty-three per cent of the failure group came from homes in which parental control and

supervision was inadequate as compared to thirty-one per cent, of the success group.

11. There appeared to be little relationship between the economic status of the family and post-probation success and failure. Both groups had the same percentage of families with income of less than \$50.00 per week (55 per cent).
12. The success and failure groups were quite similar in level of father's occupation. The failure group had a slightly higher proportion of fathers engaged in unskilled occupations (20 per cent) than did the success group (14 per cent). In both groups, the fathers were mostly factory workers and laborers, or were engaged in low level clerical or service occupations.
13. There was a much lower percentage of Negro fathers holding skilled and semi-skilled jobs (12 per cent) than white fathers (52 per cent). Fifty-five per cent of the Negro families existed by means other than the father's earnings, as compared to fifteen per cent of the white families.
14. Approximately eighty-five per cent of members of both the success and failure groups were born in Philadelphia. Over ninety-per cent

of the whites were born in Philadelphia. None of the whites were born in the south. About 74 per cent of the Negro group were born in Philadelphia. Of the Negroes born in the South there is a slightly higher percentage in the failure group (23.3 per cent) than in the success group (19.3 per cent).

15. The percentage of subjects who had one or both parents born in Philadelphia was the same for the success and failure groups (62 per cent). Nearly 85 per cent of the Negroes had one or both parents born in the south, while about 85 per cent of the whites had one or both parents born in Philadelphia.
16. The failure group had 63 per cent of its members residing in the police districts that represented the top third in terms of arrests per 1000 juveniles. The success group had 50 per cent of its members residing in these police districts.
17. The success and failure groups were alike in having 40 per cent of their subjects rated "good" in terms of school adjustment at the start of the probation period. The failure group had 32 per cent of subjects rated as "fair" and 25 per cent rated as "poor." The success group had 23 per cent

rated as "fair" and 30 per cent rated as "poor." More than one-fourth of the total group were rated as "poor" so far as school adjustment is concerned.

18. In the success group forty-one per cent were classified as "dull average" or "below average" in intelligence. Fifty-six per cent classified as average or above. In the failure group sixty-four per cent classified as "dull average" or "below average," while thirty-four per cent classified as average. None of the subjects in the failure group were classified as "above average."
19. The white group showed a slightly higher degree of post-probation success than did the Negro group. Sixty-nine per cent of the white group and 65.5 per cent of the Negro group were successful.
20. Sixty-six per cent of the Catholic group and sixty-seven per cent of the Protestant group were successful. The Jewish group numbered only five, all of whom were successful.
21. The failure group was, on the average, one year younger than the success group at the time of first arrest.

22. The failure group was, on the average, one year younger at the time they were placed on probation.
23. The failure group had a higher percentage of subjects placed on probation because of offenses in the two serious categories of "crimes against property" and "weapons and crimes against the person". Fifty-five per cent of the failure group and 49 per cent of the success group committed "crimes against property." Nineteen per cent of the failure group and fifteen per cent of the success group committed "crimes against the person or offenses involving use of weapons." In the less serious offense category of "crimes against the public order", the success group had a higher percentage (20 per cent) than did the failure group (11 per cent).
24. Subjects placed on probation for offenses in the categories "sex crimes" and "crimes against public order" had a success rate of 80 per cent. Subjects placed on probation for offenses in the categories "incorrigible, runaway, truancy," "crimes against property, and "weapons, crimes against the person" had a success rate of about 65 per cent.

25. Psychiatric recommendations were in keeping with post-probation success or failure in 108 of the 200 cases.
26. In 128 of the 200 cases, the recommendations of the probation officer were in keeping with post-probation success or failure.
27. Seventy-nine per cent of the failure group and sixty-seven per cent of the success group listed "movies" as a leisure-time activity. Sixty-nine per cent of the failure group and fifty-eight per cent of the success group listed "street play."
28. The entire delinquent group appeared to be in good health, with no difference in this respect between the success and failure groups.
29. There was very little difference between the success and failure groups in amount of contact between officer and probationer, the average number of contacts for both groups being about two visits every three months.
30. The probation officers utilized special services and aids to help in rehabilitating the subjects in 31 cases out of two-hundred. Seventeen per cent of the subjects in the success group and twelve per cent of the

subjects in the failure group received such aid.

31. The success group and the failure group differed very little in terms of their school adjustment during the probation period. Sixty-seven per cent of the success group and sixty-five per cent of the failure group had their school adjustment rated as "good." Nine per cent of the success group and twelve per cent of the failure group were rated as "poor."
32. Twelve per cent of the success group and eleven per cent of the failure group were arrested during the probation period.
33. Sixty-six per cent of the success group had only one arrest in their career up to the end of the probation period. Fifty-five per cent of the failure group had only one arrest up to the end of the probation period.
34. When total arrests are carried through to the end of the follow-up period the two groups show marked differences. Fifty-six per cent of the success group have had only one arrest in their career and eighty-one per cent have had only two arrests. The failure group shows only seventeen percent with two arrests.

35. The length of the probation period averaged 15 months for both groups.
36. Twenty-five per cent of the failure group experienced change in probation officers during the probation period, compared to nineteen per cent of the success group.
37. The failure group was discharged on the average one year younger than the success group.

Conclusions:

On the basis of these and other findings the following general statements may be made:

1. Individuals in the failure group became known to the police and courts at a younger age than did individuals in the success group.
2. Individuals in the failure group tend to have more arrests prior to probation than do those in the success group. As the careers of the two groups are followed through, the high frequency of arrests in the failure group becomes increasingly evident.
3. Individuals in the success group are, by and large, one-time offenders.

4. A much higher proportion of the failure group than of the success group has siblings with court records.
5. The subjects in the failure group tend to come from larger families and tend to be other than first born, last born, or only children.
6. Although the proportion of broken homes was virtually the same for each group, a somewhat higher percentage of the failure group came from homes rated as "poor" and as deficient in parental control and supervision.
7. There appeared to be little relationship between the economic status of the family and post-probation success and failure.
8. Mobility, from the standpoint of place of birth and residence, shows no differentiating features so far as the two groups are concerned.
9. The failure group had a higher proportion of its members residing in the neighborhoods with high arrest rates than did the success group.
10. School adjustment, assessed at the start of probation and during the probation

period, offered few clues to post-probation success or failure.

11. The level of intelligence of the success group was somewhat higher than that of the failure group.
12. The white group showed a slightly higher rate of post-probation success than did the Negro group.
13. There was little difference in the success-failure rates of the Catholic and Protestant groups. The numerically small Jewish group was entirely successful.
14. The failure group had a slightly higher percentage of subjects placed on probation because of offenses in the more serious offense categories.
15. Although a large proportion of the entire delinquent group gave "movies" and "street play" as their leisure-time activities, the failure group had a higher proportion of these listings than did the success group.
16. The entire delinquent group appeared to enjoy good health, with no difference in this respect between the success or failure groups.

17. There was little difference in the type of probation service rendered the success and failure groups in terms of frequency of contact between officer and probationer, special aids or services offered the probationer or length of probation period.

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