

Journal of Criminal Law and Criminology

Volume 28

Issue 2 *July-August*

Article 6

Summer 1937

Crime Prevention From the Cradle Up

Max W. Nohl

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Max W. Nohl, Crime Prevention From the Cradle Up, 28 Am. Inst. Crim. L. & Criminology 220 (1937-1938)

This Article is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

CRIME PREVENTION FROM THE CRADLE UP

MAX W. NOHL¹

It is generally estimated that crime costs this country fifteen billions, education three billions and our churches (i. e., our religions) one billion of dollars a year. If this estimate of the cost of crime is correct or approximately correct, it constitutes a startling indictment of our indifference toward our general welfare. It should at least arouse the entire nation to anger toward crime and prompt the entire nation to devise ways and means of reducing the terrible toll of crime in money and in heart-aches.

It is astonishing to find so few good books and so little good literature on what may be called real crime prevention. All too often we find a title or a headline of "Crime Prevention" and upon analysis the text suggests only that the way to prevent crime is to detect, apprehend, prosecute and convict the offender and then to lock him up and keep him locked up for a long time. Such procedure is what may be considered a deterrent to crime, but it is not what should be called real crime prevention, except to the extent that while locked up the convict is prevented from committing crime. At common law, over a hundred felonies were punishable by death. It has been generally conceded that such severe punishments did not accomplish the prevention of such felonies or deter the commission of such felonies. Now, as a result, in many of our states there is no capital punishment at all, and in most of the other states capital punishment is provided at most for first degree murder or kidnapping.

The old theory, "Once a criminal, always a criminal," has been exploded long ago. We find that many who have offended against our criminal laws are really not criminals nor criminally-minded. Probation and parole, now in existence in all of our states and in our Federal court system, have established the fallacy of the old theory and the soundness of the new. We find that it is frequently not necessary to send young offenders to penal institutions (i. e., "schools for crime" as they are often called and which they often are in fact). We find that many of those placed on probation atone for their crimes by paying the costs of the actions, making restitu-

¹ Judge of the Municipal Court, Milwaukee, Wis.

tion, supporting their families, avoiding intoxication, avoiding immoralities, avoiding bad associations and becoming good citizens during probation and continuing to lead good lives after being discharged from probation. Somewhat similar good results are obtained from parole. Probation and parole where used properly have established themselves as outstanding crime prevention agencies. Are there other untried crime prevention agencies, plans or ideas that are feasible and practical?

The old adage that "an ounce of prevention is worth a pound of cure" has as much good sense in it as it ever had. We should adapt the adage to crime.

Forty years ago we used to have many large fires and very many small fires. Some people about thirty years ago had visions that to a large extent fires might be prevented by metal ash containers, by strict regulations as to electric wiring, by fire walls, by sprinkler systems, by fire alarm apparatus, by tearing down dilapidated fire hazards, by requiring buildings in congested districts to be practically fireproof and by numerous other things. The result has been that recently there have been very few large fires and very few small fires.

Forty years ago we used to have very many serious epidemics. About thirty years ago some people had visions that some of these epidemics might be avoided before their inception, and the Health Departments, as a result, have been busy inspecting and regulating everything we eat and everything we drink; cleaning up unclean waterholes, wells, ponds, creeks and rivers; isolating those afflicted with infectious or contagious diseases; and been busy in numerous other ways and have thereby wiped out the disease breeding places and prevented epidemics from starting up. If perchance occasionally an epidemic has gotten a little under way, they have prevented its spread by numerous prevention methods. Nowadays serious epidemics are rare and there are comparatively few even of the less serious kind in spite of our increased population.

About twenty years ago there were so many deaths and accidents by automobiles that a "hue and cry" was raised against this new menace. Safety commissions were formed in many populous centers and the people were aroused. These commissions instituted safety driver schools attended by thousands of people, they gave dinners for automobile delivery clerks and truck drivers sponsored by the employers, at which safety talks were given, and they invented safety slogans which they had posted in conspicuous places.

They induced service clubs and civic and other societies and clergymen and others to teach and to preach these safety plans. They induced the police to be active in advertising these safety ideas and in enforcing them, and they carried their campaign into the public and parochial schools in all of the grades. The result has been the saving of thousands of lives and the prevention of many thousands of accidents.

The author of this article recently addressed a parent and teacher association on "Crime Prevention." Just before he made his address, as a part of the evening's program, twelve little girls, each about six years of age, were lined up before the audience, each girl having a placard about six inches by ten inches, with a safety slogan in large print on the side presented to the audience of parents and teachers and with an interpretation of the slogan on the back of the placard. Each child in turn read the interpretation of the slogan on the front of her placard. These little girls were teaching their parents and their teachers what their teachers had taught them. It may be needless to say that all present were learning things. The author of this article learned a great deal from this graphic, concrete example of what can be done and what is being done in this nation-wide campaign for safety, and he is endeavoring to transpose this example into crime prevention procedure.

It is probably true that upwards of 75 per cent of the work and expense of such fire departments, health departments and safety commissions is on the prevention end. Again, it is probably true that a very large per cent of such prevention work is accomplished by continuous campaigns of education, which are evidenced by the tons of literature in the form of leaflets, circulars, pamphlets, booklets, books, manuals, newspapers, magazines and journals reciting prevention ideas and plans appearing annually throughout the nation. Why are not such campaigns of education equally feasible and practicable in the field of crime prevention?

In October of each year we set aside a whole week as Fire Prevention Week for the whole nation. Fire prevention is the subject for discussion and encouragement in the newspapers, periodicals, homes, schools, churches, service clubs, civic associations, fraternal organizations, in the movies, and on the rostrum everywhere. Crime prevention is equally as important as or even more important than fire prevention. Why not have a "Crime Prevention Week" or at least a "Crime Prevention Day" (or Days) throughout the nation annually?

We now need a Federal Bureau of Crime Prevention. We now need a bureau of crime prevention for each state. We now need a bureau of crime prevention in each populous district in each state. Later we may need something of like nature in practically each governmental district.

Each bureau must make a careful survey of the character of the crimes committed in its district, what conditions prompt the commission of such crimes, what part of such crimes are attributable to conditions within and what part are attributable to conditions without such district, and what treatment is given those who are confined in our penal institutions to prevent recidivism, which is the bane of all those interested in crime prevention. Each survey must be gauged according to the crime situation in the particular district. All public officials having to do with crime prevention, with the detection, apprehension, prosecution, conviction or sentencing, or attention to or custody of offenders after conviction, and private individuals informed on crime matters, problem children, juvenile delinquents and like matters, should be consulted for suggestions. After such a survey is made and carefully analyzed there will appear certain outstanding features and certain vice spots that should be given early attention and others that in their logical sequence should be given subsequent attention.

Generally speaking, juvenile delinquency is usually the first feature that looms up for discussion and attention. We all know that juvenile delinquency is the biggest problem that we have to deal with and consequently juvenile delinquency should have the first or very early attention from such a bureau. Throughout the nation juvenile delinquency is being given careful and vigorous attention in most of the populous districts, but there is still plenty of justification for a demand to at least double up on such efforts. While this work is being done, would it not be well to consider the children in the pre-juvenile age? Is it not ten times as hard to straighten out a juvenile as it is to start a child five years of age in the right direction? In other words, while we are giving juvenile delinquency attention of necessity, should we not also consider the matter of prevention by character building, by reaching the child, so to speak, in the cradle? By doing so we might reduce the volume of juvenile delinquency substantially.

When crime prevention is discussed it seems to be the concensus of opinion that we must reach into and straighten out each of the homes that are not as they should be. If this can be done, it might

appear possible to lick the crime problem to a very substantial extent. This is, of course, a tremendous undertaking, as there are so many of such homes and so many problems that arise in connection with such homes. It is all too sad to learn that a very large part of our juvenile delinquents and criminals come from broken homes. We must, through family courts and courts of domestic relations, study and reach into such homes at the inception of the disturbances, if possible, both for the sake of the children as well as the parents. In other words, for the good of all of us, we must teach the parents how to improve the homes that are not as they should be.

But how can we get into these homes? There is an army of several millions of good, able and willing workers and societies awaiting outstanding leaders to impress them into and enlist them in this service. This army is made up of the public and parochial school teachers, the Sunday school teachers, the clergy, the police, the sheriffs, the parent and teacher associations, the service clubs, the civic and fraternal organizations, the civic workers, the social workers, the women's organizations, the employers of labor, the labor organizations and many other right-minded men, women and societies. Very many of these are willing to devote time, energy and money to the work. They, however, need leadership and coordination of effort. They need to have plans made for them. They need good, carefully prepared literature to enthuse them and to guide them. These volunteers are awaiting the clarion call of a great crusader.

Now, who is to prepare and have circulated this literature that will outline where there should be crime prevention bureaus, how they should be organized (as public or volunteer agencies or agencies partaking of both characters), how the surveys should be made, the plan of action, the difficulties to overcome, the work to be done by each of the enlisted persons and organizations, the subjects for discussions, the places for discussions, the things to be taught, what steps should be taken in selecting and getting public speakers to spread the doctrines, etc.? If we leave this to the forty-eight State Bureaus of Crime Prevention to be performed by them, we will have no uniform effort, but instead have forty-eight varieties of effort and consequently no uniformity of accomplishment. This would lead to confusion. If we leave it to the various district crime prevention bureaus we will have several hundred varieties and confusion still more confounded.

Why should not the Federal Government help, guide and lead

us out of this wilderness of crime? Crime is a national problem. Crime cannot be held out by State lines or held within State lines. Criminals ordinarily have no respect for territorial limits. Every community in our country is interested in the prevention of crime in every other community in our country. The Federal Government can gather experience from all sections of the country and show how there may be coordination of the efforts of all of the sections.

When the Federal Government takes hold of a field of work, it invariably does a good job. This has been made apparent again recently by the accomplishments of the "G" men. These are men of ability and education. They are career men. Where are those interstate gangs of gun-men, bank robbers and kidnapers who a short time ago seemed to be unfindable and unconquerable and stronger than the Government itself? They are mostly dead or permanently locked up. A lone serious offender will likely, here and there, "pop" up again, but the "G" men will likely also be on hand again to "pop" back and quickly put the new offender where his career of crime will be at an end. The Federal Bureau of Identification, with its upwards of six million fingerprints and its tabulation of criminal records gathered from all over the country, available to all law enforcement officers and criminal courts in locating, apprehending, prosecuting, convicting, appraising, sentencing and treating all types of criminals, is, to say the least, discouraging to the criminals and encouraging to all good citizens. These two Federal departments are outstanding deterrents to crime on a national scale. Let us have some outstanding career men in crime prevention work.

The Federal Government spends much money in protecting our public health, in preventing fires, in preventing deaths and accidents from automobiles and other vehicles, in preventing disease, floods, droughts, dust storms and other disasters at sea and on land, regulates our money and interstate commerce, runs our post office system, helps our farmers and generally promotes our general welfare in innumerable ways, and still preserves and protects our State rights, leaving to each State the opportunity to control and regulate its own domestic affairs peculiar to each State. Why, then, should we not call upon this Federal Government to help us all in this important field of crime prevention, not to force us to do things, but to help us to do things we want to accomplish.

It would not be out of place at all for a Federal Bureau of

Crime Prevention to be made a part of our Federal Department of Justice. Now, how are we to get such a bill introduced and passed to a conclusion? A number of requests have been made of various senators and representatives to introduce such a bill and press it to a conclusion. If the school teachers, the parent and teachers' associations, the clergy, the police chiefs, the sheriffs, the service clubs, the various lodges and other large groups or any one or more of such groups on a national scale would devote themselves in a somewhat systematic way to get the senators and representatives from the various States to have such a bill introduced and follow it through to a successful passage, we probably would soon have such a Federal Bureau and have the cost of crime reduced by several billions of dollars and then have more billions available for education and churches. Write your senators and representatives in Congress to create a Crime Prevention Bureau in the Department of Justice in Washington, D. C. Let some good groups or organizations lead in this endeavor and let others be vigorous followers in the movement. It is more logical and practical to have this wave of crime prevention start at Washington, D. C., than in our home towns. Let us start the wave some place and if necessary start waves at all parts of the country as well as at Washington.

Now, what literature should be prepared? First there should be something prepared to teach the student teachers in the various normal schools and teachers' colleges how to teach crime prevention and character building. Some text book or literature should be prepared that would fit in the kindergarten and first and second grade, making clear to the child that cheating, deception, telling lies, stealing small articles and certain other things are wrong and un-American, and why they are so. In the next few grades, other and some more serious things could be treated, such as truancy, physical and moral courage, property rights, matters of decency, etc. Then, in proper grades, misdemeanors of various types, and citizenship, could be discussed. In the high schools and university, felonies and righteousness in business could be discussed, and so on. In each case, the subjects should, of course, be adjusted to the average intelligence and the natural temptations and the ripeness for certain ideals at the ages of the pupils being taught.

It has become apparent to those having to deal with crime that education does not serve as an assurance against crime. Its accomplishment in this direction has been rather unsatisfactory. Parents all too often think that education in itself is sufficient to practically

insure immunity against criminal acts. The education of those committed to penal institutions is not very much at variance with that of those not so committed. Character building in the schools is at least as important as a general education in the schools. Good character is the prime essential; education is also of great importance. The two should be firmly linked together. Are our schools performing this dual function? If not, should we not stress this feature of character building in the schools by a well-planned system that will give it its true weight and true place in our schools? A boy with a third grade education, who is honest and brave, is of much more value to our country than a man with a post-graduate university education who lacks either honesty or bravery. Should we not spend at least ten per cent of the school time directly on character building?

Like literature for study and discussion should be provided for Sunday schools. Topics for discussion, with appropriate arguments, should be prepared for the clergy. Police and sheriffs should be furnished with literature which would guide them and suggest to them how they may do crime prevention work. There is no reason why law enforcement officers should not, to a large extent, become more and more crime prevention officers, so as to be prompted to look forward to preventing the children and others from going wrong, rather than to lie in wait for them so as to arrest them after they have gone wrong. This theory of the propriety of this dual duty being performed by law enforcement officers is gaining in favor and will probably soon become the prevailing modern practice. God speed the day!

Like literature appropriate for parent and teachers' associations, for service clubs, for civic and fraternal organizations, civic workers, social workers and others could be outlined and provided. Experience with the literature first provided in each case would lead to revised and improved literature from time to time. When a bank, a trust company, a building and loan association, a merchant, a manufacturer or another type of industry wants wide publicity, an advertising man is consulted to get up and get out the literature through a printer or a publisher, preferably a printer or a publisher who does business on a national scale, who has the forms and set-ups ready except for the one feature of filling in the individual advertiser's name, who is ready more or less on a carload lot or a trainload lot basis at all times, and who depends upon big volume and well thought out literature for big business and profits. Some

day, possibly, such a printer or such a publisher may find that there will be soon a big market for crime prevention literature of all kinds throughout the country, and specialize in preparing and selling such literature. Possibly some day while we are awaiting a national awakening along these lines, some book publishing company may see an opening here to pioneer in this field of literature and hire capable men to write good literature along such lines and good salesmen to market the same. Such a publisher might make a fortune while performing a good deed for his country. Did not Benjamin Franklin do something like this? Did not Benjamin Franklin make a good living and a good fortune by writing and printing and publishing his almanac and other wholesome literature that improved the moral tone of the civilized world in his day and made him world popular and world famous?

So far we have been talking about the prevention of crime by a campaign of education from the cradle up. In passing, it might be truly said that those who do the educating in such a campaign are learning themselves while they are teaching. Much practical work can be done by Crime Prevention Bureaus, by surveys of crime by each in its district as to where the breeding places and vice spots are located. If, for instance, it is found that crime is being bred in taverns, pool rooms, gambling places, dancehalls, parks, roadhouses or similar or kindred places, then the limelight of publicity should be turned on such breeding places and law enforcement officers and others should be induced to give them attention and legislation and ordinances should be obtained on matters pertaining to closing up the places or strictly regulating and supervising them by closing hours, prohibiting minors being at such places, forbidding certain practices, etc.

Such bureaus might also well follow to a conclusion, or create agencies whose duty it would be to follow to a conclusion, the matter of obtaining employment for those released from probation or parole, and for those released from penal institutions, to prevent them from lapsing or becoming recidivists, as all too often these offenders need supervision after their probation, parole or release. Many of these men need guidance and help for a number of years thereafter.

Such bureaus also should study all of the penal institutions related to their districts, to see to it that the inmates have sufficient work while confined, that they receive necessary education, that proper efforts are made to reform, correct and rehabilitate the inmates to prepare them for the day of their subsequent release, and

to determine what things should be done to prevent those released from our penal institutions from becoming recidivists. Such bureaus might well serve, in effect, as unofficial Boards of Visitors of such institutions, as all too often no one else seems to care what goes on in our penal institutions.

Such bureaus might well study their respective penal codes. Numerous improvements might be made in the law. All too often it seems to appear that it is no one's business to revise our criminal code. Laws pertaining to probation and parole should be kept up to date and modified or improved according to the experience had with probationers and parolees. In many cases minimum sentences provided by law are too long and probation and parole periods too short. Possibly the judges should be given discretion as to minors, who are first offenders, as to whether probation may be granted without a finding of guilt (i. e., a conviction) being made at all, if they find that no useful thing would be accomplished for the public or the minor by such a finding of guilt.

There are many other things such bureaus could do to bring about improvements in matters pertaining to crime. Their job should be the job of doing all those things that would improve matters pertaining to crime, which are not a part of the job of some other public officials or agencies and to spur on such other public officials and agencies to do the work required of them. They should not compete with public or private agencies properly covering a field of activity. They should help co-ordinate the efforts of all. They should fill in the interstices and wide open places not covered by other officers or agencies.

It is not contemplated that any of the staff of the Crime Prevention Bureau should patrol the streets or arrest offenders. That work should be left to the regular law enforcement officers. Such Bureaus should at most point out the things that other existing officials should be induced to give attention to.

It has been suggested that possibly such bureaus might be added as departments within police departments or sheriffs' departments or probation or parole departments and not be created as independent departments. Experience will be our best teacher in this direction. In some localities one plan may work well while in others another plan might work well. Again it will be claimed by some that an unofficial bureau of volunteer workers will work better than an official bureau. Again, the locality involved may be the determining factor in this respect. In any event, only experience

will decide these questions ultimately. No plan of a bureau, however, can be expected to be a real and lasting success unless it is kept entirely out of party politics and gang politics.

Before beginning to function such a bureau should have something in the nature of a convention, institute or symposium on crime to which should be invited all those familiar with or posted on or dealing with matters pertaining to crime. All matters to be considered should be thoroughly discussed and a record kept of the suggestions and then such record should be carefully digested. Then a like meeting should be held with all the teachers, then with all of the police officials, then with the clergy, then with the service clubs and other groups that can be of help—each in turn—and each with a sufficient lapse of time to be able to thoroughly digest the ideas and plans outlined at each conference. From each group should be selected a delegate or two or more to serve on an advisory group of thirty to fifty good citizens, who will advise the bureau and further its cause on the rostrum and elsewhere on all occasions required. In Milwaukee we have recently organized a Metropolitan Crime Prevention Commission of ten citizens (five being appointed by the Mayor of Milwaukee and five being appointed by the Chairman of the County Board of Milwaukee County) these ten men serving without compensation. This Commission is just beginning to function. It has selected an advisory group of about thirty-five citizens, each representing a large group of citizens to be reached in the work to be done by the Bureau or to be done for the Bureau.

Shall we go into the crime prevention work in earnest or shall we keep on building more and bigger prisons and other penal institutions and let the tremendous toll of crime in money and heart-aches keep on growing in volume? Why not spend a little, at least enough to make a good experiment, in crime prevention? If crime costs our country fifteen billions of dollars a year, why not spend one per cent of such amount, viz., \$150,000,000 a year on prevention work and get very likely a dividend of 1000 per cent a year on such an investment? That is a modest investment and certainly a big dividend. Or, to be forty times more modest, let us spend 1/40 of 1% of the national bill for crime, i. e., spend \$3,750,000 for crime prevention in this way: Let each State for its prevention work spend \$50,000.00 a year, i. e., \$2,400,000 for the forty-eight states and the Federal Government spend \$1,350,000. If this were done, we certainly would have crime pretty well on the run. We could then step up the expenditures in future years in proportion to the en-

couraging results obtained from year to year. In the long run, we would have crime foot the bill for its substantial disintegration.

This article has been hurriedly prepared. Will those who demur to it please offer substitute amendments, in whole or in part? The lawyer whose petition in court is demurred too frequently gets a "better writ," as it is called. So the author here desires to get a "better writ," or, in other words, a better article on crime prevention, not only for himself but for the nation as a whole. The author is indeed anxious to have somebody write a good article that will stimulate activity on a national scale along the lines of crime prevention from the cradle up.