

*Peculiar or Abnormal Offenders.*

As to the other three classes, however, the difficulties are still acute in most of the states. Consider for a moment the second class enumerated above. We all know how many persons there are who, though apparently entirely normal under ordinary circumstances, are yet either by heredity or unfortunate environment peculiarly susceptible to a sudden impulse or suggestion, but without criminal intent. Such a person is brought into court, charged with an offence; the commission of the criminal act is fully proven; the person himself seems to be and is, so far as the ordinary acceptance of the term is concerned, entirely normal, the trial judge has no opportunity to make inquiry as to the previous life or history of the prisoner, and it would be of little or no avail if he had the opportunity; yet in many such cases careful and sympathetic study and investigation of the history of the offender by an expert physician or psychologist would disclose perfectly satisfactory causes for the criminal act, either in the way of heredity, environment, physical injury, irritation resulting from the hardships or injustice of daily life, which would put a vastly different face on the criminal act, and make it, instead of a deliberate crime, rather the unfortunate outcome of untoward circumstance, operating perhaps upon an originally backward mind and brain.

Now, here is a situation fraught with grave consequences. The offender must, under the prevailing system, be sent to jail or prison, and serve his sentence. The result is generally that he comes out embittered by punishment, ready to make war on society, and add another to the army of the confirmed and hopeless criminals. Were it possible for the court to delay sentence, to cause the investigation which I have suggested to be made, to ascertain where the real difficulty has been, and then to treat the case as an individual problem, prescribing such measures, either therapeutic, disciplinary, or segregative, as its history indicates to be best, society might easily acquire a sober, industrious citizen, instead of an enemy.