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**REPORT**  
ON THE  
**Administration of Criminal Justice**  
AND  
**Treatment of Prisoners**

IN NEW YORK, CHICAGO, DETROIT AND TORONTO

By  
**HIS HONOUR JUDGE COATSWORTH**  
Senior Judge of the County of York, Province of Ontario

PRINTED BY ORDER OF  
THE LEGISLATIVE ASSEMBLY OF ONTARIO



TORONTO  
Printed by A. T. WILGRESS, Printer to the King's Most Excellent Majesty  
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REPORT

# Administration of Criminal Justice

III

## Treatment of Prisoners

BY THE HON. JUDGE J. H. HARRIS

Printed By  
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# REPORT ON THE ADMINISTRATION OF CRIMINAL JUSTICE AND TREATMENT OF PRISONERS

Toronto, 25th September, 1920.

HON. W. E. RANEY, K.C., M.P.P.,

*Attorney-General for Ontario.*

Parliament Buildings, Toronto.

DEAR SIR,—Pursuant to your request that I should make a brief study of the administration of criminal justice and treatment of prisoners in New York and Chicago, to which I have taken the liberty of adding Detroit, which has recently reorganized its criminal courts, and Toronto for the purpose of comparison, I have the honour to report as follows:—

I must first express my warm appreciation of the kindness and courtesy I received in each of the above cities from the Judges and officers of justice, and members of the legal profession. It is not too much to say that they literally overwhelmed me with favours, and nothing seemed any trouble for them when I explained your authority for my mission.

I have briefly outlined, at pages 6 to 22 of this report, the conditions found in each city bearing upon the enquiry, and many useful reports, pamphlets, etc., are filed with and in confirmation of my summary. I have given greater space to New York, because it was first and largest, but in all cases endeavoured to emphasize the principal features called to my attention.

You have evidently observed that a rare opportunity now presents itself to place the administration of criminal justice in Toronto on a more satisfactory and, having regard to future growth, permanent basis, permitting unlimited expansion.

This letter is to offer my suggestions and recommendations arising out of the investigation. The first step is the Police Court.

## POLICE COURT.

It will be observed that the name Police Court has disappeared and is replaced in the three American cities by—

1. The City Magistrates' Court, City of New York.
2. The Municipal Court of Chicago.
3. The Recorder's Court of the City of Detroit.

The popular standing of the Magistrate in each place has been elevated to that of Judge. The whole tendency has been to lift up those lower courts to a much higher plane, resulting in greater respect, dignity and efficiency.

## RECOMMENDATION.

That the name here be changed to the Magistrates' Court of Toronto, and that the Magistrates be styled Judges, and each addressed in Court as "Your Honour," and that hereafter appointments to this Bench be made from members of the Bar

who have practised at least five years. Also, that a Court Room and Office be provided for each of such Judges, who shall sit daily except Sundays and holidays, subject to relief from time to time as arranged, and that evidence in all preliminary hearings and appealable cases be taken in shorthand.

Also that provision be made to establish branches from time to time as may be found essential, such as:—

1. District Courts.
2. Domestic Relations Courts.
3. Traffic Courts.
4. Women's Courts.
5. Boys' Courts.
6. Night Courts.
7. Probation Courts.

#### CENTRAL CRIMINAL COURT.

Recommended that the General Sessions of the Peace and County Court Judges' Criminal Court be expanded into and be known as the Central Criminal Court of the County of York, to have jurisdiction in all crimes felonies, and lesser offences, and also in appeals similar to the present jurisdiction of the General Sessions and County Court Judges Criminal Court. Said Court shall be presided over by a Judge to be known as the Chief Judge of the Central Criminal Court and such assistants as may from time to time be found requisite. The Court to have no civil jurisdiction, but the Judges thereof to be available in any emergency for civil work. The County Crown Attorney to be Crown Prosecutor in the Court. The Clerk of the Peace to be the Clerk of the said Court.

The present official County Court Reporter to be the official Reporter.

Provision to be made for otherwise organizing the staff and records of such Court.

I recommend the affiliation of the Juvenile Court with the Central Criminal Court for purposes of co-ordination, consultation, advice and providing relief Judges.

#### PROBATION.

Recommended that for the purposes of the Central Criminal Court and the Magistrate's Court a Probation Bureau be established, with a carefully selected head and staff of both men and women. Each officer should be selected purely on merit and after a very strict competitive examination and with proper conditions as to age limit.

In connection with such Bureau there should be provision for medical examinations of both male and female.

Also a Psychopathic Laboratory to test the mental condition of prisoners. The most complete Psychopathic Laboratory now in operation, so far as I know, is that under Chief Justice Olson in the Municipal Court of Chicago, and I would suggest that an able young Toronto physician, susceptible to new impressions and development, be sent to Chicago to make a study of and report upon the Psychopathic Laboratory of the Municipal Court there.

## PAROLE.

Recommended that the Board of Parole and officers should receive greater encouragement and assistance. They should be linked up with employment agencies and large firms who are willing to give a prisoner a chance, and also with organizations such as the Rotary Club, which in Chicago is doing much for boys and others.

If not already the rule, I venture to suggest that before any prisoner is released on parole he be submitted to the tests in a Psychopathic Laboratory to determine the extent to which he is capable mentally of becoming a useful citizen, and if the result is favourable suitable employment be secured for him and he be taken to the place where he is to work and encouraged under the supervision of the Parole officer until he has made good.

## DETENTION.

Recommended that proper Detention Homes for first offenders, women and girls, be provided at once.

The Juvenile Court Building and Detention Home is overdue and should be forwarded to completion immediately.

It is to be noted that the magnificent Juvenile Court Building and Detention Home in Detroit was erected five years ago when Detroit was about as large as Toronto is to-day.

Probably the Canadian Club might be induced to do as the Union League Club in Chicago has done, that is, to take a large share of the burden, financial and otherwise, of making provisions for Boys' Clubs and scout troops among the poorer classes to develop good citizenship.

## GAOLS, REFORMATORIES AND PENITENTIARY.

Recommended that a new policy be inaugurated by which every gaol, reformatory and prison shall be so organized and equipped that a prisoner who for an offence is deprived of his liberty, for a specified period, may go from his bench in the workshop to a similar bench in the prison and continue to earn the regular rate of wages so that his board may be paid and his family maintained. It cannot be too strongly emphasized that his punishment is merely deprivation of liberty, and no reason whatever is advanced why he and his family should become a public charge, especially as it has been demonstrated, in many places, that it is quite possible for him to continue to be a wage-earner while a prisoner.

Also self-government by prisoners in all prisons should be cultivated, as it is proving a splendid success wherever developed.

I sincerely hope that you will find this report of value in dealing with these important matters.

I have the honour to remain,

Yours respectfully,

(Sgd.) E. COATSWORTH.

New York, August, 1920.

Information obtained in regard to criminal administration and treatment of prisoners in Greater New York: Population, about 6,000,000. Five Counties, New York County—Manhattan Borough, 1; King's County—Brooklyn Borough, 2; Bronx, 3; Queen's, 4; Richmond, 5; police force, about 12,000.

The civil and criminal administration of justice are entirely separated from each other and in different buildings. Each has its own set of Judges, clerks and equipment. The one exception is the Supreme Court, where, apart from appeals, the criminal work seems to be merely incidental, because the General Sessions Court has jurisdiction in all felonies and misdemeanors.

In the criminal courts each Judge specializes in some particular class of work for which he or she appears to be best fitted, while retaining touch with the other branches in the same courts so as to be available for exchanges and emergencies. For example, the special work of Her Honour Judge Jean H. Norris, who recently visited Toronto, is in the Women's Court and Domestic Relations (sometimes termed Family) Court, but she is ready at any time to sit in any other of the magistrates' courts.

What is set out below is a mere skeleton or synopsis of the organization and work of the criminal courts of New York, and for full information as to any of them reference is made to the reports, pamphlets, etc., accompanying this statement.

Apart from Federal Courts for special cases, and which I have not visited, the following are the ordinary Criminal Courts:—

1. City Magistrates' Courts, City of New York.
2. Children's Courts.
3. Court of Special Sessions.
4. General Sessions.
5. Supreme Court.

Each of the above Courts is a complete organization in itself, separate and distinct from all the others. Hereunder is a brief analysis of the organization and branches and jurisdiction of each Court:—

1. City Magistrates' Courts, City of New York.

These Courts correspond to the Police Courts of Toronto, and have original jurisdiction as courts of first instance, except in cases founded on indictment.

There are thirty-four courts with twenty-two places for trial and forty-three Judges, appointed by the Mayor of New York for ten years out of members of the Bar in practice several years.

Sittings are held every day, including (except Domestic Relations Traffic and Probation) Sunday, with Saturday afternoon off. A Judge sits twenty days and then is off ten days. Evidence taken in shorthand.

These Courts handle about 300,000 cases a year.

These Courts are subdivided into the following branches:—

#### A. District Courts.

The regular ordinary Magistrates' Courts with jurisdiction to try or hear in a preliminary way all cases except those going to other branches.

#### B. Women's Court.

For sexual cases, shoplifting, incorrigibles, disorderly, etc.

*C. Domestic Relations Court.*

Held in private.

For disorderly (this word covers a multitude of sins) persons, chiefly those who fail in their obligation to support dependents.

*D. Traffic Court.*

Violation of traffic rules.

*E. Municipal Term Court.*

For complaints of civic departments against citizens for breaches of by-laws, etc., etc.

*F. Night Court.*

7 p.m. to 1 a.m. summer.

8 p.m. to 1 a.m. winter.

All persons arrested after 4 p.m., except felons, are arraigned in the Night Court. It is also a bail Court.

*G. Probation Court.*

A convicted person before sentence in any of the other Courts may, if considered likely to reform, be referred to this Court, on Probation, to give him a chance for six months or a fixed period, which may be extended, to make good. If he does this Court discharges him. If he fails this Court sentences him to prison.

There are twenty-five District Courts, three Women's Courts, four Domestic Relations Courts, six Traffic Courts, five Municipal Term Courts, two Night Courts, two Probation Courts.

One Judge sits in each Court gowned. The evidence is taken in shorthand. The Judge does not take notes.

*2. Children's Courts.* Held in private.

This is a distinct organization from all others, with the single exception that the Judges are first appointed to the special sessions by the Mayor and then transferred to the Children's Court. Five Judges; four places of sitting; about 12,000 cases yearly; children under sixteen; results very satisfactory.

They have a magnificent large modern building for the work, pictures of which appear in the Children's Court Report (1916) herewith at pages 19, 21, 23, 25 and 27. Another building is now being planned.

*3. Special Sessions.* For misdemeanors only.

Analogous, in a general way, to our County Court Judges Criminal Court. Court sits in six parts. Twelve Judges appointed by the Mayor for ten years. Three Judges sit together in each Court, and the cases are tried without a jury. Annual report herewith. A Judge is nine months on and three months off duty, but of those off one must be in reserve. They have a Probation branch, which sits two nights a week for reports.

In Manhattan and Brooklyn sittings are continuous. In Bronx, Queen's and Richmond one day a week.

Uses the indeterminate sentence almost exclusively.

*4. General Sessions.* Separate organization from all other Courts. No civil work. In New York County only, as in the other four Counties, there are other Courts called County Court.



Jurisdiction to try all felonies and also by direction—on demand—misdemeanors. All by jury.

Appeals from Magistrates' Courts heard without jury.

Seven Judges elected for fourteen years.

Six parts sitting in Criminal Court Building, almost continuous.

No annual report is issued, but this Court is very similar to the General Sessions in Ontario, except that it has unlimited jurisdiction in felonies.

They summon about 1,000 petit jurors and 75 grand jurors every month and 100 for special jurors when required. Jurors paid \$3 per day.

Volume of business very large.

5. *Supreme Court.* Helps out General Sessions in trial of important felonies. Is also an Appellate Court.

#### PROBATION.

It is impossible in so short a sketch to do justice to this important subject, and for a correct understanding of its operation and results I must refer to the Probation Bureau Report herewith:—

Judge Douras, with whom I first sat in the Night Court, stated to me that from his experience he regarded the Probation officer as the backbone of the Criminal Court, without whom it would be impossible to do the work properly. Since then nearly a dozen Judges have confirmed to me the view of Judge Douras.

Probation is not to be confused with Parole, which follows imprisonment.

The Probation official enters into a case after conviction (or sooner if requested) and prior to sentence, which is deferred forty-eight hours, and continues until the accused is discharged as having made good or is committed to prison, where the Parole Commission takes charge of him.

There is a Probation Bureau in connection with each of the following Courts:—

1. City Magistrates' Courts and branches.
2. Children's Court.
3. Special Sessions.
4. General Sessions.

The first two above are regularly organized public Bureaus, with a chief Probation officer—deputy and full staff of men and women and with clerical assistants.

The third and fourth are provided with Probation officers, free of charge, by the three large religious bodies—Protestant, Roman Catholic and Jewish.

The duty of the Probation officer is to obtain personally first-hand information about the person charged and report it on a special form, covering family, environments, habits, previous troubles, business, health, companions, religion, etc., etc., everything essential to enable the Judges to determine what to do with the accused.

This report is secured after conviction (or before if desired) and prior to sentence. If there is ground to hope for improvement the accused is let out on Probation for a definite period, during which he is to report to the Probation officer, at stated intervals, and also periodically to the Probation branch of the Court. If he makes good he is finally released. If not, he may be committed to prison, where, as above stated, he comes within the scope of the Parole Commission.

The principal Probation organization, and the only one I need refer to in any detail (the others being set out fully in the various reports herewith), is that of the City Magistrate's Court.

Chief Probation officer, Mr. Edwin J. Cooley; Deputy Probation officer, Mr. George J. Lavender. Over 100 Probation officers, both men and women. Also a clerical staff for records, etc.

Mr. Cooley says that one of the most important parts of his work is the selection of fit and competent officers.

Each one has to pass a test examination before a board, with the following ratio of marks as a standard:

Experience .....	4
Written examination .....	4
Oral .....	2
	10
Total marks .....	10

The oral examinations are conducted by experts.

The candidate is expected to possess the following, among other qualities: Sterling character, humane, kindly disposed, good judgment, intelligence, interested in work, social vision, initiative, etc. Age twenty-five to forty the best.

Duties of Probation officers:

1. Preliminary investigation for Judge and written report on form (note, the court has a psychiatrist and medical examiner available whenever required).
2. Supervision of Probationers.
3. Close relation to all charities and social agencies.

#### BASIS OF WORK.

Friendliness, helpfulness, try to get the accused a job, secure some money for him, also help for his family. Connect him with some church and also social service.

In short, when the Probation officer takes up a case he or she never drops it until the accused is discharged or sent to prison as beyond their reach.

Meantime the Probationer reports to the officer and the Court, and the officer visits the home to confirm what he hears and learn there if the man is doing right.

The Probation Court determines all violations of probation and deals with the accused finally by discharge or otherwise.

In connection with Probation, in the Domestic Relations Court, a large percentage of cases are settled without legal process, and there is an Employment Bureau which through various friendly firms obtains employment for those who need it.

#### FINGER PRINTS.

Every Court has a complete outfit for finger prints wherever its sittings are held.

The prints are placed on file and available to look up a denied record where the name is changed.

The system of registration is so marvelously complete that the name does not count in it at all.

My finger prints were taken at the Police Headquarters and are herewith.

## PAROLE.

The method of dealing with prisoners by parole is not unlike, in a general way, that of Ontario, except that the volunteer Board of Parole has been superseded by a Board of three paid Commissioners who have a large staff to deal with all cases.

One of the Commissioners, Mr. Lord, assured me that up to the age of twenty-five he always has hope of reclaiming a man, but after that age it is more doubtful.

When being released he obtains work for the man, and takes him to it and introduces him where his case is known, and he is given a chance to make good, and a very large percentage of them do so.

The annual report of the Parole Commission is herewith.

They have no system in any of the prisons by which a man can earn anything for himself or to support his family, but would heartily welcome an innovation of that kind.

The Commissioner, Mr. Lord, with whom I discussed the matter, is fully impressed with the possibility of reforming criminals and desires to have greater facilities for accomplishing that object, and the results they obtain on parole are very encouraging.

## PLACES OF CONFINEMENT.

1. Police cells; 2, detention prisons; 3, detention homes and hospitals; 4, gaols; 5, penitentiaries.

These are so numerous and widespread throughout the city and State, and as there is no annual report available from the Corrections Department it is impossible even to enumerate them.

I visited 1, an old police cell; 2, a modern police cell; 3, several places of detention for persons awaiting trial; 4, The Tombs prison in New York; 5, The City Penitentiary for men on Blackwells Island; 6, The Workhouse Prison for women on Blackwells Island.

In these Institutions they have all the problems which are acute in Ontario.

Segregation of the different classes is very incomplete.

Dormitory versus cell. In discussion with the officers I found them in favor of cells. My own view is that large rooms or corridors for day-time and evening use, where unemployed and under supervision, and cells to sleep in would be a fair compromise.

As to the lucrative employment of the prisoner, so as to change him and his family from a public liability to self-supporting, it is not carried out and no advance made, nor is there any hopeful expression about his becoming an earning factor so as to pay his board and contribute to the support of his family.

This I believe is chiefly owing to the fact that it would require such an enormous amount of legislation, negotiation (with Labour Unions), organization, reconstruction, rearrangement, etc., as to make the outlook on such a stupendous task discouraging to the point of being impracticable though it is not considered at all impossible.

The prisons I visited are some of them old-fashioned and should be modernized. Others of more recent erection or rebuilding have modern equipment and conveniences.

All are clean and well kept, and the officers appear to be an efficient, capable and reliable body of men.

The prisoners are allowed to buy newspapers, pipes, tobacco, cigarettes, etc., etc., and are exercised every day and taken out in the open two or three times a week.

It is to be observed that many of the Detention places for unconvicted persons are in the various Homes and Hospitals, which is a great improvement on committing them to gaol for examination.

Prison farms are highly spoken of and much favored, as their moral effect is good and the general conditions in and about them, and the healthful surroundings, much more satisfactory.

At Sing Sing, where large numbers of prisoners are confined, there are factories where much work is done and young fellows are taught trades, but the result, although it shows the possibility of organization along these lines is, apart from what the prisoner may learn in the way of a new trade, of no advantage whatever to his family and is only indirectly reformativ.

The following Reports and Pamphlets accompany this record of conditions in New York:

1. Directory, City Magistrates' Courts.
2. Annual Report, 1918, Magistrates' Courts.
3. Municipal Term Court, by Judge Cobb.
4. Women's Court and Venereal Diseases, by Judge Cobb.
5. Set of Forms, City Magistrates' Courts.
6. Forms, Domestic Relations.
7. Justice and the Poor, by John A. Hamilton.
8. Annual Report, 1918, Court of Special Sessions.
9. Traffic Regulations.
10. Police Station forms.
11. Finger Prints.
12. Probation Report, 1917-18, Magistrates' Courts.
13. Probation Report, 1919, Buffalo.
14. Probation Department Forms, etc.
15. Probation Laws in Inferior Crimes Cls., supplement.
16. Parole Commission Report, 1918.
17. The Gang in Embryo, by Chief Justice Hoyt.
18. Children's Court forms.
19. Children's Court Report, 1916.
20. " " " 1917.
21. " " " 1918.
22. " " " 1919.

(Sgd.) E. COATSWORTH.

CHICAGO.

August, 1920.

Cook County, Illinois, U.S.A.

Population about 2,750,000.

Police Force about 5,000.

Unlike New York the Civil and Criminal administration of Justice are not entirely separated from each other, and the same Judges are qualified to and do sit from time to time in civil or criminal courts as may be assigned.

There is, however, a movement now pending before the Constitutional Committee of the State to separate the Civil and Criminal administration of Justice so as, among other things, to produce continuity and uniformity on the criminal side.

The new lines of division to be 1st, Criminal; 2nd, Civil, and to absorb all the present Criminal and Civil jurisdictions.

What is set out below is a mere skeleton or synopsis of the organization and work in the criminal branches of the Courts, full information as to any of which may be had by reference to the Reports, etc., accompanying this short statement.

Apart from Federal Courts, which I have not visited, there are:

1. The Municipal Court of Chicago.
2. The Juvenile Court of Cook County.
3. The Criminal Court of Cook County.
4. The Appellate Court—Appeals only.
5. The Supreme Court—Appeals only.

6. A Boys' Club has been formed in one of the foreign districts which, while not in any sense a criminal court, is likely to prove a most valuable adjunct in the prevention of juvenile crime.

1. The Municipal Court of Chicago.

This Court is unique and probably when established was the only one of its kind. It was planned by business and professional men and Judges, created by statute largely with a view to doing away with Justices of the Peace, whose proceedings had assumed the proportions of a scandal.

It is in many respects like a great business company, with the Chief Justice as General Manager and the other Judges as his Deputies.

Its civil jurisdiction covers nearly all included in our Division Courts, County Courts and (for trials) the Supreme Court of Ontario.

It is a Court of first instance in all criminal cases not originating in indictment.

The jurisdiction is final as to misdemeanors and preliminary as to felonies, though legislation is being sought to give jurisdiction in all felonies.

Nearly all the sittings are in the City Hall, which has twenty-four Court Rooms, and is ten to twelve storeys in height.

There are thirty-one Judges elected for six years, of whom one is Chief Justice Harry Olson. There are also almost continuously five or more Judges from outside counties assisting owing to congestion of business.

The following are the criminal subdivisions of the Court which handles about 150,000 cases yearly:

*A. Seventeen Branch Courts.*—Similar to our Police Courts.

*B. Domestic Relations Court.*—To deal with non-support and difficulties between man and wife. One half of the complaints are settled without actual legal process through the intervention of the officials.

*C. Morals Court.*—Cases of prostitution and frequenting.

*D. Boys' Court.*—Seventeen to twenty-one are past the age for Juvenile Court and too young to be sent on with older criminals.

*E. Speeders Court.*—This is a Traffic Court dealing with all cases of highway travel.

There was formerly a Night Court, but it ran into certain abuses and was dropped.

One Judge sits in each Court daily except Sunday, as may be assigned and directed by the Chief Justice.

Sittings are all public by law.

The outstanding feature of the criminal side of the Municipal Court is its Psychopathic Department and Laboratory. This has been developed by Dr. Hickson under Chief Justice Olson, and the object is to ascertain the mental status of any accused person about whose responsibility there is a question. It is claimed that, under what is known as the Binet tests, it can be determined within an hour whether or not a person is of unsound or unbalanced mind. Chief Justice Olson believes as a result of the investigations that crime and disease are much confused, and nearly all persons who commit burglaries and crimes of violence are unsound and also 75 per cent. of all criminals. The depressing statement is made that there is no hope of recovery, and the only thing to do is to place persons so found in a home where they may be useful and not dangerous. A full statement on this subject is contained in the Municipal Court report herewith.

One of the intelligent officials at Bridewell prison, who has been in daily contact with several hundred prisoners there for fourteen years, told me that he did not consider many or really any of the prisoners mentally unsound but morally bad, and he persisted in this expression after I reminded him of the work of the Psychopathic Laboratory under Dr. Hickson and Chief Justice Olson. See, however, further on, the opinion of the Deputy Superintendent of the House of Conviction in Detroit that 75 per cent. of the prisoners are not normal, being psychopathic, drug addicts, feeble-minded or insane. I cannot say over what period his observations have extended.

2. *The Juvenile Court of Cook County.*—Established 1st June, 1899.

A branch of the Circuit Court of Cook County.

Dealing with boys ten to seventeen and girls ten to eighteen, about 6,000 cases yearly.

The Judge is assigned from Circuit Court Judges.

The present Judge is Victor P. Arnold. He is assisted by Miss Bartheleme, an Attorney who has power to investigate but not adjudicate.

As in the Domestic Relations Court a large proportion of the cases are settled by Miss Bartheleme and staff without legal process.

Boys and girls are never sent to gaol, but first if arrested, to a Detention Home, and if not given probation are sent to private or Public Homes, but always, if possible, in preference to private homes.

The Public Homes are the St. Charles for boys and the Geneva for girls. They are referred to as Training Schools.

Plans are out now for a new Juvenile Court Building, which will contain the Courts, staff, Probation officers and Detention Homes.

There is a Juvenile Psychopathic Institute of Cook County under the Court. Also a Child Placing Division of the Probation Department.

The Rotary Club of Chicago acts in conjunction with the Juvenile Court in procuring employment for boys who have been brought into Court, in fact a Rotary Club officer attends at each sitting. This has proved highly successful.

and the Rotary Club takes a great interest and pride in this useful field of helpfulness where they have been able to do so much good and render most valuable assistance in solving the industrial problems of the Court.

### 3. *The Criminal Court of Cook County.*

Jurisdiction—Felonies.

Judges are assigned out of the twenty Circuit and eighteen Superior Court Judges.

All trials by Jury.

### 4. *The Appellate Court.*

### 5. *The Supreme Court of Illinois.*—Both Courts of Appeal only.

Broadly speaking, therefore, misdemeanors are tried by the Municipal Court of Chicago, and

Felonies by the Criminal Court of Cook County.

And there is an agitation to give the Municipal Court jurisdiction in all felonies.

### 6. *The Boys' Club.*—(Not a Court.)

No record of this description would be complete without some account of the Boys' Club.

In the 11th Ward, Chicago, in a radius of one square mile, are about 80,000 people, mostly foreigners, and largely Poles with families of five to seventeen children. This ward last year (1919) furnished nearly 1,400 delinquents to the Juvenile Court.

Under the auspices and at the expense of the Union League Club (a Club similar to the Canadian Club in Toronto), in the heart of this ward a Boys' Club was established early this year (1920), not for religious work but simply to teach the boys good citizenship and lead them into it. A large building (small picture herewith) formerly a saloon and dance hall was purchased, and under the management of Mr. Robert D. Klees, the club was instituted and has already 1,000 boy members, and the lads are taking to it and its success is assured. The direct and indirect benefits of this club are expected to be so great as to uplift that whole community and keep the boys out of the Juvenile Court. It is certainly a great preventive movement worthy of imitation.

## PROBATION.

There are two separate Probation Bureaus.

### 1. Juvenile Court.

### 2. Joint Probation for other Courts.

#### 1. *Juvenile Court Probation.*

This is the larger and more successful of the two. Has about 100 Probation officers (of whom nearly 75 per cent. are women), twenty clerical assistants, and thirty Police officers (three of them women), set apart for this great work.

Probation officers before appointment have to pass a Civil Service examination and now also a special examination of merit and fitness for the duties.

The chief officer is Joseph L. Moss, appointed 13th March, 1918, after a competitive examination.

The general purpose of this Probation Bureau may be stated as follows:

1. *Investigation Division.*—Investigates all cases of dependent and delinquent children coming before the Court except cases filed by the Police Probation officers and Mothers' Pension cases.

2. *Family Supervision Division.*—Supervises all cases of dependent children and delinquent girls, placed on Probation, to live in their own homes or other homes designated in the Court order.

3. *Delinquent Boys' Division.*—Supervises all cases of delinquent boys placed on Probation.

4. *Child Placing Division.*—Supervises all cases of dependent children or delinquent girls in which the Head of the Division is appointed legal guardian with right to place in a home.

5. *Aid to Mothers' Division.*—Investigates all applications for funds under Aid to Mothers and Children's Act and supervises families receiving the funds, also Police Probation officers.

The Act under which they operate is not a criminal one.

2. Joint Probation Bureau for other Courts, that is, Municipal Court and Criminal Court.

Ex-Judge Houston is the chief Probation officer and has fifty-one assistants, both men and women.

This system is not so large or extensive as the Juvenile Court but is founded on practically the same principles.

After conviction, and before sentence, a prisoner should be referred to the Probation officer for report, but in fact it is done in only 25 to 30 per cent. of the cases.

There is no Probation Court.

#### PAROLE.

The parole system has its headquarters at Springfield, the State Capital.

I was informed by an officer in charge of the branch office in Chicago that there are now 273 out on parole in District No. 1, which covers eleven counties besides Cook County (twelve in all), which includes Chicago, and that last year 87½ per cent. of the paroled prisoners made good.

I have heard considerable criticism of the system as operated, it being said to be inadequately equipped with staff, etc., and therefore unable to fulfil all its important duties.

#### PLACES OF CONFINEMENT.

1. Police cells.
2. Detention Homes.
3. Gaols.
4. Penitentiaries.

There are:

- 36 Police Stations.
- 3 Women's Detention Homes.
- 1 Juvenile Detention Home.
- 1 Cook County Gaol.
- 1 City House of Correction—Bridewell.
- 1 Gaol Farm—fifteen miles out.
- 1 State Reformatory—Boys under twenty-five—at Pontiac.
- 1 State Penitentiary—at Joliet.
- 1 Southern Illinois Penitentiary.
- 1 Penitentiary—Crime, Insane—at Chesley.



I visited, 1, a very old Police Station (cell disused); 2, a modern Police Station; 3, A Women's Detention Home; 4, Cook County Gaol; 5, City House of Correction—Bridewell.

These places of confinement are subject to all the difficulties which are quite general owing to old buildings, lack of equipment or staff or want of proper legislation.

They are all clean and well-kept, and the officials impress one as capable, efficient and painstaking.

The problem of utilizing the services of the prisoners is to some extent solved at Bridewell and one or two of the penitentiaries, but never so far as I could learn in the interest of the prisoner or his family.

Take Bridewell for instance, with prison labor among other things, they carry on manufacture of bricks, pottery, dirt boxes, street brooms, scrapers, crushed stone, etc.

They take over from the city and sort and prepare for market scrap iron, rags, waste paper, rubber tires, garbage cans, etc.

They have a laundry, bakery, tailor shop, shoemaking shop, printing office, carpenter shop, tin shop, etc., etc. Capacity, 2,800. Inmates now, 675 men and 26 women.

With all the above (seventeen) industries, and also the gaol farm actively at work, nothing goes to the prisoners or their families, though some of the departments, particularly in war-time, netted good profits. A prisoner may work out a fine at fifty cents per day and that is all.

Officials admit that this is hard on the prisoner and especially on his family, and might be remedied by legislation, organization and negotiation with Labor Unions.

The Bridewell impresses one going through it as a well-managed, large and important industrial concern, and the Superintendent, Mr. Siman, is evidently an able man, and he says the prisoners are always delighted to go out and work on the gaol farm, which they consider quite a holiday.

The following Reports and Pamphlets, etc., accompany this record of conditions in Chicago:

1. Chicago—A Record of Progress.
2. Report of Police Department.
3. Police Department—Bulletin and forms.
4. Municipal Court Report, 10th and 11th.
5. Municipal Court, by Chief Justice Olson.
6. Probation Report, 1918.
7. Parole Rules and Laws, 1919.
8. History of Juvenile Court.
9. Report of Union League Club.
10. Citizens' Zone Plan.
11. Boys' Club building picture.
12. Union League Club Bulletin—June, 1920.
13. The Corrector—A newspaper issued from Bridewell Prison.

(Sgd.) E. COATSWORTH.

## DETROIT.

August, 1920.

Wayne County, Michigan, U.S.A.

Population nearly 1,000,000.

Police force about 1,000.

The administration of civil and criminal Justice, so far as the city is concerned, have been in this year (1920) entirely separated from each other and are in different buildings.

The Criminal Courts are in the Municipal Buildings, and occupy seven court rooms with seven Judges.

The amalgamation of the Police Courts, with other Criminal Courts having jurisdiction in Detroit, was carried finally to completion about four months ago and is proving a great success. I heard on Sunday, 29th August, an appeal from the pulpit of one of the great Detroit churches for support to the new Court system at the Primaries on 21st August and the election on 2nd November.

The Recorders Court of the City of Detroit. It has power to classify into other branches as may be found expedient, and there are already a Night Court, Traffic Court and Domestic Relations Court, all of which have amply proved their usefulness.

The Circuit Court tries the few cases which come up from the Magistrates in the County.

In Detroit one Criminal Judge is allowed for each 70,000 inhabitants and each majority fraction thereof according to the census of 1910, so that they are now short of Judges.

The jurisdiction of The Recorders Court of the City of Detroit is original and exclusive in all felonies, and misdemeanors in Detroit with certain rights of new trial where there was an appeal from the Police Court before.

There is the usual right of appeal to the Supreme Court.

The Judges are elected from the members of the Bar.

The indeterminate sentence only is used.

The Night Court is operating 9 p.m. to 1 a.m., and is much favored to deal with summary cases and in others to grant bail.

The Recorders Court of Detroit, in its four months of existence, has dealt with 25,692 cases.

There are four Courts sitting continuously for trial by jury, and a new jury of eighty is empaneled every two months. There is no grand jury.

## JUVENILE COURT.

This is a remarkably successful organization with a first-class modern building and up to date equipment, large and complete enough to take care of the growing claims for some years yet.

Curiously enough it is a branch of the Probate Court, owing to children being interested.

Judge Harry S. Hulbert, who was a Probate Judge, is the presiding Judge, and has proved most capable and takes a deep personal interest in the work.

Three thousand two hundred cases were dealt with last year (1919).

There is a daily average of 113 children in the house.

The Court deals with boys and girls nine to seventeen.

A boy is detained in an average six to eight days and a girl nine to seventeen days.

It is not regarded as a Criminal Court or criminal procedure.

The children are termed delinquents.

Where girls cannot be controlled they are sent to the Industrial School at Adrian, Mich., and boys to the Industrial Home for Boys at Lansing, Mich.

There is a small farm of forty acres in Wayne County for boys; sixty to sixty-five of the most capable are sent. They are allowed to govern themselves under supervision. They make their own rules and laws and enforce them. Have a court presided over by a boy elected each four months. A sheriff is also elected. A committee of three is in general charge.

The Juvenile Court has a small but efficient band of Probation officers, eight men, fifteen women and nine plainclothes policemen, all under the order of the Judge.

Also a male and female physician and a board of three Psychiatrists.

They encourage the formation of Boys' Clubs and Scout Troops.

Mentally about 31 per cent. of the boys and 21 per cent. of the girls are found to be subnormal to the extent of three years or more.

In 1919 out of 2,631 boys they had to send 165 only to Industrial Schools, and out of 670 girls only twenty sent, the others being reformed or in process of reformation under Probation.

#### PROBATION.

The Probation system in the Recorder's Court is not yet in full operation. Everyone thoroughly believes in the importance of an efficient Probation staff. They have now seven men and one woman, but in the reorganization no doubt many will be added.

Provision has also been made to establish a Psychopathic Department and Laboratory.

#### PAROLE.

There is a Parole Board called an Advisory Board, which upon the usual terms allows parole.

The office is in Lansing, the State Capital.

#### PLACES OF CONFINEMENT.

1. Police station cells.
2. Wayne County Gaol.
3. Detroit House of Correction.
4. State Prison at Jackson, capacity 1,200, with a brick-making plant of several hundred acres. More than self-supporting.
5. Industrial School for Boys—Lansing.
6. Industrial School for Girls—Adrian.
7. State House of Correction—Marquette.
8. Hospital for Feeble-minded—La Petit.
9. School for Epileptics—Michigan Reformatory—Ionia.

The only one of these places it appeared necessary to visit was the Detroit House of Correction.

The building is sixty years old and well kept, and there is a small 120-acre farm eight miles away.

Capacity, 900. Inmates, 600. Thirty at the Farm. Both men and women.

They have just secured another farm of 1,600 acres twenty-six miles from Detroit for a new Model House of Correction.

Prisoners for all terms one month to life. Now twelve life prisoners.

The Deputy Superintendent told me that 75 per cent. of the prisoners are not normal, being either psychopathic, feeble-minded, drug addicts or insane.

The outstanding feature of this prison is its great chair-making industry, which last year amounted to \$500,000.

They put rough lumber in at one end of the building and it comes out at the other end manufactured into all sorts of chairs, kitchen to office, all complete, varnished and wrapped ready for delivery.

The discipline is splendid, as the inmates have self-government and like it so well that the long termers keep the others in order.

The Institution is more than self-supporting, and they are beginning to enquire about the families of the prisoners and to make allowances to them where necessary. Some of those are generous, amounting in one instance to \$100 in a month.

The Keepers admit that the men could and should be paid wages, and that there is no reason why, when a man comes in, deprived of his liberty for some offence, he should not continue to support his family and himself.

The following Reports and Pamphlets, etc., accompany this record of conditions in Detroit:

1. Recorder's Court Annual Report, 1919.
2. Probation forms.
3. Civic Search Light, August, 1920.
4. Juvenile State Laws, 1917.
5. Detroit House of Correction Report, 1919.
6. Michigan Reformatory Report, 1919.
7. " State Prison Report, 1919.
8. " Upper Prison Report, 1919.
9. " Home and Training School, 1918.
10. " Farm Colony Epileptics' Report.
11. " Industrial School—Boys' Report, 1918.
12. " Industrial School—Girls' Report, 1917-18.

(Sgd.) E. COATSWORTH.

TORONTO.

August, 1920.

It will be of interest by way of comparison to insert here similar information about Toronto as is furnished concerning New York, Chicago and Detroit.

Population over 510,000.

Police Force, nearly 700.

Civil and Criminal Courts are separated only in the criminal court of first instance, the Police Court.

Otherwise, though with separate clerks and offices, the County Court Judges preside at the General Sessions of the Peace and County Court Judges' Criminal Court, and the Judges of the Supreme Court of Ontario preside at the Assizes.

Criminal Courts.

The Police Court.

The County Court Judges' Criminal Court.

The General Sessions of the Peace.

The Assize Court.

The Juvenile Court.

#### POLICE COURT.

The Police Court is the Court of first instance to which all criminal cases originally come, the lesser offences for trial and the graver offences upon electing to go to higher court after preliminary hearing and commitment for trial.

There are four Magistrates but only one Court Room, in which the Magistrates sit alternately each day at different hours, according to a certain classification of cases, one Magistrate being always free to attend to bail.

The lack of court room accommodation prevents any of the Magistrates from giving more than about one-fourth of his time each day to his duties, whereas in the other Courts each Judge for trials sits from 10 or 10.30 a.m. to 5 or 5.30 p.m., with an hour off for luncheon.

In 1919 there were

Tried or disposed of .....	19,601 cases.
Withdrawn or dropped .....	7,116 "
Juvenile Court .....	2,182 "
Committed for trial to higher court.....	1,272 "
<b>Total .....</b>	<b>30,170 cases.</b>

See Report of Chief Constable herewith.

A record of the Police Court would be incomplete without a reference to the splendid services of the Senior Magistrate, Col. George Taylor Denison, who has been forty-three years in office. Col. Denison throughout this period has been noted for his honesty and fearlessness of administration, which has maintained for this Court a very high place in the confidence and esteem of the public.

The Police Court jurisdiction is purely criminal and has no connection with any Civil Court.

General Sessions of the Peace and County Court Judges' Criminal Court.

These are practically one Court having the same clerk and officers.

They are presided over by County Judges.

Generally speaking all Jury trials are in the Sessions, and also appeals from the Police Court and trials without Jury in the County Court Judges Criminal Court.

In 1919 the County Court Judges' Criminal Court disposed of 871 cases, and the General Sessions 107 Jury cases. Total, 978 cases.

See Report of Inspector of Legal Offices, 1910, herewith, pp. 60 and 61.

## HIGH COURT DIVISION OF SUPREME COURT OF ONTARIO.

Presided over by one of the Judges of the Supreme Court of Ontario.

In 1919 this Court tried twenty-six cases by Jury.

See Report of Inspector of Legal Offices, 1919, p. 59 herewith.

## THE JUVENILE COURT.

This should scarcely be called a Criminal Court, and the children up to sixteen brought before it are termed "Delinquents." The Court is carried on at present in the basement of the City Registry Offices, and its Detention Home is an antiquated dwelling on Simcoe Street.

An absolute necessity for this Court is a new Juvenile Hall or building such as they have in New York or Detroit, which will provide accommodation for the Court, officers, Probation staff, medical rooms, detention homes, etc.

## PROBATION.

There is no Probation officer connected with either the Police Court, County Court Judges' Criminal Court, General Sessions of the Peace, or Assize Court.

It is impossible to estimate in these Courts the disadvantage of dealing with convicted prisoners without the reports and recommendations of Probation officers.

## PAROLE.

We have a very efficient Board of Parole, consisting of gentlemen who give their valuable services gratuitously and are earnestly endeavouring under great difficulties and drawbacks to work out the reformation of prisoners who come within their observation and jurisdiction.

Also a Parole Commissioner, Dr. A. E. Lavell, who takes a most intense interest in the work and its development and is very anxious that the best shall be done for the prisoner along reformatory and economic lines.

There are now eighty men out on parole in the Province, and, I am informed, all doing well.

## PLACES OF CONFINEMENT.

- Police cells—In each station.
- Police Court cell—Awaiting trial.
- Detention rooms in City Hall for persons awaiting trial.
- County Gaol—Toronto.
- Toronto Municipal Farm—Men.
- Toronto Municipal Farm—Women.
- Clay Plant—Mimico.
- Industrial Farm—Burwash.
- Industrial Farm—Fort William.
- Mercer Reformatory—Toronto.
- Provincial Penitentiary—Kingston.

## BOYS AND GIRLS.

Alexandra Home—Girls.

Victoria Home, Mimico—Boys.

There are no Detention Homes for women.

The Detention Home for Children is quite inadequate.

There are no Detention Homes for first offenders.

The Detention rooms in the City Hall for persons awaiting trial are without conveniences or proper lighting or ventilation and entirely unsuited in every way and condemned by the last General Sessions Grand Jury as unfit for use.

There are no hospitals to which persons may be sent for medical examination. They are committed to gaol for that purpose.

After sentence to one of the Gaol Farms or Penitentiary.

No provision is made in any of these institutions for a prisoner to continue to earn his or her own living or to support his or her family, as the case may be.

The officers are all favourable to this being done and desire to be instructed and assisted in that direction. This will require legislation and organization, but is quite possible.

The nearest approach to it has been by Major Morrison at the Industrial Farm, Langstaff, as will be seen by the report upon Prisons and Reformatories, 1919, herewith, pages 46 and 47, where it appears that 255 men were out on Industrial Parole who earned \$9,818, and only one man failed to make good, thus demonstrating the possibility of prisoners continuing to be earning factors and worthy of trust.

Self-government is one of the recent developments in prison life which is working very satisfactorily, and under it the prisoners develop self-discipline, with the result that fewer guards are required and the prisoners much happier, quieter, and more contented. This is now being worked out at Burwash, and is likely to prove an important adjunct in dealing with prisoners.

As to food, clothing and accommodation for prisoners I consider that we are quite as far advanced as other places.

The following reports, etc., accompany this record of conditions in Toronto:

1. Chief Constable Annual Report, 1919.
2. Inspector Legal Offices Annual Report, 1919.
3. Prisons and Reformatories, Annual Report, 1919.

(Sgd.) E. COATSWORTH.

