

Throwing the Life Line to Young Delinquents

BY ALEXANDER McMASTER,
Judge of the Juvenile Court.

THE year about to close has been one of marvelous advancement in the arts and sciences, in inventions of vehicles to navigate land, water and air, in free hospitals, children's homes, and numerous other charitable shelters for the poor and helpless. In no direction, however, has this progress been more marked and more rapid than in the movement for the betterment of delinquent and unfortunate boys and girls. In many states of the Union juvenile courts have made wonderful progress and accomplished untold good, and in our own state hundreds of families have cause for thanksgiving for the help they have received through these institutions in reclaiming and bringing back to the family hearth many a wayward son or daughter.

THE JUVENILE COURT.

The juvenile court is distinctly a modern production, evolved out of years and ages of experience in the handling of so-called bad boys, and has come down to us through much opposition and tribulation, until today, backed by an overwhelming public sentiment and sustained by the highest courts of all the states where it exists, it is an established factor in the judicial fabric of the most progressive and enlightened states in America. Utah has been no exception to this rule in her endeavor to establish children's courts, for their supporters have been perplexed by writs of mandamus, habeas corpus, and in various other ways, by people who, through lack of understanding, have opposed the work. There is little wonder to be expressed at this, for a removal of children who have committed infractions of the law from the criminal court with its pompous and somber machinery, with its sheriffs, constables and policemen, and its lawyers with "endless tongues," to a quiet room presided over by kindly probation officers, and taken into the presence of a judge who sits with the boys around a table and talks to them just as a father should, the controlling idea being, "everything for the good of the child." No chains, no prison cell, but as far as possible a wholesome, homelike atmosphere permeating the entire proceedings, with an effort to lead, not drive, the delinquent back to the path of duty and right. No need of lawyers, no need of juries—a total absence of criminal procedure—naturally makes the police court attorney long to get into the "case" and make a stir, and, incidentally, a few dollars.

WHAT THE COURT IS.

The juvenile court was first organized in Utah in 1905. It was then a city affair, controlled by a commission consisting of the mayor, chief of police and superintendent of city schools. The first juvenile court judge was a man full of zeal and love for the cause, but not learned in the law. This last condition was unfortunate, for there was a new and unique system of jurisprudence being established in the state, and it would seem that the emergency called for considerable legal knowledge to enable the incumbent of the office to properly interpret the new law. And however honest and energetic, however good his intentions, he committed a number of errors and unfortunate legal

blunders which brought the juvenile court system into more or less contempt in the public mind. The legislature of 1909, finding some weak spots in the original law and the laws amendatory thereof, passed an entirely new one, much broader and far-reaching in its scope. Among the many good features of the new law is a provision for trial by jury, which placed the court in a position to try and punish adults who contribute to the delinquency of children. Similar powers vested in the juvenile courts of other states have proved of great help to them. It will also help us when we can put it into operation. For the present, however, this is impracticable because of the lack of funds at the court's disposal, as trial by jury and the regular process of the criminal court which would have to be followed in the prosecution of adults would be quite expensive. This class of cases is now turned over to the justices of the peace, who have supported our work in a splendid manner.

HOW ORGANIZED.

The control of the juvenile court under the present law is vested in a board of commissioners consisting at present of Gov. William Spry, Supt. of Public Instruction A. C. Nelson and Atty. Gen. Albert R. Barnes. John K. Hardy, the capable and accomplished secretary to the governor, also acts as private secretary to the commission. He is one of the best posted men in the state on juvenile court business, and has been a great help to officers of the system. These gentlemen have been loyal to the juvenile court cause, and have rendered it every facility within their power to make it effective in the elevation and protection of the boys and girls. To succeed Judge Brown, the commission was fortunate in securing the services of Dr. E. G. Gowans as juvenile judge, and that gentleman, with his ability as instructor, his college training, and above all, his wide experience and thorough understanding of the "boy," did much toward restoring the juvenile court to the place of honor where it rightly belongs. The state is also to be congratulated upon the promotion of Dr. Gowans to take charge of the Industrial school at Ogden. There is perhaps no man in the state better qualified for that difficult and important position. A general secretary is also provided to look after the interests of the court in the entire state. That position is now held by that genial veteran, Major Breeden. The officers of Tooele county, and is doing a good work there, having the confidence and aid of the people generally.

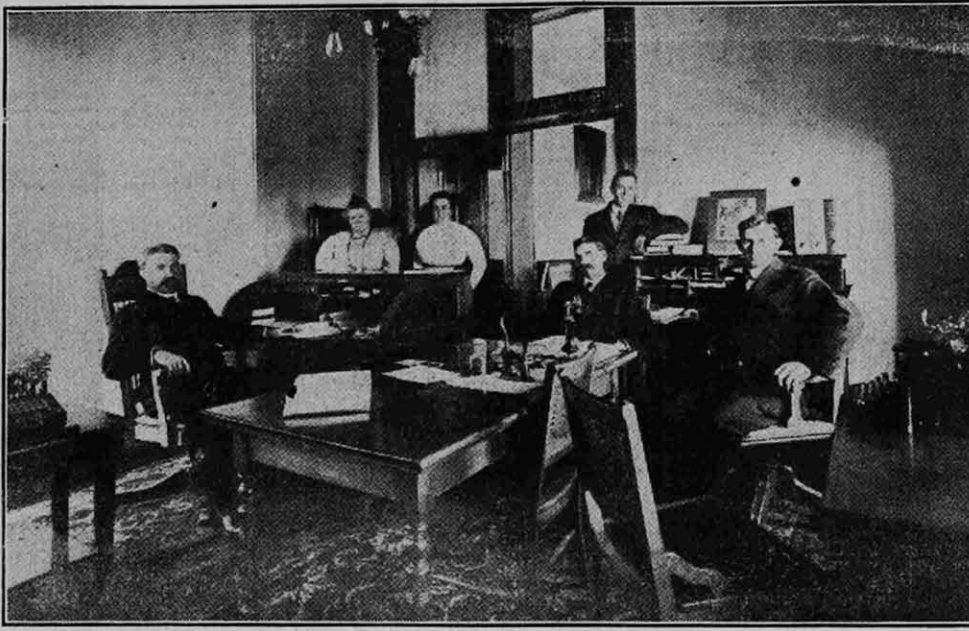


Photo by Utah Materials Co.

OFFICERS OF THE JUVENILE COURT.

Standing From Left to Right—Mrs. Ann L. Young, probation officer, Mrs. Margaret James, assistant probation officer, and George Snow Gibbs, county probation officer.
Seated From Left to Right—Judge Alexander McMaster, Charles S. Sperry, probation officer, and Guardello Brown, chief probation officer and superintendent of the detention home.

bation officer of Summit county and is doing excellent service among the boys and girls in that vicinity. He is being loyally sustained by Supt. A. D. Griffith of the public schools at Park City, the district school teachers and many county officials and other prominent people, among whom the affable Judge R. H. Waters is deserving of special mention, owing to his active and intelligent support of the juvenile court cause in Park City.

C. R. McBride is chief probation officer of Tooele county, and is doing a good work there, having the confidence and aid of the people generally.

HOW WORK IS DONE.

A case in the juvenile court is commenced by filing a written complaint. The offenses charged range all the way from the truancy of the rosy cheeked urchin of eight to the burglary of the husky, defiant youth of 17. The child is not always brought before the judge, but as a rule, unless the charge is grave and the "culprit" obstinate, he is handled by the probation officers.

AN IMPORTANT POSITION.

Scarcely less important than the judge is the probation officer. He must be as "wise as a serpent and as harmless as a dove." The most important thing when a youngster is brought in is to prevail upon him to tell the whole truth, for unless he can be induced to do this the results are not apt to be successful. As a usual thing he does not like to make a "clean breast" of it, for he has probably already stoutly maintained his innocence to his parents and teachers, and now when brought into court he does not want to "own up."

But a few friendly and well chosen questions soon bring tears to the eyes of the boy and a "full confession" is forthcoming, and the "facts" are soon in the possession of the officers. In a large majority of cases, an explanation of the law violated, the consequences of fine and imprisonment it might bring, not only to him, but to his parents (and even the worst of these little fellows never want father or mother punished), with some good advice given in a firm, kindly manner, result in a cure, for the boys seldom return into court on account of further delinquencies. If thought advisable the "patient" is required to report occasionally to the judge or probation officers, and usually after a few weeks, if the boy seems to be doing all right, he is excused from these visits. Sometimes, however, the probationer is weak and falls into temptation, that is, he fails to keep faith with the court, and is again brought in, looking very sheepish in most instances, for he had promised to be a good boy and give the court a "square deal." Then the Industrial school or the detention home is mentioned to him, and he begins to beg for "just one more chance," which is usually given him. When he returns a number of times, however, and it becomes apparent that a little restraint will be for his best good, he is sent to the training school until he mends his ways, and as soon as his behavior justifies it he is returned to his home. During the preliminary stages, if he yields to gentle persuasion, the boy is not given a court record, that is, his name is not placed on the court records. The representatives of the press have been requested not to publish the proceedings of the court unless some adult person is involved, or some unusual matter arises with which the public have a right to be made acquainted, and the "newspaper boys" have respected the request. Incidentally it is proper to say that the newspapers have been among the best friends and supporters of the juvenile court, and have used their great influence in our behalf, which is most gratifying, for without their aid the work would lack much of its success.

CO-OPERATION OF PARENTS.
It is the rule when a complaint is made against a boy or girl to call in the parents or guardian, and have a talk with them before deciding what course to pursue with the child. In most cases the parents agree with the officers as to the best method to be pursued, and this always makes the way clear, and the child is much more easily corrected. Some times, however, the parent comes in angry and defiant and threatens to do all kinds of unpleasant things to the court and officers, which is, of course, the worst thing that could be done for the child, for he partakes of his parent's spirit, and is not so submissive to our efforts as he otherwise would be.

THE TRAINING SCHOOL.

The Utah Training school, an institution established by the county for homeless and delinquent boys, is situated at Poplar Grove, Salt Lake county, and is a splendid home, but being only a temporary abode, improvements which would otherwise be made are lacking. The county has purchased the old State street Orphanage and Day

Nursery, and in the near future the training school will be located there. As there are several acres of excellent land connected with the new home, it will make an ideal place for the school, giving the children a model play ground and also the means of tilling the soil, raising fruit, vegetables, etc., which many boys love to do. At present the boys at the training school are attending the grade schools in the vicinity and excellent reports come from the teachers as to their efficiency and deportment. A detention home for girls is also badly needed, and was authorized by the last legislature, but owing to lack of funds it has not been possible to secure it, but hope is entertained that it will be established soon.

LAST RESORT.

Sometimes a boy becomes so incorrigible at the training school that it is necessary to take him out and send him to the Industrial school, but in these as in all other cases, this is only done as a last resort. Every plan and scheme is resorted to, and the delinquent is given "another chance" time and time again, and only after every other means has failed is he sent to the Ogden school until he is 21 years of age, or until released by proper authority.

PARENTS TO BLAME.

Unfortunately in the majority of cases parents are to blame for the delinquency of their children. Through intemperance, immorality, incompetency or ignorance, the home environment, which has an important influence over the young, is so bad that it would be next to impossible for the children to be anything but candidates for correction. Cases have occurred where both the father and mother have been in court in a state of intoxication, pleading in a maudlin way for the retention of their children. Offspring are only taken from parents for gross immorality on the part of the parents or guardians, or for other reasons which make the home an absolutely unfit or unsafe place for the children to remain in. At times parents have too much confidence in their children, and frequently know less about their mischief than others do, for a boy or girl who has done wrong will hide it from father and mother to the very last.

A case in point occurred a few weeks since when a prominent man living in one of the country wards came into court with two bright, manly looking boys. A neighbor had charged the boys with repeatedly committing an offense which had become very annoying, and when the father was appealed to, he abused the neighbor shamefully, saying he knew his boys were innocent, and

for they denied the charge, and he had never caught one of them in a lie. He also berated the complaining neighbor in court and called him a base provocator, and said that through spite he was endeavoring to blacken the character of the boys. He also maintained that his boys were absolutely innocent, and give full particulars as to how they supported the "case." Sad to relate the father was not man enough to apologize to the neighbor.

SENTIMENT AROUSED.

Notwithstanding the opposition to the juvenile court, it is gradually forging ahead, performing a splendid mission, which cannot be accomplished by any other means now at hand. It is safe to say that 90 per cent of all the boys and girls brought into court are turned from delinquency and incorrigibility, but it must be admitted some cases are apparently complete failures. Every thinking person familiar with child nature will readily understand that this must be so. Otherwise the juvenile court would have achieved perfection, a claim which its friends do not pretend to make. If 10 per cent of the delinquents were cured and 90 per cent were failures, the juvenile court would still be a good investment for the state.

The prosecution of every criminal is a great expense, and in some cases the amount of money spent to convict and care for a prisoner after conviction is enormous. A strong public sentiment in favor of caring for the unfortunate boy and girl, founded on the idea that it is better to prevent them from becoming criminals than to care for them in prisons after they have become such, is spreading throughout the country, and is gaining a solid foothold in Utah. Churches, ministers, school teachers, professional men, working men, ladies and other societies, and indeed all classes of people are rallying to its aid, and giving it their moral support. The progress is such that in the Beehive state will be built up one of the best and most salutary juvenile court systems in America. But in order to realize so desirable results, not only public sentiment must be aroused, but a much more liberal supply of money must be had. If the next legislature will make an appropriation for the juvenile courts of the state in anywise commensurate with their importance, their usefulness will be immeasurably increased, and where hundreds of boys and girls are now helped, thousands will be benefited and blessed, and many a prospective criminal will be turned into a good citizen, and instead of being a burden will become a valuable asset to the state.

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