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BOOK REVIEWS

THE SAN QUENTIN STORY. By Warden Clinton T. Duffy as told by Dean Jennings. Garden City, N. Y.: Doubleday & Company, Inc., 1950. pp. 253.

This captivating tale is clearly "the autobiography of a purpose." As a narrative of Warden Duffy's experience, it may well have been entitled "The Evolution of a Modern Penologist." His Philosophy is a result of a long and fruitful experience. Its realistic base is amply illustrated by a multitude of concrete illustrations. Although he is an earnest advocate of prison discipline, he loathes the old-time brutality, which was conceived in the spirit of revenge. Quite unconsciously its defiant weakness inflicted upon incarcerated felons the abusive use of the strap, the rubber hose, the strait jacket and the dungeon. The vital warmth of Warden Duffy's personality is largely dependent upon the sensitized quality of his humanity. His faith is embodied in the belief that "we fail as human beings if we cannot reach a man with a constructive prison program geared toward his rehabilitation."

In the old days, San Quentin, like many another prison, was often hell on earth. Many of the thousands of visitors, who have toured San Quentin since its gates were opened ten years ago, have spoken lightly of the life at "Duffy's tavern." Yet the Warden is still of the opinion that "it is no summer resort." To view that seeming levity in proper perspective, one need only to be reminded that, in the discriminating outlook of Lawes, the former Warden of Sing Sing, there is notable distinction between coddling inmates and treating them fairly and humanely. That is the only magic by which they can be rehabilitated. It can't be done by bullying. "Men cannot be whipped into line." They must be inducted gradually into the constructive patterns of social behavior. The latent spark of interest, which is luminous with the promise to quicken into reclamation, is seen in Duffy's example of what a warden ought to be.

Warden Duffy had the advantage of having been born in San Quentin. Because his father was a resident guard there, he acquired the opportunity to qualify for his success as warden. He came to know scores of prisoners. He heard the screams of inmates laced up in their punishing jackets, when a child; he was the recipient of the ice cream which his "friends" and "neighbors" had smuggled from the officer's mess, under penalty of punishment. Imbued with the sensitivity of his father, he too came to pride himself more upon being a friend, rather than a jailor, of hundreds of San Quentin's men, who were not residents by choice. To enhance his good fortune, Fate seemed to have happily decreed that he should marry a girl who also lived at San Quentin. She was the pretty blonde daughter of the guard who became Master of the Yard. From the viewpoint of society today, the rarest quality of their romance lies in the fact that when they were married and left the apparently forbidding scenes of their childhood, their "hearts were still in San Quentin."

As former Warden Lawes has said the "lock them up" school knew that when inmates were securely locked in the cells, the warden had nothing to worry about. Security was not only the prevailing, but also the exclusive watchword of the old school. Duffy's experience refreshingly reveals that a warden's professional life is beset by a maze of difficulties, which generally are much easier of solution when an administrator has a vision of his duty. The issue which challenges the resourcefulness of any prison administrator is easily defined. Within prison walls, how can he change the attitude of his immured victims? Perhaps only a man who felt that his appointment as warden was a miracle, consummated by the touch of a magic wand, would have as his guide a sufficient imagination to resolve that baffling problem. At least such a man would not have his solutions too heavily freighted with punishment. Admitting that a prison administrator must have some understanding of men and their motives, what concrete illustration can be given of the success of his ingenuity?

To succeed in any measure Warden Duffy had to overcome the physical handicap of housing 6,000 men in a space built for half that number. To triumph over the spirit of unrest and the nervous tension that such congestion generates requires a rare quality of administrative skill. An early boyhood experience was responsible for the insight which made for Warden Duffy's success. Since that incident, he says "I have thought of men behind the bars as my father saw them—human beings in trouble and needing a helping hand." Also engraved upon his heart was a casual remark of the prison guard, who later as Captain of the Yard, was to become his father-in-law. He said, "Son, if you are going to stick around here, remember this: there's no such thing as a criminal class."

For a clear understanding of the "criminal class," Duffy thinks that perhaps some of its critics might profit by sampling prison life for a few days. He cites the case of the swaggering district attorney whose ruthless prosecution sent 4,000 men to San Quentin and dozens of men to the gallows. Then the district attorney himself was convicted of accepting a bribe. When he was sent to San Quentin to serve his time, he had as his companions in misery, one-third of its inmates who were the victims of his ruthless zeal. In prison he became a convert of modern penology. The victory of his awakened compassion was never realized. Within two months of his pardon by the Governor, he dropped dead. The excitement of freedom's stimulus claimed its ruthless victim, which a vision of political preferment probably created.

The problem of the use of an inmate's leisure is the baffling prison problem. If an inmate spends eight hours in labor and eight hours in sleep, how shall he use his hours of leisure? In prison, time is hard to kill. It can be used to think—either to brood or to plot. The tale of Bill Yates—age 19, convicted of robbery, first degree on five counts, with five to life on each—is a story of his rehabilitation through his plastic-handle tooth brush. He exploited his hobby. Doc Porter, who whittled out of wood ash trays, statuettes and various other objects, not only learned

to earn his living but in the years of his parole he won the respect of his neighbors. Out of a big block of soft wood Doc Porter carved a bas-relief of Will Rogers astride his favorite horse. During the war he carved and donated a statue to aid the war-bond sale. It was auctioned off for \$150,000 worth of bonds. Of the various incidental prison activities which lead men from the depths of despair to rehabilitation, this enchanting little book gives a stimulating picture.

The spirit of San Quentin's men was perhaps never so effectively tested as by an episode which occurred during the last war. It happened one night shortly after headsets had been installed in every cell so that men could listen to broadcasts of sports, educational programs, quiz shows, church services and other events. Forest fires had broken out in the mountains of California. The U. S. Forest Service called upon San Quentin for help. The sleeping men were awakened by flashing lights in the cell blocks. Over the microphones came word of the emergency. Duffy called for volunteers. He warned the men of the hazards of fighting forest fires. He told them the guards would be few. Of the hundreds who volunteered, two hundred were picked for service. Shortly after midnight, they started in truck-loads on a 300-mile journey to the blazing forests. Many of these men were old-timers, who had never been beyond the prison walls; they had little hope of any immediate parole. "But they did the job and they all came back." Their achievement prompted the California legislature to authorize forest camps in 1943. Now every year several hundreds of them have been engaged in reforestation under the supervision of the Forest Service. Occasionally a man, yielding to temptation, has sneaked away into the night. Yet here is their remarkable record. In three years from 1947-1949, inclusive, 2,187 men lived and worked in the forest camps. Thirty-four of them availed themselves of an opportunity to escape; 31 of them were recaptured. Nearly 99% of the men were faithful to their trust. Who will deny that to be an enviable record? Financially, it was a highly rewarding effort in forest conservation.

The facets of criminal activity are many. The hopeful aspects of the San Quentin Story are of necessity vari-colored. Warden Duffy estimates that its malcontents make up from 7% to 10% of the prisoners. They do not respond to the helping hand. About 500 of the prisoners are psychotic; for them, the services of five psychiatrists are available. Among the problem men are the drug dispensers and the counterfeiters. Either would have the impudence to ply their trade within prison walls, with the use of outside aides, if circumstances were favorable. The acme of human perversity at San Quentin was "Bluebeard" Watson, the homicidal monster who sent 20 women to their death. His initial methods were based upon diplomacy rather than brute force. Women may have been fascinated by him because he believed that "soft words make for a soft touch." His criminal success lay in his amazing ability to dispose of the corpus delicti.

As long as life and freedom are the stakes which lure the men who are condemned to die or to live for long stretches behind prison walls, force and violence

will be inseparably connected with prison discipline. The warden who copes successfully with the paradoxical extremes which test his tact and his courage must possess a resourceful personality. As long as the technique of escape remains an artful persuader, "confinement need not be without hope" to the smuggler, the forger, the counterfeiter and the murderer. Duffy has seen men suddenly and mysteriously stabbed to death. He has executed 84 men and two women. In two attempts to break out of prison, he has nearly been kidnapped. Yet he says that for every one of his men who has gone wrong, a hundred have kept the faith. He has often walked without guards in the yard with thousands of "dangerous" men. Remember, this is the symbol of his power and his faith: "San Quentin is my home, and these are my people."

The Story of San Quentin reveals a fruitful demonstration of America's progress in Criminology. It ought to be required reading for every student who studies Criminal Law in our law schools. If it were, our law students would discover the wealth of meaning, as well as the great professional enlightenment, which suffuses the opening sentence of the chapter on "The Problem of Values" in Roscoe Pound's Social Control through Law.

"Difficult as it may be, the problem of values is one from which the science of law cannot escape."

Herbert D. Laube*

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A PRACTICAL MANUAL OF STANDARD LEGAL CITATIONS, By Miles O. Price, New York: Oceana Publications, 1950, pp. VI, 106, \$2.00. Miles O. Price, Columbia's law librarian and outstanding authority on law librarianship, contributes the most valuable handbook yet in the citation field of legal bibliography. In fact, it is in many respects far more than a citation manual. As a guide to legal materials, it is superior to many of the bulky and cumbersome texts on the subject.

Unfortunately there is no uniform system of legal citations. The small citation manual published jointly by the law schools of Harvard, Columbia, Yale and Pennsylvania, now in its seventh edition has been used as a guide by most of the country's law reviews, but the examples were never strictly followed, either by the legal journals or the profession in general. All too many of our legal writers fail to realize that a citation should lead the reader to the work cited without recourse to other materials. A citation which fails in this respect is an inadequate citation, regardless of whether it is uniform. Take the abbreviation "D.L.R." Few tables of abbreviations even list this citation; yet the reviewer has seen it cited in many Pennsylvania legal periodicals. To the author it meant Dickinson Law Review (*Dick. L. Rev.*), but the reader had no way of knowing this. The citation "S.C." has also been much abused, especially in the decisions of some of our Pennsylvania county courts. The reader has no way of knowing that the author means "Superior Court" (*Sup. Ct.*) rather than "Supreme Court", "South Carolina", et cetera.

Such citations fail because they are meaningless out of context. They omit vital information for the sake of brevity. Mr. Price points out that a citation, no matter what its form, possesses the following elements: It must have an abbreviation of recognizable meaning, a date, the notation of the court deciding the case, and a parallel citation.

This manual should go a long way toward a more practical and effective method of citation by the legal profession. It contains sample citations from every important legal source, with rules and rationale. The suggested rules are based upon common sense, and the examples are based on an analysis of hundreds of briefs, opinions and legal periodicals. The result is a sound statement of good standard citation practice of invaluable service to the entire legal profession.

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