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Book Review: Imaginative Programing in Probation and Parole

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BOOK REVIEWS

IMAGINATIVE PROGRAMING IN PROBATION AND PAROLE. By Paul W. Keve. St. Paul, Minnesota; North Central Publishing Company, 1967. Pp. 279.

The tactics and policies of criminal courts and penologists are now approaching Robert Frost's "two roads diverging in a yellow wood." Like Frost's lone traveler, society must choose which road to take: the well-traveled one or the newly-charted one. Paul W. Keve, Director of Court Services in Minneapolis, has become a pace-setter in the use of probation and parole by choosing the latter course. For first offenders and one-time repeaters Keve substitutes a restrained but flexible leniency for a rigid strictness; individual attention for an impersonal assembly-line procedure; and positive stimuli for punitive measures.

Using counseling (by caseworkers), group sessions, and half-way houses, Keve has enabled a high percentage of probationers and parolees to rehabilitate themselves. The author emphasizes that reformation, rather than punishment, is always his primary goal. Keve's approach may at first seem idealistic, but after he presents numerous examples illustrating the effectiveness of therapeutic justice, one concludes that it is only his hope for sufficient funds, adequate staff, and community support that is idealistic.

The type of individual involved in this study is, for the most part, the juvenile offender, not the hardened recidivist. The youthful offender has temporarily lost the propensity to interact lawfully with other members of society, but usually can, with intelligent guidance, be resocialized. The author persuasively argues that the traditional use of incarceration, probation, and parole is not well calculated to facilitate the resocialization process. For example, traditional probation routine consists of little more than demanding regular reporting and encouraging outward manifestations of "straightening up." These indications might be well-shined shoes, punctuality in reporting, conservative haircuts, and a respectful demeanor. Instead of contenting itself with altering such superficial traits, society should seek to achieve a more fundamental reorientation of the offender's thinking patterns.

It is well recognized that distrust of authority, hostility toward society, and a feeling of inferiority often form walls be-

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tween the officer and his probationer (or parolee). The officer can better surmount these barriers by seeking to gradually guide the offender up to the desired middle-class standard of behavior than by peremptorily demanding an overnight attainment of this standard. An individual whose whole orientation has been opposed to agents of authority in any form (parents, teachers, police, etc.) cannot be expected to promptly achieve a desired level of behavior upon being ordered to do so.

In one case cited by Keve, a young girl named Gladys first appeared before her probation officer in a tight sweater and treader pants. The officer disregarded the girl's inappropriate dress, poor manners, and obscene language and focused on her practical problem of getting a job. His efforts were successful, and at her position as clerk in a department store, Gladys came to perceive that her tight pants, obscene talk, and crude manners were not appropriate. She accordingly made the requisite changes on her own initiative. Keve's ultimate objective is to induce the youthful offender to want to act in accordance with the legal norms of society. Unless the offender feels wanted, significant, and accepted by society, he is unlikely to *care* whether he abides by these norms.

After the probationer or parolee has received counseling from his caseworker, participated in group sessions, taken part in a special program (weekend camp or work trip), and/or met with a former parolee now on the consulting staff, he is typically placed in a halfway house. These houses provide a transitional bridge between the prison and the home, and give the offender an opportunity to test his degree of rehabilitation. From the halfway house he in time re-enters society. Keve reproaches the American public for not giving greater financial support to progressive probation and parole programs and not more readily accepting the rehabilitated offender back into the mainstream of society.

Keve's book is much more than a collection of case studies; it is a stimulating introduction to the methods and theories of imaginative penologists. The author's methods, which combine common sense with manifest sophistication, will be of great interest to sociologists, judges and penologists.

JAMES C. SHEW

ABORTION. By Lawrence Lader. Boston: Beacon Press, 1966. Pp. 212.

This work undertakes an examination of the social and legal problems associated with abortion in the United States today. Lader begins by discussing an incident which attracted considerable newspaper coverage in 1962—Sherri Finkbine's futile efforts to obtain a legal abortion in America after taking the drug thalidomide, which gravely deforms the fetus in a high percentage of cases.¹ The author expresses regret that an American doctor did not perform an abortion upon Mrs. Finkbine and then inform the authorities of his action, thereby making the matter a test case. Lader feels that much good would have been accomplished by having the question argued before a judge and jury.²

The book notes that most states allow abortions only to preserve the life of the mother, and that only six states use a significantly less stringent standard. Lader indicates that thirty thousand hospital abortions were performed annually as recently as 25 years ago, but that the number of legal abortions has dwindled to an annual rate of only eight thousand.

The author asserts that the reduction in abortions is ascribable to "one of the greatest cases of jitters ever to affect the medical profession."³ He observes that the rate of decline increased with the advent of hospital abortion committees, which were supposedly established to protect hospitals and doctors from the rigors of our antiquated abortion laws. He points out that the religious and philosophical views of each committee member now constitute a potential obstacle to the petition of a woman desiring an abortion. Thus, since the Roman Catholic Church opposes abortion under any circumstances,⁴ if any committee member is a Catholic, the chances are slim that the petition will be granted. Lader documents numerous denials of abortions for psychiatric reasons and concludes with a general charge that

¹ Approximately one-half of the women who took thalidomide during the first four months of pregnancy gave birth to defective offspring. Moore, *Unrealistic Abortion Laws* 1 Criminal L. Bulletin 3, 8 (1965).

² The English case of *Rex v. Bourne*, which brought about a liberalization of that nation's abortion law, resulted from such an action by a courageous British doctor. (1939) 1 K. B. 687.

³ P. 24.

⁴ Kummer & Leavy, *Criminal Abortion: Human Hardship and Unyielding Laws*, 35 So. Cal. L. Rev. 123, 133 (1962).