

Persons, so selected, to do the work properly and effectively must first of all be like Caesar's wife—beyond suspicion. Suspicion of corruption or other improper motive, political, financial, social, or otherwise, will sooner or later discredit any system of Parole. That is not all, ignorant favoritism, senseless leniency, political trading, will produce the same destructive results. On the other hand, a Parole system if handled on a dictatorial, harsh treatment basis, seldom accomplishes what it was instituted to do.

Before proceeding any further, let me say that there are, of course, thousands of persons in prison who ought to remain there for the good of society, as well as themselves—and on whose behalf all influence, pressure, or suggestion from whatever source, no matter how high or powerful, must for the common welfare be resisted.

Many of the conditions with which a proper Parole system finds it necessary to deal and consider, are the results of the shortcomings of society itself,—frequently almost as much as the shortcomings of the offender. The contributory negligence of organized society has in many instances caused the wrongful act committed by the offender. That fact, when found, however, must not completely control. An honest judgment arrived at after thorough consideration, and delicate balancing of all the facts is the best that can be hoped for.

Change of social conditions involves a long fight and many considerations, and cannot be brought about immediately. There is reasonable prospect, however, that a change can be effected regarding certain other factors frequently found in Parole investigations. I refer to the inequality of sentences administered for substantially the same class of offense. It is notorious that there is a difference even in the same jurisdiction in the sentences passed by different judges,—such a wide difference that it can be explained only on the theory of temperament or radically different theories of penalties. Something surely can be done about this, and it would seem that the Judges, as a class, aided perhaps by the Bar Associations, should undertake to make the correction.

Aside from inequality of sentence, serious thought by those interested in the Parole system should be given to the development of some plan where under more information concerning the offender—his background—the real facts concerning him as a human being—should be at hand, and given consideration before the sentence is passed. As it is now, the ordinary course, especially in large communities, is to pass sentence upon the convicted offender with all too little information concerning him as a human being. No judge, wise or otherwise, can, I submit, make out a proper sentence if in a majority of instances he does not make the inquiries necessary, or have the benefit of a larger amount of knowledge than is ordinarily obtained at the average trial on a particular charge.

Lawyers know that with regard to the imposition of sentences, there are "hard" Judges; and that there are "easy" Judges. I would like to call attention to the fact that there are also some indifferent Judges. As a result of the handiwork of these three classes of the sentencing power, there is little or no relief except through either their self-correction—or in the mean time, an efficiently operating Parole system.

The last of the English Samuel Butler's, in his *Erewhon*, introduced the thought that in a completely civilized society, the man we call criminal, should