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JUVENILE DELINQUENCY

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HEARINGS
BEFORE THE
SUBCOMMITTEE TO INVESTIGATE
JUVENILE DELINQUENCY
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
EIGHTY-FOURTH CONGRESS
FIRST SESSION
PURSUANT TO
S. Res. 62
INVESTIGATION OF JUVENILE DELINQUENCY IN THE
UNITED STATES

JUNE 15, 16, 17, AND 18, 1955

Printed for the use of the Committee on the Judiciary



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¹ On file with the subcommittee.² Printed in the record.

JUVENILE DELINQUENCY

(Los Angeles, Calif.)

WEDNESDAY, JUNE 15, 1955

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON THE
JUDICIARY TO INVESTIGATE JUVENILE DELINQUENCY,
Los Angeles, Calif.

The subcommittee met, pursuant to notice, at 1:25 p. m., in room 518, Federal Building, Los Angeles, Calif., Senator Estes Kefauver (chairman) presiding.

Present: Senator Kefauver.

Also present: James H. Bobo, general counsel; William Haddad, consultant; and Harold Lane, field representative for Congressman Chet Holifield.

Chairman KEFAUVER. The subcommittee meeting will please come to order.

Today the Senate Subcommittee To Investigate Juvenile Delinquency begins the first of 3 days of hearings on the problem of juvenile delinquency.

Before I discuss our purpose in these hearings, let me take this opportunity of expressing my personal thanks to many civic officials—State, city, and county—and the many organizations that have cooperated with the subcommittee staff during the past few days. That staff tells me that the friendliness and the assistance of both the local and State officials, and others, have greatly enhanced our work.

I want to particularly express my appreciation to some of the officials of the General Services Administration and Internal Revenue Department—Mr. Stillwell, Mr. Campbell, and Mr. Kroger, and to the field representative of Congressman Chet Holifield. Congressman Holifield gave us his assistant, Mr. Harold Lane.

This subcommittee is composed of Senator Wiley of Wisconsin, Senator Hennings of Missouri, Senator Langer of North Dakota, Senator Daniels of Texas.

We had planned that three members of the committee would be here today, but at the last minute, it was impossible for Senator Hennings and Senator Langer to come for this first meeting. We do hope that Senator Langer will be here tomorrow, because personally I do not like to hold one-man committee hearings. But we had our arrangements made, and we feel that we must carry on.

Last year this subcommittee held three hearings in California. We visited San Francisco, Los Angeles, and San Diego. At that time the candidness of California public officials and private citizens enabled us to collect valuable information, on the causes of delinquency,

which have been included in the official report of the Senate, and have been of much assistance to us in considering legislation.

I want to assure all of the witnesses that their testimony will be read and thoroughly studied by the members of this subcommittee and by the United States Senate.

From these California hearings and other hearings across this country we have been able to piece together the pattern of juvenile crime. We learned that juvenile crime manifests itself in many ways: Some children take to narcotics; some children run away from home and get into trouble; others join teen-age gangs and plunder and frighten the whole communities. Vandalism and robbery are other outlets for juvenile frustrations.

This year we are investigating the various forms of juvenile delinquency which we found occurring in community after community. Although only about 4 or 5 percent of our Nation's children get into trouble with the authorities, this is still far too many for the advanced status of our society—a society with the know-how, the ability, and the interests necessary to overcome this menace.

Our subcommittee found that in 1953 over 435,000 youngsters came before the juvenile courts. But this figure represents only part of the total number of children who come into conflict with the law. Conservative authorities estimate that over a million and a quarter adolescents get into some kind of trouble each year. Most of these children are, of course, released by the authorities.

I wish I could report that the situation has altered for the better in 1954. According to the statistics, it did not. But we have had some encouraging reports that there have been fewer number of conflicts with the law among juveniles here in California last year than in preceding years.

Children under 21, as of the present time, commit 72.6 percent of all automobile thefts, 62.9 percent of all burglaries, 54 percent of all thefts, and 51 percent of all arrests of property offenses. Even 36.3 percent of all men arrested for rape are boys under 21 years of age. Incidentally, sex crimes in the last 12 years have increased something like 110 percent throughout the Nation.

What accounts for this sordid picture?

The causes of juvenile delinquency are as complex as are our society. A Nation torn between war and peace presents additional threats to the security of our young people. I think of delinquency as the scum that rises to the top from the imperfections within our society. As the imperfections are cleared, delinquency will decrease.

I want to tell you that all of the picture is not sordid, because in the last year and a half I have never seen as much interest in any subject matter, any problem as that which has been manifested by public officials of all levels of government and what is more important, by individual parents, citizens, church, school, and the home, in getting at the cause and taking action at the local level, and trying to give our young people a better opportunity and to eradicate to the extent we can juvenile delinquency.

I think I should say also that no nation ever had a finer bunch of youngsters than we have in this country today: 95 or 96 percent of our teen-agers, are intelligent, physically strong, morally good, training to be good and useful citizens. But the number that we have that are not are too many.

In our earlier report we recommended several ways in which the Federal Government could speed along this decrease in delinquency. For instance, we reported that inadequately staffed schools contributed to the delinquency problem. Crowded classrooms and meager counseling staffs prohibited the schools from carrying out its role in preventing delinquency. We say that the community has the choice of paying out money now for better schools or paying out more money in the future for bigger jails and larger police forces. We also made recommendations for better housing and better mental health programs.

Some 25 other bills have been introduced by this subcommittee to correct other more specific aspects of the juvenile delinquency program.

But when Congress handed us our assignment it asked us to do more than just draft a legislation; it instructed us to probe into the causes and cures of juvenile delinquency—to make a nationwide survey. It ordered us to focus public attention on juvenile delinquency, and this we are trying to do. We are here in Los Angeles today to focus attention on how California is meeting the challenge of rising juvenile delinquency.

Today we will hear from the public officials who have the final responsibility for caring for California's young people. Many fine efforts have been undertaken and carried out in California, which we will discuss later, and many in Los Angeles. Their experience with juvenile delinquency control makes them especially qualified to speak to us and to the Nation about their work.

I have long admired California's enlightened approach to this serious situation. Your youth authority, your ranch and forestry camps, all are activities which other interested groups should know about.

But for all the fine work here in California, it takes more than just State and local authorities to handle this complicated problem. A part of the solution rests with other institutions.

Three institutions exert a major influence on the course a child will follow in later life: that is, of course, the home, the church, and the school.

Although a child who comes from an insecure home can grow into a fine outstanding citizen, he will nevertheless, have been handicapped by this earlier environment. In the last analysis, it is the parent who can exercise the strongest authority in the development of the well-adjusted personality. The witnesses today, I am advised, will show how the parent can better meet this responsibility.

The church, too, has an added responsibility. The church is no longer a 1-day-a-week affair. Society expects the church to extend its influence and activities into every day of the week. The citizen has now looked to the church as a weeklong gathering place. This is especially true of the children of this country. Churches with progressive attitudes on the handling of teen-agers can and do exercise a strong preventive hand in curbing juvenile delinquency.

Today church representatives will tell us of their activities to prevent delinquency, prevent children from going wrong.

One last word about delinquency: In our national hearings we found that one of the weakest links in the attack on this problem was the lack of proper rehabilitation programs. It is true today that 100,000

young people who have been convicted of some kind of crime are in jails along with hardened criminals. There is no special training or schools for them. It is true that in 98 percent of the cases there is very little rehabilitation to get them adjusted back into a normal productive life. But here in California the work of the youth authority and the special projects like ranch and forestry camps present one of the most encouraging approaches to this rehabilitation program.

If adequate care and attention be given to the child once he goes wrong, he can again be set on the right track. The saving to society will not only be in terms of dollars and cents but also in the terms of human life.

Tomorrow our subcommittee will study the relationship of crime and violence movies to juvenile crime.

I am happy to say that we have had the finest possible cooperation from all parts of the movie industry in our approach to this problem in getting this information that we want and need.

On Friday we shall continue the investigation of the relationship of pornographic materials to delinquency.

Mr. James Bobo, this small young man at my left, is our chief counsel. Mr. Bobo, do you have any comments or any information that you wish to present before we call our first witness?

Mr. BOBO. Yes, Mr. Chairman. I have two resolutions I would like the record to show. The first is the resolution authorizing the sitting of this committee.

Chairman KEFAUVER. The first is Senate Resolution No. 62, which will be read into the record at this point, which is the resolution creating this subcommittee. The second is a resolution passed by this subcommittee authorizing the chairman and such other committee members as may be present to hold these hearings here on June 15, 16, and 17. This will also be read into the record:

Calendar No. 54, 84th Congress, 1st session, Senate Resolution 62 (Rept. No. 51), in the Senate of the United States, February 21, 1955. Mr. Kilgore, from the Committee on the Judiciary, reported the following resolution; which was referred to the Committee on Rules and Administration. March 10, 1955. Reported by Mr. Green, with amendments.

RESOLUTION

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate insofar as they relate to the authority of the Committee on the Judiciary to conduct a full and complete study of juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors, (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws, (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts, and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics, the Committee on the Judiciary, or any subcommittee thereof, is authorized from March 1, 1955, through July 31, 1955, (1) to make such expenditures as it deems advisable including no more than \$2,000 for obligations outstanding and incurred pursuant to Senate Resolution 49, agreed to February 4, 1955; (2) to employ on a temporary basis such technical, clerical, and other assistants and consultants as it deems advisable; and (3) with the content of the heads of the department or agency concerned, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 2. The expense of the committee under this resolution, which shall not exceed \$125,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

SEC. 3. This resolution shall be effective as of March 1, 1955.

RESOLUTION

Resolved by the Subcommittee of the Committee on the Judiciary to Study Juvenile Delinquency in the United States, That pursuant to subsection (3) of rule XXV, as amended of the Standing Rules of the Senate (S. Res. 180, 81 Cong., 2d sess., agreed to Feb. 1, 1950) and committee resolutions of the Committee on the Judiciary adopted January 20, 1955, That Senator Estes Kefauver, Democrat of Tennessee, and such other members as are present, are authorized to hold hearings of this subcommittee in Los Angeles, Calif., on June 15, 16, and 17, and such other days as may be required to complete these hearings, and to take sworn testimony from witnesses.

Signed by Senators Kefauver, Langer, Wiley, Hennings, and Daniel.

MR. BOBO. We also have a communication, Mr. Chairman, from Governor Knight which reads as follows:

Regret impossible to be with you today, and all the more so because of my deep interest in subjects which committee will discuss extensively. Have asked California Youth Authority to be present and to represent State. As you are aware, California last year, despite its tremendous growth in population, had no increase in juvenile delinquency. The Youth Authority is vested by law to handle this subject at State level. Accordingly I am sure that the committee authority's testimony illuminating and beneficial.

Cordially,

GOODWIN J. KNIGHT, *Governor.*

CHAIRMAN KEFAUVER. I think the mayor will probably be here later, and will either have a message or a personal appearance from the attorney general of the State, the Honorable Pat Brown, who has also been invited to come and testify. Is there anything else, Mr. Bobo?

MR. BOBO. That is all at this time.

CHAIRMAN KEFAUVER. Mr. Bobo, who is our first witness?

MR. BOBO. Our first witness is Chief W. H. Parker of the Los Angeles Police Department.

CHAIRMAN KEFAUVER. Chief Parker, we are glad to have you with us, and it is good to see you again.

MR. PARKER. Shall I take the oath?

CHAIRMAN KEFAUVER. We don't think we will swear some of the witnesses, unless you are going to talk about other people. You might be going to talk about some others.

MR. PARKER. I usually do.

CHAIRMAN KEFAUVER. I guess it would be better to swear you, then.

TESTIMONY OF WILLIAM H. PARKER, CHIEF OF POLICE, LOS ANGELES, CALIF.

MR. PARKER. First, Senator, the mayor has asked me to convey his respects to you and the committee and has also requested that in my capacity as chief of police of the city of Los Angeles that I am representing him here today in this hearing.

CHAIRMAN KEFAUVER. Chief Parker, how long have you been chief of police of Los Angeles? I have been coming out here for some time, and you have been here a good many years to my knowledge.

MR. PARKER. Well, I guess a number of years as chief. I have been chief of police since August 9, 1950.

CHAIRMAN KEFAUVER. And you have jurisdiction over all of Los Angeles County?

Mr. PARKER. Just the city of Los Angeles.

Chairman KEFAUVER. Just the city of Los Angeles?

Mr. PARKER. That's right. There are 46 cities in the county.

Chairman KEFAUVER. How large is Los Angeles now?

Mr. PARKER. Los Angeles has an area of about 460 square miles, and a population in excess of 2,100,000 people. Of course, we serve an area of over 5 million people, and a great deal of the travel in the area is through the city of Los Angeles by many of the people who do not live in it, as they go about their daily business.

Chairman KEFAUVER. The metropolitan area of Los Angeles is about what, now?

Mr. PARKER. Of course, the civic center portion of the city is following the trend of all large American cities, the population is actually decreasing, and it is increasing in the suburban areas. For instance, in the San Fernando Valley at the present time it is considerably in excess of 600,000 people who are living there. It is estimated that we will have a population of 1 million in that area by 1970.

Chairman KEFAUVER. Mr. Bobo, do you want to ask Chief Parker any preliminary questions before he testifies?

Mr. BOBO. Chief, we would like to know something of the juvenile squad that you have in Los Angeles at the present time.

Chairman KEFAUVER. Perhaps you are going to tell us about that in your general statement.

Mr. PARKER. Perhaps we might start, if I might suggest, with the general picture from the police viewpoint in connection with the subject matter before the committee.

Chairman KEFAUVER. Why don't you tell us first about your general organizational setup to deal with juvenile delinquency.

Mr. PARKER. There is a juvenile division in the Los Angeles Police Department that is part of the control bureau. There are 212 police officers of various ranks assigned to the juvenile division. They are represented in all of the geographical divisions of the department as well as in the central headquarters. And working with the other forces of the department all cases involving juveniles, either by reason of the conduct of the juvenile or by reason of a juvenile being the victim of criminal conduct on the part of an adult, are investigated by the personnel of the juvenile division.

Chairman KEFAUVER. What is the age of a juvenile?

Mr. PARKER. Well, under the law in this State anyone under the age of 18. That is the age demarcation that we utilize.

Chairman KEFAUVER. If they are over 18 they are treated as other adults?

Mr. PARKER. They are treated as other adults. As far as the police department is concerned, but that might not be the ultimate situation after the court has opportunity to handle the individual. They may be committed to the youth authority's care at a greater age, but that is a determination to be made by the court. We treat all persons over the age of 18 years or of the age of 18 as adults as far as discharging our responsibilities are concerned.

There is also a section of the juvenile division that we call the youth service section. They are concerned with the activities that the department is engaged in, such as the auxiliary police program and the Junior Band and Boy Scout activities. That is a part of the juvenile division.

Of course, that is a phase of the department that is not necessarily its responsibility.

Perhaps we would make that quite clear if I might become technical for a moment, the term "crime prevention" is used rather broadly and loosely. In reality it divides into two terms: crime prevention and crime repression. Crime prevention activities are those things that are done to prevent people from becoming criminals, and that is not the essential responsibility of the police. Crime repression are those activities that the police engage in to discourage persons with criminal tendencies from committing crimes. And I think it should be made quite clear that the primary responsibility of a police department is crime repression. Although we do engage in the crime prevention field, either formally through department activity or individually through members of our department who in their community may be engaged in youth activity work.

Chairman KEFAUVER. Go right on.

Mr. PARKER. The situation in Los Angeles, as far as the problem of the juvenile is concerned, is somewhat encouraging. So that you may have the exact data, I am reading from a report that indicates crime and arrest trends from the 1st of January 1955 to and including June 12, 1955, and a comparison of those trends over the same period in 1954.

It is interesting to note in that period that arrests of adults in the city of Los Angeles increased 9.1 percent over the same period last year while arrests of juvenile increased 4.1 over the same period last year. That trend has been quite constant, and it would indicate to me that the juvenile behavior is superior to the adult behavior on a ratio basis.

Of course, I have long been convinced we are making a serious error when we attempt to separate the juvenile problem from the problem of society as a whole, because I believe that the troubles that we have with the youth of the community are those that arise from the patterns that have been set by the adults. And we well know that a child patterns after the adults with whom he is brought in constant contact.

So that actually we have a greater adult delinquency problem in the city of Los Angeles today than we do a juvenile delinquency problem.

Some trends are interesting, and if the committee would care for a copy—

Chairman KEFAUVER. Will you give us the numbers that you are talking about in this 9.4 percent?

Mr. PARKER. Yes; I will. Arrests of all types, excluding traffic citations, for the period from January 1, 1955, through June 12, 1955, for adults, amounted to 92,657. That means that that many times an individual was temporarily deprived of his liberty and booked in a police station or jail.

That compares with the figures of 84,953 for the same period of 1954, and that gives us the increase of 9.1 percent.

In the juvenile situation for this period, that is, during 1955, there were 4,297 juveniles investigated and booked. They were placed on the record of the department as having been arrested.

That compares with 4,126 for the same period last year, or an increase of 4.1 percent.

If the committee would be interested, I have one copy of this general statistical report.

Chairman KEFAUVER. Yes; we are interested, and we will file that as a part of our record.

(The document referred to was marked "Exhibit No. 1," and reads as follows:)

EXHIBIT No. 1

Los Angeles Police Department weekly administrative report, week ending midnight June 5, 1955

Offense	Crimes reported				Arrests			
	Last week	Year to date	Last year to date	Percentage of change	Last week	Year to date	Last year to date	Percentage of change
Robbery.....	51	1,305	1,812	-28.0	50	1,762	2,061	-14.5
Felonious assault.....	92	1,867	1,992	-6.3	47	1,193	1,129	+5.7
Burglary.....	312	7,209	8,513	-15.3	76	2,304	2,326	- .9
Burglary and theft from auto.....	260	6,562	7,936	-17.3	9	355	476	-25.4
Grand theft.....	35	813	818	- .6	24	668	622	+7.4
Pickpocket.....	20	518	629	-17.6	2	32	44	-27.3
Purse snatch.....	11	173	269	-35.7	3	7	7	-57.1
Petty theft.....	199	5,150	5,341	-3.6	32	1,185	1,103	+7.4
Auto theft.....	150	3,160	3,348	-5.6	41	809	851	-4.9
Worthless checks.....	128	3,875	4,467	-13.3	26	632	710	-11.0
Total ¹	1,258	30,632	35,125	-12.8	307	8,943	9,329	-4.1

¹ Includes attempts and juveniles.

	Last week	Year to date	Last year to date	Percentage of change
Arrests:				
Drunk.....	1,981	42,160	36,907	+14.2
Vice.....	195	4,799	4,164	+15.2
Narcotics.....	55	1,910	1,716	+11.3
Sex offenses.....	69	1,335	1,262	+5.8
Other misdemeanors.....	926	28,079	24,314	+15.5
Other felonies.....	45	1,896	3,914	-51.6
Total.....	3,271	80,179	72,277	+10.9
Grand total.....	3,578	89,122	81,606	+9.2
Juvenile activity:				
Investigated—booked.....	155	4,152	3,979	+4.3
Investigated—not booked.....	45	957	(¹)	(¹)
Adults handled by juvenile.....	22	521	709	-26.5
Total.....	222	5,630		
Traffic accidents reported:				
Property damage.....	380	9,806	9,352	+4.9
Personal injury.....	356	8,425	7,813	+7.8
Fatal.....	2	140	126	+11.1
Total.....	738	18,371	17,291	+6.2
Citations issued:				
Moving.....	11,063	242,606	226,393	+7.2
Nonmoving.....	2,247	48,132	48,128	+ .0
Parking.....	7,131	170,317	153,592	+10.9

¹ Not accumulated on daily basis in 1954.

NOTE.—Officers on military leave, 60; vacancies: officers 94, civilians 73 (30 miscellaneous, 43 substitutes). Source: Statistics Unit, Planning and Research Division.

Mr. PARKER. Now, I have more copies of this report that I would like to talk about.

Chairman KEFAUVER. Do you have sufficient copies for the press?

Mr. PARKER. No, I haven't. I don't know whether I have sufficient or not, but at least there are some here.

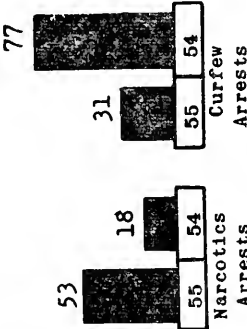
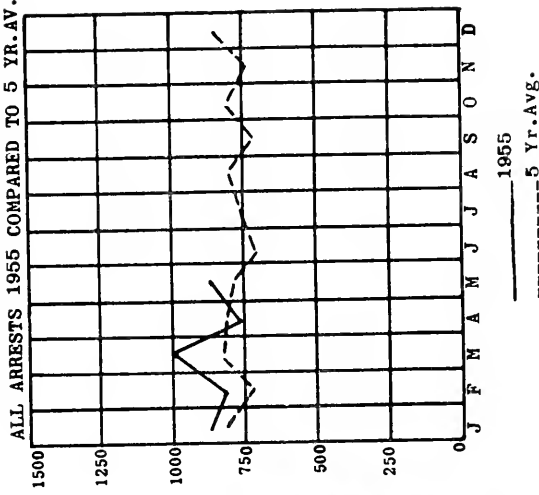
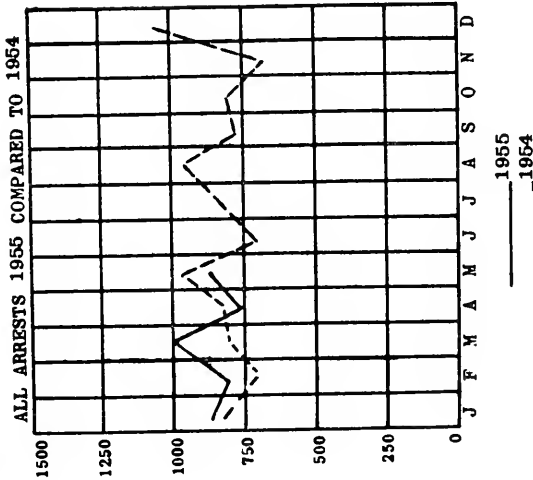
Chairman KEFAUVER. Well, we have some extra ones here.

(The document referred to was marked "Exhibit No. 2," and reads as follows:)

JUVENILE ARRESTS
Booked & Non-booked

May 1955

LAPD Form 15.81.11
March 1955



Mr. PARKER. Now; this report you have before you is a little complex and it needs some interpretation. The graphs are somewhat self-explanatory in that they purport to show first the following: The graph on the upper left of the page indicates all the arrests, juvenile arrests, that is, during 1955 as compared with 1954. Then, of course, the 1954 picture represented by the broken line is complete, while you will note that the black solid line representing 1955 breaks with the month of May, which is the period covered by this report, that is, the year through the close of the month of May.

I think it is interesting to note in that graph that in the months of April and May, arrests of juveniles were actually lower than in 1954. There you will note that the blank line has dipped down beyond the broken line in both of those months.

Now, the graph to the right compares to the juvenile arrests so far in 1955, that is, through the month of May, with the 5-year average. While we are talking about 5-year averages, we must realize that the population growth in the Los Angeles area is continuing at a very rapid rate, and these figures are not translated in terms of population ratio. Of course, we realize, of course, there are more people in here today than there ever were before in the history of the city. Nevertheless, in month of April the juvenile-arrest activity was actually below the average for the preceding 5 years; which begins to support my contention that the problem in Los Angeles as far as the police phase of coping with the juvenile delinquency is concerned, is not alarming when you consider the increase in population and the increase in adult delinquency.

We purport to show in the center of this report trends in two specific types of arrests. And you will note that one column shows the number of narcotic arrests in the first 5 months of 1955 as compared with the number of narcotic arrests in the first 5 months of 1954. It is rather alarming in view of the general trend to find that there were 53 arrests in narcotics, that is, 53 juveniles arrested for narcotic offenses in the first 5 months of this year as compared with only 18 arrested on such offenses for the same period of 1954.

Mr. BOBO. Referring to those narcotic arrests, Chief Parker, were they for the possession, sale, or peddling of marihuana, heroin, or what?

Chief PARKER. They cover the whole field: Possession, transportation, sale, or addiction.

Mr. BOBO. Do you find a great many juveniles involved in the sale?

Mr. PARKER. Well, no. Juveniles are involved more in the using of narcotics rather than its actual sale. But this presents a very serious problem to us, and I would like to bring this comparison out again: On curfew arrests we know just the reverse, that there were only 31 such arrests in the first 5 months of 1955 as compared with 77 such arrests in the first 5 months of 1954.

But a situation has arisen in this State that has seriously interfered with the ability of the police to cope with the narcotic problem. The Supreme Court of the State of California in the case of *People v. Charles H. Cahan and others* handed down a decision—I don't have the date of the decision—it was a couple of months ago, in which for the first time in the history of this State they have invoked the evidence exclusionary rule in criminal cases, because they said in effect that if

in the opinion of the court the evidence was obtained in any manner inconsistent with the guaranties in the fourth amendment to the Constitution, or the constitution of the State, that evidence will not be entertained regardless of the crime with which the individual is charged or regardless of the degree of guilt.

We have had a number of cases dismissed recently in our local courts on the basis of that decision, and I am talking now about narcotic cases, cases involving substantial amounts of narcotics where the guilt of the defendant was not in question at all, but merely the manner in which the evidence was obtained.

Now, I don't want to leave any impression that I am against the Constitution—quite to the contrary—but I don't believe that the interpretation that is being placed upon the fourth amendment is a true interpretation. I am talking now about the portion of the amendment that is a guaranty against unreasonable searches and seizures, and I mean that in terms of present-day conditions that these searches that have resulted in the seizures of this evidence have not been unreasonable despite the fact that a great many judges and prosecutors do not agree with me.

I would like to illustrate what I mean by an actual case. The police officers working in the narcotic field know that an individual is a narcotic peddler. Now, that is a known fact to them. So they place him under surveillance. At that time we were aware that considerable amounts of heroin were coming into this area from the east coast, and we were totally unable to determine how it was being shipped. While they had this peddler's house under surveillance the postman came by and took from his bag a package, looked at it, and tossed it up on the porch, and proceeded on. The known peddler recognized by the officers came out and retrieved the package and went into the house with it. Shortly after that the officers entered the house and found the package in the closet that contained a kilo of pure heroin, about 2 pounds and 2 ounces, or about \$300,000, of heroin on the market that had been shipped second-class mail from the Bronx in New York. That peddler was convicted.

But under the interpretation of the Cahan decision he would have been turned loose by the court and released from custody and put back on the street; because they would have held that that heroin was seized in an unreasonable search.

Now, from the standpoint of getting a search warrant, without laboring this committee with our local problems, that presents a very complex legal problem, because you must be able to describe not only the place to be searched, but the things to be seized. And you first have to know that it is there before you can even apply for a warrant.

But that sort of thing has given us considerable trouble and it will reflect itself in this juvenile field because if we cannot successfully stop the peddling of narcotics, why, they are going into the hands of juveniles.

This decision has been so technically construed that we are precluded from proceeding in criminal prosecutions where evidence is found in an automobile unless we can establish that it was there before we searched for it.

The attorney general of California has appointed a committee of 10 people of which I am proud to be a member, to study this situation

from the standpoint of remedial legislation. For the purpose of clarification the Supreme Court of California in handing down its decision in the Cahan case quoted with approval the Supreme Court of the United States, who when applying the exclusionary rule, said:

It is not a command of the fourth amendment but is a judiciary created rule of evidence which Congress might legate.

In other words, it is not a duty placed upon the Court by the fourth amendment at all; it is a gratuitous act on their part to do what they termed "curb the lawlessness of the police."

Chairman KEFAUVER. Can you give us the citation of that case, or a copy of the opinion?

Mr. PARKER. I will be pleased to leave a copy with the committee.

Now, in that same connection I would like to quote from a prosecutor, Bradford M. Crittender, district attorney of San Joaquin County, who in a speech, called the Decision We Asked For, which was given at a peace officers' convention, the peace officers of the State of California in their convention on May 21 last, talking about this decision said, and I would like to quote in part from his speech:

In the San Francisco Examiner for May 4, 1955, one of the justices of our State supreme court is quoted as saying, in commenting on the decision, "The individual should have liberties to know that as long as he does not openly violate the law that he is safe." This opens up a new field and concept. As long as you break the law secretly it is all right. Such a position is incredulous and amazing. I wonder if the justice thinks crimes are committed in the public square or on the courthouse steps? Has he never heard of the stealth, secrecy, and high degree of security in operations of the Communist Party in this country? Sabotage and violent revolution are not planned in the open forum of a schoolhouse or auditorium. Bookmakers don't set up their business in the public parks, or in the courtrooms of our halls of justice. Crime, Mr. Justice, is planned in secrecy and executed where? Under those circumstances most conducive to avoiding detection.

Now, once again those are not my words. I am quoting you the speech delivered by District Attorney Bradford M. Crittenden, of San Joaquin County, and he ably states the dilemma in which we find ourselves.

I bring that to your attention merely to point out that until this matter is straightened out either by an additional explanation from the Supreme Court—because you see, they did not explain the decision—they did not draw the lines of the areas in which they believe we can work without coming in conflict with the fourth amendment; they merely said, "From this day forward the exclusionary rule is in effect in California period."

They also say in the dictum, "You need not necessarily follow the Federal decisions."

So that you can readily see that we have guides, in that the State of California did not have the exclusionary rule until the Cahan case, and there is no case law on those areas. Because it has been immaterial on criminal prosecutions in the past as to how the evidence was obtained. And at the end, the court, in its dictum said, "We need not necessarily follow the Federal rule."

We find ourselves in a veritable quandary. We are not going to try to work our way out of it, and we are not going to give up, that is why we are striving to get some Federal legislation. But it is an important point and I believe that this narcotic thing, which is one of the areas

in which we are hindered the most, is going to have its effect upon the juvenile situation in this community until something can be done to give the police the proper authority with which to combat this narcotic menace.

I think that's probably all I should say about that.

Mr. YOUNG. Mr. Senator, I wonder if I may—

Chairman KEFAUVER. Wait just a minute, please.

Mr. PARKER. Once again, I want to reiterate that I am not quarreling with obeying the Constitution. I am a lawyer, as you know, Senator, and I have been since 1930, and I am an officer of the court as such and I have taken an oath to uphold the law and defend the Constitution not only as a lawyer but as a police officer. But it is the right to differ that makes this country what it is, with the interpretations that men place upon things. And I am dealing with the word, "reasonable." I don't believe it is unreasonable to go into a narcotic peddler's house, whom you have reason to believe has bought a kilo of narcotics that was just delivered to him—you would never get it under a warrant—it wouldn't be there when you got back if you did get the warrant. That's my whole point.

Chairman KEFAUVER. I have read the California case. Does it follow the general cases of the Supreme Court of the United States?

Mr. PARKER. Well, they merely invoked the exclusionary rule such as United States has long since done, but then in the dictum they said we need not necessarily follow the Federal decisions.

Chairman KEFAUVER. So there is some confusion about it now?

Mr. PARKER. There are some cases that have been appealed by the district attorney where they were dismissed on motion without going to trial, and we are hoping that the supreme court of this State will give us some clarification on it in some of these cases that are coming up now, and if not, we can get something out of the legislature at the special session next year clarifying the laws of search and seizure and the laws of arrests.

Chairman KEFAUVER. Well, I know that the Supreme Court rule may place some burden or hardship on enforcement officers, but I have always thought it fairly clear in following the Constitution—I am not familiar with this matter here—

Mr. PARKER. Well, I just wanted to call that matter to your attention. I am not asking at all that the committee do anything. I can tell you frankly that I seem to be in the minority on this question, but I believe eventually I will prevail.

Chairman KEFAUVER. We are glad to have your explanation of what the condition is.

Mr. PARKER. Well, that just about sums up about all I have to say unless the committee has some further questions.

Chairman KEFAUVER. Do you have any, Mr. Bobo?

Mr. BOBO. Chief, there is one question that I would like to ask relative to one situation: What is the situation on automobile thefts in California? It is shown on one of the charts.

Mr. PARKER. It is shown on the chart here. We had a very satisfactory decrease in crime in this area in general until this certain situation came along, then our arrests have dropped considerably since then. But the auto theft situation is reflected in this report you have before you, and it indicates that from January 1 through June 12, 1955,

there was a decrease of 4.8 percent in auto thefts. However, that general decrease has reflected in all of our major crimes and to a greater extent in auto thefts. Of course, auto thefts will always be a problem because of the vast number of cars available, the exposure of the car, the facility with which you can get to them, and the ingenuity with which you can start them even without keys. So that we will probably always be faced with the that problem. And in those cities where there is a large concentration of automobiles, such as Detroit and Los Angeles, you will find that the rate is quite high.

Mr. BOBO. I noticed that you mentioned that there was a great increase in the importation of heroin from the east coast. Have you noticed it in any decrease in the importation in narcotics, either marijuana or heroin, from the Mexican border area?

Mr. PARKER. I was not singling out the east coast, but we happen to know from particular information we had that this particular peddler was getting his supply from the east coast, although a great deal of our narcotics come from the Orient and some from Mexico. They are coming in from three different directions. But this particular case, which is a factual case did involve the supply from the east coast.

Chairman KEFAUVER. Chief Parker, I am interested in this youth service squad that you speak of in the police department that has responsibility over trying to foster interest in the Boy Scouts, junior band, things of that sort. How many do you have in that service, or about how many?

Mr. PARKER. There are about 30 people involved in that activity.

Chairman KEFAUVER. Just what then do they do?

Mr. PARKER. They have a deputy auxiliary police program which consists of about 3,000 young people in its organized activity, we have a camp in the mountains and they are taken up there for 4 weeks outing in the summer and also in the winter. And then they are broken down by our police divisions, as we call them, and they have social activities and instructions in athletic activities. The things that are generally done in youth group activities. But they are identified as a group sponsored by the Los Angeles Police Department. We have thirty-some Boy Scout troops. In fact, I understand that we sponsor a greater number of Boy Scout troops than any other police department. And we also have men working in the field in these troublesome areas working and attempting to find out what is causing the friction, primarily, racial friction, they are out there not waiting for trouble to develop, but out there attempting to find out what the irritations are and alleviate them before something happens.

Chairman KEFAUVER. What kind of penal facilities do you have for youngsters?

Mr. PARKER. Well, the police department—

Chairman KEFAUVER. Of course, that is not in your jurisdiction.

Mr. PARKER. We have some of our own. That is, we have holding cells at the juvenile headquarters, and no other persons are kept there. And then, of course, we have to have an order from the court before there can be any detention, any hearing, and then, of course there is the juvenile hall which is under the control of the county of Los Angeles. They are getting ready to build a new one with more adequate facilities. But we have no problem as far as the police department itself is concerned in the way of adequate facilities or for the

temporary custody and segregation of the juveniles from the adult persons.

Chairman KEFAUVER. If a juvenile is convicted and sent to a training school or is to be placed in incarceration, where does he go?

Mr. PARKER. Well, the committed juvenile is committed to the youth authority, and I believe you have someone here from the youth authority. Then they have a number of different places that they might send a juvenile, depending upon the individual himself. I believe they can tell you more accurately just what they do. We don't have the problem such as they are having in Michigan where 15-year-old boys are going to the penitentiary. We don't have that.

Chairman KEFAUVER. Well, you have the youth authority and you have pretty good training schools for them. Then, as I get your testimony, you are holding your own or maybe doing a little better than holding your own insofar as handling the juvenile problem and juvenile delinquency is concerned, considering your population is slightly on the decrease in the city of Los Angeles, you would say?

Mr. PARKER. No, the population—

Chairman KEFAUVER. I say considering the population—

Mr. PARKER. I would say that while there might be a slight rise—of course the chart shows that there is a fluctuation, but the last two months would indicate that we dropped below. So that the most recent information indicates that we are doing better than holding our own. In spite of the increase of the population there were less juvenile arrests in the first 5 months of this year as compared to what they were in 1954. So if we can take that as a trend there is considerable improvement.

Chairman KEFAUVER. Well, as a law enforcement officer and chief of police for quite a number of years is there any word of counsel you would like to take this opportunity to give to the people and to the organizations and clubs and service groups that are trying to cooperate to give our children a better chance and to lessen juvenile delinquency?

Mr. PARKER. Yes, Senator, I have some ideas on this problem, not only as the result of years of experience in police service, amounting to almost 28—it will be 28 years as of August—but I think many times we have lost sight of the fact that there has been a catastrophic change in the pattern of American living, and we have gone a long way from the type of rural life that I know I enjoyed, I might say, as a young boy. Now I think that has left its mark upon the behavior pattern of children. I do believe that the pace in which we live, the habits of our people are such that they are not conducive to a healthy atmosphere in which to raise children in many cases. I believe that parents are thoughtless in many cases because they do things they don't want their children to do, I mean, in the presence of their children and they expect the child will not emulate them. Perhaps the husband was talking about the winning or losing of a bet on a horse race, and yet he doesn't want the child to gamble. Perhaps they don't think anything of drinking in front of the child, but they don't expect the child to drink alcoholic liquor. It is a danger that there is a trend among parents to turn to agencies of government and private organizations for assistance in discharging the parental obligations.

There is one factor that I think is not impressed enough upon all of us people, and that is morality and ethics. I believe that many of us have forgotten what the words mean. And once again I will not segregate, I will not separate, rather the juvenile problem from the adult, because I think they are one. If we make an artificial barrier on age and say "This is one group of people and this is another one," they are not; they are one. In talking at one of the universities about 25 years to come I was asked if I had any suggestions of how they could improve their curriculum, and I said, "Yes, I believe in everything you teach that the ethics of the situation should be taught."

I think it is time that the American people took stock in themselves, that they looked in mirrors at themselves, and not at other people to find out what is causing their children to misbehave. That's about all I care to say.

Chairman KEFAUVER. It is difficult to expect no juvenile delinquency where you have so much adult delinquency?

Mr. PARKER. That's my entire point.

Chairman KEFAUVER. Thank you very much, Chief Parker, for your contributions and your suggestions and advice on this committee. We want you to know that we are anxious to cooperate to help in any way that we can on the Federal level, and we would be very happy hearing from you and obtaining your suggestions or recommendations at any time they are pertinent.

Mr. PARKER. Well, sir, you will probably be hearing from me.

Chairman KEFAUVER. I want to thank you and all of your staff.

Mr. YOUNG. Mr. Senator, would I be out of order in asking a question to Chief Parker and the committee here?

Chairman KEFAUVER. What is your name?

Mr. YOUNG. Jack R. Young.

Chairman KEFAUVER. What is your business?

Mr. YOUNG. 335 South Cloverdale Avenue, Los Angeles 36.

Chairman KEFAUVER. What is it you want to ask the committee?

Mr. YOUNG. I am a motion picture cameraman by profession, I have been for over 30 years, and 25 years in the city of Los Angeles. And I have lived here and in our State of California. It was with reference to the juvenile delinquency here pertaining to the motion picture industry as well as the juvenile delinquent—

Chairman KEFAUVER. Get down to your point. What is the matter you wish to bring out?

Mr. YOUNG. With all due respect to police commissioner—Chief Parker—and police and law enforcement officers, as a law-abiding citizen and as a loyal American—and I say that without fear of contradiction—

Chairman KEFAUVER. We don't want you to make a speech. If you have some questions you want to ask, do so.

Mr. YOUNG. Chief Parker stated as to the amendment of violating the homes on the narcotic evidence. I am quoting the press that it has been ruled that the police department was in violation in our city and State and throughout the United States as to violating a home and entering without a search warrant. The attorney general so accepts that decision. Chief Parker still defies that decision. Chief Parker failed to state that one of our juries in our city court, here, told the police department that they could easily obtain a search warrant within a short space of time to enter such homes when they had

that evidence. And it has been ruled that they are in violation, and as an American I stand on that violation. And I state as a loyal American, not a Communist—that I am opposed to communism—thank you, sir.

Chairman KEFAUVER. Thank you very much for your contribution, Mr. Young.

Our next witness is Mr. Emmet Daly, the assistant attorney general of California who is here from San Francisco. He is from the office of Attorney General Pat Brown, and he has to catch a 3:30 plane. You may make it yet, Mr. Daly.

We will change our order to allow Mr. Daly to tell us what we can do about juvenile delinquency.

TESTIMONY OF EMMET DALY, ASSISTANT ATTORNEY GENERAL, STATE OF CALIFORNIA

Mr. DALY. My name is Emmet Daly, and I am assistant attorney general of the State of California. My headquarters are in San Francisco.

Chairman KEFAUVER. Mr. Daly, you are here to represent Mr. Brown?

Mr. DALY. That's correct.

Chairman KEFAUVER. You are his assistant?

Mr. DALY. I am assistant and in charge of our crime prevention bureau of the attorney general's office, and in that capacity very much interested in the subject of the inquiry before the committee.

Chairman KEFAUVER. How long have you been in this position?

Mr. DALY. I have been with Mr. Brown in that particular capacity almost 4 years. Prior to that I was assistant district attorney with him in San Francisco. Prior to that I had 5 years with the FBI throughout the United States.

Chairman KEFAUVER. All right, Mr. Daly, we will be glad to have your opinion about this problem and how you are getting along in California and what the difficulties are, and what suggestions you have for this committee.

Mr. DALY. I don't have any statistical data to give you because I know that you are going to have various heads of the departments, such as the department of correction, the youth authority, and others. Mr. Brown has told me to tell you that if there are any specific statistics which you would care to have that our bureau of statistics can furnish you with, just let us know and we will get that for you. He wants to cooperate in every possible way with your committee.

Now, the subjects that have just been discussed by Mr. Parker, I might direct your attention to one phase, which is that of narcotics, because there has been so much talk about it.

About a year and a half ago the attorney general set up two committees, one in San Francisco and one in Los Angeles, of outstanding professional and lay citizens to engage in a study of that specific question of narcotics. Following a year study we prepared a report which was submitted to him, and as a result of that report, we have now presented to the recent legislature in Sacramento a bill known as assembly bill 2334. That bill in substance sets up for the first time in California a commission on narcotics.

I might say that in our study we went to San Quentin Penitentiary. We went down to Chino to the correctional institution for men, and we talked to a number of addicts and peddlers, and from them we learned this one important fact: that most men who were addicts and peddlers told us that if something had been done for them when they were young, when they first started their addiction, when they first started marihuana—because that seems to be the pattern—they take very innocently a cigarette of marihuana and maybe a few more, and gradually they want something stronger, and end up as an addict.

Chairman KEFAUVER. Many times thinking it is smart to smoke marihuana?

Mr. DALY. That's right. That's right. It is done either as a dare or because the party is inquisitive, one or the other. Rarely is it just a desire to smoke marihuana.

However, we found that through the testimony given to us by the various addicts, it seemed to be rather universal that if something had been done at that stage of their addiction—other words when they were 17, 18, and 19—they might have prevented going on to the ultimate end that we saw when we saw them up in such a place as San Quentin.

So this new bill which I have just referred to, 2334, is going to set up for the first time a treatment facility, and it is aimed particularly at the juvenile. The treatment facility will work substantially as follows: If a boy or girl is arrested for narcotic addiction he may go before the court and on being convicted he may be placed on probation, and then as a term of that probation he can be committed to a treatment facility.

Those treatment facilities will be operated by the State in various parts of the State, and we believe that through the medical help of psychiatrists and trained conscientious personnel who will be assigned to that work, that we may prevent a lot of these youngsters from going on into the more serious forms of addiction.

I just want to say that to you.

Chairman KEFAUVER. Well, I think that's a wonderful thing to do. Mr. Daly. We have at Lexington, Ky., as you know, the Federal Hospital for Narcotic Addiction.

Mr. DALY. Yes.

Chairman KEFAUVER. Where many young people who do become addicted are treated, and many of them are cured and get over their addiction. Our experience has been, in the first place, that this is not known of and it is not used and that is generally as it should be, and in the next place it is in the eastern side of the United States. There is no similar Federal facility in this part of the country. I think this treatment facility that you are talking about will do much to restore life and health to many, many young people, and I hope the bill passes.

Mr. DALY. It has passed, Senator, and I believe is on the desk of the Governor now for his signature.

There is one thing that I would like to comment on very briefly because I am intensely interested in it, and that is the effect which alcoholism has on delinquency. When I was with Mr. Brown as assistant district attorney we had a problem of some 85 percent of all arrests in the city and county of San Francisco coming directly, shall we say, from the abuse of the handling of liquor. Mr. Brown asked me to make

a survey, and as a result of that survey we set up a clinic which is known as the Adult Guidance Center in San Francisco. We are getting on an average of about 100 cases a day. It has been in existence now since 1948 and it is known as the 150 Otis Street Clinic. We have trained psychiatrists and medical personnel there who take the alcoholic and attempt to do something with him. We are actually turning them back into profitable work again, back to their families within 10 days; whereas the usual format in the old days was to arrest them and to use the parlance of the police, kick them out the next morning, or give them 6 months in the county jail.

So we do feel that the work done up there has been very helpful. It has shown that something can be done in the field of alcoholism if you treat the person who is an alcoholic and treat him medically and give them an opportunity to become rehabilitated.

The reason I want to mention it in relation to delinquency is this: We have a followup program on most of the persons who go through the clinic, and if I recall correctly, the figure is around about 65 percent of the men and women who have gone through the clinic, who tell us that looking back over their case histories, their problems came from an alcoholic parent. In other words, either the mother or the father was an alcoholic to a point where the family was broken up, and the child then seems to automatically follow in that footsteps.

So if we can do something intelligently from a medical viewpoint in the treatment of the alcoholic, we believe that we might in days to come or years to come, do something profitable in preventing a great many from becoming alcoholics.

Chairman KEFAUVER. Mr. Daly, those treatments were followed up by the case workers to see what happened?

Mr. DALY. Yes. We had quite a bit of that work done.

Chairman KEFAUVER. What percentage of restorations have you found?

Mr. DALY. On the first group of persons that went through the clinic we had a 6-month followup when we could see what could be done, and 52 percent of the men and women—and incidentally these persons had been taken right out of skid row—the ones I am referring to now, as they say, were the bottom-of-the-barrel type of alcoholic—every one of them had come from skid row—and so it is generally said that you can't do anything with that type of person—nevertheless, a 6-month followup of them showed that 52 percent were working and sober 6 months after they got out of the clinic.

Chairman KEFAUVER. That's a remarkable percentage.

Mr. DALY. That was a very fine record.

Chairman KEFAUVER. This is being done in San Francisco?

Mr. DALY. This is being done in San Francisco.

Senator KEFAUVER. Is that the only county where it is being done?

Mr. DALY. Along that line, yes; but may I also say this, Senator, that you may be interested in knowing that the State legislature has set up now a State alcoholic rehabilitation commission, and at the last legislature they have agreed upon a budget of \$204,000 for the coming year. They are going to set up, I understand, a comparable clinic in Los Angeles; and \$50,000 has been allocated for that, and the commission, as I understand, will sort of model itself after the work that is being done in San Francisco. So we are making some progress.

Chairman KEFAUVER. Mr. Daly, that's one of the things our committee is interested in, is getting experiences that are worthwhile that people in other cities know about as to the result of some successful experience in a large city like San Francisco. We are glad to know about it. Is there anything else you want to tell us?

Mr. DALY. There are so many phases to this problem—I might say this: That having read as much as I can on it, there is a great authority, Sir Bert, who has stated that there is some 160 separate reasons why we have delinquency, and any one of them may be the dominant cause of delinquency. And the longer I study it, the more I am convinced that that is true. That we have to come down to certain overall things, and I believe, as Chief Parker has stated, your family, your parents, and again, shall I say in your alcoholic picture, where we know that delinquency comes from alcoholic parents—and another thing we have to realize in California is this new population that is coming in at an average—I believe the rate is today—of 1,000 a day. Another thing being that there is so many families moving. I believe the average move is six times a year in California. It is rather hard for a child growing up from any age up to 17 and 18, if his family is moving on an average of 6 or 8 times a year, to get any roots in the community.

Chairman KEFAUVER. You don't mean that the average family in California moves 6 or 8 times in a year?

Mr. DALY. There are statistics to that effect.

Chairman KEFAUVER. That's a lot of moves.

Mr. DALY. Yes.

Chairman KEFAUVER. Anyway, 160 causes, one may be dominant as to this child and one may be an important thing as to another?

Mr. DALY. Yes. Lack of religious training and lack of education. And it can be biological, some difficulties the boy has.

Chairman KEFAUVER. Mr. Bobo, any questions that you want to ask Mr. Daly?

Mr. BOBO. No questions.

Chairman KEFAUVER. Well, you give the attorney general our best wishes, and we thank you very much for your contribution.

Mr. DALY. I am very happy to be here. Thank you, sir. I was very happy to meet you, Mr. Bobo.

Mr. FRIEDMAN. May I have the attention of the committee for a moment?

Chairman KEFAUVER. What is your name?

Mr. FRIEDMAN. Phillip Friedman.

Chairman KEFAUVER. Phillip Friedman?

Mr. FRIEDMAN. That's right. I listened to Chief Parker and Attorney General Daly, and they confined most of their remarks to crime amongst adults and what was being done or what was not being done, and quoted statistics. And we are well aware that there are two kinds of lies—

Chairman KEFAUVER. Well, Mr. Friedman, just a minute, please. What is the question you wish to ask?

Mr. FRIEDMAN. The question is, The two speakers have not mentioned anything in the line of prevention or what has been done by the two gentlemen in the departments that they represent to remove the power of suggestion to the young delinquent in becoming an addict.

Chairman KEFAUVER. Mr. Friedman, I don't think your point is well taken.

Mr. FRIEDMAN. I understand the committee is interested in juvenile delinquency and not in crime.

Chairman KEFAUVER. They have given experiences that are useful to the committee. In our hearings we will try to deal with all aspects and phases of it, and if you feel that you have anything that may be worth while to the committee we invite you to see one of our staff members and tell him what you have on your mind. And there is a tall gentlemen there, just tell him what you have in mind, and if it will be worth while, we will call you too.

Mr. FRIEDMAN. Thank you.

Chairman KEFAUVER. I understand that Mayor John M. Lawson of Glendale, Calif., is here. Mr. Lawson was to be a witness, but I heard that he didn't have any testimony that he wanted to give. But I understand you want to be recognized, Mr. Lawson?

Mr. LAWSON. Thank you, Senator. We have a little test here. I am supposed to be dead now because of this atomic-bomb test.

Chairman KEFAUVER. Are you already dead or are you going to be buried by the test later on? Do you have to leave, Mr. Lawson, to go back to Glendale?

Mr. LAWSON. I will have a rather close schedule.

Chairman KEFAUVER. Well, we appreciate your presence here, and we will be glad if you will let us know of any suggestions or any comments you have. If later on you wish to testify, we will give you an opportunity to do so.

Mr. LAWSON. Thank you.

Chairman KEFAUVER. Rev. Raymond I. Lindquist, pastor of the Hollywood First Presbyterian Church.

Mr. LINDQUIST. Thank you, sir.

Chairman KEFAUVER. Reverend Lindquist, you are the pastor of the Hollywood First Presbyterian Church, is that correct?

Mr. LINDQUIST. Yes.

Chairman KEFAUVER. How many do you have in your congregation?

Mr. LINDQUIST. We presently have 6,300.

Chairman KEFAUVER. How long have you been pastor?

Mr. LINDQUIST. For 2 years, sir.

Chairman KEFAUVER. You have been pastor somewhere before that time?

Mr. LINDQUIST. I was in Orange, N. J., in the historical Presbyterian Church there for 19 years.

Chairman KEFAUVER. That's longer than I would have expected.

Mr. LINDQUIST. Thank you, sir.

Chairman KEFAUVER. Are there any preliminary questions that you want to ask, Mr. Bobo?

Mr. BOBO. I don't think so.

Chairman KEFAUVER. We are glad to have you with us, and we appreciate that the churches of all denominations have perhaps next to the family the greatest influence in this problem that we are concerned with, and it has been very heartening to us to see the broader approach to the problem of child opportunity by all of the churches, all denominations. We certainly will be glad to have your comments and recommendations, or anything you have to tell us.

STATEMENT OF REV. RAYMOND I. LINDQUIST, PASTOR, HOLLYWOOD FIRST PRESBYTERIAN CHURCH, HOLLYWOOD, CALIF.

Mr. LINDQUIST. We are trying in the First Presbyterian Church in Hollywood to meet that very situation that was brought up by a person in this audience today: In other words, a preventive approach, but along with that we have a rehabilitation program. We have a Sunday school numbering about 6,500; naturally in that group we draw many boys and girls who are potential juvenile delinquents. We have made a study of the membership of our Sunday school in terms of parental background, and in 1 of our groups we find that 52 percent of the group comes from broken homes.

Now, this program indoctrinating the youth of our country with deep and abiding faith in God and in country and in themselves, too, Senator, we find that helps them, gives them the kind of foundation that will overcome the background of a broken home. Among the 79 young men that we have studying for the Christian ministry right now, many of them come out of broken homes, but they have overcome that initial difficulty because of the kind of program that they have.

We use a club approach for the week-day activities. You spoke a little while ago, Senator, of the fact that the church today is no longer expected to be of a simply a 1-day a Sunday affair and at our institution we are constantly working every day in the week. We have now 27 different clubs for boys and girls. And in these clubs we find that 50 percent of the memberships comes right out of the community and outside of the boundary of our church and Sunday school relationships. And because of this we find that the preventive method of helping, combined with the rehabilitation program, work out pretty well.

I can cite, for example, a number of cases——

Chairman KEFAUVER. Reverend, just tell us of your experience and what you know.

Mr. LINDQUIST. Yes; just this last week we had a certain call, a call from a certain school in our area, where 2 fifth-grade boys had gotten into a great deal of difficulty; 1 of them on the way home from school had gotten into a fight with another boy and had completely disfigured him. That boy is in the hospital and will be for some time. But, we have already sent one of our members to that school, and he is very quietly studying this boy on the playground and in the school. He will quite accidentally meet up with him today or tomorrow. He will invite him over to our week-day activities program, and especially to our skating rink. We have just built a \$12,000 skating rink. The boy will get started there. We will give him a little job, perhaps repairing skates. From that he will go into a club, perhaps into the King's Men or 1 of the other 27 clubs, but the point that we try to accomplish, to get another boy, an older boy, interested in him to pal up with him to prove to him that somebody really cares that he amounts to something. We have learned that as soon as the boy finds out he is wanted, somebody cares for him, he begins to respond, and he wants to measure up to what that other fellow thinks of him.

Chairman KEFAUVER. You mean, Reverend Lindquist—I have four children so I know something about it—that he is going to look up to someone, whether it is a Dillinger, a racketeer, or a good person? They are going to find someone to look up to and emulate?

Mr. LINDQUIST. A young person seems to be incurably romantic. He has hero worship in his very bones. Of course, we have a number of athletes on our staff. For example, right now working at our place, back from Princeton Theological Seminary, is Don Wilmont, all-American football player, and naturally, these boys flock around a fellow like that. They see this great big chap and they find out he has a definite interest in them. Well, they respond at once, and get right in and go to work.

We have brought back for this staff this very week six additional young men from universities and from seminaries around the country who are at work on this matter. If we can face the insecurity of those boys and girls and help them realize that that insecurity isn't the basic condition of their character and of their life, they have a marvelous way of responding.

Just 2 years ago we had a young man—I have forgotten what particular grade he was in in high school—but he had a police record—the police got in touch with the director of our weekday activities, Mr. James Ferguson, a former star athlete at UCLA, and he very quietly arranged it so he would bump into this boy. They got to know each other, and then Mr. Ferguson invited him over and said, "Would you like to play basketball? We have a good gym."

And they brought him over and inside of a year and a half that boy had not only left this area of delinquency, but he was a positive force for good.

Now he is the associate director of one of our clubs and has signified his intention of going into the Christian ministry.

We have 3 young men studying for the ministry now out of the 79 young men, as I said before, who have former police records, and have been rehabilitated through this program in which we try to place every boy with another person. We don't believe it is possible for us to have the wholesale approach; we have got to work with them individually. But once we get them into the club, it seems that it is just a short while before they are interested in doing something for the club, maybe helping to organize another club, and helping to advance the fortunes of the club. For example, three clubs this past week voted to undertake the complete support of several Korean orphans.

Chairman KEFAUVER. You mean the kids themselves?

Mr. LINDQUIST. Yes, the kids themselves. The kids who have been in trouble are now trying to help other people out of trouble.

Chairman KEFAUVER. Let's see, Reverend Lindquist: You have 6,000 in Sunday School?

Mr. LINDQUIST. Yes, a little more.

Senator KEFAUVER. And out of that number you say that you form clubs. How many clubs do you have?

Mr. LINDQUIST. Now we have 27 clubs, but those clubs aren't necessarily formed out of the Sunday school group. The Sunday school group, you see, meets on Sunday, and they are a type of person who rarely gets into juvenile delinquency problems. What we are doing is to help to man to a certain extent these clubs with boys and girls from Sunday school; constituting a corps of fellowship to which we can invite the delinquents. The delinquents come in and get enjoyment, and, to use the theological term, "regenerated."

Chairman KEFAUVER. Reverend Lindquist, you work in your neighborhood regardless of what their religion may be?

Mr. LINDQUIST. It doesn't matter what religion or what color or what race. We have within the confines of our church Negroes, Koreans, Japanese, Spanish speaking people, and Chinese. So the great majority, by the very nature of our background as a church, are the type of person that we have in this city, the American folk who come out and settled in this part of the country.

Chairman KEFAUVER. How do you finance the staff for these clubs?

Mr. LINDQUIST. Well, we put it right into our church budget. I was figuring up today that in actual cash outlay we put about \$26,000 a year. This doesn't seem very much, but for a church that's quite a bit; because it comes right out of the voluntary giving of the people. We don't have any type of underwriting for it. We have no great group to give us large amounts of money. But, in addition to that amount of cash that we put out, we probably have another twenty-five, thirty, or forty thousand dollars in terms of service.

Chairman KEFAUVER. You mean volunteer service?

Mr. LINDQUIST. Volunteer services of all kinds.

Chairman KEFAUVER. You mean volunteer service?

Mr. LINDQUIST. Volunteer service of all kinds.

Chairman KEFAUVER. And that is important, isn't it?

Mr. LINDQUIST. Well, we find that that is very good for the person servicing, and it is very splendid for the people who are served.

Chairman KEFAUVER. Reverend Lindquist, we have been told, and I think it is true—that in the past, that particularly one of the shortcomings of the church as far as juvenile delinquency was concerned that there has been too much reliance just upon the sermon, however good it may be, and Sunday school, however good that may be, and may be some Bible meeting once a week; and an absence of setting up these functions which children can take an interest and join in to bring them into the religious life. Do you think that is true?

Mr. LINDQUIST. I think you are absolutely right, Senator, we are trying to get these boys and girls—the girls don't give us the same problem in this area that they used to give us in the East—we are trying to get them expressing their own personality style. Therefore we have all kinds of trips away to the mountains, out to the shore, horseback trips, and like activities in addition to our athletic contests and that kind of work. I find that it doesn't take very long—and there is no pressure in that regard—before a boy begins to ask, "What is the angle in this? Why are you interested in me? Nobody has ever taken any interest in me before. Here you have just come out of the blue?"

In fact, we have some boys up at the church this afternoon from a high school club that is notorious. Two former members of that high school club are in San Quentin right now. We have given those boys gymnasium space.

Chairman KEFAUVER. You mean the high school gang?

Mr. LINDQUIST. High school club. It is an organized club.

Chairman KEFAUVER. Yes.

Mr. LINDQUIST. And, of course, one thing to do in the high school—and the people there know it—would be to suppress it, but then they will go underground. But this particular club has been given space at the church for their basketball activities and for skating and out

of that group already there has began to appear some of these fruits that we have began to expect out of this kind of work.

Now, what happens really—and this is the main business of the church—it is not simply to rehabilitate young people who have gone wrong, it is not simply the going wrong of young people who seem to be all right now—but what we are trying to do is to build something infinitely greater, and that is an underlying faith upon which they can build solid character and true home life; so that they will not repeat this endless frustrating pattern which we find in evidence now, and they can take a real step forward, and when they have children they will be able to give them the kind of homes they ought to have.

Chairman KEFAUVER. A great step in checking juvenile delinquency, do you agree with me, if churches and schools generally would recognize that in this 20th century living, particularly in the cities, that they must be more and more the center of wholesome activity meeting together, getting young people together for some purpose other than letting them go out on their own and get into trouble?

Mr. LINDQUIST. Yes. I think there is a twofold problem with the young person today: One is the problem of the insecurity, just basic insecurity which drives a young person to a feeling of frustration. He gets out on the town and he starts coming home later and later and nobody is there—both parents are working maybe on the night shift, and then he goes to school tired the next morning, and pretty soon he is on edge and he gets into a fight and he starts his long downward journey. But unfortunately there are juvenile delinquents in homes that seem to be perfectly all right, in homes on the right side of the track, for example. And these people, the young people, are out for the “kicks,” they are out for adventure. So you have two different tugs at their interest: One is the sense of insecurity and the other is the sense of boredom. Well, there is nothing to do. We will grab this car. It is standing in front of the church, let us say, and somebody did a year ago, drive down to the beach, have a swim, leave the car there, take another car back and park it where they had left the first car. Or, as the 14-year-old boy did in New York, grabbed a car, drove it all the way out here, and had a whole series of car thefts in his record.

But somehow we have gotten him into a club. As far as I can tell he is completely rehabilitated at the present time.

Chairman KEFAUVER. That's wonderful.

Mr. LINDQUIST. Of course, it isn't very dramatic and the numbers aren't as large as one would like. We are trying constantly to increase that number. But I think in the cases where this program takes hold we have someone who is really on the way to start a new generation and more than that, several generations of law-abiding character and church center of activity and self-respecting personalities.

Chairman KEFAUVER. Anything else, Mr. Bobo?

Mr. BOBO. That is all.

Chairman KEFAUVER. Reverend Lindquist. Thank you very much, and we follow with interest your good work.

Mr. LINDQUIST. Thank you, sir.

Chairman KEFAUVER. Mrs. Rosalind Weiner Wyman.

STATEMENT OF MRS. ROSALIND WEINER WYMAN, COUNCILWOMAN, FIFTH DISTRICT, LOS ANGELES, CALIF.

Chairman KEFAUVER. Mrs. Wyman is a councilwoman of the fifth district of Los Angeles. It has been the privilege of the chairman to know Mrs. Wyman for a number of years. We are certainly privileged to have her testify before our committee.

Mrs. WYMAN. Thank you, Senator.

Chairman KEFAUVER. To add a little charm and grace to the hearings.

Mrs. WYMAN. Thank you, very much.

Chairman KEFAUVER. Mrs. Wyman, how long have you been a councilwoman now?

Mrs. WYMAN. Well, Senator, counting back it will be 1 year and 10 months.

Chairman KEFAUVER. In addition to being a councilwomen you have a family?

Mrs. WYMAN. No, I have been married only 10 months. I am on my 10th month of being married. I have no family yet.

Chairman KEFAUVER. Well, in this country, we always look to the future.

Mrs. WYMAN. That's true. I also draw my experience in going through college. While I was going through college I worked my way on the playground so I have had some experience with young people of the community in that way.

Chairman KEFAUVER. We certainly will be glad to have your statement, including your suggestions and your counsel.

Mrs. WYMAN. Senator Kefauver, I draw my experiences firstly from the councilmanic district that I represent. And, although actually it is brief, it is somewhat of a good story in reference to juvenile delinquency. I think this is based on the fact that the district or the area that I represent is the middle and the upper middle class. I think when we find that there is proper housing and there is the least amount of broken homes, and where there are added church facilities, recreational facilities, available to the teen-agers that the crime ratio is down and I think basically that we key our recreational facilities for the very young person. In other words we have swings and slides and we have the various things on our playgrounds, but the teen-ager is not interested in slides and swings and ping-pong and these various sports. I think this is basically where we have missed with them. I think it is not reaching them.

I found out when I was on the playground as well as in my work here, that the teen-ager is at the age maybe where he is dating or maybe where he is interested in his own activities. And I find that if we help them in supervised activities such as, let us say, coke parties, or recording sessions, or something like that, then we are reaching the teen-ager and can draw them into supervised activities.

Chairman KEFAUVER. Mrs. Wyman, your district includes the Bellair and Westwood areas?

Mrs. WYMAN. Yes, it does. I have Bellair and Westwood at the extreme western end of my area, and of course this is the upper and middle class. I have what we call 2 subdivisions or 2 police stations from which the police would arrest these juveniles; one is the Wilshire station and one is the West Los Angeles station.

Looking at our statistics for 1954 we find such crimes as offenses against family and children. You find none in our area and you find none also out in the West Los Angeles area along those lines.

I would like to feel that it is a fact here that the parents are giving good supervision, because I don't think any witness will testify before you and not say that it is up to the parents primarily to give good leadership to their children. And I don't care who you are you just can't give what a parent can give if they are willing to give to their children. We have hired professionals to try to fill the vacuum and sometimes they have to, and I am glad that today we are at least expending a little money for that. Of course, there is a lot of argument that we spend money this way, but I would rather be spending it in preventing than later saying that we have to put them in penal institutions. Of course, this is an old argument as to where you are spending your money. And looking down at the figures in my district we find that for crime—I'll give you an example of it—on the east side or the central area we have a total of the various crimes such as homicide, burglary, auto thefts, assault, and all the crimes with which you are familiar. I found in an area such as the central area, which would be more or less down here, that we have about 1,500 committed. In our area you will find crimes amounting to 467 in comparison. So you see, there is quite a difference. As I say, I think it is due to the fact that we have proper housing and we have proper facilities. Someday maybe we will get to the realization that we need more police officers and various influences around in the areas where there are broken homes and where there are people who have no place to play—no recreation. I don't think a kid wants to bring a friend home unless he has a place to bring them. He would rather hang out on the street, which I think is a very bad situation.

Chairman KEFAUVER. Don't you usually find that in slum areas you have a much higher juvenile delinquency rate?

Mrs. WYMAN. Yes, much higher, Senator; and that is why I said "overall," in my councilmanic district, where you have proper facilities, the crime ratio goes down.

There is also a great move by the younger people toward religion, and I think this is probably one of the healthiest things we have seen in a long time.

I was listening to Reverend Lindquist very closely. I happened to know him, and he and his group are doing an excellent job. I think we will find that over the last 5 years the adult groups and church groups have increased, and I think every church should have a teenage or a young adult group. I think the tendency has been to take care of the very young or the old and to forget the teen-agers. For example, we have the deputy auxiliary police group in the city which is doing a fine job, but it is not getting to this group of youngsters. In other words, these 15-, 16-, and 17-year-olds need someone to look up to as a leader, and they can't get into organizations like the deputy auxiliary police group, and I do feel that we must provide recreation for these teen-agers.

As chairman for the parks and recreation committee in the city, I am trying to do what I can along these lines.

Chairman KEFAUVER. You are the chairman of the recreation and parks committee of this council?

Mrs. WYMAN. Yes, that is true.

Chairman KEFAUVER. And you are the second chairman of the health and welfare committee?

Mrs. WYMAN. Yes.

Chairman KEFAUVER. I think your point is well made, and I say that from my own experience.

Mrs. WYMAN. They don't want to go on a swing or down a slide, and they have to have something else.

And, Senator, I think sometimes there is a great hesitancy, which is a natural expression around 13 or 14, where the children want to mix and want to start to have coeducational activities. And, if properly supervised, I think that is the time certainly when they should be taught to engage in such activities as dancing and coke parties. We tried these at my playground, and I tell you, I don't think anything was more successful, including some of the rougher boys who thought first that it was sissy stuff, and they felt that they were still going to go and lift things off cars. They needed other boys to look up to, and we later found out that it turned out to be the boy who was a good ballroom dancer in the affair that the other boys were looking up to. I think this type of experience is an excellent one for youngsters, and I think we should encourage it under proper supervision.

I don't know whether anybody has spoken of this yet, but we have a new experience in connection with the hot rods. I don't know if you follow this much as yet.

Senator KEFAUVER. I haven't heard about it out here.

Mrs. WYMAN. Let me briefly tell you about it.

We know that boys in hot rods are dangerous going down city streets, and they were cutting in and out, and they could leave everybody at the signal. They would be away by the time you are just starting up. I mean, they cruise, which is the term they use when they start off, at about 60 miles an hour, which is pretty good for any car. And really they have worked hard on these hot rods. These are not proper things to be used in the city streets, and it has just been recently that we have finally gotten an area where on Saturdays and Sundays they can go out under supervision, which is always the right way to do it, if you can get them supervised. And now there are groups that go out to Hansen Dam and they have the hot-rod races which are conducted under proper supervision and the boys are learning the safety rules in reference to the track, and it is taking them off the streets. This, of course, is a step forward. But it took many years for people to feel that we should let them have this form of expression. In other words, it again means this: Do you encourage this expression or do you say "No"? I think the minute you say "No" just blankly and flatly then they are going to do it some other way.

But in this way you have a proper supervised place for them, which is the way to do it, I feel. I think we have progressed along these lines. I think many times if you give the young teen-ager an opportunity their mind will work out their own problems pretty well in a group situation, and I have found in some areas that there are some pretty bad children. I don't know. It seems like the old democratic principle that they learn nothing through their ears, they go on growing up finding out the democratic way, and that self-discipline among

themselves. And if they are given a chance at some type of a program that they can themselves work out, sometimes they come up with very good ideas and very good solutions. I guess maybe I am giving a little different testimony. I don't feel that it has been too long since I have been in that teen-age stage, and I have been close to them, and I have enjoyed my work very much in connection with the recreation for young people.

Chairman KEFAUVER. Mrs. Wyman, don't you feel that among our people generally there is more interest in activities along the lines you are talking about than there has been in the past years?

Mrs. WYMAN. Yes, I feel that there is a great deal of improvement, and I think that we are beginning to become aware that this is somewhat of a problem that we do have to cope with. I certainly hope that the young person does not get into a penal institution such as was rather prominently displayed—I think it was in Mississippi—where 15-year-olds were incarcerated with hardened criminals away up in years.

Chairman KEFAUVER. Well, that happens in a lot of places in the United States.

Mrs. WYMAN. That's true. I think we can be very proud of what is going on in California with our youth authority and our juvenile hall. I don't know if the representative of the supervisors spoke of that, but it is an excellent place, our juvenile hall, because this is usually the first step where the youngsters meet officers of the law. And I think our juvenile hall is certainly a step forward, because the children are treated with such kindness that they realize the law is not necessarily something to fear. I think the first contact with the child, especially first-offense children, who are teen-agers when they first come in, is so important, that very first contact with them. And I think that in all areas if they could have something like our juvenile hall, which is a special place where there are only juveniles in there and they are treated with kindness, and learn that you don't have to fear a police officer, that it would be a wonderful thing.

Chairman KEFAUVER. That's very important.

Mrs. Wyman, you have a report. May I see it?

Mrs. WYMAN. Yes, I have a breakdown in all the various areas of the city by precincts, where the stations are.

Chairman KEFAUVER. This is a report showing the number of arrests in the various precincts in the city of Los Angeles, is that true?

Mrs. WYMAN. The section that I was referring to—I was trying to show you the breakdown where the better section is with proper homes and no slum areas. You will see at the bottom of each column the totals there.

Chairman KEFAUVER. Then you have the age and the offense. I think this is a good report. I have seen one of these. May we have this and we will file it as an exhibit?

Mrs. WYMAN. Senator, may I return this to you. I borrowed this from the library. I have to return it on my library card.

Chairman KEFAUVER. You tell the library we will get one.

Mrs. WYMAN. I will get one for you which shows the breakdown and what I am trying to prove with reference to slum areas which I think are very rare.

Chairman KEFAUVER. How many members of the council are there?

Mrs. WYMAN. There are 15 of us. We just had a very hot session yesterday.

Chairman KEFAUVER. What happened?

Mrs. WYMAN. We lost—well, I don't know how to put it. It was defeated. We had a very long session. I don't know how many hours long it was, but it sort of set a precedent for us.

Chairman KEFAUVER. How much of your time do you give to being a councilwoman?

Mrs. WYMAN. Senator, it is a full-time job. We meet 5 days a week, and we are the only legislative body in the world that has no provision for recess or adjournment. Our terms are 4 years and we are supposed to have no vacation. There is no provision in our city charter for it. And we serve on three committees. As I say, we meet 5 days a week. It is a full-time job—if you do it properly—every single member of the city council is serving on the basis of it being a full-time job.

Chairman KEFAUVER. Is there anything else, Mr. Bobo?

Mr. BOBO. No, sir.

Chairman KEFAUVER. Thank you very much.

Mrs. WYMAN. I am sorry about our weather. I wish I could do better for you. Don't hold it against us, and come and see us soon.

Chairman KEFAUVER. Well, I think you have less smog this time than you had before when I was here. Of course I was here one day when I didn't see anything but smog.

Mrs. WYMAN. That's a county problem.

Chairman KEFAUVER. We will take about a recess for 15 minutes. (A short recess was taken.)

Chairman KEFAUVER. The committee is glad there are present here a number of men and women who are either presidents or chairmen of various organizations who have programs or are trying to do something in the interest of opportunity for our young people to control and lessen juvenile delinquency, and we appreciate your presence.

Among those who are here are Mrs. Neff, who is president of the Lawyers' Wives of Los Angeles and Mrs. Krug, who is chairman of the juvenile delinquency division of that agency.

I am aware of the efforts that these ladies and their organizations and others here are making, and we appreciate your being here.

Mr. Miley is here to bring a word from Commissioner John Anson Ford.

Mr. Miley, will you come forward?

Mr. ARTHUR F. MILEY. I am here to represent Supervisor John Anson Ford.

Chairman KEFAUVER. Sit down, Mr. Miley. The chairman has known Mr. Arthur F. Miley, the field representative for the Honorable John Anson Ford and the board of supervisors, third district of Los Angeles, and we appreciate your interest in our work and your greetings from Mr. Ford.

We will be glad to have you state whatever you wish, Mr. Miley.

Mr. MILEY. First I would like to say that Supervisor Ford, because of previous engagements, which have tied him up at the present time, wishes to extend greetings to you and the committee, and, of course, a very pleasant stay in our city. We hope that the weather gets better for you.

The reason why he asked me to appear here was because I have been a field deputy for him for 17½ years. Primarily my interest in the office as it was divided up was people and all their problems—old people, young people, sick and poor and alcoholics, and so forth.

I retired on January 1, but because of the fact that that has been my assignment for some 17 years he asked me to appear and read a statement for him. So he has given me a statement to read which I will read.

Chairman KEFAUVER. How long is that statement, Mr. Miley?

Mr. MILEY. Oh, about 2 or 3 minutes.

Chairman KEFAUVER. All right, sir. Will you read it fast?

STATEMENT OF JOHN ANSON FORD, MEMBER, LOS ANGELES COUNTY BOARD OF SUPERVISORS (READ BY ARTHUR F. MILEY)

Mr. FORD. The causes and cure of juvenile delinquency present one of the most complex social problems of our day. As indicated below, many factors not present when life was simpler contribute to the departure of boys and girls from normal living patterns.

My comments are based largely on more than 20 years service as a supervisor for the largest county government operation in this country. During most of these years the county probation department, the county's five juvenile forestry camps, El Retiro School for Girls, and the county's detention home, known as Juvenile Hall, have been part of my committee assignments. Years of observing the administration of these projects have given me a broad field for observing delinquency.

Basically city life is not wholly normal or natural for a young growing boy, or even a girl, whose nature more naturally responds to life in the wide-open spaces. Unavoidably city restraints in a score of ways irk the growing youngsters.

Youth found it hard, particularly a few years ago, to change from the war psychology of hate and destruction for the enemy, to a psychology of tolerance and cooperation for the gang in the next block or the crowd from another elementary or high school. Undoubtedly war has contributed indirectly to many of our youth problems.

While small children have little or no regard for differences of race or color, adolescent youth and very young men and women are apt to give much emphasis to these differences, in an intolerant spirit. From this, much strife and even bloodshed results.

Los Angeles colored youth and those of Mexican ancestry find themselves in difficult social situations. Economic necessity and/or language handicaps tend to make many of these youth drop out of school before graduation. Unequipped for trade and with few if any skills, they increasingly resent being forced into unskilled work; they become sensitive and resentful of alleged social inferiority. Integration into self-support and self-respect in a society dominated by a middle class Anglo-Saxon psychology is not easily achieved by them. Even Boy Scouting and YMCA connections are shunned by many who are resentful of what life has brought them.

It should be emphasized also that the many-sided social changes taking place disconcertingly and simultaneously in all classes are resulting in delinquency of boys and girls for reasons quite distinctive

from those cited above. Vandalism is one of the inexplicable offenses occurring in alarming proportions. Automobiles produce temptations to violate speed laws and moral laws. Violence dominates too many movie and television plots. The appalling percentage of divorces in this county (almost equal to the number of marriages) is one of the greatest contributors to delinquency. No child can escape suffering when the two persons who are his first and greatest sources of love and security divorce and discredit each other.

To meet all these conditions and many more not enumerated, our socially minded leaders, far too small in numbers, have tried heroically, almost desperately, to combat these trends. Youth centers, well equipped and manned, are being multiplied. The YMCA has revised its procedure to emphasize neighborhood activities rather than branch YMCA buildings; the Jewish people are fostering a social program which is family-centered; the Catholic Church has successfully furthered Boys Scouts and Catholic youth programs, etc. Many Protestant Churches are devoting special emphasis to youth activities both on Sunday and weekdays. The value of these religious inspired efforts cannot be overemphasized. But the tragic part is that thousands of homes have no church contacts. The American Legion, the Masons and other fraternal orders are bringing a percentage of their own youth into well-ordered programs for young people.

Los Angeles County, through the probation department, has assigned 10 socially trained deputies to be gang leaders—leaders who really befriend and guide many gangs otherwise without the pale of accepted society.

As others doubtless will relate, the county's boys' camps and the State youth authority camps are doing much to restore and rescue a percentage of the boys who have taken first steps in the wrong direction.

From what I have touched on here, the remedies for delinquency may be summed up by saying: Our homes must do much more; our schools are not yet meeting the full need; and our churches are not yet going into the byways and bringing in these unfortunate youth. The harvest is truly plentiful but the real laborers are too few.

Chairman KEFAUVER. That's a very fine statement, and it has some good recommendations, and you tell Mr. Ford that we appreciate it very much, Mr. Miley.

Mr. MILEY. I might say one more thing. As Mr. Daly, the assistant attorney general, spoke on the Governor's committee on alcoholism, the board of supervisors has appointed a committee on alcoholism, of which I am a member, trying to implement something along the line of alcohol clinics in southern California. So what will become of it, I do not know. The committee is a new committee just started, and we hope that the county through the clinic will be able to do something which will relieve some of the alcoholic problems which have been cited here before as the cause in the homes by example of juvenile delinquency. That's about all I have to say.

Chairman KEFAUVER. Thank you very much, Mr. Miley. We appreciate your coming.

Mr. MILEY. Thank you.

Chairman KEFAUVER. The next witness will be the Rev. Andy Griffin, pastor of Emmanuel Methodist Church, Los Angeles.

**STATEMENT OF REV. ANDY GRIFFIN, PASTOR, EMMANUEL
METHODIST CHURCH, LOS ANGELES, CALIF.**

Chairman KEFAUVER. Is that right, Reverend?

Mr. GRIFFIN. That's correct, at 830 South Herbert Avenue, Los Angeles.

Chairman KEFAUVER. How large is your church and how long have you been a pastor?

Mr. GRIFFIN. My church is located in an area in which my constituency belongs to another major denomination, and consequently on Sunday mornings our congregation is a very small congregation—30 or 40 people. However, we work in and our major ministry is with the youth groups in the community that attend other churches.

Chairman KEFAUVER. Will you tell us all about it, Reverend?

Mr. GRIFFIN. That church is located in an area where there is an apparent need for concern for the behavior problems of young people. This is our major ministry. We are only one of the several institutions and agencies maintained by the Methodist Church in this area.

Concerning the recognition, the theoretical, and the basic comments regarding the delinquency, I concur with Dr. Lindquist and Supervisor Ford and others who have added their comments.

Ninety-eight percent of the teen-agers and young adults that we are working with are members of another major denomination. Of course, financial support cannot come from the very small congregation of the church. For this reason the Missionary Society of our denomination and the service clubs of southern California, as a result of lectures I have made in those organizations, are the basis of our financial support.

Facilities are very small and in state of bad repair. Private homes, a hospital executive's conference rooms, and county recreational facilities furnished the settings for our activities.

At the moment I recognize these facts about the youth situation in our area. For one thing, there is a very significant growth in the kind of group that is not identified with any established agency, public or private, but rises spontaneously out of the community and becomes autonomous and entirely gregarious in its own rights. These groups are not anti-authority groups. Actually, they seem to be searching for supervision acceptable to their particular needs. They accept behavior-problem youth and behavior-problem youth accepts them. In other words, this particular group seems to fill a void that I have felt. The kind of group that will accept the kind of kid that is not acceptable in the so-called youth groups, the difference between that kind of a group and the gang group, this seems to be the void.

No. 2. The supervisors or sponsors of these groups are being drawn from the ranks of the average citizen. These folks are ready to help but are conscious of their inadequacy in handling behavior-problem youth. A very significant group has developed in the county probation department called the group guidance section. These men, probation officers under the direction of Carl Holton, probation officer of the county, are helping to supplement the efforts of these unskilled sponsors for these groups.

To make it very short, it seems to me that the need to help kids that the average citizen wants, has had for some time, is being met by these

men out of the probation department, the group guidance section, that are coming out and helping us and supplementing our own inadequacy with skilled guidance. To meet this is one of the most significant developments and growing aids to delinquency situations.

No. 3. The new developments in supervision have somewhat lessened the skepticism of public facilities in permitting groups to have activities and to function where they once had skepticism bordering on fears; in other words, do we let the behavior-problem group or the groups bordering on behavior problems use facilities where the masses of youth attend?

No. 4. I have the privilege of serving as 1 of 9 appointive commissioners of public welfare in this county, and one of the duties of this group is the granting of permits to conduct teen-age dances. Now, this body has developed the policy of interviewing sponsors and teen-agers belonging to clubs that are appearing for a teen-age dance license. And out of these interviews have come significant hints as to their problems. The commission then has instructed one of the commissioners to visit with these groups that are getting licenses and to go over some of their problems with them. In this way it comes to the attention of society and agencies representing society that these groups do exist in the community and then we in turn act as referral agencies to the other groups that can help them with their problems.

I feel there is a need for an agency which will have a good rapport with such groups as these, to be composed of men and women who have had, by virtue of personal experience or association with behavior-problem youth, an adequate background to deal with them. In the vernacular of the community, let me say, Senator, that some of our groups in areas where behavior problems are prevalent, just don't dig squares, that is all.

And there is a need for this kind of a coordinating effort. Such a group could keep close contact with club patterns and problems.

The previously mentioned group guidance section of the probation department seems to be working toward this end. Precedent values of this kind of an organization have been established by groups known as the Federation of Social and Car Clubs of California and the East Los Angeles League of Clubs; who, with only the help of citizens from the community, have taken groups once hostile in their behavior toward one another and found common grounds for them to coordinate their efforts on. And in so doing do away with the hostile feelings. And this has resulted in an emphasis on kids spending the money that they make on their teen-age dances on charitable activities. For instance, the city of Hope had recently much of their income come from these car clubs that were out soliciting funds throughout the Los Angeles area. And I feel that not all of them but many that I know of, the vast majority of them, the kind of kids that are in these groups could very easily be borderline behavior problems if they didn't have somewhere to channel their activities.

Incidentally, these groups are earning their own money. They don't seem to be bothering Mr. Ochoa or Mr. Nevada's group particularly, the federation. Mr. Ochoa and Mr. Nevada are here today.

They have not asked any money from merchants in the community. They haven't solicited the community. They are using money from their teen-age dances to buy their jackets—other group meetings that they have.

Recapping quickly some of the things: Liquor continues to be a growing problem. School dropouts represent a serious problem. However, the laws of California provide for youth over 18 to enter college without taking full high school courses. The East Los Angeles Junior College has made rapid strides in their area, and many young people who never finished high school in the east Los Angeles area particularly are going to school now and seeking an education at the college level.

Generally speaking I echo the optimism of Chief Parker. However, I feel that the general tone is still tense, and with this tenseness comes a great opportunity to work with youth groups which seem to be rapidly taking the place of the old gang pattern.

Chairman KEFAUVER. Thank you very much, Reverend Griffin, for your interest and your statement. We appreciate your observations very much.

Are there any questions, Mr. Bobo?

Mr. BOBO. No.

Chairman KEFAUVER. Thank you very much.

Mr. Ralph Johnson, superintendent of the Twin Pines Ranch, Banning, Calif., will be our next witness. Mr. Johnson has to go back to Banning here very shortly. It is good to see you, sir.

Mr. JOHNSON. Thank you. How do you do.

STATEMENT OF RALPH JOHNSON, SUPERINTENDENT, TWIN PINES RANCH OF BANNING, CALIF.

Chairman KEFAUVER. Mr. Bobo, will you ask Mr. Johnson the preliminary questions?

Mr. BOBO. Mr. Johnson, you are superintendent of Twin Pines Ranch in Banning, Calif.?

Mr. JOHNSON. That is right.

Mr. BOBO. How long have you been superintendent there?

Mr. JOHNSON. Seven years.

Mr. BOBO. And prior to that time your experience was with youth or some other service?

Mr. JOHNSON. I was with the United States Indian Service at a youth boarding school for Indians in Riverside, Calif.

Mr. BOBO. And what type of a ranch camp is Twin Pines? What type of program.

Mr. JOHNSON. Twin Pines Ranch is a high school for youth with problems, youth which you refer to as delinquents. We started with 2 boys and at the present time we have 64. There has been some 250 boys go through the ranch program. Out of our ranch program we now boast, if you want to call it boast—but we are very happy to say—that there is an 82 percent rehabilitation of these youths from the ages of 15 years and 9 months through 18 years.

It is entirely different, and it is a new approach to the treatment of youth with problems, in that we, as Chief Parker mentioned, have gotten away from the rural way of living. But that is not so at Twin Pines. We have gone back to the rural way of living.

Mr. BOBO. Twin Pines is operated by the State or by the county?

Mr. JOHNSON. By Riverside County and subsidized by California Youth Authority. That's the State of California.

In building this program we found it necessary to first make a home for the boy; secondly, to get him back on his education, because so many of them were boys who had left school for different reasons, and many of them were habitual truants.

We have a very fine academic program which is a credit. It is a credit even to a point that we belong to an athletic league which is a member of the California Athletic Board or whatever it is.

The next thing we thought about was, if this was going to be a good home we would give them the academic subjects and next would be to teach them to use their hands profitably and we started out on just a little old ranch; at the present time we are constructing all of our buildings, which are made out of cement blocks which are also made at the school itself. And to do this we couldn't get the traditional type of counselor. We had to get a counselor who was a craftsman, an artisan at the trade, a man who was sympathetic toward boys with problems, a man who could teach the boys to use their hands properly and a man who could use a lot of horsesense in his counsel. And it has paid dividends. Of course, we also have special trades besides the building trades, and then we have a very fine agricultural program. The next was religious guidance and we left that up to the Ministerial Association at Banning and the priest of the parish. The priest comes up on Saturday morning and conducts his service and on Sunday morning occasionally we have a pastor come from below. But the boys would much rather conduct their own services right at the school. And if you ever want a spiritual lift come up to the ranch on a Sunday morning right after a good ranch breakfast and see what the boys can do in conducting their own program.

We had to give the boys many, many traditional niceties that makes for a good home; that is, on Easter Sunday, a basket of Easter eggs in front of their plate; on a boy's birthday a cake and everybody sings Happy Birthday; on Mother's Day, cards to send home, or Father's Day cards, if it is that day, and a big Christmas. Those are not paid for by the county; they are paid for by the people of Riverside County who have been very nice to us. And I must say this, that the social contact we have with the public has been one of the big features toward rehabilitation at Twin Pines.

We lean toward dramatics also. Everybody has a bit of dramatics in them. They like pageantry and so we go to pageantry.

Speaking about rural living, on the day a new boy comes to Twin Pines Ranch he is met at the gate by an old ranch surrey pulled by two beautifully matched horses. And he is met at the gate where it says "Howdy Partner" with a warm handshake because we feel at Twin Pines that a warm handshake is the helping hand that the boy has been looking for.

And then with the superintendent the boy rides down a tree-lined dusty road toward the ranch, and he is told what is expected of him; that there are no rules and regulations; that we live on tradition at Twin Pines; there are no fences, there are no locks, that there are no barred cells, and there are no guards. There is no punishment, there are no rollcalls, that we live as a person would live in a good home.

Runaways are very, very few. Of course, if a boy leaves the ranch he understands he never comes back. But the boy understands all of this by the time he reaches the office where he is registered. And he

is not committed to the ranch; he is placed at the ranch because we do everything we can to relieve any stigma being attached to the ranch.

Mrs. Johnson and I work constantly—we have to. Right at the present time we are receiving invitations anywhere from Blyth, Calif., to Ontario and from Barstow to Newport Beach, inviting us to attend the commencement exercises of boys who are going to graduate. It is pretty hard to set yourself that far, but we do our best.

Chairman KEFAUVER. You mean boys that have been to the ranch and who have gone back to school?

Mr. JOHNSON. Who have gone back to school, who would never have graduated had they not had the benefits of the Twin Pines program.

I would like to invite you on Friday afternoon and the rest of your team to come out and see 14 boys mount a stage, an outdoor stage, dressed in caps and gowns to the tune of an organ, playing in the mountains, and receive their diplomas like any boy in any public school would receive them. I would like very much to have you come and see that.

On graduation exercises that we see in so many institutions they ask, "Is the boy ready to leave?" The party that is going to take the boy away from that facility picks up the boy and before the boy has an opportunity to say goodbye to some of friends he is taken away.

At Twin Pines Ranch we do differently. On the day of graduation we hitch the hitching rack outside the bunkhouse and there are many horses bridled, and we do have horses there too—What is a ranch without a horse?—on that morning the horses are saddled and bridled and hitched to the hitching rack outside the bunkhouse. That is indicative of how near the boy is going to leave that day. Over the breakfast table, after the dishes are cleared away, the superintendent announces who is going to graduate, and then each staff member talks to the boy. Sometimes it is an admonition, but mostly always praise.

And it goes on that way through the day until the noon hour, when we have the boy seated at the guest table with his guests. It is an honor table. After the meal is over, he is presented with a farewell gift, which is a wallet and the next presentation is made by the superintendent, and that is the money he has saved while he has been at the ranch. We do pay them 25 cents a day for their labor there, for their work. We then go to the corral, which is some quarter of a mile away from the boys' bunkhouse, and around the old ranchhouse, and there in the center of the corral is a huge white snubbing. And around that snubbing post we form a human wagon—the men do and the boys—and in the meantime the superintendent, riding in the surry, and the graduates riding on their favorite horses, ride up to that area. When we get there, the buggy is racked some 40 yards down the road headed out, and the graduates hitch their horses to a hitching rack outside the tack room which is adjacent to the corral gate.

We then go in and join this wagon wheel. As soon as this forms, it starts whirling around to the tune of Roll on Wagon Wheel. The song ended, the boys and the wheel breaks and we separate all over the corral. And then as they reform the wheel spoke by spoke, with the graduates standing a short distance away, the first boy walks in and the last boy turns and admonishes that "T" stands for truth—always be truthful. The next boy walks in, the last boy turns and admonishes the youth who is leaving "W" stands for "Winner," always be a winner and so on until all the letters of Twin Pines Ranch have been used.

The wheel formed again with the new boys in it, they start rolling again to the tune of Roll on Wagon Wheel. The wagon wheel breaks this time and they form a gauntlet at the corral gate. The graduates walk out through the gauntlet and unsaddle and unbridle their horses and hang their gear in the tack room for the last time, and lead their horses down the gauntlet and turn them back into the corral. And then as they go out they have an opportunity to shake hands and bid goodby to every fellow on the ranch, staff members and ranch hands included. The superintendent meets them at the gate, and then as we walk to the ranch surry, which you have pictured there some 40 yards down the road, all the ranch hands and staff members lean over the fence singing a farewell song. I can't sing it, but I can repeat it:

We sure do hate to see you go,
 To us you have been a pal, you know,
 But go if you must, we'll watch the dust
 As you ride on down the road.
 It's been swell to have had you here,
 So so long and be of good cheer
 You hear us all say, "So long partner."

And then as we step up in the buggy we all shout "So long partner." And away we go to this huge ranch gate where it says "So long, partner," and it is there that the superintendent bids goodby to this fellow who spent a little while where surely God must have spent a lot of time.

I have just a few of these. It is an entire quotation of the ranch.

Chairman KEFAUVER. These and your pictures will be made exhibits. This is a marvelous effort, Mr. Johnson, even if it affects only a few boys.

(The document referred to was marked "Exhibit No. 3," and reads as follows:)

EXHIBIT No. 3

TWIN PINES RANCH, RALPH JOHNSON, SUPERINTENDENT

Nestled in a picturesque little valley on the northern slope of stately and majestic old Mount San Jacinto peacefully lies Twin Pines Ranch, a resident high school for boys with problems. This ranch home is 11 miles southeast of Banning, Calif., and is under the jurisdiction of the Riverside County Probation Office. There are 320 acres of land within its borders, 40 of which are set aside for the proposed physical plant; another 50 or 60 acres are suitable for and will be devoted to agricultural projects. The remainder of the land blends from rolling hills to rough mountainous terrain, wild with chaparral, scrub oak, sycamore and pine trees.

The sole purpose of Twin Pines Ranch, its general program and curriculum, is the true rehabilitation of the boy. Therefore, if the four basic needs of a boy with problems are love, attention, recognition, and adventure, then this ranch with its mountains, valleys, rocks, trees, and lakes is ideally situated for the youth to find adventure.

Staff members are selected for their ability to work with boys that are socially maladjusted. They are men who are sympathetic, understanding, patient, and can teach them to use their hands for legitimate, profitable gain. A boy who has confidence in an adult with these qualities cannot but feel that he is wanted, is recognized and loved. That type of staff member gives the youth the attention needed to reestablish the confidence within himself so vitally needed to carry him through his adjustment period.

Inasmuch as the curriculum is suited to the needs of youth whose maladjustment to society often manifests itself in intense dislike of traditional schooling, it is of the utmost importance that our curriculum be one that is suited to the needs of the boy, rather than attempting to mold him into a pat-

tern which he has already shown no desire to follow. Since its inception, much lipservice has been paid to the educational philosophy of "learning by doing," but in actual practice, this ideal fell far short of fulfillment. Certainly the opportunity to make "learning by doing" a reality has been achieved at Twin Pines Ranch to a degree seldom possible in the usual school situation. Any curriculum which failed to take advantage of such an opportunity would therefore be little more than useless, and all our aims are toward vital and functional teaching which would help these boys better to make their peace with themselves and their environment.

In all cases, we attempt to relate closely the academic subjects we teach to the vocational education with which we hope better to equip these boys to get along and gain recognition without recourse to antisocial means. Such a curriculum must of necessity be highly flexible in order to fit into the needs of the individual, and in order to help him to find out for himself the field in which to find his greatest worth and happiness. In the event we find individuals whose aptitudes and abilities are such as to warrant higher education than the secondary level, we stand ready to help them achieve such a goal.

In vocational education, we attempt to use every possible means to teach useful skills by actual work on jobs necessary to the building and maintenance of a well-run ranch, so that the boy can look to his finished job and know that he has really made a contribution to the general welfare. We purposely avoid "pseudowork" hastily put together for instructional purposes, and just as easily demolished as soon as completed. Under the guidance and instruction of our counselor-instructors, the students in vocational education construct the buildings in which they eat, sleep, attend school, work, and play. Besides the building trades classes, there are several special trades, which the boy may select as his vocation. These special trades are machine shop, both types of welding, tin and cooper smithing, auto mechanics, cooking and baking, and laundry operation. Vocational agriculture is an important part of our educational system. Here, also, the practical application is productive as well as instructive.

On the academic side of the curriculum, we believe that mathematics can best be taught by helping the boy to see for himself the necessity for its use in planning and completing work within the broader skills we are attempting to teach. Our aim in English is to help the boy express himself satisfactorily, both orally and in writing, so as to establish better communication between the boy and his ranch and his home environment. Under social studies, good citizenship, of course, can best be learned by being a real contributing member to the everyday life of the ranch. But since we cannot live in a vacuum, we believe that we should help the boy to become aware of what is going on in the world today, and the possible effects of those occurrences upon himself. Also, being a citizen of democracy, we should create in the boy a reasoning respect for the rights of others regardless of nationality, color, or creed.

Although we will be hampered for some time to come by lack of equipment and modern playing fields, we believe that we do best to concentrate almost entirely on games with a great deal of carry-over value for the individual so that he can continue to work off surplus "steam" through worthwhile recreational activities even after leaving the ranch. Physical education is a required subject in the regular educational curriculum. In order that our boys be given wholesome contacts with the community at large, as well as lose some of their selfish devotion to themselves by participating in team sports, we are very fortunate to have been invited to be a member of the Arrowhead League. Our participation in this league makes us a member of the California Interscholastic Federation (C. I. F.).

In the rehabilitation of the boys through the educational process of social living, our aim is to give each individual boy the guidance necessary to help him evaluate his abilities and preferences, and to make his own decisions as to what occupational and formal school work will be of the greatest help to himself while at the ranch, as well as to his future success in life. The boy must learn to make his own decisions if the rehabilitation program is to be of lasting value. Methods used to carry out this purpose:

(1) Counseling and guidance by ranch supervisors and the teachers through personal interviews and in group instruction in the classroom and on the job. The teachers help each boy to find a new attitude toward books and the classroom. By patient instruction, they will endeavor to get the boy to discover for himself that he is able to do the basic or elementary subjects that before seemed impossible. Thus, confidence is gained and self-expression realized. The work supervisors help the boy to discover and develop his occupational interests and

abilities through trial and error, and by the supervision of his efforts on a particular job.

(2) Correlation of classroom and field work accomplished by daily coordination of their specific activities by teachers and work supervisors. The boys are thus made to realize in concrete form the connection between their classroom studies and their work projects.

(3) Orientation period of testing the boy for the most effective placement in the school and work program. Also, he is given an opportunity to choose his vocation:

(a) Time—3 weeks more or less.

(b) Temporary assignment of each boy to a job in order to learn his aptitudes and preferences.

(c) Formal tests given by the teachers to help the boy to find out for himself what his deficiencies in school work are and what he must do to correct them. Also, they help to uncover the boy's particular interests and abilities.

The boys are granted high school credit for formal instruction and occupational experiences at the Twin Pines Ranch High School. In creating a new social environment, it is proven that self-direction on the part of the boy is essential to true rehabilitation, work and study on a voluntary basis; rewards rather than punishment; learning by doing.

The newcomer to the ranch is immediately a part of the program by his acceptance on the part of the group. He is not placed in an indoctrination group to do the dirty work until he is replaced by another new boy, nor is he ever placed in a punishment work group. This is an educational institution and it is impossible to truly educate by punitive tactics. Difficult jobs are manned by rotating boys from different shops and cleanup is done by all boys the first period after breakfast. All boys make dirt, so all boys clean up the ranch grounds. Home atmosphere builds confidence and self-expression through the feeling that each boy has a place and is wanted. Such an atmosphere fosters the realization that each boy has his own special contribution to make to the enjoyment and welfare of the ranch as a whole. Fewer rules and regulations, minimum supervision, less restriction, and no staff coercion have been replaced by group control, which is the outgrowth of self-direction, confidence, and appreciation. The boy must be impressed with a sense of responsibility toward the group, that all the liberty and attention he receives is not *carte blanche* to infringe upon the rights of others.

The ranch attempts to provide a homelike atmosphere for him by providing him those traditional niceties that a good home provides by helping him celebrate his birthday, and holidays, particularly Christmas. These special events are no longer just accepted: they are appreciated and looked forward to. Ranch atmosphere will give the zest of concrete things to do, love of out-of-doors, a wholesome channel for a boy's natural love of adventure and achievement. What is a ranch without horses, and what are youth years without the advantage or privilege of caring for or riding horses? Twin Pines Ranch has its stables, tack room, corrals, pastures, and horses. Riding in the hills atop his favorite horse, a boy is at peace with the world. Swimming, fishing, hiking, and horseback riding—all these, plus regular hours, plenty of good food, plenty of sunshine, and a chance to be clean tend to make him a better physical specimen, which in turn helps his mental state. For once in his life, he is finding himself in an environment relatively free from anxiety.

While at the ranch, the boys receive a small daily wage with which they must purchase personal necessities, i. e., toilet articles, writing materials, haircuts, etc., and confections and soft drinks. By this method, staff members have an opportunity to teach them the value of a dollar and how to save because, when leaving the program, they receive their savings, which can be a helping hand as they start life anew away from the ranch.

During the slow steady growth of the boy population, as well as the physical plant, traditions have infiltrated into the program to the extent that they are now a potent power which not only directs the boy at the ranch, but also guides him when he returns to society. Many of the traditions are purposely dramatized to stir his emotions, making lasting impressions upon the youth.

At the entrance to the ranch, a large white ranch gate has been erected upon which has been carved the words "Howdy P'ahdner." The superintendent greets each new student ranch hand beneath this huge gate with a hearty handshake. Perhaps that handshake is the helping hand that the boy has long been looking for. The boy and the superintendent drive to the ranch house, about one-half mile away, in a ranch surrey drawn by two well-matched paint horses. During

the drive, the superintendent tells the youth "Why Twin Pines Ranch," and the results that will be attained if the boy forgets his past and builds only for the future. If the boy comes to us in a rebellious state, fearful of the new environment into which he has been thrust, he cannot help but lose that fear on this buggy ride down a tree-lined country road past the glistening waters of the lake upon which white ducks are resting. At the end of the road, the sight of the rustic old ranch houses appeals to the inner soul of the boy which edges out much of the "inner rebellion"; this is the objective of a good ranch therapeutic program.

Arriving at the ranch office, his parents' address is verified so that a personal letter may be sent notifying them of his arrival. He, then, is introduced to a chief counselor, who fits him out with his ranch outfit and assigns him to his "brand." The brand leader takes over, shows him the ranch and acquaints him with the other brand members with whom he will be identified while at the ranch. To round out his reception, at his first meal, the boy is introduced and made welcome by the entire group singing the ranch welcome song. Seeing and hearing the entire student body participate in his welcome has a stabilizing effect, making him feel that he is accepted.

Each boy is assigned to a counselor to whom he may go for advice, consolation, and guidance. However, realizing that there are clashes of personalities between individuals, the youth is told that he is privileged to go to any counselor that he finds to his liking. On-the-spot counseling is effective and is in keeping with the homelike atmosphere, but by far the most effective and impressing counseling is over the chuck-wagon tables, after meals, to the entire group.

So much freedom and so little supervision during the boys' free time does not mean that the staff members have a lackadaisical attitude such as "out of sight, out of mind." They believe a disturbed youth must work out his own problems; therefore, he shall supervise himself and his actions. Little acts which might be considered antisocial can be straightened out by group control.

Social contact with the public away from the ranch is attained by attending the theater in the village every Saturday. This is not a reward for the conformist, but everyone's treat. When we say this is not a punitive but educational institution, we mean just that. Some boys just cannot do everything right; should they be punished for this? Is it not better to teach a boy that he is entitled to all benefits as any other boy and not to put forth his right foot occasionally to selfishly gain benefits, but rather show his appreciation for our kindness by an honest endeavor to do right?

Visitation of service clubs who hold dinner meetings at the ranch has been a wonderful social contact. Businessmen and women taking time out to come up and break bread with the boys take away that self-planted stigma and replant the seed of self-respect and confidence. Occasionally, groups of young people come to the ranch for community sings and folk dancing. Music hath charms; so does a wholesome young lady who will spend her evening that a disturbed youth may enjoy dancing and singing.

There comes a time when the ranch program has completed its work and the staff members feel that a youth is ready to go back to society. Without graphs, charts, or a file crammed full of useless scribblings on paper, how do we know when a boy is ready for graduation? Some people facetiously call it the intuitive system. But who cares what it is called? Ours is a feeling that he is ready. This day is one long to be remembered by the graduate, the staff members and the remaining ranch hands. If a program such as ours is actual and not the "lip service" type, then members of the staff have learned to love the boy, and his absence from the ranch program is surely and sincerely to be felt.

It is a tradition that any morning when the boys arise and find horses saddled and bridled hitched to the hitching post outside the bunkhouse, that is graduation day. The number of horses is indicative of the number of boys graduating. After the breakfast dishes have been cleared away, the superintendent announces the names of the graduates. Then while all are assembled in the chuck wagon, the staff members each say their parting words to the graduate. Sometimes they are admonished, perhaps counseled or advised. The words spoken, good or bad, are always as the staff members look at the boy and his future—above all else, they are truthful. This is sort of a "pop to boy" deal at the time of breaking family ties. The remaining ranch hands go to the regular program while the graduating boys invariably go to the stable, saddle their favorite horse and ride over the hills. On their return, they usually confer with their adviser and best friends for a few moments, then go to the ranch office and receive the statistical report on their payroll account.

At lunch time, the graduating boys are seated at a special table. When lunch is over and the tables cleared, the boys' best friends present them with a traditional graduation gift, a wallet. The superintendent then presents the check covering their savings. Guests are called upon to say a few words, and after that the graduates are given an opportunity to say what is in their minds. The next person called upon to say something to the graduates is a boy selected at random (usually a fairly recent arrival), to say a few words in behalf of those who are staying at the ranch.

This particular session at an end, the staff members and ranch hands gather in the corral and form a human wagon wheel around the snubbing post. The superintendent, driving in the surrey, and the graduates riding alongside astride their favorite horses, go into the corral, join the wagon wheel, which rolls around as the boys sing Wagon Wheels. The wagon wheel breaks, and as it is reformed, spoke by spoke, with new hands joining in, the graduates standing nearby are admonished by the last boy in each spoke—"T" stands for truth, always be truthful; "W" stands for winner, always be a winner, and so on until all the letters of Twin Pines Ranch have been used as admonitions to the graduates. Twin Pines Ranch is spelled by the spokes in sequence, then the entire group pronounces the words and the wheel again rolls on. The boys form a gauntlet to the corral gate through which the graduates walk to their horses. They unsaddle and unbridle the horses and hang the gear in the tack room for the last time, turn their horses into the corral and as they walk out through the gauntlet, they receive that friendly slap on the back or a farewell handshake. The superintendent meets them at the corral gate and walks with them to the surrey, and as they walk, the entire group, leaning on the corral fence, sing these words: "We sure do hate to see you go, to us you've been a pal you know, but go if you must and we'll watch the dust as you ride down the road. It's been swell to have you here, so smile and be of good cheer, for as you ride away, you'll hear us all say * * * " (and as the boys step up in the surrey), the boys at the fence about, "So long, pahdner!"

The superintendent drives the boys in the surrey past the old rustic ranch house by the lake with the ducks swimming gracefully about, up the tree-lined road to the ranch gate where upon its huge beam is carved these words: "So long, pahdner." Beneath this gate, the superintendent bids so long to those young men who spent a while where surely God must have spent a little more time than elsewhere.

Mr. JOHNSON. That is what I am here for.

Chairman KEFAUVER. If it is done here and there it amounts to a whole lot.

Mr. JOHNSON. I would like to see these all over the country.

Chairman KEFAUVER. How long would a boy stay?

Mr. JOHNSON. That is up to him. When he comes to the ranch we say it is up to him, and when we feel that he is ready we will send him out. The average length of stay is about 11 months. There are some who have left at 6½ months.

Chairman KEFAUVER. And where do the boys come from?

Mr. JOHNSON. From Riverside, Orange, and San Bernardino Counties.

Chairman KEFAUVER. How do you get them?

Mr. JOHNSON. They come from the juvenile courts, from the probation departments and they are placed there by the juvenile judges of the courts.

Chairman KEFAUVER. And it is financed by the county with some assistance from the youth division of the State?

Mr. JOHNSON. That's right, sir. And a lot of our money—that is what makes the ranch very appealing and a success—is the help that we are getting from the communities.

Chairman KEFAUVER. This is a great record that you are making, but I wish we had more Twin Pines Ranches.

Mr. JOHNSON. I hope so too, sir.

Chairman KEFAUVER. Thank you very much. Good luck. If any of you good people have an opportunity you would do well to go out to Twin Pines Ranch.

You are Leon Roy, executive secretary of the Catholic Big Brother organization?

Mr. ROY. That's right, of Los Angeles.

Chairman KEFAUVER. Of Los Angeles.

Mr. BOBO, do you wish to ask any preliminary questions?

Mr. BOBO. Mr. Roy, how long have you been with the staff of the Big Brothers?

Mr. ROY. Four and a half years.

Mr. BOBO. You deal specifically with youth?

Mr. ROY. Youth who are in trouble or who in the opinion of the authorities are heading for trouble.

Mr. BOBO. Would you tell us something about it?

**STATEMENT OF LEON ROY, EXECUTIVE SECRETARY, CATHOLIC
BIG BROTHER ORGANIZATION, LOS ANGELES, CALIF.**

Mr. ROY. Yes. I will be very brief.

Our agency, too, is interested in juvenile delinquency, and more specifically in the Catholic boy who is behaving in a manner which is not acceptable to the community at large. Our primary interest is with the boy who, in the opinion of these authorities, is in danger of becoming a delinquent in the more serious sense of this word. Our goal is responsible citizens for tomorrow, and to this extent our agency does not differ substantially from most others which come to your attention. How we reach our goal, however, is unique in the Big Brother movement, which is nationwide with offices in many of the principal cities. We have in Los Angeles also a Jewish Big Brothers, and a third nonsectarian agency which is in the process of being organized.

We are particularly fortunate in that we have at our immediate disposal in this city over 100 men who are sufficiently interested in the welfare of youth to spend a few hours each week or so with the boy who has been brought to our agencies. These are professional and businessman who recognize that their community responsibilities transcend their own lawabiding contact and financial support of State and private welfare institutions. These men are willing and able to make an additional contribution, and it would be a serious loss to the welfare of this community should they not be afforded the opportunity to do so.

But it is not only for the sake of using this important resource in manpower that we introduce these men to an individual boy; our primary concern remains with the boy who also benefits from this type of association. Experience has shown us, as has been said earlier here this afternoon, that a boy in the process of his development seeks to pattern himself after someone or his ideal. This is a well recognized process, and probably is at the core of this investigation, because boys are susceptible to pictures and influences. It is their need to imitate just as it is their need for an idol and some recognition, and, of course, boys will satisfy these needs one way or another.

It is in recognition of these facts that we introduce our boys to a big brother, such a man as I have described, who by frequent and close association wins the boy's friendship and respect, and eventually becomes his idol. This process whereby a well motivated and able man exerts his influence on a boy has proven its worth many times over, not only in our own agency but throughout the country.

An element necessary in the success of this work, and one which we enjoy, is the cooperation and help of our county juvenile court and juvenile police departments. It is the basic understanding of children's behavior on the part of the representative of some of these departments that makes our contributions toward better citizens of tomorrow possible.

We are interested in boys between the ages of 8 and 18. We are particularly interested in having these boys referred to an agency such as ours from the police who are generally in the position of having these boys first come to their attention when they behave in a manner which is not entirely acceptable.

I believe that briefly explains our program.

Chairman KEFAUVER. Thank you very much, Mr. Roy. I know we are all interested in the Big Brothers' effort. It is a wonderful influence all over this country. You have 100 men who are willing to give some of their time and thought and effort to this cause?

Mr. Roy. That's right, and who give considerable of their time and considerable of their thought and patience to these boys.

Chairman KEFAUVER. How many boys, let us say, in the course of a year, do you reach in this way?

Mr. Roy. Last year we were able to work with 758 boys.

Chairman KEFAUVER. Just how do you do it? Do you meet every so often and meet with their Big Brothers and the Big Brothers keep in touch with what they are doing?

Mr. Roy. Exactly, sir. I think you have heard of this program through an investigation in Washington where a representative of our national organization spoke to you on the committee.

A boy who needs this type of association, comes to our attention, and we find in his immediate neighborhood a man who is willing and able and has sufficient patience—because it does take patience to assume this responsibility—to spend some time with this boy. He will do various activities with this boy of a nature which are interesting to both. Through these activities, which are only a method of reaching this boy, he will win the boy's friendship and his respect and his confidence, and he, the Big Brother, will become the person that every boy needs to look up to at some time in that boy's life.

These associations will last frequently on a lifetime basis. We have a big brother who some years ago acted as a big brother to a little brother, and in addition to standing up for him in the process of his marriage, he is now serving as a godfather at his child's baptism.

Chairman KEFAUVER. It is important and wonderful because it is the giving of one's own thought and time and attention to the child. We think this is one of the marvelous efforts throughout our Nation, and we certainly want to encourage you in what you are doing. I think it has meant much to tens of thousands of kids all through this country. We thank you very much.

Mr. Roy. Thank you, Senator.

Chairman KEFAUVER. We are glad to see.

A little while ago Mr. Ed Ladeck who has been helping the committee and who is Congressman Roosevelt's fieldman was here, and I just wanted to tell him how grateful we are for his assistance.

Mr. NORT SANDERS is our next witness.

Mr. SANDERS. My name is Nort Sanders and my position is chief, Community Services Division, Probation Department, Los Angeles County.

Chairman KEFAUVER. Mr. Bobo, will you ask Mr. Sanders the preliminary questions? Then give Mr. Sanders an opportunity to tell us what he knows about this situation.

Mr. BOBO. Mr. Sanders, how long have you been with the Probation Department of Los Angeles County?

Mr. SANDERS. Sir, since January 1939.

Mr. BOBO. And you work under the direct supervision of Mr. Carl Holton, is that correct?

Mr. SANDERS. That's right.

Mr. BOBO. The function of your department would be to accept from the juvenile courts those who are committed to the probation department by the juvenile courts?

STATEMENT OF NORT SANDERS, CHIEF, COMMUNITY SERVICES DIVISION, PROBATION DEPARTMENT, LOS ANGELES COUNTY

Mr. SANDERS. Well now, the particular division of work that I have is our community services and that includes the crime and delinquency prevention work in my department. In my particular office of work we do not handle the investigation and supervision of cases for the juvenile court; we have the community organization program, the coordinating council program for developing community interest into a concerted effort in correcting community factors that contribute to delinquency. We have the group guidance program, incidentally the staff that Andy Griffin referred to that are assigned out into the so-called gang areas of the county. That staff works full time and exclusively in these so-called gang areas with very hard to reach youth. We also staff the county committee on juvenile relations and provide the county coming-home program.

Mr. BOBO. Would you tell us something about the work that your community services division does with youth gangs and relative to them?

Mr. SANDERS. Yes, sir. Our department has taken responsibility in this field since 1941. That was at the time that there was considerable gang warfare, the so-called zuit-suit or pauchuca-riot days. We entered the field because all agencies at that time were asked to help in any way they were equipped to do so because of the community crises. We also faced very real problems in our juvenile-court work in handling the case of a boy who would be brought before the court involved in gang activities. Very frequently, or usually would not be the youngster who precipitated the difficulty, but one who happened to be picked up. And in returning him to the community with directions that he should not associate with boys with whom he has been in trouble, he should have certain restrictions that would put him in direct conflict with the prevailing pattern of life in the community

where he lived posed such problems such that we were anxious to do it for that reason. We also felt that principally in all fields and certainly in the welfare and youth field prevention must be in inseparable partner of treatment. And we hear a lot now about detached workers, progressive casework, and protective services, and actually these have been the basic elements of our program since 1941. It was essentially an experimental project, and because of your time factor I won't go into details, except to say that this staff of 10 positions encompass and are assigned to work in the various gang areas of the county.

We took on as a responsibility group cases that would parallel our particular responsibility to individual youngsters. There are many youthful problems, parents who need help in counseling, but that is not the responsibility of the probation department. It is to take only those cases where the problem is so acute that for the welfare of the individual and the public government has a definite responsibility. Therefore, the gang referrals that our department takes are only those in situations where investigation has shown that the youth groups are beyond the reach or resources of existing programs. The situation in the county has had its ups and downs in the gang-warfare situation. These clubs, and hostility between them, has been mostly broken down because of a countywide federation of the youth clubs. So that in fact in all instances these particular groups have been converted into a club type of operation. They have their membership cards. They have learned to elect leaders by the democratic process rather than by the leader taking over.

I am telescoping this very briefly because in many instances it took many months to gain the confidence and support of these youngsters, most of whom are members of our minority groups.

At the present time, we can say that in the county the gang type of violence, the gang type of delinquency, is well down and has maintained a low-frequency situation for quite a period of time. I think that 1 of the reasons, 1 of the main reasons contributing to that, Senator and Mr. Bobo, has been the fact that experience has shown that the best way to approach this type of problem is, of course, an early detection. But it is the integration of effort on the part of the various agencies.

We find that law enforcement now in effect talks the same language as our staff persons, as does, for instance, church influences, such as Reverend Griffin's with the private agencies. Therefore, in the community we have been able to accomplish more of the team approach to meet the needs of these youngsters.

I think that that has been one of the very significant constructive trends in the field of work, has been the demonstration of our various agencies to cooperate as a team and mutually approach this particular problem.

We now are working, incidentally, with about 26 groups in 19 areas throughout the county. One of the main changes that happens is that instead of these groups being all localized in the downtown or eastside area we have found that they have gone out very frequently more to the periphery, because our outskirts now have become so densely populated that youth faces the same problems there that they used to face in downtown Los Angeles.

Mr. BOBO. You find in any of your gang problems here that adults are in any way leading these youth groups or youth gangs?

Mr. SANDERS. I would say, sir, only to the extent that these are very naturally loose groupings. They are loosely structured gangs. In other words, they are an accumulation of those youth and young adults who happen to live in the neighborhood or community.

In response to your question, inasmuch as some of the young people in these areas are what we would call legal age, adult age—maybe they are over 18—maybe 21 or 23—but so far as adult leadership for positive criminal activity is concerned, I would say there has been in our experience a total absence of that. In fact, our gang warfare out here has not been the predatory type for committing planned criminal acts; it has primarily been an expression of their hostility and insecurity by competing for status with other comparable groups. Most of their overt criminal actions have been in reference to other groups of youths such as themselves, rather than against public individuals or the public generally.

Mr. BOBO. In the California youth gang situation, then, you don't have a condition where you will have one block gang interlocked with a district gang, interlocked with a city gang, as we have found?

Mr. SANDERS. No. We don't have that type of situation. Most of the grouping here actually results, I would say, in—this is a field for security by these youngsters, and you will find that the constituents of the groups, the individuals, actually do not desire to get into a fight. They personally don't want to. But there is this esprit de corps: there is this feeling of being chicken; there is the feeling of loss of status if they don't show at least at some levels that they can be superior to some people. But it is not an organized process such as you refer to.

Mr. BOBO. And the detached program which you use is used effectively to combat youth gangs?

Mr. SANDERS. Yes. From the very beginning we recognized certain things, that you have to meet these young people at the level where they are and under the conditions where they are. You can't expect them to come into a building centered program. You have to go out on the street corners and you have to go out to the neighborhoods and you have to establish rapport by gaining their confidence, which is pretty slow, but gradually it can be done, and then using the influence to divert their type of group expressions away from those that endanger public welfare.

The only other thing that I would be inclined to say is this: I heard you earlier talking about the matter of statistics in reference to the delinquency pattern. I know that we have been quite alarmed by the reading of such things as over a 4-year period, 1948 to 1952, it increased 29 percent, over the Nation about 5 times the ratio of the youth population, and then the Bureau of Census tells us that in 1960 the youth population will be 40 percent more than it is in 1952; that these are pretty discouraging factors. With no smugness whatsoever, we can at least indicate that I think likely through community effort, citizenry interest, and agency responsibility—we do know that in the first 5 months of this year as against the first 5 months of last year the records of the juvenile division of the police department show approximately a 3 percent increase in juvenile arrests.

Now, when we check our school enrollment, the youth normally of the delinquency age, junior high school and high school, at the same time we had a 3 percent increase in juvenile arrests we had a 9.1 increase in the enrollment numerically of youth in our high schools and junior high schools, which I think may be more or less a tribute to the agency than it is a tribute to the community.

One of the things that I think I might mention, and which I think is very pertinent, is that we are finding that there is a real eagerness on the part of youth to be involved in that very democratic process, to be involved in planning for affairs that affect them. In our 94 coordinating councils throughout the county they have developed a youth coordinating council where high school youths are meeting and are taking responsibility for sharing, and how they can contribute constructively to community betterment. I think it is developing future community leaders, and we have found that the youths have a real eagerness to participate. And I think when we face the drop of figures in many of our youth problems and so forth we must realize that youth of the high school age has a real potential and will earnestly accept the challenge if we in the field can provide it for them.

Chairman KEFAUVER. Mr. Lane, are there any questions you wish to ask Mr. Sanders?

Mr. LANE. Yes. Mr. Sanders, you said that these young people would not respond to a building type program and you had to go out into the streets and invite them to come in.

Mr. SANDERS. Yes.

Mr. LANE. Do you mean that that is a particular type of youngster, or would you mind elaborating on that situation?

Chairman KEFAUVER. Let's talk louder. Nobody can hear what is going on here.

Mr. SANDERS. The question was whether we found that we did have to go to meet the youth rather than utilize the existing facilities or expect them to come in. That was very consistently a factor, yes, sir.

As I mentioned, the gang activity that we referred to, involving the minority group youth, is also related to the youth in the less dense areas of the community. These youths were never oriented into being personally able to feel that they could successfully participate in constructive recreational programs and programs of other types. They felt that they were not wanted, and they felt that they did not belong, and they felt less secure. And they wanted to belong to a larger group as something to be attached to. And it was very necessary to go right out and meet the youths and accept them where they were with their existing problems, establish the relationship, and then use that gradually to work with them and develop a confidence and a willingness to accept some of these other things that are more readily available to people of average means in our community.

Chairman KEFAUVER. Thank you very much for your statement, Mr. Sanders. We appreciate your telling us about what you are doing.

Your next witness is Chief R. E. Parker, chief of police of Pomona, Calif.

I swore Chief Parker of Los Angeles, and I think I had better swear you, too.

TESTIMONY OF R. E. PARKER, CHIEF OF POLICE, POMONA, CALIF.

Chairman KEFAUVER. You are Chief R. E. Parker of the city of Pomona, chief of police of that city?

Mr. PARKER. Yes.

Chairman KEFAUVER. Mr. Bobo, will you ask him any preliminary questions you wish?

Mr. BOBO. Chief Parker, how long have you been chief of police of Pomona, Calif.?

Mr. PARKER. About 5½ years; since December 9, 1949.

Mr. BOBO. How large a city is Pomona?

Mr. PARKER. Approximately 50,000.

Mr. BOBO. On your police force how many officers do you have assigned?

Mr. PARKER. We have 59 uniformed personnel.

Mr. BOBO. Are any of these assigned specifically to juvenile delinquency work?

Mr. PARKER. Yes, three.

Mr. BOBO. Three officers are assigned to that work?

Mr. PARKER. Yes.

Mr. BOBO. Do you have any type of juvenile program within the police department, such as a PAL Club or Boy Scout activities?

Mr. PARKER. Yes, we do have a well-rounded program. We feel we are keeping abreast of juvenile delinquency in Pomona.

Chairman KEFAUVER. You are a big man, Mr. Parker, and will you just turn this way so that everybody can hear you?

Mr. PARKER. I said we do feel that we are keeping abreast of juvenile delinquency in the city of Pomona in the use of a positive-type program. I would like to point out that the honorable councilwoman of the city of Los Angeles almost scooped me on one of them.

In 1950 the city of Pomona had a lot of problems, hot-rod problems created by hotrod racing, and every night we were receiving calls from irate citizens who were demanding that these disturbances and the danger to their homes be taken away. It didn't take us long to realize that we couldn't quell the exuberances of youth. We put on extra officers and we couldn't chase them down.

And so in an effort to bring the hotrodders under control we decided to join them. We certainly couldn't beat them. So one of the officers, who is a racing enthusiast himself, went to the clubs and explained the nature of the complaints and because of his enthusiasm in the sport was able to become a member of the club. And at a later date the officers of the city of Pomona let them use their local clubroom as a meeting place.

We had organized activities for the hotrod clubs. We had what we call contests for car cleanliness, car safety, and so forth. The club members would lose points by having their car unsafe or unsightly.

Chairman KEFAUVER. Have you got a place where they can race or run out there?

Mr. PARKER. Yes; we do. In 1950 the club members said, "Well, you policemen don't want us to race, but where can we race?"

So we started looking around for a place for them, and we finally found an old airport in San Bernardino County that had been abandoned, and after meeting with the San Bernardino County Board of Supervisors we did obtain permission to use that. I think ours was

the first law-enforcement agency in the United States to sponsor such a track. We did receive inquiries from the boys to join the hot rods.

After several difficulties in getting insurance we did open up in 1951, and the opening date was such a success that there were hotrodders that came from as far away as San Diego and camped on the strip all night to run the next day.

Since that time the program has been such a wonderful success that the city of Pomona, in cooperation with the Los Angeles County Fair Association, formed a league in the city of Pomona and contributed \$5,000 and put a well-organized strip in the parking lot of the Los Angeles County Fairgrounds. Since that time the calls coming into the police department complaining about hotrod racing are practically nonexistent. Before that they used to drive into the local drive-ins and drink beer and curse and create a disturbance, and then the police were chasing them down the street, and that certainly has been alleviated.

The annual statistical report of the California Highway Patrol disclosed that since 1950 there has been approximately a 10 percent increase in accidents each year involving youths under the age of 18, 18 or unquestionably under the age of 20. While the city of Pomona has had approximately a 21-percent increase in population, our accident rate in that category has been less than 9 percent. We feel that that has a very direct reference as to how well the program is working.

Also, the youths around drive-ins, who formerly created a very great disturbance, have ceased such activity, and that condition has been alleviated. And at the same time they have contributed over \$20,000—they are incorporated as nonprofit—these donations go to the city of Hope, the March of Dimes, and so forth, the Children's Home. And they have also given prizes and trophies to other types of clubs that have that activity.

We feel in the city of Pomona that if you give youths a chance, that they will come through, and we feel that the American people have an inherent desire for individualism. We feel that the youth certainly strives to get recognition such as any other person. We have a well-supervised program, and we have channeled their enthusiasm, and we feel that youth will come through.

Referring to the problem of seasonal activities by youths, and particularly Halloween, in 1952 they practically burned the city of Pomona down. These groups would go out and set fire to palm trees and burn telephone lines. And in one section to the south, they turned on so many hydrants, fire hydrants, that the fire department was unable to fight the fire, and generally destruction was caused throughout the city. We realized that this couldn't be an annual program for the youth; we decided to create a regular Halloween committee. The committee was composed of members of the PTA, the YMCA service clubs, and so forth. Plans were immediately drawn for a safe and sane Halloween. This blueprint included the organization of parties not only available to, but attractive to every boy and girl of junior and senior high school age. For the junior high schools, the parties were of the carnival type with games and other means of group activity, and a dance was provided for the members of the senior high school.

A few days prior to Halloween of 1953 a member of the police department and of the fire department appeared at assemblies at these

high schools and made a straightforward appeal to the young citizens to participate in the planned activities and to refrain from destructive type of celebration.

The activities of this program can be quickly summarized by saying that since its initiation Halloween has become an enjoyable event in Pomona, looked forward to by adults as well as children. No extra policemen are required for patrol duty on Halloween nights, and our businessmen no longer expect to find their store windows soaped the morning following Halloween. In fact, as a result of these activities we haven't had one window soaped or one fire hydrant opened or one bit of vandalism on Halloween. This is certainly an indication of what youth can do if given an opportunity and if given recognition.

We had a gang problem in the city of Pomona. In February 1952 two elements of Pomona's youthful society were readied for open warfare. Because of a series of circumstances beginning with an insulting handshake, the situation grew to warlike proportions. This department was in receipt of inside information indicating that nearly 200 youths were about to set upon a Mexican neighborhood with such weapons as rifles, shotguns, sidearms, hand grenades, dynamite, and homemade bombs. One skirmish between these two factions resulted in several cars being nearly demolished and the hospitalization of at least two individuals with serious injuries.

Because of the imminence of the crisis, the idea of a truce meeting between the factions was hit upon and successfully carried out. Since that time there has been no group violence between Caucasian and Mexican-American groups.

Chairman KEFAUER. Chief Parker, I don't like to interrupt, but the people in the back can't hear you at all, so they are misbehaving a little bit back there. Will you speak louder? If you would speak louder, may be you would have better attention from the back row.

Mr. PARKER. The leaders and the outstanding members of each group did come down to the police department, and we did appeal to them to settle their differences in a democratic manner, and as a result we talked them into forming clubs and so forth, in which the county probation department, as Mr. Sanders pointed out, has done a wonderful job. Our local merchants and our local service clubs have followed through, and the same boys that were wielding bicycle chains, clubs, can openers, knives, and so forth, at each other, are now getting first prizes on their floats in the parades. One of them was a float made upon a religious theme called "United Under God," and it was certainly wonderful to see those same fellows, who were booing the police department and creating these disturbances, riding down one of our main streets on a float.

One of our officers was killed in the line of duty, and one of these clubs donated a considerable sum to the officer's widow, as well as making good donations to charitable groups.

We feel that by the police department taking the initiative in establishing fellowship among the youths is certainly putting us well on the way in crime prevention.

The police department has several programs in which they put on dances for the youths, sponsor baseball leagues, and they also send one man to the California Boys' League in Sacramento as a counselor.

I believe that is about all I have to offer today.

Mr. BOBO. Chief, I wonder if in a city the size of Pomona you ever have any narcotic problem with marihuana or heroin?

Mr. PARKER. Yes, we have had, but it has been at a very minimum. Recently, I think—it was about a year and a half ago that we had our major case wherein we had one boy who was selling marihuana to very young juveniles. We were able to apprehend the subject as well as the boys who did smoke marihuana, and as a result of investigation he is in prison now.

Through informants, through friends we made through organized activities we have the names of every juvenile who has ever bought or smoked marihuana, and we do keep a good file and record of that, and through adequate counseling we feel that the marihuana problem is well on its way to solution in Pomona.

Chairman KEFAUYER. Well, Chief, we are very glad to know of the activities over in Pomona as you aspire to carry it out with such success, and we appreciate your coming and being with us today. I think it an appropriate place in the record to insert Chief Parker's article, *Harnessing the Hot Rodders*.

(The article referred to was marked "Exhibit No. 4," and reads as follows:)

EXHIBIT No. 4

HARNESSING THE HOT RODDERS

Over the fireplace in our old family home where I was born, hung an old family heirloom, a tapestry in which was woven the following inscription:

"There is so much good in the worst of us,
And so much bad in the best of us,
That it ill-behooves any of us,
To try and find fault with the rest of us."

In those days, while I could read the words, I never understood exactly what they meant and the important philosophy hidden in them. Their truth didn't really sink in until later years, especially when I entered the field of law enforcement.

"There is good in the worst of us and bad in the best of us."

Every city and village in this fast-moving age of the automobile, the airplane and supersonic travel, have had their trouble with speed—speed on the highway—speed causing death by the thousands each year—speed that involves mature grownups as well as juveniles. The hot rodder is only one aspect of the major problem of our age, and for the most part we have not intelligently recognized this; consequently we have gone off the beam in trying to solve the hot-rod problem.

In Pomona we finally woke up and applied a little psychology and homespun remedy to get the kids on our side—the side that would enable them to let off steam in an orderly and controlled fashion without endangering life and limb of us oldsters, who were every bit in need of a safety belt in our day as the kids are now.

First of all, we became aware of the fact that the kids with their "souped up" hot rods were not all bad. They were a nuisance, a hazard, and a menace, but somewhere and somehow was an answer to their problem. How to let them have their fun—let off steam—yet not do it where lives would be in jeopardy and where the law enforcement would have to be continually tracking them down, giving them the feeling they were lawbreakers, delinquents, and that the cops were against them.

In reality, the kid driving and "revving up" a hot rod was not a criminal or a juvenile delinquent. We knew that from the arrests we had made. When we looked at their crimes in the light of what we had done in our teen-age years, we had a guilty conscience.

Society and congestion had grown up around the kids, but society had not learned how to harness the devilment, exuberance, and tack their boisterous sails along orderly lines.

Every negative approach had been tried. We had so many laws and ordinances on the books even the officers couldn't keep track of them. There were speeches galore on the subject of the hot rodder. You are all familiar with the literature in the field, yet the answer was not to be found in roundtable discussions alone, but positive, intelligent, and understanding action was necessary. As a last resort we dropped the idea of trying to "beat" the hot rodders and decided to "join" them, gain their confidence, and by so doing lend respectability to their sport.

The hot rod problem has been with us for a long time. All brought by a keen spirit of competition between each owner of a hot rod, an extremely hazardous condition resulted by the use of city streets during dark hours for race track activities. As you are all aware, this caused many complaints from irate citizens demanding the hazards to their safety and the disturbance to their peace and quiet, be stopped. Public sentiment, aroused by lack of control, caused large-scale drives against hot rodders by law enforcement officers in southern California. The problem was of such magnitude the California State Legislature enacted laws making it illegal for any person to participate or be in attendance at such races. This had just the opposite effect and hot rod activities increased. Many fatal accidents occurred as the result of a young hot rod enthusiast trying out his "souped-up buggy" at every opportunity. Several spontaneous hot rod clubs were formed, but they lacked organization and purpose and continued on their merry way of giving the public and police officials a constant headache.

A traffic officer of the Pomona Police force, a racing enthusiast himself, was appointed liaison officer between the Pomona Police Department and the hot rodders. In contacting the different clubs and explaining the nature of complaints received by the police department, yet showing an interest in their activities, this officer was able to gradually establish a spirit of understanding and fellowship among them. Some progress was noted in the initial stages. At one of the many meetings, the police department offered to donate the use of the officers' club rooms one evening a week for the hot rod club to use as a meeting place. The offer was accepted. This move proved to be mutually advantageous as it brought the hot rodders and the police department closer together, and afforded an opportunity for each to gain a more thorough understanding of the other's problems.

Efforts were made to find a place for a hot rod track. No one would listen to our plea. Finally, "we cracked the ice" at an old abandoned airfield in San Bernardino County. Another setback—insurance; we finally, after many discouragements, obtained a policy from Lloyds of London. We were open for business, and our opening Sunday was a huge success. Several hundred cars came to watch those "rambling wrecks" roar down the track.

And, let me tell you this—the old adage, "nothing succeeds like success" is true. People flocked to our aid—prizes, timers, and all were offered. We were a going concern and "off to the races" in every sense of the word.

We later, through the help of the city of Pomona, leased the parking lot at the Los Angeles County Fair Ground. The track is better and the attendance is continually increased.

An extensive safety program was initiated into the club's curriculum and added life was given to the club's activities through the medium of supervised "poker-runs", time runs, secret-destination runs, and planned group tours. To stimulate interest further, an activity chart was set up to bring out the spirit of competition. A point system was established wherein the club members could gain or lose points according to their degree of participation in the program. The incentive used to stimulate interest in acquiring the most points was in the shape of a large perpetual activity trophy which is awarded to the winner semiannually. There was such high competitive spirit and interest among the club members that the membership was tripled in a short time. The activity chart and point system were largely instrumental in decreasing the number of citations issued to "hot rodders" and complaints received. The hot rodders have become a forceful group for the promoting of a sound safety program throughout the community. Their spirit and desire to be helpful have accrued to the benefit of everyone. The energy of this youthful group has been channeled along sound and progressive lines. It can be proudly stated that through the cooperative program carried on between the hot rodders and the local police department, there has been a sharp decline in accidents involving the younger drivers. Also, nightly calls received by the police from complaining citizens concerning racing hot rods on the city streets have become practically nonexistent. Whatever problems still existing is usually caused by those who have no knowledge of the program.

The alliance between the police and hot rodders has caused the young drivers to use more consideration in their driving habits toward the public, and the public has responded by taking a keener interest in the hot-rod program. This is further reflected by the attendance at the "Drag Races" held each Sunday on a well laid-out, properly supervised drag strip. The hot rodder is no longer a problem in Pomona—he is part of a program.

The annual statistical report in the State of California Department of Highway Patrol disclosed that, since 1950 there has been approximately 10 percent increase in accidents each year involving drivers under the age of 20. During the same period in Pomona we have decreased accidents involving those under 20 by 9 percent. "Operation Dragstrip," deserves most of the credit for this record of which our department is mighty proud. It is even more remarkable when it is realized that Pomona's population in the 1952-53 period has increased over 20 percent.

One question that has been asked by numerous law enforcement agencies considering the use of a hot-rod program in their respective communities is, "What are the future possibilities of a program of this type in relation to traffic safety"?

The future of such a program depends entirely upon the way the activities of these clubs are conducted in the future. In order to insure proper activities of these clubs, there must be proper supervision and organization. This supervision, if carried out by the police on a friendly basis, can serve as the means of assuring a well-regulated program. If the youthful driver of today is trained properly in his driving habits during the early part of his driving career, and members of law enforcement are participating in his education, then there is a good chance that his future driving habits will be better regulated, and thus, guarantee a safer traffic future for his community.

If the youth of today can be taught safety now through the use of such a program, as the supervised hot-rod program, then drivers of tomorrow will not be as accident prone as the drivers of today are. Not only will many lives be saved, but insurance rates will be decreased, both which society is interested in. Gaining the cooperation of the hot-rodder in today's traffic safety program is tomorrow's insurance for greater safety on our highways. With this program, not only has law enforcement succeeded in suppressing traffic problems, but the close relationship formed between young people and the police will serve as a deterrent to juvenile delinquency in other respects.

And so, if the old adage, "There is so much good in the worst of us and so much bad in the best of us," is true, it behooves us, the law enforcement agencies, through our planned prevention programs to try and bring out and accentuate the good and to control and correct the bad. If we find, through the use of some type of program, we have successfully converted a troublesome element into a cooperative and law abiding segment of society, then we, as members of law enforcement, are doing our job.

If you have the same problem in your community and the hot-rodder has exhausted your patience, scared your citizens, and "raised Cain" in general, why don't you try to join them and by leadership and enthusiasm guide them along accepted channels without throttling the spirit that has made America the great nation that she is.

Chairman KEFAUVER. Who is our next witness, Mr. Bobo?

Mr. BOBO. Mr. Eugene Breitenbach.

STATEMENT OF EUGENE BREITENBACH, MEMBER, CALIFORNIA YOUTH AUTHORITY

Chairman KEFAUVER. All right, Mr. Breitenbach.

Mr. BOBO, will you ask Mr. Breitenbach some preliminary questions?

Mr. BOBO. Mr. Breitenbach, you are with the California Youth Authority?

Mr. BREITENBACH. I am a member of the California Youth Authority; yes, sir.

Mr. BOBO. You are a member of the board of the California Youth Authority?

Mr. BREITENBACH. That is correct, sir.

Mr. BOBO. For how long have you been with the California Youth Authority?

Mr. BREITENBACH. Since June 28, 1953, sir.

Mr. BOBO. Will you tell us something about the composition of the California Youth Authority?

Mr. BREITENBACH. The California Youth Authority is composed of a director and four members of the board appointed by the Governor with a confirmation by the State senate.

Mr. BOBO. And it has jurisdiction over all youth institutions?

Mr. BREITENBACH. We have the responsibility for the classification, segregation, and parole of youthful offenders who are under the age of 21 at the time of apprehension.

Mr. BOBO. Mr. Breitenbach, I believe that the youth authority has instituted 1 or 2 outstanding programs within the last year. Would you tell us something about those programs?

Mr. BREITENBACH. Yes; I will be very happy to, and I should state preliminarily that I am appearing here today at the request of the Honorable Goodwin J. Knight, Governor of the State of California, and the Honorable H. G. Stark, director of the California Youth Authority.

We are all mighty pleased that this committee is interested in learning more about the problem of juvenile delinquency in California, and are, of course, very glad to cooperate with the committee to the very best of our ability.

The most significant development in California in the way of preventing juvenile delinquency and crime occurred just recently. Gov. Goodwin J. Knight inaugurated a few weeks ago this most significant development in the history of the prevention of delinquency in this State.

On April 27, 1955, Governor Knight promulgated a program of statewide town meetings in a letter addressed to the mayors of all incorporated cities in California and to the chairmen of the county boards of supervisors throughout the State.

I would like for the record, if the committee please, to read this brief letter into the record.

Chairman KEFAUVER. Either read it or we will have it printed in the record at this place, Mr. Breitenbach.

Mr. BREITENBACH. The only reason that I request that I read it is because it draws the outlines of this program, and I will read it.

Chairman KEFAUVER. Suppose you read it, then.

Mr. BREITENBACH. This is addressed to the mayor from the Governor:

MY DEAR MAYOR: California held the line on juvenile delinquency in 1954. While the Nation generally reported increases up to 15 percent during the year, statewide statistics just compiled by the youth authority show that the delinquency rate has actually decreased in California. This has been accomplished by neighborhood and community agencies which have done an effective job of coping with the problems facing our children.

The California Youth Authority has provided outstanding leadership in the field of delinquency prevention and youth rehabilitation. Although we held the line last year, delinquency is still a matter of major concern to our citizens, and I am convinced that we can make further progress by immediate statewide community action. Now is the time to attack the problem by early detection and local treatment of delinquents and potential delinquents.

I am requesting that you and all mayors and all chairmen of boards of supervisors call together in an old-fashioned town meeting the interested agencies

and organizations in our community to evaluate existing facilities and programs and to study the local aspects of delinquency and delinquency prevention. Such an old-fashioned New England town meeting as I am suggesting, to be successful, must bring together in free gathering all groups and individuals in the community who have direct or indirect interest in children, or have facilities or programs to assist them.

The tradition of citizens gathering together to express their individual ideas about matters of common concern is as old as the history of our country, and continues as a sturdy manifestation of our inherited passion for free speech and political action.

I am sure the citizens of your community will welcome your leadership in naming a group to plan a town meeting for your city. Many communities already have mayors' committees on juvenile delinquency which could plan the program. Where these do not now exist, they might well be formed, or an established organization such as the community council or the welfare council, et cetera, might serve as a planning committee for your town meeting.

Anticipating that you will join this program I have directed the field officers of the youth authority to give every assistance in planning these meetings. Their services and specially prepared technical material may be obtained by writing to Mr. Heman G. Stark, director of the youth authority, directly in Sacramento.

I plan to call a statewide council in April of 1956 to study the reports of these town meetings and to develop a master plan for the improvement of these services in California.

In preparation for this conference I am asking the Governor's advisory committee on children and youth, and interested State departments, to prepare a statewide balance sheet on youth services so that the conferences may have this material available. Upon completion of your meeting I would appreciate receiving a copy of your findings and recommendations.

Cordially,

GOODWIN J. KNIGHT, *Governor.*

Now, if the committee please, to date more than 200 communities have already indicated that they would hold such town meetings. The program is taking hold in a wonderful way. This is a grassroots program to combat juvenile delinquency at the local level, where we believe it can best be handled.

Under the governor's direction the youth authority is getting out two publications. One is entitled "Planning Handbook for Town Meeting." And I would like to submit for the purpose of the record a copy of it.

Chairman KEFAUVER. It is a very useful exhibit and will be made a part of our record.

(The document referred to was marked "Exhibit No. 5," and reads as follows:)

EXHIBIT No. 5

PLANNING HANDBOOK FOR TOWN MEETINGS ON DELINQUENCY AND DELINQUENCY PREVENTION

THE TOWN MEETING TRADITION

Many changes are taking place in community life today. People are moving about more freely than ever before. Community ties are fewer and roots are more shallow. Life generally is more complex. Families are finding it more difficult to remain strong and united. As our cities steadily increase in size, their problems rapidly multiply. Citizens tend to leave the development of community life to chance, or to shift the total responsibility to government.

Throughout California thinking people are seeking ways and means of strengthening local community life through increased citizen knowledge and participation. Everywhere there is a growing eagerness to learn from one another. The tradition of free and open discussion is as old as the history of our country. It is perhaps for this reason that the New England Town Meeting has persisted in only slightly altered form for nearly two centuries.

WHY TALK IT OVER

Juvenile delinquency is a serious and continuing aspect of community life. Gov. Goodwin J. Knight has reported that we have "held the line" in California in 1954 while the Nation was reporting increases in delinquency up to 15 percent. We can be proud of our record in controlling delinquency last year, but we must face the fact that the problem is still large and serious. We must further recognize that the prevention and control of juvenile delinquency, to be effective, must be pursued primarily in the community. Only by constant community vigilance will we be able to keep delinquency within bounds. Only by concerted community action can we make further progress through a more effective local attack on the problem.

PURPOSE OF THE TOWN MEETING

The town meeting's main function should be to clarify viewpoints on problems relating to delinquency prevention and control; to present and study new ideas; to encourage citizen thinking and discussion; and to stimulate community planning and action to combat delinquency. Free discussion by the group should be the focus of the meeting, rather than lectures in which the audience participates passively.

The results of your town meeting will also make a valuable contribution to delinquency prevention and control throughout the State. Governor Knight has asked that the findings and recommendations of each town meeting be submitted to him as early as possible, in preparation for a statewide conference he will call in April 1956, at Sacramento. The reports and recommendations of the town meetings will serve as a framework for this Governor's Conference, will provide the springboard for discussions at that meeting, and will be used to develop a master plan for improvement of services to youth in California.

PLANNING THE TOWN MEETING

The following outline of duties and responsibilities for town meeting leaders is not intended as a complete check list but only as a general guide.

Prior to any assignment of responsibilities, the board of supervisors and the mayor or city council should direct heads of county or city departments related to youth services to give full cooperation to town meeting planning committees.

Mayor or chairman of board of supervisors

Informally discusses idea of town meeting with others likely to be interested. Clarifies understanding why town meeting is to be held—its value, purpose, and objective.

Selects tentative date after conferring with others to avoid any conflicts.

Looks for existing sponsoring group, such as a mayor's committee or county-wide committee, coordinating council, or welfare council, to plan and carry out town meeting.

If no such group exists, appoints a broadly representative planning committee.

Appoints planning committee chairman.

Looks for possibility of an existing community agency to furnish staff service to the planning committee and the town meeting itself.

Obtains financing for necessary expenses: mailing, printing or mimeographing announcements, programs, and final reports. This may be done by a small appropriation of public funds or by a 50-cent meeting registration fee.

Planning committee chairman

Accepts overall responsibility of town meeting leadership, planning, and management in behalf of mayor or chairman of board of supervisors.

Confers with mayor or chairman of board of supervisors and other interested people in the community for ideas and suggestions regarding the town meeting.

Convenes the committee and assists mayor or chairman of board of supervisors in familiarizing the committee with the town meeting idea, the focus, preliminary objectives, and purpose of the meeting, and tentative plans developed to date.

Keeps the mayor or chairman of board of supervisors advised of developments and gets his approval on matters where needed or advisable.

Coordinates or obtains full committee approval of the work of subcommittees.

Planning committee

Prepares a statement on the purposes and objectives of the meeting.

Reaches agreement on date and location of the meeting.

Makes decision on scope of attendance, how public is to be informed at the meeting, and who is to receive invitations.

Agrees on the use to be made of, and the time to be allotted to, the opening session, discussion meetings for smaller groups, and the closing session. Considers use to be made of consultants (individually or in panels) at discussion meetings.

Determines the number of section meetings or discussion groups, what the subject matter for discussion will be in each group, the size to which groups will be limited, and the method to be used for assigning participants to a specific section.

Develops a program in detail:

Time general sessions and section meetings are to be held.

Determines need for, and responsibilities of, discussion leaders, recorders for section and general session meetings, section coordinators, and any other necessary meeting personnel. Section coordinators and discussion leaders should be selected as early as possible and invited to subsequent planning committee meetings.

Decides on topic for general session speaker, if one is to be used.

Considers such matters as welcoming remarks, invocation, color ceremony, national anthem, introduction of special guests, and announcements for the opening session.

Determines whether luncheon or dinner meetings are to be held.

Agrees on method and technique to be used in obtaining reports from the individual sections, in reporting findings and recommendations of individual sections to the general meeting at the closing session, and in preparing an overall report or proceedings of the meeting for submission to the board of supervisors, the mayor, and the governor.

Authorizes subcommittees to be appointed by a planning committee chairman.

These might include:

Arrangements: Responsible for obtaining meeting rooms for general sessions and section meetings, seeing that they are properly set up for the meetings, that necessary equipment and other facilities are available, et cetera.

Editorial: Responsible for getting program mimeographed and preparing final report or proceedings.

Publicity: Responsible for press, radio, and television publicity before, during, and after the town meeting.

Registration: Responsible for planning and carrying out pre-meeting registration and meeting registration, or otherwise obtaining a list of those attending, their affiliations, and addresses. (This may be assigned to a local civic group.)

Discussion leader

Helps group to define and select the problems that it wishes to discuss, to see that all points of view are given a chance to be aired, and to keep the discussion directed toward the problems under consideration.

Clarifies and summarizes the progress of the group from time to time and tries to maintain an atmosphere in which the maximum number of people can participate in the discussion. Sometimes this requires limiting opinions or statements to two minutes.

Assists recorder in the preparation of a summary of group discussion for presentation at the closing session and in preparing a final written report of the section for the proceedings.

Recorder

Functions of the recorder are to put down on paper the major points developed by group thinking. One convenient way to do this is to develop an outline such as:

Main issues or problems brought out.

Main differences of opinion among group members.

General conclusions agreed upon.

Specific final recommendations made and to whom they were directed.

Other information.

Develops significant highlights of the group discussion for use by newspaper reporters or publicity chairman.

Works with the discussion leader to prepare section report for the editorial committee or those responsible for preparing the final report.

Section coordinator

- Meets with planning committee to become familiar with town meeting plans.
- Responsible for making final check on physical arrangements for his section :
 - Public address.
 - Heating, lighting, and ventilation.
 - Seating arrangements to facilitate discussion.
 - Charts, visual aids, exhibits, blackboards.
- Maintains attendance lists.

TRAINING OF TOWN MEETING LEADERS

A good planning committee trains its corps of assistants before the meeting begins. Some of these assistants, such as the recorders and coordinators, will be assigned personnel from participating agencies, and they may have prior experience in conference participation. Others will have no previous experience. In such a situation, team training becomes essential. This training need take only a few hours for a small town meeting, but it may require a full day for larger programs. Training should be the responsibility of someone from the planning committee who is thoroughly familiar with the town meeting plan and method of operation. It should include a full description of the nature and purpose of the town meeting.

General sessions

The first general session explains to the group the organization and plan for the town meeting. Productive thought and discussion will be reached more quickly if the opening session :

Creates an atmosphere in which the participant feels that he is important to the success of the meeting. It is important that the participants be made aware that all major decisions will be made by them.

Reviews some of the problems leading to the calling of the town meeting. The participants should understand that the meeting will consider both their suggested problems as well as the leader's suggestions.

A good town meeting takes time for a final session which is as important as the opening session. Here the entire group gets the essence of the program and a clear sense of the findings of the town meeting through hearing the reports of the individual section meetings. They make any necessary final decisions, and plan ways to carry out those decisions through group or individual efforts. Public commitment leads people to carry good intentions into action. The final session then should become a commitment session in which those attending publicly endorse the findings of the meeting and, at least by implication, declare that they will carry out its recommendations.

Town meeting followup

A successful meeting requires some kind of followup. A preliminary decision as to the type of organization needed to follow up on the town meeting should be made by the planning committee. This plan or an alternate plan should be detailed and endorsed by those attending the closing session. Some of the recommendations will be directed to specific organizations and agencies. No permanent new organization should be created unless no representative coordinating group exists in the community capable of furthering the recommendations.

The followup committee might have the following functions :

To forward reports of the meeting to the mayor, to the board of supervisors, and to the governor.

To carry on the work of stimulating community action on the recommendations of the meeting.

To develop plans for reassembly of the town meeting from time to time, to assay results and lay new community plans for effective action.

To plan for the creation of a county committee on children and youth, advisory to the board of supervisors.

Mr. BREITENBACH. And the other is a workbook for those attending town meetings, entitled "An Outline of a Community Program for the Prevention of Juvenile Delinquency." This is still in the course of printing, and we will be happy to present it to the committee for inclusion as an exhibit.

What we desire is to learn the local problems and local conditions which revolve around the causes and prevention of juvenile delin-

quency at the local level. As an important part of this town-meeting program each community will prepare a balance sheet setting forth the positive and negative factors on such items as health, welfare, recreation, and so forth, for youths in each local community. This information will be assembled following the town meeting.

In Los Angeles County alone two community agencies have joined forces already and have offered assistance to the mayors of their communities for the holding of almost 100 town meetings throughout this county and the preparing of balance sheets from the information obtained. The coordinating council, who actually hold these meetings, and the Los Angeles County Welfare Planning Council will then compile balance sheets on youth for each community. These reports will then be integrated in a statewide report based on the work of all the other counties which will be presented and discussed at a statewide conference to be held in April of 1956.

The mayors, county supervisors, courts, probation officers, and enforcement agencies throughout the State of California have cooperated 100 percent with the Governor in carrying out this town-meeting program to date. It is believed that this has tremendous possibilities for the prevention of juvenile delinquency and crime.

Now, if the committee please, I would like to present one or two brief statements regarding why we believe what the factors are which have enabled us in California to hold the line, as it were, against further increase of juvenile delinquency during the past year. They are three in number:

No. 1. These figures are based upon a decline of police arrests.

No. 2. They are based upon a decline in probation cases.

No. 3. They are based upon a decline in the number of commitments to the youth authority in proportion to the approximate 5 percent increase in population during the same period of time.

We believe that the holding of the line in California has been accomplished through at least two developments peculiar to California, which we believe your committee will feel are also noteworthy contributions to this field.

No. 1 is the provision of a forestry camp program for boys, which has been so successful that people all over the world are visiting us to study it. You have heard this afternoon the dramatic story from the director of the camp at Twin Pines.

The other development has been the spirit of cooperation between all the agencies in this field, such as the courts, the probation department, law-enforcement agencies, schools, and local community meetings. This spirit of cooperation is one of the very wonderful factors in our work as a State agency, and has led to making possible such things as the town-meetings program in which we are engaged.

There is one other matter that I have been asked by our committee to comment upon, and that is the matter of the effect of television programs upon certain aspects of juvenile delinquency.

Now, it is our belief that television is one of the greatest media for the dissemination of constructive information programs. The overall majority of the programs are instructive and entertaining. While we have made no specific study of this particular problem here, it is reasonable to assume that certain impressionable and easily suggestible youngsters are influenced in a damaging way by scenes of assault,

violence, and the actual modus operandi of violent crime such as robbery, mayhem, assault, and similar offenses. It is the considered opinion of some of us working in this field that programs that fail to promote respect for law are often injurious to such young people. Likewise, programs that show someone being knocked out in various episodes frequently tend to make that type of behavior acceptable to impressionable young minds.

However, we feel that certain television programs when properly presented have a very constructive influence on the lives of children and can be a great factor in the prevention of juvenile delinquency and crime. And we are encouraged to see more of these programs being developed, and we are hopeful that the entire field in the prevention of juvenile delinquency and crime will be increasingly presented and interpreted in an educational and constructive fashion.

I would like to comment briefly, if I may, on certain pending legislation which we feel has great promise in this particular field. We are pleased to learn that there is pending in the Congress of the United States constructive legislation dealing with the prevention of juvenile delinquency and crime. We believe that House bill No. 3771, Senate bill 894, and the Kefauver bill, Senate bill No. 728, are very constructive.

There are three additional suggestions that we would like to make at this time regarding the latter piece of legislation. These are very minor, but we feel that they might be helpful.

First, we feel that the provision for some group administration through the Federal Advisory Council on Juvenile Delinquency should be changed. We believe that group administration is not as strong as centralized administration. In other words, the Federal Advisory Council, we feel, should be an advisory power only, and that no administrative power be given to it.

Secondly, we feel that youth training schools should be represented on the Federal Advisory Council.

No. 3, we feel that specific agencies should administer the grants and aid. In other words, we believe it should be the counterpart of the youth authority in the various jurisdictions, since an agency of this sort deals with field services and is familiar with the problems of local delinquency prevention.

I would like to comment on one further thing. Mr. Phillip Green, newly appointed chief of the bureau of delinquency prevention services in the Federal Children's Bureau, was formerly chief probation officer of San Francisco County. We are happy to see that the Children's Bureau has recognized at this date the work that he has accomplished in this field, by choosing three of our State people for important positions in delinquency prevention under this bureau, including Mr. Phil Green, who is heading up this project.

Gentlemen of the committee, I believe that concludes my presentation here today.

Chairman KEFAUVER. Unless there are some questions this committee would like to ask Mr. Breitenbach, we are certainly grateful for your coming here and for this report. I want to say that I think the suggestion for townhall meetings to study and consider problems at a local level, allied with the townhall process, is a very, very good one. We on this committee have been trying to get started a so-called capital city

program in which we get the governors of the States working with the mayors of the capital cities to try to make a model of cooperation of all of the agencies and groups dealing with delinquency in the capital cities; feeling that from the capital cities the information would disseminate to the other cities of the States, and the members of the legislature could come in and they would go back to their communities and they would carry the message as to what is being done in the capital city. Of course, it is a long-range program, just like the townhall meetings, but I certainly want to commend Governor Knight on this townhall meeting plan, and I suggest, of course, in the townhall meetings in something is decided upon it is followed through and other meetings held to see that the program works.

Mr. BREITENBACH. That is correct. We plan on holding committee meetings and meetings throughout the State for the purpose of implementation of the recommendations of the statewide meetings next April 1956.

Chairman KEFAUVER. You say that 200 cities or towns have already responded favorably?

Mr. BREITENBACH. That is correct, Senator Kefauver.

Chairman KEFAUVER. How many meetings have been held?

Mr. BREITENBACH. I couldn't give you the exact number of meetings that have been held, but a number of them have. One of the most successful developments has been in the city of San Francisco itself.

Chairman KEFAUVER. And then the forestry camp idea I think is an outstanding program. It has great possibilities. I hope it may be a program in which the Federal Government may be of some assistance by way of aid to the States in getting the forestry camps established and sustained.

How many camps do you now have like Twin Pines?

Mr. BREITENBACH. We have three camps that are operated by the California Youth Authority, in which we have the complete responsibility or, rather, for which we have the complete responsibility and control. In addition, we have throughout the State a great number of camps which are owned and operated by the local probation department, such as Twin Pines operated by the Riverside County Probation Department, to which we give a subsidy in the operation. These would number, I think, possibly 16 or 17. They are developing several youth camps this summer, and I would say the exact number is still changing from week to week.

Chairman KEFAUVER. Where are the three that are totally maintained locally?

Mr. BREITENBACH. The nearest one is Camp Gold, which, of course, is located in the Sierra Nevada Mountains near Yosemite National Park. The next nearest would be Camp Ben Lomond, which is near Santa Cruz on the coastal plain. A third camp is at Pine Grove, which is about 35 miles from Sacramento.

Chairman KEFAUVER. How many do you plan to have after the program gets under way?

Mr. BREITENBACH. I am not certain at this time whether we are contemplating the development of any additional forestry camps owned and operated exclusively by the California Youth Authority. That will depend entirely upon the increase in the number of commitments to the authority. But so far as the public is concerned, there are at the present time plans underway for the development of a camp in

Orange County, Santa Clara County, in the northern tier of counties north of Sacramento, and a number of others that are constantly being developed by the communities. As a result of these, the local agencies are able to handle those marginal cases that might otherwise have been committed to the California Youth Authority; leaving to the California Youth Authority those most difficult types of youngsters to rehabilitate. So it is a great saving from the standpoint of finances involved to the State, and is particularly a saving again in that it enables the people engaged in the program to train the youngsters near their own homes where it can be most effective and most convenient.

Chairman KEFAUVER. How many young people on the average do you have in these three camps that are around the State? I mean the total number. You don't need to necessarily break it down as to each place.

Mr. BREITENBACH. At Camp Gold our population as of April 1955 was 106; at Ben Lomond the population was 60; and at Pine Grove the population was 89.

This varies, of course, from time to time as releases are made and as new boys are transferred from our various correctional schools. I would say that the average number of boys that are being trained in the camps owned and operated by the local probation department would be in the neighborhood of between 50 and 60.

Chairman KEFAUVER. And what is the appropriated or budgeted funds for the camps that you have per year?

Mr. BREITENBACH. I would have to supply that from our budget, Senator. I could get it for you. It would be readily available.

Chairman KEFAUVER. If you would give us the information about the cost of the organizational set up and other details we will be very glad to have it.

Mr. BREITENBACH. Do you want the per capita cost and the total cost, Senator?

Chairman KEFAUVER. Yes.

Mr. BREITENBACH. Very well, sir.

Chairman KEFAUVER. Any other questions?

Mr. BOBO. No.

Chairman KEFAUVER. We certainly appreciate your coming and being with us, Mr. Breitenbach.

Mr. BREITENBACH. Thank you, gentlemen. It is certainly a pleasure to be here.

Mrs. KRUG. Senator, has any provision been made for girls? It seems as though all of these activities are directed toward the boys.

Chairman KEFAUVER. Well, I think that is a question which is very good, Mrs. Krug. And by the way, Mrs. Milton Krug is chairman of the juvenile delinquency committee of the California Lawyers' Wives Association, is that correct?

Mrs. KRUG. Yes.

Chairman KEFAUVER. Where did Mr. Breitenbach go to? I hope he is going to tell me that they don't have any girls to take this rehabilitation course.

Mr. BREITENBACH. I think that is an excellent question. I certainly agree.

Answering the question directly as to whether any provision is being made or contemplated for the handling of girls in minimum

security facilities, such as camps, there is now in preparation and contemplation. I am informed, in the county of Santa Barbara, perhaps either acting alone or in cooperation with the county of Ventura, plans for the development of a facility for girls similar to these boys' camps that are now operated and owned by the probation department. The exact form that this facility will take I don't think is yet completely determined, but I think that it will be quite similar to our camps.

You may recall that at one time there was in the county of Los Angeles a number of years ago a camp for girls, but there were considerable difficulties encountered in the handling of the girls in the minimum security setting, and in the operation of that camp. We are going to observe with very great interest the development of these plans in the county of Santa Barbara and in the county of Ventura.

Chairman KEFAUVER. Mr. Breitenbach, you tell them that Mrs. Krug can go and get the story from you.

Mr. BREITENBACH. There are, of course, many cities—and I am sure Los Angeles has part-time day camps for girls and boys too.

Chairman KEFAUVER. I assume that there is a smaller percentage of girls in the group that needs some camp facility, but I think they ought to be provided for, too.

Mr. BREITENBACH. Well, I quite agree. The ratio between the number of girls and the number of boys in the youth authority will run approximately 87 percent boys and about 13 percent girls. That will give you some idea of the relative amount of difficulties which the girls and boys encounter in the group living together.

Chairman KEFAUVER. You might want to talk with Mrs. Krug sometime about her program.

Mr. BREITENBACH. I will be very happy to do so, yes, indeed.

Chairman KEFAUVER. Thank you.

Mr. BREITENBACH. Thank you, Senator.

STATEMENT OF JOHN BOGGS, CONSULTANT, HUMAN RELATIONS COMMITTEE, LOS ANGELES, CALIF.

Chairman KEFAUVER. You are Mr. John Boggs, consultant on the human relations committee of Los Angeles County?

Mr. BOGGS. Yes, sir.

Chairman KEFAUVER. We are very glad to have you with us.

Do you want to ask any preliminary questions, Mr. Bobo?

Mr. BOBO. Would you describe to us what the work of the human relations committee is?

Mr. BOGGS. The Los Angeles County Committee on Human Relations was established by the county board of supervisors in 1941, and at the time of its establishment it was given the responsibility of seeking out the causes of racial conflict and attempting to solve them by whatever means it could devise.

The committee at this time consists of 37 members: 25 lay people who are appointed by each of the county boards of supervisors from the districts they represent, and 12 heads or assistant heads of county departments.

Mr. BOBO. For how long are they appointed?

Mr. BOGGS. One year.

Mr. Bobo. And in what way does this deal with juvenile delinquency, and what is the effect of this committee in working with it?

Mr. Boggs. Well, it has been the feeling of those of us who have been concerned in the field of human relations that there is a very definite tieup and relationship between the poor human relations and juvenile delinquency, and very recently we have conducted a survey among the juvenile probation officers in the probation department, seeking to determine whether or not in their experience they have discovered a relationship existing between poor human relations and the activities of the juveniles and their delinquent acts. This survey is not yet completed, but I would like to give you some information that we have preliminarily gotten from it.

For example, these probations officers have indicated throughout this survey to our committee that in all 54 junior and senior high schools in Los Angeles County there is a definite relationship between juvenile delinquency and the relationship that exists between youngsters of different racial and cultural backgrounds.

For instance, they have indicated—21 of these men have indicated that gang fights can be directly related to poor human relations in many of the areas that they have observed, and that these gang fights come as a result of rumors circulating among youngsters indicating hate and prejudice on the part of all persons concerned, and the expression of attitudes on the part of adults—poor human relations attitudes with respect to persons of different racial groups; that these attitudes as expressed by adults find a sometimes responsive chord in the delinquent acts that the children of these people perpetrate in connection with their relations at school and on the street.

The groups that are for the most part indicated by these offices as being delinquent in their acts stemming from poor relations are Anglos versus Negroes, Anglos versus Mexicans, Mexicans versus Negroes, predominantly, and in each of the nine areas that the probation department has divided as a means of doing its work with facility, there is some indication that tensions are directly related in many instances to poor human relations, and the acts of juvenile delinquency come as a result of these attitudes.

Mr. Bobo. Do you have any program within the schools or among the juveniles to deal with improving the relations of humans?

Mr. Boggs. The Los Angeles County Committee on Human Relations, in cooperation with 60 private agencies in this community, are at present working with the city schools in assisting in the development of a program designed to relieve tensions between the various racial and cultural groups at those institutions. We have had several meetings with the assistant superintendent of the high schools and junior high schools, and just over the past 2 months we have had 6 or 7 meetings with high school principals, many of whom have asked these agencies to come in and assist them in setting up various programs for in-service training, training programs for teachers, perhaps designed to relieve them of some of their prejudices, and, secondly, to help them develop intercultural programs.

Mr. Bobo. Has there been any school or any area where this whole project was done on this type of work?

Mr. Boggs. Not to my knowledge in this county at this time.

Chairman KEFAUVER. In other words, Mr. Boggs, you think unquestionably a lot of the gang conflicts grow out of this antagonism of one against the other?

Mr. BOGGS. Yes.

Chairman KEFAUVER. And you feel that if you can get grownups to do right and understand, why, then the children are pretty likely to do that, also?

Mr. BOGGS. Yes. This we are trying to get over to the adult groups that our committee works with, and through the committee coordinating, possibly throughout the country, we feel that if we can get the adults in the community to realize the effect of the expression and attitudes many times on juvenile delinquency, that this problem will in some measure be recognized and steps taken to do something about it.

Chairman KEFAUVER. The only thing you can do is publicize the problem and do something about the educational process to remedy it.

Mr. BOGGS. That's about it.

Chairman KEFAUVER. Thank you very much, Mr. Boggs.

Mr. TUTAK, would you come around, sir?

STATEMENT OF JOHN TUTAK, EXECUTIVE DIRECTOR, LOS ANGELES TIMES BOYS CLUB, LOS ANGELES, CALIF.

Chairman KEFAUVER. You are executive director of the Los Angeles Times Boys Club?

Mr. TUTAK. Yes, sir.

Chairman KEFAUVER. Will you tell us about it?

Mr. TUTAK. The Los Angeles Times Boys Club is one of some four-hundred-odd members of the Boys Clubs of America. We have these units all over the United States, and the vast majority of them are supported by the community chests in the cities in which these boys clubs are located. However, this one is supported completely by the Los Angeles Times charities. I don't know what the other papers are going to say about this, but as long as they will excuse me I will proceed with it.

Chairman KEFAUVER. We understand you are doing good work and we like to hear about good work, and I am sure they will appreciate it just like we do.

Mr. TUTAK. Incidentally, the philosophy and policies and the practices which we follow at the Times Boys Club are similar to those followed by the other boys clubs all over the country, which are supported by private funds.

Chairman KEFAUVER. But your club is supported—

Mr. TUTAK. Completely by the Los Angeles Times charities, yes.

Chairman KEFAUVER. By the Times charities?

Mr. TUTAK. That is correct.

Chairman KEFAUVER. How do you operate? How many boys do you have?

Mr. TUTAK. We started in 1944 in an old building on North Broadway, just a couple of miles up from here. Today we have a program housed in a facility for which the Times charities expended some \$500,000, and last year we spent \$108,000 in our operating budget. We have a membership, last year, of 2,001 boys and 356 girls. We have a very, very simple philosophy, sir. Basically it is that people need peo-

ple. I think one of our great facts is that we as people haven't been able to convince one another how very important we are.

For example, I think that one of the most valuable assets which we have in this country—and I am sure we will all agree—are these kids, kids like this in every single community in the United States. There are millions of them. And I think if we look at these kids all over the United States and say that they all need to be loved and need to love, that they all need recognition, that they all need status, that they all need to be treated with respect and with dignity, and that every one of them has within himself something to contribute to some other individual of some other group, that many of the problems which face us in regard to juveniles will be eliminated.

Chairman KEFAUVER. This is a fine picture. Do you want to give it to the committee?

Mr. TUTAK. It is the only one I have.

Chairman KEFAUVER. I guess the answer is "No", then.

Mr. TUTAK. I think one of the other items that we believe in so thoroughly and try to practice to our own limits is that no matter what an individual makes it has value, whether it is something like this or something like this or this, or a mural, or this, or a mural 8 feet by 10 feet, which on canvas was painted by this boy over a period of 13 months. This mural and this drawing have exactly the same value. This is no worse or no better than is this mural. This we feel is a very, very important concept in working with people no matter who they are or no matter where they are.

For example, if we think of this guy here, who incidentally has been—there have been many of them like him who have been called a pacheco—he is a member of one of our group clubs—he is attending the Southern California Youth Association meeting, and he is listening so intently because he has to report back to his club at our agency.

We have all kinds of programs there, and these are pictures of them, if you care to look at them. But again I can't leave them with you. The program itself, no matter what it is all about, is what is important. And we have had everything from boxing, fencing, tackle football, social group clubs, and arts of every kind. We are open 62 weeks a year, 6 days a week, and the children may come at any time they want to after school.

Chairman KEFAUVER. You mean from anywhere in the city or any race, creed, or color?

Mr. TUTAK. Our membership is limited only on a geographical basis to those children between the ages of 6 and 20 who live in Lincoln Heights or the area served by the Nightingale Junior High and the Abraham Senior High School. The reason we chose this area is this: We found that back in 1944 and 1945 that practically all the gang fights which occurred in the community during those years—this was the pacheco gang warfare time, as you know—occurred among children who were going to either one of those two schools or back again, or even on the school grounds themselves.

I would like to refer back to a statement made by Mr. Sanders of the probation department. I am going to say it perhaps a little stronger than he did, because I am a worker in a private agency. I think that some of us have a tendency to follow a pattern of work which has outlived its usefulness in a large part. Now we have, I

think, 15 social group clubs or gangs, as some people call them—they are going to become social groups—but they have many other groups also—there are a number of these groups that would not come to our boys club because they looked upon it as “sissy.” So we sent out workers, just as the group in the probation department does. We sent out workers to those hills and to the east-side area, and met these groups right on the streets. One of these groups met last December in a locker room of a playground clubhouse, and that is as close as they would get into an agency program. This is a gang on its way to becoming a social group club. They are shown here in this picture working on a poster in our shop, on a poster for a dance they are holding. And here is their way of making a contribution as a group. This is their first attempt at a constitution. This is their club which we are helping them to form.

Chairman KEFAUVER. What you have been showing us are the elementary rules written out by the boys themselves?

Mr. TUTAK. That is correct, for their own behavior as a group. This is the first step that we are taking to help them, from within themselves, learn what are acceptable social values and attitudes and behavior patterns.

Chairman KEFAUVER. This is very interesting.

Mr. TUTAK. December 1954. A-1. Ice skating. That's the date. And then the next group. 15 cents a week for everyone.

Rules on the bus: No spitting outside of the bus or car. No hollering or yelling in the bus. No swearing, profane or abusive or obscene language. No pushing when skating.

Who may join club. Little Clover only. Only 25 may join. Club is to have a membership card. Club meets on Friday night. The name of the club is—they didn't decide on the name at that time, but they have it on the poster.

Here is another club. The Cobras up in Happy Valley. This is a gang. They wouldn't come to the club at all. And here were some rules that they made for their first camp trip to Sequoia.

Incidentally, for the teenagers—a teenager goes to camp that is sponsored by our group, he himself will take the opportunity and the effort to think and plan and organize his own camp group, and even plans so far as to set the fee. For instance, the Cobras went to the Sequoia farm last summer, and here is the way in which they planned that trip.

Chairman KEFAUVER. Well, it is too long to read, but No. 1 is no smoking in the bus except at breaks. No alcoholic drinking before or during trip. No night prowling in cabins. No knife-throwing at each other.

I think you might make a copy of that and give it to us.

(The copy referred was not received prior to printing.)

Mr. TUTAK. Here is another group. Incidentally, this group meets every Tuesday night. They met last night again. This group was started, incidentally, by a group of six junior high-school girls who were referred to us by the junior high in our community. They were such a disturbing influence that the girls' vice principal asked us if we wouldn't work together with the school to help these girls develop some acceptable social pattern of behavior. These girls call themselves by the name of “Killerettes.” The club name has been changed now. It has become a coed club. And we just took that out of their

notebook. Every club has its own notebook, which is kept in the group club supervisor's office.

That is a copy of a letter which they wrote. I think around a year ago or so one of the local groups wrote it.

Chairman KEFAUVER. Suppose you read that letter.

Mr. TUTAK. This is to the editor and it appeared in the Daily News of January 7, 1954:

We are boys and girls of the Bebops Club. We would greatly appreciate it if you would not call us such names as punks, hoodlums, and ratpacks in your paper, because in our club we have different nationalities and we have respect for each other, not only in our club, but in our State, country, and other countries. Our parents wonder why you call us teenagers such rough names. They are losing confidence in us. In your paper you call us these names and it is getting us in bad with the people in our district. We want to be friends with all the people and we cannot unless you stop calling us all those names. When we walk down the street people call us such names as ratpacks and hoodlums, and by those names we are losing our reputation.

MARY ESTEVAN,
Bebops Club Secretary.

There are some 40 members in the Bebops Club.

Chairman KEFAUVER. We thank you very much for telling us about this. I think you are doing fine work.

Do you have anything else you want to add?

Mr. TUTAK. Yes, I do. I feel that if we consider that nothing in this country is more important than these kids in any community in the United States, this is perhaps one of the major ways in which we can help all of the people to develop positive and meaningful values and attitudes and behavior patterns in our society here, no matter where we are. I feel that we ought to have more money appropriated for research in the whole area of human growth and development, and, further, I feel that we ought to accept this fact: That it is an expensive job to work with people once they have developed these unhealthy social attitudes, and it is very, very expensive. However, it is more economical to start at whatever point they are in this negative development, and try to rehabilitate them than to just let them progress backward.

Chairman KEFAUVER. We agree with you fully about that.

We thank you very much, and we wish you good luck in your future work.

Mr. TUTAK. I hope you have time to come over and see our clubs.

Chairman KEFAUVER. If we have time we certainly will come. We are about to recess at this time until tomorrow morning, and we do have one other witness, Mr. Reynolds Ochoa. Mr. Ochoa, would you rather testify in the morning first thing or this afternoon?

Mr. OCHOA. At the committee's convenience. Whatever will be convenient to the committee.

Chairman KEFAUVER. We are going to start at 10 o'clock in the morning, but we will start 15 minutes earlier if you will come and be with us in the morning. We will appreciate that.

Mr. OCHOA. I certainly will.

Chairman KEFAUVER. If there is nothing else at this time, the committee will stand in recess until 9:45 tomorrow morning.

(Whereupon, at 5:15 p. m., Wednesday, June 15, 1955, the subcommittee recessed until Thursday, June 16, 1955, at 9:45 a. m.)

JUVENILE DELINQUENCY

(Motion Pictures)

THURSDAY, JUNE 16, 1955

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON THE
JUDICIARY TO INVESTIGATE JUVENILE DELINQUENCY,
Los Angeles, Calif.

The subcommittee met, pursuant to recess, at 10:10 a. m., at room 518, United States Post Office and Courthouse building, Los Angeles, Calif., Senator Estes Kefauver presiding.

Present: Senator Kefauver.

Also present: James H. Bobo, counsel, and William Haddad and Carl Perian, consultants.

Chairman KEFAUVER. The subcommittee will come to order.

This morning the subcommittee is continuing its extensive study of the mass media in order to determine the impact of these media on the youth of our Nation.

Earlier this year the subcommittee issued a report on its study of crimes, brutality, horror, and sadism in comic books. In a short while we shall issue our report on the effects of crime and horror television programs on juvenile delinquency. Both of these subjects were part of this larger study of the mass media.

Today we will study the effect on juvenile delinquency of crime, violence, and sex in the movies. We will also examine the manner in which these movies are advertised.

I would like to make it clear at the outset that this subcommittee has no preconceived or final conclusions concerning the effects of movies on children. Above all, we do not wish to create the impression that we have censorship of the movie industry in mind.

We have continually denounced censorship in all forms. We have adhered to the concept of regulation by the industry itself, and the industry generally. I think, does do a fine job in regulating itself. As a result of our report, the comic book industry appointed a so-called czar to insure that "good" comic books were produced. And I hope that this program of the comic book industry works out.

I would like to reiterate this denunciation of censorship today. We honestly believe that the majority of the people in the film-making business, the great majority, are sincere in their efforts to make good products. I know they are presented with the problem of making products that attract audiences because, after all, they are in business, the free enterprise business to make money. They can't just have programs that will be altogether educational. They have got to have movies that will sell to the public.

The industry would readily agree that no harmful movies should be seen by American youngsters. The cooperation afforded us by the industry in our study attests to this fact. Eric Johnston and his office greatly assisted both my staff and myself in our study, and we have been in touch with them for several months now.

When our investigation was first announced, some industry representatives expressed concern about our purposes. As we progressed, however, their attitude toward us, toward our study, has changed. Now I think they are convinced that between us we can examine the trade and come up with some conclusions that will be beneficial both to the industry and to our investigation of the mass media.

In recent months, the subcommittee has been receiving an increasing amount of correspondence from intelligent people throughout the country. These people are concerned about an increase in what is felt to be unnecessary movie violence. They complain of excessive brutality, sadism, and illicit sexual behavior in motion pictures. Many of these letters link the increase in the brutal nature of many juvenile crimes with this increase in crime and violence in movies.

We on the subcommittee realize that to say bad movies create additional delinquency is far-fetched. You cannot say *a* child will see *a* movie and then commit *an* act of delinquency. But we do feel that with the prevailing world conditions, with the uncertainty of the draft, with the lurking thought of atomic destruction, with all of these as background an atmosphere of violence is being conveyed by the mass media.

While these media are, on the one hand, reflecting the behavior of the older generation, they are, in turn, forming the minds of the younger generation, and that is where our greatest danger lies.

While social scientists at this time cannot fully pinpoint the exact relationship between movies and children's behavior, they do feel that to allow the indiscriminate showing of scenes depicting violence or brutality constitutes at least a calculated risk to our young people; a risk we cannot afford to take. The same scientists strongly feel that these films are often viewed extensively by the type of children who can least afford to see them, that is, by emotionally unstable children who have already developed behavior of a sadistic or brutal nature. These children may gain support and ideas from a similar type of film.

While these contentions have not been proven by controlled experiments, scores of clinical psychologists and psychiatrists, surveyed and heard by the committee—men and women who have handled emotionally warped delinquents—feel that the mass media provide fertile material for furthering the antisocial behavior of their parents.

The subcommittee has also received numerous complaints about the advertising of motion pictures. Readers of even the most respectful family newspapers have noticed an increase in what they consider bad advertising. They report to us—sending us clips from newspapers all over the country—that these advertisements have reached a point close to the obscene in some few cases. By implication and innuendo these ads appear to remain within the bounds of discretion, but their total impact, especially on imprissonable young minds, can only be provocative. The technique will also be looked at today.

In these advertisements supercharged sex is sometimes the keynote. Purple prose is keyed to feverish tempo to celebrate the natural-

ness of seduction, the condonability of adultery, and the spontaneity of adolescent relations. Let me stress to you that these ads only represent a portion, and I think a small portion, of the total advertising content. Yet it is the portion the subcommittee is concerned with.

The rapid growth and acceptance of motion pictures and its influence on American morality and ethics has added to the responsibilities of the industry. These responsibilities present a direct social challenge to the industry here in Hollywood. The industry has willingly answered this challenge. Both the movie industry and the advertising people have, of their own free will, initiated a code to control their activities, which generally I think is a very good code.

Today we shall hear how this code is working. We shall also hear about the positive contributions of the movie industry to the betterment of our way of life. I am sure that the executives here today will point with justifiable pride to the many fine pictures which have helped to fight delinquency, even as the bad pictures might have helped to create delinquency.

In other words, I want to tell the members of the industry we are here not for the purpose of just trying to point out the bad. We want to recognize and appreciate the fact that the industry, generally, has been a fine influence for the good, great media for entertainment and education of our people, not only in the United States but throughout the world.

And it is our purpose to, in some little way, try to work with the industry for even the performance of a greater good, particularly in the field of juvenile delinquency and the impression that pictures make upon our young people.

Is Mr. Mooring our first witness?

Mr. BOBO. Yes.

Chairman KEFAUVER. Yesterday we had one other general witness on organizations, dealing with juvenile problems we didn't get to hear, so, Mr. Mooring. I will ask you to step aside a minute and we will call you back.

Mr. MOORING. Thank you.

STATEMENT OF RENALDO OCHOA, FEDERATION OF SOCIAL AND CAR CLUBS OF CALIFORNIA

Chairman KEFAUVER. How do you do. What is your name?

Mr. OCHOA. Renaldo Ochoa.

Chairman KEFAUVER. You may make your statement. You will make it brief, won't you, sir?

Mr. OCHOA. I will make it brief. It is just more or less an outline of what I have been doing.

Chairman KEFAUVER. Sit up closer and talk louder.

Mr. OCHOA. I just want to—

Chairman KEFAUVER. Tell us about your organization and what you have been doing.

Mr. OCHOA. The organization of Federation of Social and Car Clubs was organized in 1952.

Chairman KEFAUVER. The organization of what?

Mr. OCHOA. Federation of Social and Car Clubs of California. The reason for the organization was due to the fact—

Chairman KEFAUVER. What are you in the organization?

MR. OCHOA. I am the founder and one of the directors of the organization. The reason for the organization was the fact that we were having much trouble with the automobile clubs here, hot rods and custom cars in dragging along the streets.

Mr. Navarro, cofounder of the organization, and myself got hold of some of the agencies, such as the Community Chest and others, to try and sponsor these car clubs, in order to give them leadership.

These organizations told us they were not here to handle anything such as car clubs, due to the fact of the liability they would construct.

Therefore, we found it and deemed it necessary to try and make some type of an organization to give them leadership; thus the foundation of this organization. The program of this federation is set by the kids themselves and not by the directors. They will tell us what they want to do and we, in turn, go out and help them and work along with them and see their program come through.

I will give you more or less right now what this program has been along the charitable lines. They have contributed to the March of Dimes. They have contributed to the Community Chest, to the City of Hope and, of course, the pet organization of this federation is the Sister Kenny Foundation, due to the fact they gave a party for the kids, and helping children 2 and 3 years suffering. They have actually taken this as their pet charity.

They have helped to establish a toy loan library in their district. They have given Christmas baskets. They have collected used toys and painted them and fixed them and given them out at Christmas-time; the same at Thanksgiving.

It is nice to know that the teen-agers themselves, the kids themselves, have set aside four scholarships for theirs. They have given 1 to Roosevelt High, 1 scholarship to Garfield High School, 1 scholarship to a student from East Los Angeles Junior College, and another scholarship to a member of the federation.

The aims and purposes of this federation are mainly to establish drag strips and for better recreation and dance facilities. Drag strips were offered to us by many county officials, city officials and State officials as far back as 4½ years ago.

We haven't been able to get them as yet. The trouble mainly lies in trying to get the land. Finance backing is there, both by private enterprise and different agencies, for these drag strips.

So far as the dances are concerned, we have been using recreational facilities of the county. They are said to accommodate six to seven hundred kids. We have had as many as 1,700 kids at these dances, which goes to show if you give them clean and wholesome recreation they will attend that recreation, instead of going out and doing things they shouldn't be doing.

Another thing about that is of great importance here is the fact this federation is self-sustaining. All of the expenses are met through the media of the kids themselves in having sponsored different activities. The cooperation of many of the businessmen has been given greatly. Also, the sheriff's office and many of the county and city agencies. However, this cooperation has not been financial as much as it has been moral.

In conclusion, we feel this way about juvenile delinquency: We feel through resolution of the federation, and it is the kids themselves, that much of the juvenile delinquency is due to the fact of hanging out on street corners and out in the streets, because the playgrounds, the recreation department does not have a program—they have beautiful playgrounds, but they do not have a program that interest the kids enough to attend those programs.

We also feel that the educational system needs some revamping. We feel we need more trade schools after high school and more business schools, where the kids can attend at a minimum cost or at a cost to the government, and not making it compulsory to attend.

The liquor problem with the kids, as discussed in the federation, is such we feel the federation can only advise them to stay away from liquor. But the main problem lies in the State Board of Equalization and the liquor control districts to make the laws and legislation a little rougher on both giving and selling liquor to the kids.

That is about all.

Chairman KEFAUVER. We thank you very much. Mr. John Anson Ford has written that he has been in touch with your federation and it has been very successful. You have more than 20 clubs in the federation. Is that right?

Mr. OCHOA. That is right. A combined membership of about 2,000 kids.

Chairman KEFAUVER. 2,000 kids. That is very fine work you are doing and we appreciate your coming here.

Mr. OCHOA. I hope we have been of some use to the committee.

Chairman KEFAUVER. Thank you.

Mr. OCHOA. Thank you.

STATEMENT OF WILLIAM MOORING, MOTION PICTURE AND TELEVISION EDITOR, CATHOLIC TIDINGS, LOS ANGELES, CALIF.

Chairman KEFAUVER. Mr. Mooring, you have a statement, don't you?

Mr. MOORING. I do, yes.

Chairman KEFAUVER. You can read your statement or you can file it and it will be printed in the record, or tell us what you want to tell us.

Mr. MOORING. As you already know, my name is William Mooring. I live in California. I was born in Britain and now am an American citizen.

I am the television and motion-picture editor of the Catholic Tidings, the local archdiocese and newspaper, and I am syndicated weekly to some 50 other Catholic newspapers throughout the United States and Canada and other parts.

I would say on this subject that criminal violence, human brutality, sadism, and other psychopathic disorders have been increasingly and majorly stressed in movies and on TV during the past 2 years. Mr. Eric Johnston of the Hollywood Producers has admitted this, has publicly admitted it. In many instances this viciousness, I think, has been accomplished by different treatments of sex. This however, the film and TV people seem anxious to deny.

As to the forms in which these and other recent films have been advertised, they have in many instances violated all tenets of public

decency, fair play, and commercial honesty and seem to be approaching that line that suggests we only go from here to obscenity.

With apparently good reasons, the Hollywood producers have many times claimed that American films reflecting the better aspects of our national experience, our culture, our character and ideals have helped to create to the world favorable impressions of what we call very proudly "the American way of life." Thus the film people tacitly acknowledge the power of the movies toward public attitudes and thinking. Therefore, programs glorifying crimes and criminals, condoning loose morals or revealing low forms of living must have a correspondingly damaging effect or, at least, a potentiality that way. Perhaps more so because of the fascination of evil and the inequitable impact of violence on the imagination of young people.

There are films which polish the apple for America, so to speak. But they are not enough, if, as so often happens, it is the same old apple with which Eve tempted Adam, and by this time has gotten rather rotten at the core.

Without discounting the highly dramatic and technical merits of some of the films that I could mention, I would cite *Blackboard Jungle*, *The Wild One*, *Big House U. S. A.*, *Kiss Me Deadly*, *Black Tuesday*, *Cell 2455*, *Death Row*, among many films having a potentially harmful influence on behavior patterns, particularly those of young men and women at a high pitch of sexual curiosity and imitativeness.

It is difficult and fairly inaccurate to connect by documentation this increase of crime and immorality on the screen, with the current alarming rise in juvenile delinquency. However, my personal observations over some considerable period, borne out by the findings of some police investigators, turn up quite disturbing indications. When Marlon Brando in *The Wild One* was in release it played at many children's matinees. It attracted large numbers of young people, including youthful motorcycle parties, such as in the film, was shown terrorizing peaceful communities.

I saw young men at several of these shows dressed like Brando in leather jackets. It was clear they identified themselves with the arrogant character he played in the film. And they put on his swagger, and some of them went off recklessly on their motorcycles, just like the gang in the picture.

I wouldn't suggest that this impression was a deep or permanent one. I do say it was not a good one. It to some extent immediately undermined them with respect to the authority, at least to the management of the theater. And I think we have had, even before this chain of films, a number of films dealing with bad cops, bad policemen, in which the emphasis was developed against good law and order by lowering the respect of youth for police activities and personnel.

Now, Chief Parker told me himself that he felt that the effect was not only on juveniles here, but upon adults who, because they lost that respect and sense of cooperation with the law, might tend not to instruct children in such proper respect.

Now, more recently, among the large number of youths attending *Blackboard Jungle*, some of the theater managements reported unusually loud, noisy, belligerent behavior and some disturbances which followed on the parks or the streets. For obvious reasons it is more

difficult to observe the direct effect, if any, of, say, that situation in *Blackboard Jungle* which dealt with an incorrigible teenage boy attempting rape against the teacher. Incidentally, she was shown to have offered some provocation. I doubt whether a film of this dramatic intensity can fail to arouse some imitative behavior. At least, it must set loose inherent tendencies to violence, even if, when it reaches constructive conclusions, is commensurate in dramatic power with its graphic exposures of violence and hoodlumism.

I do not think that *Blackboard Jungle* has this balance, although I will say it was an intelligent, well-directed, beautifully produced picture, technically, and in a certain sense artistically.

I might express an opinion—I do seem to be using the personal pronoun too much, Mr. Chairman—I believe youths already involved in crime and violence will immediately identify themselves with the ring-leaders in *Blackboard Jungle*. And the measure of villainy shown in the film would suggest to their minds the measure as heroic leadership which they themselves imagine they have. I am not suggesting that expose about social structures or criticism about public institutions, such as schools, prisons, hospitals, et cetera, should not occur in screen drama, nor that some producers who choose such subjects lack a deep and proper sense of public responsibility.

I do suggest, however, that caution and sane dramatic balance are necessary when crime and juvenile or adult sex situations are realistically posed in movies and television. And I do not think this caution has been exercised during the past 2 years.

Some producers argue that since the screen enjoys the same constitutional right to freedom of expression as the press, that anything that can be described in print, in books or publications, newspapers, so forth, can, with equal freedom from all restraint, be safely and justifiably described in motion pictures. This takes no cognizance of the much more powerful impact motion pictures have on everyone, young and old, especially when they are conveyed to mass audiences, in the newly improved wide screen technique, with these wonderfully amplified sound effects.

Again it is sometimes argued in Hollywood for every picture dealing with crime, brutality, hidden sex, the movie industry turns out a dozen morally good and decent pictures. This poses to my mind a whole string of fair balance.

When someone takes poison, the sure antidote is not found by reaching down a bottle from a crowded shelf labeled "nonpoisonous." Imitative behavior undoubtedly can be inspired by films in which crime is validly presented with taste and restraint. This is an important admission to make, because we see that sometimes crime and such things are handled with restraint.

Now, on May 19, 1951, *Johnny Belinda*, an excellent film for adult audiences, was shown at a children's matinee in Buena Park, Calif.: it was a Saturday afternoon. In it a deaf and dumb girl was criminally attacked by a brute. The scene was sensitively played by two outstanding and capable actors, Jane Wyman and Stephen McNulty. It was absolutely essential to the story. I believe the scene could not have been more delicately presented in view of its nature.

Yet, police records and theater timetables indicated to me that shortly after witnessing that scene on the screen a young man named

McCracken, since executed, followed a little girl out of that theater, waylaid, attacked, and murdered her.

Now, if criminal violence of this kind, chastely presented in well-balanced plays, can arouse murderous passions in borderline cases, such as this—I am thinking of police evidence that the man had a previous record of degeneracy—can we safely assume that the effect of ill-balanced sensational crime and sex films, such as are now on the increase, are having no serious effects at all upon many incipient offenders, and even to an extent upon the apparently normal but highly impressionable youngsters who are in the usual way well behaved.

I feel it must be true, also, that shocking details of crime and intimate sensational revelations of illicit sex adventure in the steady stream of movie and television shows plays a sinister part in enlarging, if not creating, a desire for what are sometimes called stag or party pictures, namely the type of pornography with which this subcommittee has been predominantly concerned.

As sure as marihuana leads to heroin, morally vicious pictures create a desire for pornography. And I would commend probabilities of such connections to investigation by this subcommittee and to the leaders of the motion picture and television industry, whom I would like to say I believe to be imbued with a fine sense of citizenship and responsibility to the public in the main.

From those who defend a policy of no restraints because movies and TV deal in intangible ideas and not tangible commodities, I have heard the argument that young people by habit have come to regard the show as something to be enjoyed, not necessarily believed and certainly not imitated. If this were true, would you think that so many people, especially the young ones, would take examples, say, from the happier aspects and characters currently popular?

We see that millions of youngsters now clamor for Davy Crockett hats. And millions of children play gangsters with wooden guns and with an Edward G. Robinson snarl. It would be easy to say this is a passing craze, but do we know that: are we sure? Are we certain that these ideas which take root in the young mind do not bear fruit later? I think other matters prove that we would be wrong in taking that line.

Now, if it is important—and the commercials do tell us that it is—that the physical health of the children shall be protected by giving them the right kind of cereals for breakfast, it seems to me much more important that their moral health should be protected by giving them the right kind of ideas from the motion picture and television screens.

I acknowledge very freely that producers try to cater to every human type in Hollywood. The current emphases in screen drama are usually drawn from what the producers conceive to be subjects of major current interest to the public.

There is an identity, of course, upon stage plays and novels, and today it is sadly evident these sources, often with the aid and approval of many who would call themselves literary or dramatic critics, are increasingly politic. I would ascribe the present trend toward criminal violence and salaciousness in pictures and television partly to this pollution and partly to the following causes:

1. A vigorous and easily understandable competition between motion pictures and television, with the movie people insisting that television is getting away with it and why shouldn't they, and vice versa.

2. The design on Hollywood's part, sharpened by some limited success of some of the sensational foreign pictures which have been imported to this country, to strive for what they call a larger adult content in American motion pictures. Here I would say there is a prevailing fetish, however, that only those screenplays that deal intimately or sensationally with the sordid side of life contain the most desirable elements of adult appeal. I think this rather smears adults with adultery.

I think we have excellent examples in recent production of films, which could be described as of strong adult appeal, but which were made without any offense to anyone, and without twisting the bad in life to make it look good, honorable, or acceptable.

I could mention *Marty*, which deals with the life of a man living, rather, "boiling," and working hard—it is nice to see someone work on the motion pictures—yet found that he had ideals. He would hunt around with the boys—if that is what it is called—but he got tired of that. The picture shows what he desired stamped him as a man of high ideals. He wanted to find a good woman, not a pretty one, not a glamorous one. He wasn't looking for Marilyn Monroe. He was looking for a wife he could respect, love, admire, and stay with.

Then also *East of Eden*, also eminently adult in its view and well treated, I think, did not deal with the necessarily revealing facts in such a way as to play upon the emotions or to overstimulate the emotions of any young people or old who might see it.

However, where a pursuit generally is for this thing called adult or mature entertainment, the result most often evident to this critic is an adolescent preoccupation with sex or a false emphasis on human quirks and aberrations. And unless, as a result of this committee or some other influence, there is a change in the direction of this trend of crime and violence, we may soon find ourselves plunged into new horrors dealing with sexual and mental aberrations.

Then, too, thirdly, there is in Hollywood an increasing resistance to anything and everything identified with censorship. I understand that this committee has reached conclusions on that subject. And I am not surprised, because, as the word connotes interference by faultfinding busybodies with the rights of others to please themselves, censorship naturally is abhorrent to the American mind.

But too often no intelligent distinctions are drawn by the Hollywood producers between what is called bluenosed censorship and the very sane editorial restraints proposed by Hollywood's own voluntary production code. We here in this country are proud of a free press, but we know, too, that freedom does not confer upon editors the right to publish anything, and we know that they exercise their editorial prerogatives sometimes rather lightly, we think, to curtail offensive matter in newspapers.

What then is wrong—and some critics do allege there is something wrong—with the idea of a production code such as is in existence, but which I shall, in fairness, submit is not being properly operated today? I think it has become a little too indulgent.

I believe there is oppressing need for a voluntary code with teeth in it, and an administration with the will and know-how to enforce it and to regulate television programs. And I think here we have a key to the situation in which we find our motion pictures, because until and unless some control is achieved in television, movie producers with some apparent justification will continue to chafe against the reins of their own movie code and produce the kind of pictures we have been having in larger and larger numbers. Thus the vicious circle of competition on the lowest moral level may well continue.

While questions of personal judgment and opinion naturally are involved, I would say that many recent movies have violated the rules of the Motion Picture Production Code, either in letter or spirit, and sometimes in both. And I would include in this the picture *Son of Sinbad*, a picture without any appearance of any purpose to entertain, except in the same way that burlesque and other similar forms of exhibitionism are held to entertain. This I fail to see on the screen at all and I fail to see how it got by the code.

Not As a Stranger. This is a very excellent picture, think, about a young doctor, a young American fellow who is anxious to become a great doctor. He marries a woman, it is true, to get her money to get through medical college, and then later is drawn into some kind of mesalliances with an adventuress.

But the study of the human types involved is interesting, vivid, and well done. Yet in one particular spot there is introduced a symbolical connection between the natural urges of 2 animals and the sexual urges of 2 human beings. It is done by a pattern known to film people as crosscutting.

We first see the human characters coming together in obvious desire, and then we see the animals attempting to do so but separated by a gate. Eventually, cutting back and forth from this scene, which reaches a crescendo of emotional excitement, we see the man lean over the corral, release the latch, uniting the animals. Whereupon he closes in upon the female.

As a revelation of fact, I think it brings nothing to us we are not all familiar with. I don't think it shocks us. I am not thinking prudishly, I am trying to think prudently.

What does this convey to the young, impressionable mind? It clearly makes no distinction between humankind, which we believe to be governed and conditioned by reason and some conscience in these matters, and the lower animals whom nature and God have arranged shall be brought together purely by natural instinct. The inference to be drawn by youth then is that sex, being a powerful appetite, and in a particular case a youth feeling that urge shall indulge himself instinctively without exercising either his reason or his conscience or listening to his conscience.

I think that is bad. But I think those things should not be passed by the code, and I think it violates the tenet in the code wherein it says that low forms of sexual behavior shall not be held to be the generally accepted thing.

The Seven Year Itch. I tell you, I would scratch it if I could, because, while it may very well be filled with laughter and opportunities for laughter by sophisticated people, I think it is generally bad influence, that we laugh at the wrong things. There are certain things in my book, there are certain things at which we do not laugh.

We do not laugh at our mothers. We do not laugh at God. We do not laugh at the law if we are good citizens.

Now, these people laugh at the law and they laugh at some of those immutable principles which not only catholicwise—I am not speaking as a Catholic, although I happen to be one—but by Christians, Jews, and all good Americans, I think, are accepted as immutable principles. Chastity and fidelity are not to be laughed at, even in a motion picture.

Five Against the House is a story about college boys who, for fun—and here it is in the same milieu as *The Seven Year Itch*—for the sake of fun conceive of and start to plan and carry out a holdup in a Reno gambling joint. I don't have much respect for those kind of places, so if it is held up it is their own business, but the law says they shall not be. The law says no one shall do these things. Of course, these boys didn't need the money; they were only doing it for the "kicks." What message does that convey to the not-too-deeply-thinking youth who sees it? Doesn't it rather appeal the idea generally in a laughing way, because of the fact it creates laughter, that it is perfectly all right, as long as you are not serious about it and will give the money back afterward?

Kiss Me Deadly. I wouldn't dilate on that; no. The usual mixture of Mickey Spillane trash and crime and—I think they call them dames. The very word itself so often used in the advertising connotes exactly that disrespect for womanhood which I think these kind of films may tend seriously to increase.

Cell 2455—Death Row, the Caryl Chessman story. Everybody knows it because there is a credit on the screen which says it is his story. But the film gets by the code presumably because it technically does not offend against that rule which says that the criminal in modern times shall not be identified and referred to in this film.

Now, I always thought the credits were a part of the films. I stand corrected by the Motion Picture Association code authority, which passes this picture and this picture goes out as a justification, practically, in a sense, of what this man did. He tries to tell them not to do the same thing, but he also tells them that the reason why he became a juvenile criminal was because of adverse social conditions besetting his youth and his family was poor and he was an underprivileged boy, and here the film repeats this theme which has been used *ab initio* in films of this type, always imputing that a class matter is involved in this question of juvenile crime, when we know all the time it is not always poverty which breeds this kind of juvenile crime, unless one includes that kind of poverty one sometimes finds in very wealthy homes, the poverty of parental example and guidance.

Big House, U. S. A. Here again, on a technicality, we get a quite frightful story of childhood. It has always been held by the code that child kidnaping is a subject so urgent and so fearful in this country, in view of the criminal history, that it should not be too graphically presented or even presented at all on the motion-picture screen.

It is said that it shall not be presented. It is said in the code it shall not be presented as a theme. So here a producer conceived the idea of introducing what he called a major theme of prison break, relegating the theme of kidnaping, child kidnaping, to a secondary significance.

I submit that that would be impossible in any drama, because by its nature this type of kidnaping is bound to supervene or prevail over any theme in any particular picture, and in this case we see that the child is kidnaped, and the details of the kidnaping are given, how the ransom was collected. The only corrective applied throughout the whole theme is that corrective so often considered sufficient by so many people, which I think is very much inadequate, the conclusion of crime being punishment.

What is so interesting to me, also, at this time is that many drive-in theaters have recently turned to this type of crime and violence and sex picture. The drive-in was once regarded as practically sacrosanct to family entertainment, because the people could take the kids along in the car. It is changing very much, not only here on the coast, but I understand throughout the country. These very vicious pictures are now being booked with more and more frequency in drive-ins. And I am told this change in policy changes with an apparent change in clientele.

I have information that was given to me confidentially which indicates that some drive-ins here in California and elsewhere not only show the pictures that are calculated to provide emotional excitement for some young people, but they condone and even to a degree encourage behavior that obviously appeals for some police action. The general technique, as I understand it, that an eye is blinked at certain cars which are directed to certain parts of the amphitheater, and the understanding young patrons take along with them is they need not be overly concerned with the entertainment quality of the picture, that there will be no police patrol passing by and no interference from the manager.

Now, I think I have said all I should say and perhaps too diffusely. I would perhaps round up my talk this way, by saying it is my belief, and I believe this very strongly, that most of the major producers in Hollywood, and I believe in television, are sincerely desirous of providing good, well-balanced entertainment for the public. They are bound to do so, because—incidentally, I did fail to mention this: They are faced with problems abroad as well as at home. Some countries regulate the films that are shown to children. In Britain, for instance, they have three classifications. The British Board of Film Censors, a nonstatutory body, permits children unaccompanied to see only such pictures as are rated U, for universal exhibition.

Those rated A, for adult exhibition, may be seen by juveniles but only when accompanied by responsible adults, who obviously give parental or some such consent.

Films rated X, as horror, sex and crime films are rated, may not be shown in any circumstances to any person in Great Britain under the age of 18.

Now, this system or something of its kind may very well become an insistent demand on the part of a large segment of the American public, unless something is done to prevent young and impressionable children, even teen-agers, from seeing the type of film which is produced mainly for adult consumption.

I would leave you with the thought that I believe the industry does try to produce a variety, as it must, of films which deal with the

varieties of life. There has been some preoccupation with these violent subjects, that in developing them there has been a great deal of indiscretion, that in advertising them there has been a flagrant disregard for good standards of taste and even of common decency.

I believe, not only the presence of this committee here in this town and the result of its inquiry, but also the facts that have now been brought to the minds of the leaders of the motion-picture industry, will result in improvement.

Thank you very much.

Chairman KEFAUVER. Thank you very much, Mr. Mooring. You have given us a carefully prepared and documented analytical statement, which we are grateful to you for.

Mr. MOORING. Thank you.

Chairman KEFAUVER. How many papers do you write for, Mr. Mooring?

Mr. MOORING. I think there are 47 in America and 3 in Canada, in addition to some supplied in Europe through various Catholic news agencies. I would say about 50 here and in Canada.

Chairman KEFAUVER. Do you have any questions, Mr. Bobo?

Mr. BOBO. Yes, sir.

Mr. Mooring, you have spoken of a great increase in crime and violence in the movies. To what do you attribute this increase in crime and violence?

Mr. MOORING. Well, to the three points. I would say to a tendency to confuse the provisions and operations of the production code, with censorship on the part of some producers. There is resentment against the code and they try not to—they try to avoid its objectives. That is one thing.

Violent and very well understandable competition between movies and television, because the movie people feel they have this additional competitor right in the homes. I am bound to say I agree with those who argue if it is proper to shoot crime and violence right in the drawing room or living room of an American home, then it isn't improper to show it on the motion-picture screen where at least there is an element of choice involved. On television it is thrown right at the people.

Something, it seems to me, must be done by the television people to clean this situation up, and I think, as a result of it, the movie people would take fresh courage and get back to making their own voluntary production code work.

Mr. BOBO. Do you think that the American public demands this type of picture or that the motion-picture industry sets the demand for the American public?

Mr. MOORING. It would be churlish for a critic to deny that box-office results of some of these pictures indicate that there is an element of public demand, but in my opinion that should not be the deciding factor.

While obviously the motion-picture and television people are in business to make money—quite obviously so—they do have an additional responsibility. They are not to consider themselves free to sell any kind of motion picture, and I don't think they really wish to feel free to sell any kind of motion picture.

They do want to give a picture which is popular to the largest possible number. I would say here that I think it is somewhat like a vein of coal in a mine, which might suddenly give out. We find that trends and demands for certain types of films give out. The public for a time has a run on this or that or the other.

I would say here that I believe that this crime and violence has to go in two directions. It either will peter out or it must become progressively worse. That places the motion-picture producer in a difficult position. Each succeeding producer who makes another, to add to this chain of crime and violence pictures, must make it more violent, he must make it more sexy, you see. And unless he does, then the appetite for that type of picture is satisfied, and some other type of picture for the time being becomes predominantly in demand.

I think that is proved by the history of the cycles in the motion-picture business, although I don't deny perhaps the aptitudes of the motion-picture people themselves, as well as the appearances of public demand, control the type of picture we are getting here and now and then.

For instance, if there is a certain type of play on Broadway dealing with, as now, certain miserable aberrations, somebody else will introduce it in another play on Broadway.

The fact that Hollywood draws very heavily upon Broadway results in Hollywood's attempt to bring that kind of thing to the motion-picture screen, and when one motion picture has been made on that subject others are made, until the sky is the limit. I think very, very largely the trend we notice now has developed out of this cycle habit in motion-picture production.

Mr. BOBO. You spoke of a symbolism in a picture involving 2 animals and 2 actors at the corral. Do you think that a juvenile, a person of juvenile age would interpret a scene such as this in the same manner in which an adult would interpret, such as yourself?

Mr. MOORING. Yes, I do. I think—I am thinking now of knowledgeable children. I would say that American youth generally is very well poised.

I am not one who subscribes to the idea it is inherent in the American nature, this passion for crime and sex. I believe that people in America are usually very well imbued with a fine sense of citizenship and decency. I think it is too bad on so many of them that this aspect of delinquency, in a minority sense, has to be so emphasized.

I think in this specific case an average intelligent youth, of average intelligence, would see this and what he would likely get from it would not be arrived at so much through—be arrived at so much through his mind as through his senses and his emotions. Down there would be implanted a feeling that instinct is important in these matters and there is nothing per se wrong in yielding to an urge.

Now, what I would suggest is that a picture should not convey that, because, as we must acknowledge, if we are not on the way to social anarchy, and fast, that we must acknowledge in these matters man is controlled and conditioned by reason and by conscience; neither of which have any effect or hold on an animal.

I hope I make that clear. I am giving a long answer. I do think that children are influenced, emotionally perhaps more than mentally, but, nevertheless, any boy who starts to think about it couldn't get any

other conclusion than it was quite all right for Robert Mitchum, so why shouldn't it be quite all right for him.

Mr. BOBO. Do you think the cumulative effect of scenes such as this or scenes of violence and crime might have more of an impact than just viewing one scene such as this?

Mr. MOORING. Well, yes, obviously, because there is more opportunity for corrective thinking, and there is also a distraction from that major thing in a case where sex or a violent scene is posed briefly. The effect may be shocking. In fact, indeed, it is, I am sure. And I think it is put in for that purpose. But its effect might not be so permanent, might not be so deep, for the reason there is put in the film other things that distract.

Still, however, it is a fact that a large number of pictures I have not documented, but which I could so easily document have contained, while being excellent pictures otherwise, have contained unnecessarily brutal scenes of fighting.

Strange Lady In Town, there is a terribly brutal fight in it. Is it necessary to mix it up this roughly?

Chairman KEFAUVER. Mr. Mooring, what is your opinion of the voluntary code, of the Motion Picture Association's code?

Mr. MOORING. My opinion, Mr. Chairman, of the code is conditioned by my belief in the Ten Commandments from which it derives. I believe the code is a workable document. I believe it puts not the slightest hindrance against the development of the art and technique and craft of motion pictures.

That, to the contrary, by recognizing and outlining immutable principles and by particularizing as to how the drama can be developed in conformity with ideas and facts and principles which we accept, that the code helps the motion-picture artist who is in good faith and who cares to understand his moral philosophy.

I think that too few do understand that. I think perhaps very naturally, as so often happens to us all, this code has presented itself to the minds of many writers, producers, et cetera, as a list of taboos, of don'ts: don't do this and don't do that.

We know what happens to juveniles and we know what happens to Julio when we say, "Don't do that," he then wants to do it instantly. And I think that the code does, in a sense, invite on the part of the writers who don't care to study it from any other point of view, that it invites an effort to defeat it, to step around it, to write around it; and there is a challenge in it to that extent.

But if we could get them to understand, if they would trouble to understand that it can constructively help them to make drama more true to life and, therefore, more acceptable to people, then we should find that the code is a workable and quite wonderful instrument of self-regulation, far, far preferable to any kind of superimposed censorship which, in common with born Americans, I abhor.

Chairman KEFAUVER. Have you had an opportunity, sir, of studying the television industry's code?

Mr. MOORING. Yes, sir, I have made a study of it and I find it not different in its provisions from that of the motion-picture code. It is perhaps not in all respects as complete, and it should be made as complete.

More particularly, however, I have found what is lacking in television is an administration to enforce the code, and it seems to me

from the programs I so often see that perhaps a copy of the television production code on most of the producers' and writers' desks in television is very near the bottom of the pile, and it is not too frequently consulted.

Now, in motion pictures we have an administration and I am sure we have an administrator of very high principles, Mr. Geoffrey Shurlock. I have disagreed with some of the findings he has reached, but I certainly would like to say here that I have the utmost admiration for his uprightness and his good judgment and his fine experience.

Now, in television there seems to be nobody doing that.

Chairman KEFAUVER. Mr. Mooring, in order to eliminate the competition in the extent of crime and violence between motion pictures and television, which is one of the elements that has led to some deterioration of both, I expect there is going to have to be substantially the same code and same strict enforcement or compliance with the code in both industries.

Mr. MOORING. Yes.

Chairman KEFAUVER. If that competition is going to be eliminated.

Mr. MOORING. Yes, indeed.

Chairman KEFAUVER. All right, sir. Anything else?

Mr. BOBO. That is all.

Chairman KEFAUVER. We appreciate your contribution.

Mr. MOORING. Yes.

Chairman KEFAUVER. You have made a digest of some important points which were not brought out in your statement, which will be printed in the record, Mr. Mooring.

Mr. MOORING. Thank you very much.

(The document referred to was marked "Exhibit No. 6," and reads as follows:)

EXHIBIT No. 6

STATEMENT OF WILLIAM H. MOORING ON CURRENT TRENDS AND EFFECTS IN MOTION PICTURES AND TELEVISION AND THEIR POTENTIAL BEARING UPON JUVENILE DELINQUENCY

GENERAL SURVEY

Criminal violence, human brutality, sadism, and other manifestations of psychopathic disorder, have increased noticeably in motion pictures and on television within the past 2 years.

Official Hollywood admission of overemphasis upon violence has been made by Eric Johnston of the Motion Picture (Producers) Association. (See Hollywood Reporter and Daily Variety, May 23, 1955.)

Concurrently and in many instances coincidentally, the treatment of sex in motion pictures and on television has been less restrained, although so far no admission of this has been made officially by the Hollywood motion-picture or television producers.

Direct effect of these trends, separately or combined, may be difficult to connect by documentation with prevalent increases of juvenile delinquency. Nevertheless fair argumentation, backed by some documentation, will suggest, if not prove, that behavior patterns, especially among juveniles at impressionable age levels, are immediately and directly conditioned by motion pictures and television programs of high emotional content and criminal or immoral suggestibility.

Motion picture producers have many times claimed that American films, incidental to their reflections of American culture, or what is commonly called the American way of life, inform and edify a worldwide public by and through their manifold representations of social, economic, and domestic advantages enjoyed by the American people at large.

This argument implicitly claims that movies in which American working people are shown driving elegant, late-model autos, living in comfortably modern-equipped homes, wearing good clothes, enjoying the best services of beauticians, medical doctors, dentists, etc., and indulging freely in an endless variety of sports and recreations, create throughout the world a powerful impression of a nation, economically prosperous and socially idealistic.

Allowing that many films take dramatic license to exaggerate the ease with which, for instance, a working girl acquires an enviable wardrobe or a laboring man sports an expensive car, it appears true that Hollywood's motion pictures have helped to create abroad some impressions of American well-being, self-reliance, and general knowledgability.

If this be true—and I firmly believe it is—then the power of constructive suggestion wielded by the motion picture is officially acknowledged and proudly claimed by American film producers.

It cannot reasonably be argued that this suggestibility in motion pictures ends there. We must recognize its destructive potentialities also.

Motion pictures dealing with social disorders within the American system (instance, *The Blackboard Jungle*, *On the Waterfront*, *The Wild One*) or with prevalent American crime patterns (instance, *Big House*, U. S. A., *Black Tuesday*, *Cell 2455*, *Death Row*, *Riot in Cell Block 11*) must be said likewise to impress the minds of spectators wherever they are seen.

Indeed, since evil has for many persons a stronger fascination than good, the impact of films featuring criminal violence, brutality and sexual immorality must be said to exercise correspondingly greater influence upon human behavior.

For youths especially, the personal element in pictures calls for consideration. A film projecting violence and antisocial rebellion among youthful characters may present greater dangers of exciting imitative behavior among the young when it is played out by a movie actor whom youths widely accept as a popular hero. (Instance, *Wild One*, starring Marlon Brando as the arrogant leader of a belligerent, antisocial gang of youthful motorcyclists who terrorized peaceful communities.)

During the public run of this film, I visited several theaters showing it. In each instance youths were predominant in the audience.

Some were in motorcycle parties; wore leather jackets like those shown in the film.

Either during or after performances, many affected the postures of Brando and his gang.

This film was shown at many matinees given especially for children and youths.

Youths have predominated at many of the more recent showings of the *Blackboard Jungle*. I have the assurance of one police investigator that at one Los Angeles suburban theater, where the management claimed the behavior of youngsters was usually good, this film was accompanied by noisy misbehavior. Youths left the theater affecting the swagger and diction of the hoodlum actors and disturbances among them followed on the streets and parking lots.

It is not suggested that this impression had taken permanent or even deep roots among the boys, but there appears no reason to doubt that the emotional effect of the film was strong.

In this district there have been many recent instances of vandalism in the schools: a situation directly corresponding to some in the film. If the effect of the film is not to increase such vandalism, at least it is arguable that it cannot be expected to decrease it.

For obvious reasons it is more difficult to observe any direct effect of a situation in the *Blackboard Jungle*, wherein an incorrigible, teen-age schoolboy was shown to attempt rape against a teacher (who offered some provocation). However, sex situations of this type, when they occur in a context of crime and violence, may strike the emotions of youthful spectators with momentous force while at a high pitch of excitement.

I do not suggest that films entertaining a spirit of inquiry or criticism toward our public institutions (schools, prisons, hospitals, et cetera) should not be made.

Nor that producers who make such films are lacking in a sense of social responsibility.

I do suggest that, allowing, for example, that the *Blackboard Jungle* was a powerfully dramatic and technically excellent example of screencraft (thus sharpening its potentiality as a conditioner of collective opinion or individual thought and behavior), it should have reached constructive conclusions commensurate

in power with its graphic exposition of youthful gangsterism. In my opinion, it did not, although, unlike the *Wild One*, it did commit its heroic interest to a popular star (Glenn Ford) who was seen as on the side of law and order.

Moreover it implied, as have many other films bearing on the theme of juvenile delinquency (instance, the earlier *Dead End* films), that juvenile crime is attributable to social causes: poverty, bad housing, et cetera, whereas in fact police and court records will show that juvenile delinquency often flourishes in comfortable circumstances where only the poverty of parental love, guidance, and example, plus a surplus of financial advantage, can be offered as a cause for youthful graduation into crime.

Those who defend unrestrained realism in motion pictures and television have advanced the following arguments:

1. That the habit of moviegoing has accustomed youth (and others) to accept a film story as something to be enjoyed, not necessarily believed, let alone imitated.

2. That it is impracticable to gear the dramatic content of motion pictures to the quirks of a small minority (presumed) of "border-line" mentalities, viz. deviates, sadists, molesters, and so forth.

3. That what is true to life is wholly acceptable in films and is given expression through media such as books, newspapers, comics, and therefore is equally valid and safe for the screen.

This first argument appears to have some value, although it cannot be applied to all, or even with certainty, to a majority of young people who see movies and TV shows.

The second argument also projects an element of truth, although if, as it implicitly admits, the incipient criminal or social moron can be excited to imitative behavior, the same in varying degrees is true of us all. Everyone of us is subject to temptation and the incidence of persuasion from the screen must depend upon individual circumstances, conditions, and character qualities nobody can definitely fix.

The third argument takes no cognizance of the fact that dramatized images on a screen are far more powerful in their effect upon the human mind and imagination than the printed word. New and wonderful methods of picture magnification and sound fidelity employed in the latest movies have increased this power.

It is arguable that no precautions in presenting crime in motion pictures can guarantee that imitative criminal behavior will not result.

For instance, *Johnny Belinda*, an excellent motion picture produced in 1947-48, was shown at a children's matinee held in a Buena Park (Calif.) theater on May 19, 1951. In the film there occurred, with perfect dramatic validity, a scene of sexual attack against a deaf and dumb girl. This scene was filmed with the utmost restraint; it was essential to the story.

Yet on that afternoon, from that theater, within a short time after this attack was witnessed on the screen, a young man named McCracken followed a little girl out of the audience, lured her to his rooms, attacked and murdered her.

According to police evidence he was a typical "border line" case.

Motion-picture and television producers must cater to patrons of every human type. They must endeavor—and I believe do earnestly endeavor—to turn out a continuous stream of entertainment reflecting, in unlimited variety, the verities of life.

This leads them to cater to all tastes on as many levels of human intelligence and appreciation as they, and those they employ, can comprehend or share.

Their emphases are drawn from what they conceive currently to be subjects of major public interest. If crime and violence assume an upswing in our social and national experience, it follows that the Hollywood movies reflect that upswing in a corresponding increase of screenplays featuring violence.

This may presently indicate a vicious circle in which the motion picture and television borrow criminal color from current circumstance and passes it on to society, at some peril of increasing the momentum of the prevailing evil.

There is, at present, some evidence of increasing public demand for more effective restraints on the content of movies and TV, and of the low, suggestive, vulgar, and misleading advertising used in connection with many of them.

Censorship, as it connotes arbitrary suppression of ideas, is abhorrent to many Americans. Superficially film censorship is understood to involve a denial by a minority of faultfinders of the rights of others to choose freely what they shall see on the screen.

This oversimplification of the issue is attended by an absence of clear definitions.

It is not censorship if and when a film producer edits a screenplay for the purpose of making it more widely acceptable to the public.

The newspaper editor claims a right to exercise precisely the same function in giving us the news. Many feel that in these days certain elements of our free press indulge their liberties to a point of license, but at least it is never argued that we have a censored press.

In the early 1930's, the American motion-picture industry, through the MPPA, voluntarily adopted a Code of Production Standards.

This consisted of a number of rules with given reasons for each rule.

Based broadly on the Ten Commandments, these rules defined the moral and ethical principles by which matter involving crime, sex, vulgarity, profanity, costume, racial, and national sentiments should be evaluated and related to screen drama.

It is apparent that the current trend toward excessive crime and salacious sex treatment in films is partly attributable to some failure of performance on the part of film producers who are pledged to observe this code and the industry-appointed officials whose task it is to administer it.

There is a belief among some film producers that this code, in spirit and effect, is censorious. They complain that to observe it, letter and spirit, is to hamper the artistic expression and mature development of the motion picture.

Main arguments employed against the code are—

1. That it restricts production of films of adult appeal.

2. That, since TV producers are bound only by token acceptance of principles and practices embodied in the film code and do not maintain an administration strictly to apply them, TV is correspondingly freer than their movie competitors to engage in sensational appeal to the public.

3. That the Supreme Court has ruled that the screen enjoys the same constitutional rights to freedom of expression as the newspaper press and that therefore the public shall have the sole right to decide what is fit and acceptable in movie and TV entertainment.

The following counterarguments are offered:

1. The Production Code offers no restrictions to those engaged in producing, writing, or directing films who care to understand and give effect to its moral philosophies and ethical principles. To the contrary, it provides a key to validity in the drama by alining worldly conflicts between good and evil with immutable principles laid down by Judeo-Christian law. There prevails a common misconception that "adult" entertainment involves preoccupation with the sordid side of life. The result is that many so-called "adult" films (including some exploiting juvenile crime and violence) betray, on the part of those responsible for them, a palpably adolescent approach to sex problems and situations.

2. It is true that the TV industry, under its standard of practices and so-called Television Code, presently fails sufficiently to curb, either in quality or relative quantity, its representations of crime, violence, and sexual immorality. The result is fast-growing public resistance and a loss of public following (and consequently of patronage for commercial sponsors).

3. The Supreme Court has not ruled that the constitutional rights of a "free screen" or of a "free press" include the right to present any idea that may come to a film producer's or editor's mind. While the Supreme Court has handed down no legal definitions, it has tacitly acknowledged that that which is obscene, incites to violence, or otherwise jeopardizes law and order is subject to legal restraints on the screen as in everyday life.

FOREIGN COMPARISONS

Overseas importers of American films almost unanimously oppose those in which violence and brutality are dominant features.

The British Board of Film Censors, a nonstatutory body which commands the respect of the British film industry and the public at large, has recently banned public exhibition of:

The Wild One; Cell 2455, Death Row (based on the criminal case history of condemned kidnap-rapist Caryl Chessman); Black Tuesday (in which a condemned gangster escapes from the electric chair, takes hostages and coldly kills several of them); Wicked Woman; and Cry Vengeance—and Blackboard Jungle has been refused a certificate and negotiations are proceeding.

Other recent films have been subject to heavy eliminations resulting in damage to, or destruction of, story continuity.

Warning has been given by the British Board of Film Censors to the Hollywood producers that no film scenes involving excessive brutality, criminal violence, or extreme and salacious sex situations will be accepted for public exhibition in Great Britain.

It is worth noting that the British Board of Film Censors operates a system of film classifications.

Only films classified "U" may be seen by all. Those considered of purely adult, emotional appeal are certified "A" and may be seen by children only if and when accompanied by a responsible adult.

All films of a horrific nature, or which deal in brutality, sadism, cruelty or questionable situations involving sex, are certified "X" and may not, in any circumstance, be attended by persons under the age of 18.

That the British Board of Film Censors has refused several of these recent crime and sex pictures any kind of certification at all indicates the grave view they take of their likely effect upon the national culture and upon immediate problems of maintaining public morals and good law and order.

It is the official British view that the films mentioned as having been banned are not acceptable even for adults.

Yet here they have been or are being shown, without let or hindrance, to young and old alike.

Most of the continental European films which reflect a heavy emphasis on social unrest or moral turpitude, where these are accepted at all, are granted only the "X" certificate in Great Britain; hence youths under 18 do not see them.

This situation can be compared again with that existing in the United States. The most gravely condemnable motion pictures—morally and sometimes politically subversive—are imported into this country from Europe, Mexico, and other countries, to be shown to all and sundry: teen-agers, young children, and adults. That such films frequently are released only in so-called specialty theaters not generally patronized by youngsters offers the one faint hope that their poisons may not prove as virulent as if they were given blanket release, as are most Hollywood films, in the chain and neighborhood theaters.

We are led, however, at this point to observe the influence of these so-called realistic, adult dramas, imported from abroad, upon the minds of some Hollywood impresarios.

There is evidence that a class of filmgoer which for some inexplicable reason is identified with the intelligentsia attends specialty theaters by choice and habit. Many of these persons rarely go to regular run theaters.

It is to woo their patronage, or so it is argued, that many in Hollywood strive to invest their own screenplays with the type of adult appeal they acclaim in these foreign sex dramas. (Instance, *One Summer of Happiness*, a young couple swimming nude, then lying together with natural results; *The Bed* a group of sex episodes totally ignoring accepted and traditional American standards; *LaRonde* a roundabout of sex exchanges among a group of lustful characters—and many others.)

That some artistic quality is evident in some of these films may be admitted without any acceptance of the theory that they may, with public prudence, be made available to the young people of America. Or that, with any sense of responsibility to the mass American movie public, Hollywood producers may accept the mores common to the European screen drama, in pressing this sin and crime trend to ultimate developments.

CONCLUSIONS

That a dangerous trend in crime and sex treatments has recently taken shape.

That it can and should be checked by intelligent and respectful application of the existing Motion Picture Production Code.

That the television industry should adopt and practice an identical code of ethics and morals, and set up an administration with teeth in it, to accomplish uniform and constant controls.

That the only alternative to these steps is censorship by State or civic bodies (within such limits as are set by law).

That if and when such limits should prove inadequate, there will arise a public clamor for remedial legislation.

That while it is happily true that many motion pictures and TV programs originating in Hollywood exercise benefic effect upon millions, it is fallacious to reason that the good they do balances the harm which results from a smaller number of crime and sex films.

By making a woman house-proud or beauty conscious, you do not minimize any traits she may have toward shop-lifting.

Feeding junior from a gleaming ice-box or giving him a lift in a late-model Cad will not stop him from holding up the gas station on the corner.

Crime does not have to pay as long as it holds thrills.

DOCUMENTATION

While interpretation of production code rules involves matters of opinion, there seems little room to doubt that the following films were in violation of code rules, either as to letter or spirit, and in many instances, both (Mr. Mooring's accusations):

Black Tuesday.—Introduced brutal killings, a new and unique trick for concealing a gun, a perfect pattern for crime (escape from the just process of law), and excessive brutality. All these are expressly forbidden by the production code.

Big House, USA.—Dealt with the kidnaping of a child (which became a main theme despite efforts to cover the fact by introducing prison break as a secondary theme). It also introduced excessive brutality and gave details of the crime of kidnaping in violation of the production code.

Cell 2455, Death Row.—Dealt with the life of a notorious criminal of current times and identified him in the screen titles, thus, while side-stepping the rule against use of the criminal's name in the film, it violated the express purpose of the rule. It also contained intimate reference to sexual intercourse detailed partly by pictorial means then confirmed by sound effects.

Son of Sinbad.—Exploits semi-nudity which the production code forbids, coming under the heading of immoral actions. It also presents dances identifiable with sexual actions and, after the fashion of burlesque, is intended to excite the emotional reaction of an audience through exposure and movement: all code violations.

Kiss Me Deadly.—Viciously combines criminal brutality and sex salaciousness in violation of the production code.

Five Against the House.—Presents a pattern of crime conceived by four young college men (one of them popular film-TV hero, Guy Madison) and executed for fun by methods most calculated to inspire others with a desire for imitation, contrary to the production code. It also highly suggests reference to sex.

Violent Saturday.—Powerful dramatically and technically of high caliber, explicitly details the methods of a bank robbery crime in violation of production code. Some scenes also appear to break the rule against excessive brutality.

Not As a Stranger.—Links animal mating by direct symbolism with an illicit sex adventure between a man and woman, thus imputing instinctive animalistic nature to humankind and inferring that low forms of sex relationship are the accepted thing (by implying they are not subject to reason but only to animal instinct).

Many other examples are available.

It is noticeable also that of late, drive-in theaters, once regarded as almost sacrosanct to family entertainment, have shown with increasing frequency the worst examples in crime and sex films.

Reliable information suggests that this trend is not accidental, but coincides in some instances with conditions that invite immediate police action.

At certain drive-ins cars occupied by young couples are directed to specific parts of the theater where it is understood their behavior will be subject to no interference by theater attendants.

DOCUMENTATION B

Son of Sinbad.—Appears to present nothing of appeal to mature-minded adults, is described in a Hollywood trade press critique as "an affront to the public intelligence." Its burlesque-type parade of seminude females may very well excite the passion of young men at impressionable stages of sex curiosity. Moreover the film appears to be designed, on exhibitionist lines for that specific purpose.

The Seven Year Itch.—Deals with adultery and illicit sex as subject for fun. The technique employed, rather common of late, is to presume that the illicit adventures existed only in the imagination of the characters and did not in fact occur. This method permits of the characters talking about, and going through the forms of sexual promiscuity without any restraints. If the film is aimed at adults, the fact is that adolescents will be free to attend and many may be impressed that sexual promiscuity is an easy, acceptable, laughing matter; not violation of the virtues.

STATEMENT OF RONALD REAGAN, FREE LANCE ACTOR,
HOLLYWOOD, CALIF.

Chairman KEFAUVER. Mr. Ronald Reagan will be our next witness. Sit down, Mr. Reagan. How are you?

Mr. REAGAN. Thank you.

Chairman KEFAUVER. Mr. Reagan, we are glad to have you with us. Mr. Bobo, will you ask Mr. Reagan some preliminary questions?

Mr. BOBO. Mr. Reagan, would you tell us within what capacity you are associated with the motion picture industry?

Mr. REAGAN. I am what is termed a free-lance actor. This is the status of most of the actors in the motion picture business. There is very little continued employment; only a few hundred out of our 8,000 actors are under contract with studios. The rest of us work when we in the studio and the producer get together on a script. In addition to that I have served as an officer and am presently serving as an officer of the Screen Actors Guild which is the actors union.

Mr. BOBO. As an actor, Mr. Reagan, and in the motion picture industry, I am sure you have heard recently of some of the complaints or suggestions about too much crime and violence or brutality within motion pictures.

I wonder, would you give us your feelings on this subject as an actor?

Mr. REAGAN. Well, Mr. Bobo, if I could correct you slightly, I have been in the picture business since 1937 and I have never known a time at which the picture business wasn't being criticized for something. Lately they seem to be dwelling more on crime and violence. I don't know how I could answer that without perhaps getting kind of lengthy or talking about personal references.

I just finished a western movie in which I did a scene, I administered quite a drubbing to my partner in this picture. The story is about a misunderstanding between those of us—the two of us who are good friends. Now, a very great dramatic part of this picture depends in the fact I, misunderstanding my friend, start the fight and he won't fight back.

My principal concern with pictures is that they are a part of the theater. They are theatrical entertainment, and while there are very few rules that hold for theatrical entertainment, one I have always subscribed to and I believe is basic is that you cannot have successful theater unless your audience has an emotional experience of some kind. If it is comedy, they must laugh. If it is tragedy, they must cry.

Now, I don't know how you can get over the dramatic point of a story of two partners who come to a misunderstanding that leads almost to blood enmity or killing between them, and then find them or see them find their way back to their friendship, without showing the extent of their hatred at this one point for each other. And to do that we have a scene that, of course, will appear to be brutal.

This is taken from a story by Bret Harte. I think Bret Harte was a pretty good writer of the particular period of the mining days in early California.

I think the heritage of our country is based a great deal on those early days of violence here in the West. I don't know how you portray accurately without trying realistically to show what took place.

A little while ago I was in a picture based on the Korean war, called *Prisoner of War*. It came from the stories of the first 60 repatriated prisoners.

Some people complained because the picture was too brutal. Well, a lot of American kids went over to the war and a lot of them went through and lived through in reality what we tried to portray.

I am sorry, but I don't see what is wrong with letting the American public, who are free to either buy the ticket or not buy the ticket—what is wrong with letting them come in and see a sample of what the American kids in the Armed Forces went through, who had to fight that war for them. You can't do that by flashing a notice on the screen and saying, "We don't want to show you this, it is terrible, but awful things happened to this fellow," and then go on with the story. You have to portray what took place and what happened to him.

As I say, to try and answer this I have to ramble all around. We are in the field, as I said, of theatrical entertainment.

I remember some years ago when the rackets were running rampant in this country, that we did a picture out here supposed to show the protection racket in the Midwest in the food markets. How the gangsters would threaten and if you didn't pay protection they would come in and ruin the stock.

There is political censorship in the State of Ohio. In Ohio these censors cut out of this picture every scene that showed what the racketeers did. The result was that your picture went out the window, because you had a wonderful picture about the FBI and policemen who were chasing gangsters, but you never saw anything that the gangsters did. The result was the audience didn't know what the fuss was all about or why they were bad men, because they never saw them being bad.

In all of our crime and violence pictures there is one thing that I believe is true, has to be true, and is true of every picture that has ever been made in Hollywood: crime never pays. Right always triumphs.

Now, if we are going to try, and in a picture in addition to entertainment we are going to try and instill in the audience respect for law and order, and the idea that right is to triumph, you certainly have got to go some distance in showing how evil the wrongdoers are; and I think this basically we have done. Naturally, there are going to be some men who are not going to produce pictures with the same good taste as others.

I think the greatest mistake the critics of the motion picture industry make is to refer to it as an industry, and think that when they talk to us they are talking to General Motors or General Electric, one company, that if they can get one person or one board of directors to make a decision the problem is solved.

The Screen Actors Guild has over 400 signatories to our contract, over 400 individual producers or producing companies making motion pictures. These men are a cross section of American life. And it stands to reason that some of them are not going to have the same ideas, the same principles, the same good tastes as others.

We have a voluntary production code. I don't care what other witnesses have said, I believe that in all the years I have been con-

nected with the picture business by and large 99 percent of the time we subscribe to that code, and I believe it is a voluntary censorship. It is a program of self-restraint that is unequalled in any other form of communications in our land or in the world. I know of no publishing industry, I know of no records firm, I know of no radio or television station, no other form in the communications industry that has the same self-restraint as does the motion picture industry.

Well, I had better stop and let you ask another question.

Mr. Bobo. I think no one would take exception with you that in a picture we must portray certain activity. We can go at times beyond the bounds in a picture by too much killing to get across our point, or too much crime, wouldn't you think, in some pictures?

Mr. REAGAN. Yes. As I say, there are bound to be individuals who I think, no matter with what sincerity or good intentions their idea of telling the story, let us say, do not have the same good taste that another producer might have or another director or writer.

In the last analysis, however, isn't the American citizen, with his money at the box office, the best judge of what he wants to see?

Mr. Bobo. I think that is probably true. We are speaking more here today in the realm of juveniles, those 16 and under. We sometimes wonder whether or not they are capable of making their minds up as to what would be good or what would be bad.

Mr. REAGAN. Well, then, I wonder if the program begins with the motion picture industry, because I have never pinned down the percentage, but I think that by and large the greatest majority of our pictures come from published stories, books and plays that have already been staged. There are very few original stories in the overall percentage that account for some 350 pictures a year.

Now, I read in the paper this morning that one of the pictures that was going to be mentioned was *Blackboard Jungle*. I saw *Blackboard Jungle*. Before I saw it, I read it in the *Saturday Evening Post*. It was available on the newsstands to anyone that wanted to read it for 15 cents. As a matter of fact, I read an editorial comment of what a forceful story it was, how powerful. I thought the picture very faithfully portrayed the story. They did not exaggerate or take over at any time and go off on any tangent. They stuck to the story.

Now, in seeing the picture, sure, there was violence. But I think any one of us realizes this situation does prevail in certain educational institutions in the country. And you have to look at the end result, and I think the end result to any youngster that was in there had to be, as it was with me—I am certainly not a youngster any more—had to be a feeling of disgust for the boys who were on the wrong side of the fence. There had to be a certain feeling of triumph when the one boy was won over and became a leader for the right.

And as a sort of a sideline, I thrilled to another message I read in the picture. I thought it was a great tribute for a very much maligned and misunderstood and abused segment of American humanity, the schoolteacher. I thought it portrayed this very dedicated group of people we don't pay enough, don't do enough for; it showed their selflessness in dealing with this problem and sticking with it.

Mr. Bobo. You would say as an actor, Mr. Reagan—I notice you mentioned the story was in the *Saturday Evening Post*—that possibly if you were portraying a part on the screen that I probably would

derive more of an emotional experience watching you portray it than reading the story, and it would have more of an impact upon me.

Mr. REAGAN. Yes; I hope so. If not, we are all out of work.

Mr. BOBO. There was another question I was interested in. You also have a television program, which I saw the other night.

Mr. REAGAN. That is right.

Mr. BOBO. Do you think in choosing the material for the television program there is any more restraint put upon the subject matter that you would choose for a television program than what you would choose for a motion picture?

Mr. REAGAN. Yes, there very definitely is. Of course, there is also a very definite economic reason there. You have in television a different kind of censorship. You have to get your script past the sponsor, so you very quickly learn what sort of thing the sponsor wants and doesn't want, and this is the way you read stories and submit them to him.

I think the element enters in, in television that you are going into a home. I think you select stories on the basis of the hour of the evening. In our program, we realize that the children are still up and they are going to be sitting with their parents. It isn't a matter of whether we are going to be moral or immoral on the screen. We try to pick a story that we think won't cause a family fight; that mom and pop and the kids will all agree that they can at least look at it and get something out of it.

Mr. BOBO. I think that is all.

Chairman KEFAUVER. Thank you very much, Mr. Reagan.

Mr. REAGAN. May I impose on you for just one more statement? I have been hearing some of the testimony this morning and—I am imposing, because I know this is not the proper province of your committee, but there is something that has always disturbed me and disturbs me very much right at the moment, and that is about this hue and cry about the motion picture industry and what effect it might have on youth.

I happen to be a parent. I am as concerned as any other parent with whether my children see things that are vulgar or obscene or brutal. I realize I can't wrap them in cotton wool in this day and age; that they only have to go as far as the front page of their daily newspaper to see the seamier side of life.

I think as a parent my obligation at home is to bring my children up in such a way that when they are exposed to vulgarity and obscenity and brutality they will be able to properly evaluate it and make a decision and put it in its right place.

The thing that worries me very much about what is being done to the motion-picture industry, or what is being talked to the motion-picture industry is something I can't lick with my children at home. Ours is a first-generation business, and I am very much worried about my children and all the other children their age, an entire generation that is going to grow up taking it for granted it is all right for someone to tell them what they can see and hear from a motion-picture screen, because when they grow up and take our places as adults I am afraid they will be mentally conditioned to where then somebody can tell them it is all right to tell them what they can read and what they can hear from a speaking platform, and what they can say and what

they can think. If that day comes, of course, we have lost the cold war.

Thanks very much.

Chairman KEFAUVER. Thank you, Mr. Reagan.

We will have about a 5- or 6-minute recess and then carry on about 25 minutes more before lunchtime.

(Short recess taken.)

STATEMENT OF DR. FREDERICK J. HACKER, CHIEF OF STAFF, THE HACKER FOUNDATION, BEVERLY HILLS, CALIF.

Chairman KEFAUVER. Dr. Hacker, we know you are a well-known, eminent psychiatrist. I believe you are chief of staff of the Hacker Foundation for Psychiatric Research and Education. Is that correct?

Dr. HACKER. Yes, sir.

Chairman KEFAUVER. Will you tell us a little more about your background, experience, and training?

Dr. HACKER. I was born and raised in Vienna, and went to medical school and graduated in Switzerland and had all my postgraduate training in medicine and psychiatry in this country at Columbia University, and particularly at the medical clinic at Topeka, Kans. The last 11 years I have had my own clinic here in Beverly Hills. Attached to it is a psychiatric foundation which is dedicated to research and education. It just so happened this last year our main topic has been juvenile delinquency, the various causes and reasons and forms of expression of it.

Right now the committee catches me at the right time, because I am still full of a whole year of discussion of it. As a result of that, I made only a very small, short statement. Otherwise I would have to give a series of seminars. I don't want to impose to such an extent, so I made just a very short statement about what I consider to be the main points of the situation at the moment.

Chairman KEFAUVER. Dr. Hacker, do you wish to read your statement or file your statement and speak orally?

Dr. HACKER. Well, psychiatrists are usually much better in answering questions and arguing on whatever it may be. But if you want me to read this very short statement, it will just take 2 minutes.

Chairman KEFAUVER. You read your statement, Doctor.

Dr. HACKER. Social scapegoating attempts to single out the modern media of mass communication—movies, television, comic books, and so forth—as the main culprits responsible for all that ails the world. Obviously, no such simple cause-and-effect relationship exists. In the intricate pattern of modern society, every so-called effect is produced by innumerable related causes and itself gives rise to manifold other effects.

Therefore, it cannot be stated with any degree of dispassionate scientific accuracy that movies or other mass media cause juvenile delinquency, but innumerable clinical observations prove that they not only describe but often contribute to, or at least shape the content of, criminal activity.

Movies, as a whole much more adult and restrained than television or comic books, show awareness of social responsibility by voluntary submission to a code. This expresses the basic conviction that even

entertainment and realism have to live up to some minimal educational and moral standards. Pictures may have become better than ever, but, while only a few of them stimulate and exploit vile aggressive impulses, many of them depict extreme brutality as a natural function of ordinary living, and most of them rely heavily on the outcome of physical combat as an eminently satisfactory means of solving human problems.

The technical perfection of the movies provides an excellent identification and crystallization model for the vague and unformed attitudes of the adolescent. The often-prevailing general atmosphere of violence in movies and other media of mass communication promotes hero-worship of the criminal, ridicule of thoughtfulness or sensitivity or any type of intellectual pursuit, and thus produces the confusion of brutality with rugged masculinity. The code's strictly enforced taboo against overt salaciousness frequently permits the uninhibited display of orgies of brutality, which are, in fact, hostile manifestations of a perverse sexuality. This deterioration of the noble American dedication to action into violence for its own sake represents a distinct social danger, and there is probably a definite, though extremely complex, parallelism between the general brutalization of our youth and the increased violence in media of mass communication.

To investigate in detail these relationships may be one of the most important tasks of psychological and sociological research of the immediate future.

Chairman KEFAUVER. Mr. Bobo.

Mr. BOBO. Doctor, do you feel that in crime-and-violence movies youngsters will have a tendency to seek out this particular type of movie?

Dr. HACKER. Yes, and I believe some studies indicate that—and this speaks not against the movies—about twice as many delinquents—that among the compulsive movie attendants there are twice as many delinquents than those boys and girls that are not delinquents. In other words, there is a relationship between moviegoing and delinquency or between a very insistent television-viewing habit and delinquency.

However, I would like to state emphatically I do not mean to imply by that the movies produce the crimes or that there is a parallelism between the attendance of movies and that this has the causal effect of producing the crime. It is much more so that the criminally more inclined are those that are more exposed to that, that do not know what to do with themselves and therefore seek very often this kind and form of entertainment.

Mr. BOBO. Do you feel an emotionally disturbed child may gain ideas from brutal scenes or scenes of sadism or scenes of illicit sex?

Dr. HACKER. I think there is no question about it, because I see it daily in my practice, that they actually copy some of the violence as depicted in movies. Of course, it could be argued, on the other hand, if they would not copy that pattern they possibly might copy another one.

That, therefore, the description of violence in the movies may just act as a trigger mechanism and not be an essential cause.

But we certainly do see in our clinical practice, without a question of a doubt, innumerable crimes are distinctly influenced in their

conception, in their perpetration and even in some details by certain models that were gained by the mass media of communication, movies, television, comic books, et cetera.

Mr. BOBO. The visual coupled with the sound media of communication, would it have more of a serious impact on emotionally disturbed youngsters than reading a comic book or reading a story in a magazine?

Dr. HACKER. It undoubtedly has. I think the very marvelous and technically very admirable combination and blending of auditory and visual stimuli, of hearing and seeing, produces certainly a heightened and cumulative effect, so that I would think that movies and television, but particularly also movies, are in their social effect much more important than all reading matter taken together.

Mr. BOBO. Dr. Hacker, how many children or juvenile delinquents have you come in contact with in your practice?

Dr. HACKER. I think in the course of my practice I have certainly seen many hundreds of them as patients individually and maybe in groups and so on. I have been in some therapeutic contact with many thousands of them, because that has been so much in Dr. Frym's and my own field of interest in the immediate past.

Mr. BOBO. Do you think that children by looking at the scenes of crime and violence might receive some vicarious outlet for their own inward feelings in watching these movies?

Dr. HACKER. Yes, I think again there is no doubt about the fact that there is sometimes some relief of some tension or anxiety or some vicarious gratification, as you put it. But it is very doubtful whether that is a very therapeutic measure, because this relief that is provided in that manner usually doesn't last for a very long time.

But I think since maybe, today, at least, I appear as the only psychiatrist on the witness list, it is fair to state beyond my own opinion, that the psychiatric opinion is such—it is maybe not surprising—it is somewhat divided on the issue, as they are on most issues—as most people are on most issues.

And you know, there is the one opinion that will have it that insofar as there is a definite relationship between mass communication and crime, and that insofar as mass communication is at least one thing that one can alter, presumably, that one should very strictly censor these media and subject them to either voluntary or involuntary censorship. Of course, there is the other point of view that claims this is a surface manifestation of social ills altogether, and it is doing an injustice to mass media to single them out and to treat something, you know, very much on the surface, and one should rather attack the underlying causes for those things, and from their point of view there is, of course, a great fear of censorship that was voiced today by some witnesses before your committee, too.

So, I mean, even among psychiatrists there is a somewhat divided opinion as to what to do about it, though there is, I think, little disagreement about the fact that in a very fundamental way the media of mass communication does shape and influence criminal activity, though they do not cause it.

Mr. BOBO. Do you think that in building up this vicarious outlet that they might have, that the tendency might come for them to act this out in a more brutal form, having received their outlet there, that it was only temporary.

Dr. HACKER. Yes, I think that is a very distinct danger. I think another witness pointed out that with the tremendous voraciousness of modern mass media that swallows up material at a tremendous rate, that the only way that some producers help themselves is to constantly raise the emotional angle. In order to produce the same effect of emotional impact they have to make the scene so vile it is more and more emphatic and more and more distinct and more overt, and that may then lead, not only may lead, but very frequently does lead to a stimulation of an otherwise predisposed youngster.

Mr. BOBO. We have talked about the predisposed youngster. Under the tension of the times in which we live, with our mass media of television and movies and also reading it in stories and books, might a normal youngster be led into an emotionally disturbed youngster by this constant diet of crime and violence and brutality.

Dr. HACKER. I think that is quite correct. As you probably know, though it has been said every generation feels that way about the subsequent one, many older people now would consider the normal so-called adolescent emotionally disturbed. So the dividing line between the so-called normal and so-called emotionally disturbed one is sometimes very hard to draw, particularly in adolescence, which is traditionally and one could almost say physiologically for all of us a rather disturbed and disturbing period. These influences may be very decisive.

But, naturally, one should say—and maybe I am only adding that for my own, because I have my own professional ax to grind, that sociological conditions alone are never responsible for any kind of emotional distress, and also not for crime. There has to be a certain individual psychological predisposition or disturbance connected with it, too.

Mr. BOBO. In your capacity as a psychiatrist and with the foundation, in recent years have you noticed any increase in the number of emotionally disturbed youngsters that come before you or come to you for treatment?

Dr. HACKER. I am not in possession of large-scale statistics that could decisively answer that question, but it is our distinct impression that particularly crimes of violence have increased tremendously, that such—I say that with all due caution—that such acts of seemingly unmotivated violence, as you see them in wolfpacks and such, are really almost a novel phenomena. That form of a gang organization of violence for violence's sake is something new that has been added, and particularly, and this may be the thing I want to stress most, there is an increased toleration of brutality and violence, even of the so-called normal adolescent or person.

I mean, it may be one thing that the movies and television and comic books have certainly done is to make us all impervious to violence. In other words, as I tried to state in my statement, we accept that as a part of normal, ordinary life and do not particularly protest against it.

This brutalization, even of the so-called normal—forgetting about the emotionally disturbed for a moment—in terms of social engineering may be the greatest and most distinct danger.

Mr. BOBO. Are we becoming immune to human suffering?

Dr. HACKER. Yes, and accept brutality and violence as part of ordinary human living. And particularly also to feel—this is some-

thing I believe everybody connected with the movie industry will frankly admit, though he may say he does it for dramatic reasons—that to constantly describe the so-called hero, meaning the one that gets the girl in the end, is the one who is particularly good in physical combat and who usually wins the last fight, as if that makes him eligible not only for the possession of the girl, but also for the heroic solution of all other problems that may confront him in life.

So that implicitly, without actually saying it, an atmosphere is created in which there is emphasis placed on a kind of brutal ruggedness that appears of doubtful value in the solution of national, social, international, or any other kind of conflict.

Mr. BOBO. You stated that extreme brutality and wolf gangs were a new phenomena. Do you have any opinion as to the reason for this?

Dr. HACKER. Well, I think there again a great variety of reasons probably contribute to that. It is probably a certain social conditioning, the frequent loss of parental authority and of the binding morals of either state or church and so on, that predisposes this kind of gang formation. And then the absence of any particular premium on thinking and intellectual activities very frequently drives the youngster into doing something for doing's sake, in order to just pass the time.

They constantly have to, again here, too, raise the threshold of their excitement and pretty soon they may engage in violence that doesn't take any particular account of what damage it may do. This is a very primitive explanation, but there are many, many more factors. But I am sure it is something of a sequence of that nature.

Mr. BOBO. We couldn't produce pictures in this country without showing some form of life or some form of violence, as everyday life is lived?

Dr. HACKER. Certainly not. I certainly do not want to protest for, not squeamish morals, but squeamish psychiatric reasons, for the suppression of anything that is realistic.

But in movies, for instance, a great, great number of things that are perfectly realistic are not shown; never shown and never will be shown, and maybe they should never be shown.

For instance, certain intimate scenes, certain eliminative functions, certain eliminative scenes of the human being that are perfectly natural, they are perfectly human and certainly occur every moment are certainly not shown in movies.

Why not? Because it is not believed this is a representative function of the human being and odd in any form. It is not only description as it was told today, but it is also representative description.

And I believe it is indeed a social danger to consider the young healthy normal American male as being representatively described by his combative efforts and by his brutality. Though it may occur, this is not, I think, a sufficient explanation or excuse for showing it all the time.

Mr. BOBO. Do you think, Doctor, that same of the increase in sex crimes, especially among juveniles, which has increased 110 percent in the last 12 years, could be attributed to the looseness of sex as is displayed not only in motion pictures, but at times in television and magazines and stories we read?

Dr. HACKER. For that, certainly, however, the movies cannot be blamed, because the few movies I do see seem to pay much more attention to the elimination of these sexual factors and to measure the

plunging necklines of the ladies, rather than the seeming deleterious expressions of violence.

I am quite sure, however, that the constant stimulation by other media of mass communication has maybe also something to do with keeping this kind of abnormal sexual excitement alive.

Chairman KEFAUVER. Well, Doctor, as I understand, in summary, you feel that the movie industry has shown some awareness as to its public responsibility, as evidenced by the fact it has voluntarily adopted a very good code and most of the pictures are wholesome and educational and entertaining without being deleterious.

Dr. HACKER. I would think so.

Chairman KEFAUVER. In your experience as a psychiatrist, you have had young patients who have committed acts which were based, you feel, to some extent, at least, upon what they had seen or been subjected to through the media of communication, movies or television.

Dr. HACKER. Yes.

Chairman KEFAUVER. Is that correct?

Dr. HACKER. That is correct.

Chairman KEFAUVER. You don't claim the movies or the television were the cause. They were already of the nature where they might get into trouble, and this was just a—

Dr. HACKER. Trigger.

Chairman KEFAUVER. A trigger or a manifestation.

Dr. HACKER. Correct.

Chairman KEFAUVER. And you think that while the movies have done a very good job, that in the field of crime and violence and portraying as the hero the fellow who is the most violent on occasions, that they could have a better influence upon our young people.

Dr. HACKER. That is correct. I would say that since the principle of the code has been adopted by the movie industry anyway, regardless of whether that is a correct or incorrect principle, and it is hard to see why the main force of this code should be directed against—you know, against only, let's say, various expressions of sexuality, rather than also being directed against the equally dangerous or much more dangerous forms of brutality and violence, since the existing instruments of the code would already permit it.

One has almost the impression—almost—that the suppression of overt sexuality and sensuality and so on is compensated for by increased emphasis on physical violence.

Chairman KEFAUVER. Dr. Hacker, your statement is a great help to us. We know that you have no ax to grind, that you have had great experience. You do take a broad public interest view of this matter.

Dr. HACKER. Yes.

Chairman KEFAUVER. I am certain your statement will be of assistance to the movie industry, also, and to those who are concerned with the type of picture they produce and show. We appreciate very much your coming in.

Dr. HACKER. Thank you very much.

Chairman KEFAUVER. While we have a lot of fine witnesses yet, and we are going to hear all of our witnesses, even if we have to carry this part of the hearing over until the morning; it is now 12 o'clock, and I think we had better stand in recess until 2 o'clock.

(Whereupon, at 12 noon, a recess was taken until 2 p. m. of the same day.)

AFTERNOON SESSION

(Whereupon, the hearing was resumed at 2:15 o'clock p. m.)

Chairman KEFAUVER. We are delighted to have Mayor Poulson with us for a while this afternoon. The mayor and I served in the House of Representatives for many years together. Although we were of different political faiths, we were close friends. One time I took him down to see the Tennessee Valley Authority, trying to get him to vote for the TVA. We spent the weekend at Lookout Mountain Hotel. This was in 1947. I wasn't quite running for the Senate, but I was getting ready to, so Mayor Poulson started managing my campaign for the Senate, and thought he was doing pretty well. But we ascertained we were over in the State of Georgia and he had been campaigning with citizens of Georgia and not Tennessee so it didn't work out. But I appreciated his good efforts, anyway.

We are glad to have Mr. William Rosenthal, who is a member of the general assembly, and whom I have known pleasantly for some time.

Mayor, we had one of your representatives here yesterday, Chief Parker, and other officials, who told us about conditions in Los Angeles. If you have anything to add, we will be glad to give you an opportunity to speak.

Mayor POULSON. I think Chief Parker, as he stated, was testifying in my behalf because, after all, this is a matter which experts have to deal with, that it is a problem that comes under his jurisdiction, and I feel that the proper method of approaching these problems is to have the general interest in the problem, but at the same time it must be handled primarily by the department heads who are responsible for it.

For that reason I asked Chief Parker to testify. I did come here today solely to pay a personal visit to a personal friend of mine of many years' standing and one whom I have always enjoyed his friendship. One thing about it, politics never made any difference with us.

Chairman KEFAUVER. That is right. Thank you very much. You stay with us as long as you can.

Our first witness this afternoon is Dr. Marcel Frym.

STATEMENT OF DR. MARCEL FRYM, DIRECTOR OF CRIMINOLOGY AND CHIEF OF STAFF OF THE HACKER FOUNDATION, BEVERLY HILLS, CALIF.

Chairman KEFAUVER. Dr. Frym, you are the director of criminology, or the research in criminology, at the Hacker Foundation.

Dr. FRYM. That is right.

Chairman KEFAUVER. Mr. Bobo, do you wish to ask Dr. Frym any preliminary questions about his experience and background?

Mr. BOBO. Yes. Where did you receive your training, Doctor?

Dr. FRYM. I want to correct a mistake on your background sheet, gentlemen. I am not an M. D. I am not practicing medicine. I am a doctor of jurisprudence, which means a doctor of law, with special training in criminology and legal medicine, and now 10 years' experience in psychiatric work with the Hacker Psychiatric Clinic.

I am a member of the faculty of the University of Southern California, School of Public Administration, where I have been teaching law enforcement officers in criminology for the last 2 years. I am also teaching classes and graduate seminars in correction and psychology and criminology.

Mr. BOBO. Have you done any extensive work in the realm of mass media?

Dr. FRYM. Yes, I have been treating, the correction of psychotherapies, a member of the staff of the psychiatric clinic, delinquents, and specifically juvenile delinquents for many years.

It was a topic of special interest for me in all these years, and also as a research man, to establish correlation between mass media and delinquency.

Mr. BOBO. Doctor, in your study of the relationship of mass media to juvenile delinquency, what have been some of your conclusions and findings?

Dr. FRYM. Well, I agreed with those authorities in our field who state that there is a relation between certain exhibitions of mass media and delinquency. I believe it cannot be denied that certain criminology from juveniles is extremely affected, as Dr. Hacker pointed out today, by signs, by character description in movies and in TV shows. It cannot be denied and I wish there would be more research material available to endorse his view. I am personally quite concerned, quite convinced that these mass media are a very serious contributor to delinquency. I would like to explain this briefly, if I may.

Any type of criminality is an act of aggression, a rebellion against restrictions imposed by law and by moral codes.

Now, we have learned in modern psychology, that is, extreme aggression and rebellion is usually generated by fears, by states of anxiety, by insecurity, and very often by anxieties related to the sexual position of the human being, if the man is sufficiently masculine and the woman is sufficiently feminine.

As a matter of fact, I would like to state in this connection that in my opinion most vicious and extremely brutal crimes have a strong underlay of homosexual intentions. It is not necessary the person has had, has ever had any homosexual experience, but they have had, at least been tortured deep below the level of their consciousness about the insecurity about their sexual position. And therefore I want to say unwittingly and unknowingly it is in pictures and other mass media which stimulates and overstimulates this basic mechanism.

I want to say I am extremely opposed to those views which would try to censor mass media at large. I want to point to the tremendous importance of pictures like, for instance, Snake Pit, which has demonstrated very outrageous conditions in mental hospitals and alarmed the public to these conditions.

For instance, a picture like Caged, dealing with most deplorable conditions in women's prisons in the United States, and I wish there would be more pictures that would be made to point to the conditions in the United States prisons. By the United States prisons I do not mean Federal prisons, but prisons in the United States which are, in my opinion, too many of them a disgrace to our country.

I believe it is not the job of movies just to produce or present sugar-coated unrealities. It should show caste conditions and alarm pub-

lic indignation, but I personally am very, very leery about those pictures which have no message whatsoever, or just pretend a message and really only capitalize on viciousness and brutality.

Mr. BOBO. In the relationship among our juveniles of today and juveniles in adolescence, where many of them don't receive any type of sexual education in the home or in the school or through the church, do you think it would eventually be possible from the mass media of communication for them to learn about sex or get the wrong attitude about sex from some of the media of communication?

Dr. FRYM. Yes. By all means. You see, our basic concepts of right and wrong behavior are shaped in accordance to suggestive examples, and the characters that are created and depicted in a mass communication media are very suggestive examples of right and wrong.

The hero is not the good guy in this type of picture we are now concerned about. Actually glamorized is the brutal, vicious guy who succeeds only by muscular strength.

Mr. BOBO. In view of some of the biological drives which we have and some of the social controls we have over sex today, do you feel that the mass media may stimulate sex desires in youth, and in view of the existing social controls, these desires probably would not be properly satisfied, and might account for some of the sex crimes?

Dr. FRYM. Yes, sir, Mr. Bobo. But I cannot conceive how this could or should be presented, except if we accept in a limited way, at least, the technique used in most European countries.

I think one of the witnesses today pointed to regulations in England, and they exist in many other countries in Europe, that juveniles are not admitted to adult pictures. I prefer this by far to reducing pictures to an unreality, to a childlike quality, just in order to protect youth. I don't know whether this is financially feasible. This is not an angle which I can discuss, but I am worried that kids, especially of relatively tender age, are admitted here in our country to any type of pictures.

When I traveled 2 years ago extensively in Europe as a criminologist, visiting law enforcement agencies and penal institutions and especially being concerned with juvenile delinquency, I was really surprised how lower the incidents in juvenile delinquency are in Europe as compared to the United States.

We must consider that Europe has suffered tremendously on destructive warfare and financial distress, and our country has been spared in that regard. Still there is so much less delinquency there it should make us more and more aware of all of the contributing factors, and one of them definitely is some irresponsible productions in mass media.

Mr. BOBO. Do you think that criminally disposed or an emotionally upset youngster, by going to a movie, could pick up the outlines for a crime which would cause him to have an outlet to perform this crime?

Dr. FRYM. Well, as was said before today it could trigger such a certain recognition or proneness of the boy. We could, of course, argue that something else completely different, something he may have read in the newspapers, picture in a newspaper or magazine, or a scene on the street might equally have triggered his mechanism or he must be prone, and if he came out bad, outlaw all trigger mechanisms, I don't believe this.

What I would really suggest, if I may, my personal opinion, I am very proud of our production code administration. I think they are doing an outstanding job and very intelligently and in good taste.

But I would like to see a kind of advisory board to this agency or to another agency to be created for TV, consisting of experts in human behavior, for instance, educators, psychologists, psychiatrists, and even criminologists.

Mr. BOBO. The purpose of this being to interpret for them what the impact of a certain scene or a certain series of scenes might be.

Dr. FRYM. Yes. I believe very much that human behavior is no longer a matter of concern only to the layman. Of course, everybody misbehaving as a human being believes himself therefore, to be an expert.

I was a prosecutor in the old days and I still can't understand what I did to human beings just out of ignorance, out of the lack of knowledge of the mechanisms of human beings.

I feel all who are concerned about delinquency, especially juvenile delinquency, should avail themselves of more knowledge in the field of the dynamics of human behavior. And only experts can assist those entrusted with this job in doing the right thing.

I am very worried about the censorship, it could be hypocritical and moralistic and very insincere. But I think this can be prevented by choosing the right members to an advisory board.

Mr. BOBO. We oftentimes read in the newspaper when a controversial picture is being played of a group of juveniles, one or more, performing an act, and saying they had received the idea from seeing a certain picture or reading a certain magazine or seeing a certain television show.

Do you think it possible for children, so viewing one picture, to pick up an idea and go out and commit a crime of violence?

Dr. FRYM. I would mistrust very much these statements. I want to point out that it is equally wrong to believe that the motivations which a human being offers, what he believes to be his motivating force, is usually not a true dynamic factor in his behavior.

On the other hand, we should listen to it. It is very possible that in one individual case a boy really may have, especially if he is a feeble-minded boy, been tremendously impressed by something that stimulated and touched at his weak spots.

On the other hand, many may deny this, many kids might say no, "the movies and the TV shows I have been watching, they have no bearing on what I did," and it might just in this case have been a very important dynamic factor. We must realize that the human behavior really originates on the unconscious level. A person doesn't know why he does something. And it is time that we learned this.

Mr. BOBO. We couldn't say that the movie he saw would be the cause of his performing a certain act.

Dr. FRYM. In my experience this would be just an excuse of the youngster. He wants to use it, just as a type of any other excuse. I wouldn't trust this statement.

Chairman KEFAUVER. Have you given any special study, Doctor, to advertisements for movies, such as you see here?

Dr. FRYM. Well, I must admit—I am almost ashamed to admit I do not read funnies and do not look at these posters. But here, this

is a very impressive series, I must say. I think they are very bad, indeed. They are terrible and they shouldn't be permitted.

Chairman KEFAUVER. Some of them are much worse than the movies; aren't they?

Dr. FRYM. They certainly are. In defense of the movies, you must say this. I believe it is another section of the movie industry which is responsible for these posters, rather than the men who produce the pictures.

Chairman KEFAUVER. Anything else, Mr. Bobo?

Mr. BOBO. Do you think that the impact of some of these particular posters could have an effect, a lasting effect on a child more so than a movie would have?

Dr. FRYM. Well, yes, they could have a very strong dynamic effect, but only as a trigger mechanism. I believe even adults should be protected from this kind of trash.

Chairman KEFAUVER. Then, Doctor, summing up, do you feel a lot of movies are wholesome, educational, entertaining, and a good influence on children generally?

Dr. FRYM. Yes.

Chairman KEFAUVER. Some unfortunately are not. You feel that really the wholesome movies can be as attractive, attract as good houses as the other kind?

Dr. FRYM. I personally am an optimist. I believe this, Senator; yes.

Chairman KEFAUVER. We thank you very much for your statement to our subcommittee.

Dr. FRYM. Thank you.

Chairman KEFAUVER. We are glad to have Mr. Waters, the United States attorney, and Mr. Kinnison, with us. Mr. Kinnison was here sitting with us.

Mr. WATERS. Mr. Kinnison has been here and gone.

Chairman KEFAUVER. He came and he went.

STATEMENT OF DORE SCHARY, VICE PRESIDENT IN CHARGE OF PRODUCTION, METRO-GOLDWYN-MAYER, HOLLYWOOD, CALIF.

Mr. Dore Schary, vice president in charge of production, Metro-Goldwyn-Mayer.

Mr. Schary, we are glad to have you as a witness, and the chairman is privileged to know Mr. Schary a number of years. We appreciate your cooperation with our subcommittee. I thought that you had a written statement.

Mr. SCHARY. No, I don't have a written statement.

Chairman KEFAUVER. You have something written out there.

Mr. SCHARY. Well, I have some notes on information that may be of importance, depending on the questions. I figured that I'd best come in with a very open mind, and let's see what happens.

Chairman KEFAUVER. All right, Mr. Bobo, do you wish to ask Mr. Schary some preliminary questions?

Mr. BOBO. Mr. Schary, you are vice president in charge of production, and how long have you been with the movie industry, and in what capacity?

Mr. SCHARY. I have been working for films for 23 years in the capacity of a writer, a producer, and as an executive.

Mr. BOBO. As vice president in charge of production, it is more or less your responsibility to pass on the pictures that will be made, to make decisions on scripts as to what will be shown in the pictures?

Mr. SCHARY. That's right.

Chairman KEFAUVER. I think that we have a very good biographical background of Mr. Schary which shows his experience, some of the awards that he has won, some of the pictures that he introduced under his direction. Is this substantially correct? I think we will have it read into the record.

(The document referred to is as follows:)

Vice president in charge of production and head of studio operations, MGM. Newspaper and magazine columnist. Author alone and in collaboration on numerous pictures from 1932. Academy award, best original, 1938 (Boys' Town, MGM). In 1942 appointed an executive producer, MGM. In 1943 joined Vanguard Films, Inc., as producer executive vice president in charge production at RKO Radio Pictures, Inc.; January 1947, July 1948, vice president in charge of production, MGM.

Recent pictures: I'll Be Seeing You, Spiral Staircase, Till the End of Time, Farmer's Daughter, Bachelor and the Bobby-Soxer, Crossfire, Battleground, The Next Voice You Hear, Go For Broke, It's a Big Country, Westward the Women, Washington Story, Plymouth Adventure, Dream Wife, Take the High Ground.

Mr. BOBO. Mr. Schary, in the production of a motion picture, from the beginning of it in script form or book form, what is the attitude of the company with which you work with regard to crime and violence and brutality as are displayed in the movies that might be made?

Chairman KEFAUVER. Well first, Mr. Bobo, before he answers that question, Mr. Schary has been in this business for a long time and he knows about it; I think it would be interesting to those who read the record and certainly the Members of the Senate who read the hearings to have you state briefly just how a picture is produced from the beginning to the end, whose hands it goes through, and what happens.

Mr. SCHARY. I'll be glad to try and do that, Senator.

I think you should know that every picture has its own particular history and record. There are some 30,000 story ideas submitted during the course of an average year at a major studio. Those 30,000 ideas are probably sifted down to 1,000 which are considered the best by the reading department and/or the producer who may find the story, or the writer who may come in to discuss it with you, or director or the executive himself. I have to cover those thousand stories personally. Out of those 1,000 you pick then the 30 or 32 that will be the core of your production for a fiscal year. Those 30 or 32 are picked on the basis of balance of program, and hopefully on the artistic and commercial success of the picture.

Chairman KEFAUVER. Mr. Schary, are these 30,000 that are sent in by people all over the country?

Mr. SCHARY. They are sent in by agents. There are television shows that are covered. There are short stories covered in magazines. There are original ideas that are brought in by people to discuss them with you first by oral form and later on in script form. They come from a variety of sources.

Chairman KEFAUVER. Some of them are produced by your own writers?

Mr. SCHARY. That's right.

Chairman KEFAUVER. About what percentage are sent in and what percentage do your own people compose?

Mr. SCHARY. I'd better clarify it for you, sir. Of the 30 that are done or finished each year, I would say that no more than 5 come from within your organization. The other 25 usually come from without your organization from sources other than your own people, but your own people do the actual writing. The writers that you employ develop those ideas, or take the novel or the play and turn them into a screen play. It's only about, I would say 15 or 20 percent come from within your own organization, an idea that a producer may have for a picture, or a writer or a director. Does that clarify your question?

Chairman KEFAUVER. Yes, it does.

Mr. SCHARY. Now, the selection of those stories, as I say, is based on the balance you want in your program. You obviously can't make a series of pictures all on the same subject. You cannot make them all at the same cost. You have to balance cost and subject-material mostly in the interest of a balanced public, hopeful for the interest of a balanced public. Also another consideration today is the foreign business that our industry is doing, and we have to bear in mind the audience of other countries other than our own. This program is balanced in so-called action pictures, dramatic pictures, music pictures, color pictures, costume pictures, tropical pictures, and so on.

Chairman KEFAUVER. Now, the 32 that you have in a normal year, or was that last year that you produced 32?

Mr. SCHARY. Actually, last year we made 28. You usually prepare about 32 and you make 28.

Chairman KEFAUVER. Would you give a breakdown generally of the type of those 28 so that we can get some idea?

Mr. SCHARY. Well, last year we probably made 8 musical films, 4 costume pictures, I would say 8 so-called modern stories, and a couple of westerns, and the rest fell in those other categories in one way or another.

Chairman KEFAUVER. Very well. The idea, then, is accepted by you, and then what happens?

Mr. SCHARY. Well, after we agree to make the picture, the writer is assigned to develop it with a producer, sometimes with a director. They do a treatment of the story. During the arrangement of that treatment, they may see me and discuss the tone of the story. They may discuss the kind of a picture that it will be in terms of the size picture. After they have prepared the treatment, I will read it, and we will then have a discussion about it. We will have a discussion in terms of its dramatic integrity, its possibilities, its commercial aspects. They will then go and write a screen play, which is a regular continuity with all the dialog. Following completion of that screen play, we will have more discussion on the actual writing of the screen play. Once that is approved and put into final form, it is sent to a hundred-some-odd departments in the studio where it is analyzed for cost by these departments, scenery, costuming, and so on, and then the picture moves into its final stage of production, it is organized for production.

Probably much before that time, however, a director has been assigned to it; his ideas have been listened to and discussed with him, and then he takes over the active making of the picture, that is the shooting of the picture. The picture is put on the stage and shot. I

will look at the film as it comes through, along with the producer and the director, and then we begin to assemble the picture; we begin to put those daily pieces of work together.

Following the shooting of the picture it is all strung together. We have what is called the rough cut, the rough showing. We look at it and we make our final decisions about it, do some cutting, perhaps some retaking of scenes that we do not like, and then the picture is handed over to the sound and music department where it is finally completed.

We then go out to preview the picture. If it is a good preview, we do very little; if it is a bad preview, we have to do a little bit more, and depending on the success of the first preview, we may or may not have a second preview, it is finally finished and given its final dubbing job, sound job, and then handed over to the various departments for sales and distribution.

Chairman KEFAUVER. Where is the script or the scenario submitted to the code committee?

Mr. SCHARY. Well, that is submitted in its very first form, and very often when we have a challenging story, a story that we feel may run into certain problems affecting the code, we will submit the story to them before we do the screenplay, and get their advice, and let them warn us as to where the sensitive points are, and that will guide us in the writing of the screenplay. Then we submit the screen play to them, the first act of the screenplay, and they send us a letter telling us what's wrong or what's right, telling us where the areas of danger are. If there seem to be points that need discussion, we will meet with Mr. Shurlock or his representatives and get everything straightened out.

Chairman KEFAUVER. Well then, after the first run or the rough film is made, does Mr. Shurlock or any members of the code committee review the picture as it—

Mr. SCHARY. They see the picture usually after we have previewed it. At that time it is still in very loose form and they call the corrections that they want to make. Sometimes they will see it before preview.

Chairman KEFAUVER. And then if they do have suggestions about changes, those are considered and usually made?

Mr. SCHARY. They are always made if they say they must be made.

Chairman KEFAUVER. And where is the advertising for the pictures prepared?

Mr. SCHARY. In the New York advertising office.

Chairman KEFAUVER. In your case by the Metro-Goldwyn-Mayer New York office?

Mr. SCHARY. That's right.

Chairman KEFAUVER. And each motion-picture producer has its own advertising department.

Mr. SCHARY. Each producing company.

Chairman KEFAUVER. Each producing company.

Mr. SCHARY. That's right.

Chairman KEFAUVER. There are some producing companies, though, that handle some advertising of some films for a number of independents, aren't there?

Mr. SCHARY. That's right. A company like United Artists handles independent productions, and in those cases I imagine that the independent producer has most to say about his own campaign.

Chairman KEFAUVER. Is there anything else you would like to tell about the industry generally or operations at Metro-Goldwyn-Mayer, before—

Mr. SCHARY. I think that covers generally our approach to finding our story material. I think perhaps as Mr. Bobo asks me some questions, we may get into other points that may be of interest.

Chairman KEFAUVER. All right. Go ahead, Mr. Bobo.

Mr. BOBO. Mr. Schary, you recently released a motion picture which has become rather controversial which is entitled "Blackboard Jungle." Would you give us your idea of the reasons for the production of this picture?

Mr. SCHARY. Well, we knew from the start that it would be a controversial film. When the book was circulated there was a good deal of interest in it. There were some people who were very shy about making the picture. We felt at M-G-M that it would make a very good report on a very serious problem of juvenile delinquency. I feel that if films do not make occasionally a controversial film, so-called controversial film, they will wither and die. It seems to be within the nature of good film making to occasionally make a film that will provoke talk and controversy, if you have a moral conviction that what you are provoking the controversy about is deserving of that attention. In the case of Blackboard Jungle, all of us have been aware of the increasing vandalism and of the increasing problems of juvenile delinquency.

I have a file here of dates, for instance, that we made before we bought the picture, which outlined for us the increasing damage that was being done by hoodlums not only in this State but through many States in the United States. I am sure you are all familiar, must be familiar, with the articles that appeared in magazines with Senate investigating committees that already reported that this was a very serious and terrible menace. We felt that Blackboard Jungle isolated dramatically a way of making a report to the Nation. As soon as we announced the production, there was a good deal of excitement about the picture. There were some souls who didn't want us to make it. That's perfectly all right, because that happens very often. There is hardly a successful picture, and I mean it when I say that hardly ever is a successful picture made that does not have in the background of its production a minority voice that pleads not to have it made, and that can go from as pleasant and certainly noncontroversial film as say Caruso to Blackboard Jungle. There is always somebody who has good reason why it should not be made. Usually when they are made they turn out fine, because they reflect actually a kind of interest in the subject, and in the case of Blackboard Jungle there were people, as I say, who didn't want it made. As I say, we felt we could be responsible and give an honest report. We believe at M-G-M that we have presented a very honest report. We are not frightened or intimidated or self-conscious about the controversy it stirred up, because we believe deeply and honestly that when the picture is reviewed a couple of years from now, it will be found that it did an awful lot of good, because it brought the subject into the public view.

Mr. BOBO. Is it your theory, Mr. Schary, that through the medium of motion pictures such as this that certain subjects such as this, the educational topic, the juvenile delinquency picture, can be brought to the attention of the public so that correction will be made?

Mr. SCHARY. That's right. You see, in the history of motion pictures—I wonder if I might take a few minutes to talk about public opinion in connection with pictures. Motion pictures very seldom—and I actually don't know of any cases where they anticipate public opinion or where they lead public opinion; in the main they reflect public opinion, and in some instances accelerate public opinion. This goes all the way back to motion picture making as far back as 1915 when the first so-called controversial film ever made was a picture stimulated by Theodore Roosevelt. It was called *The Battle Cry of Peace*, and it was a picture designed to alert American citizens to the dangers of Kaiserism. The picture provoked a good deal of interest. I am sure very few people have seen this picture, but I very definitely remember seeing it, and it did an awful lot to excite people and alert them to Kaiserism, and did a lot to fight the fight of the rather pro-German attitude that existed in America here as late as 1916, early 1916.

During the gangster era, our pictures again reflected public opinion. You remember those early gangster pictures, where the hero was mainly a young man who had come back from war, had been given a gun, had been taught how to kill, had his job taken away from him, and went into bootlegging because it was now a rather respectable business. That reflected public opinion because our attitude about the bootlegger in the early twenty's was very tolerant. He seemed to us to be kind of a nice guy. Sometimes he was our uncle or our cousin or our friend next door, and we had no feeling that he was doing anything highly immoral in terms of prohibition. Everybody was taking a drink whether there was a law or not, and we had a feeling that the bootlegger was a pretty nice guy, and that was reflected in our films.

It wasn't until the late twenties and early thirties when the menace of what had happened to the country suddenly became apparent. We became aware of the tremendous inroads that the Capone empire had made. We were made aware by Edgar Hoover's report that this was a serious condition. It was once compared by William Valeco, a writer, as the closest thing to a true underworld empire since the days of Catiline. And the public began to react to prohibition and to the gangster and the hoodlum element. Hoover got aid from the Government in terms of the FBI. We immediately reflected that public opinion too because our films changed. We went into a large group of G-men pictures at the time, and the very men who had played gangsters in some of our early pictures like Cagney, Robinson, Paul Muni, Pat O'Brien, et cetera, now were playing G-men, and they accelerated this public antipathy toward the gangster, and they did accelerate public opinion and did create a change.

This was certainly reflected by the interest the public had in those pictures. During the early days of nazism public opinion was very divided in the early thirties on the problem. Motion pictures actually did not deal with this subject until public opinion was quite clear about it. There were many of us in the industry who felt strongly about it, but we were not able to deal with it in terms of pictures be-

cause public opinion did not reflect a real serious anti-Nazi point of view. I think it was as late as 1937 when a poll taken revealed that a majority of the American people were not in favor of helping England at the expense of getting into a war with Germany. Then in 1939, a period of 2 short years, public opinion had switched itself, and a large portion of the public were willing to help England even at the risk of going to war. It was in that period when we began making the first anti-Nazi pictures, because we began to reflect that growing feeling in the United States that nazism was a very serious and dangerous menace. We perhaps did accelerate public opinion in connection with those pictures, and we helped reflect the public attitude toward this menace.

The same thing happened right after the war with the anti-Communist pictures that we made. There have been something like over 60 films made, anti-Communist pictures made, and I certainly think that they reflect again the public attitude, the public feeling about communism.

In connection with insulations against minority hatreds, pictures like *Crossfire*, *Gentleman's Agreement*, *Pinky*, *Home of the Brave*, *Intruder in the Dust*, they again reflected a public attitude against the hatred that suddenly broke out immediately after World War II when you had a little short, sharp rise of the Klan in America, and also the Columbus group; I think it was in Georgia, and they reflected the public revulsion against this type of hate, and we made those pictures that reflected that kind of hate.

In connection with *Blackboard Jungle*, I believe that what we have done is make a picture that again reflects a rise in public tide against the menace of delinquency that has gone too long unchecked.

Mr. BOBO. Do you think, Mr. Schary, that in sometimes reflecting the attitudes of the adult generation that we might at the same time be affecting the attitudes of the adolescent and juvenile generation?

Mr. SCHARY. I suppose that is a very reasonable point of view to take, and one would have to make a very definitive study, I think, however, to prove that what you say is true.

It would be my hunch, based on showings I have seen of *Blackboard Jungle*, that we are not doing any damage at all. We are associating younger people in terms of dramatic emphases with the school-teacher and with those elements in the class that stand behind the teacher. I have seen a couple of runnings of the picture now—when I say “couple,” by that I mean at least 5 or 6 runnings with audiences that have paid to see the picture—and their reactions are pretty much the same. One of the things is the usual demonstrations on the part of the kids towards the exciting music at the beginning, which now has that of a vogue, the rock-and-roll music, and in the early section they are laughing really at the teacher; they are with the gang. There is no doubt about that, and that's the way the picture was designed. But as the picture develops, and as the teacher's problem becomes dramatically clear, and as the attitude of the audience begins to switch away from the hoodlum elements in the class, they are with the teacher; they support those elements that support him, and in the showings I have seen they always applaud the end of the picture where the teacher triumphs over bad.

Mr. BOBO. Do you think it might be possible among some of the more hardened elements as were represented in that picture that they

know that the picture itself in the last reel is going to turn out with the good triumphant, that they might have a tendency to emulate the type of character there, thinking it wouldn't happen to them?

Mr. SCHARY. Well, I don't know; I think what Dr. Frym said before is very interesting and it brought to mind an experiment we made some years ago when we were working with film in connection with experiments in impression. There was a short film made with the following scene, a very short scene in which a man on a street corner held a knife. A policeman came around the corner and grabbed the man, very hurriedly. The man took the knife, swung it at the policeman, the policeman then pushed him to one side, the man lunged at him again with the knife, and then ran away as another policeman approached. That was the scene. It was shown to people that we thought might be susceptible to another point of view. These were done without the people being aware they were part of an experiment. In an amazing amount of cases, almost 50 percent of the cases, some of the people reported that the policeman had come around the corner holding a knife and had tried to kill the man on the corner. Now, this is the exact same film that many of them saw, and I think it is very likely that there will be people who go to see *Blackboard Jungle* or any other picture and come away with a point of view which they have brought to the picture themselves. They could see as harmless and has happy and as lovely a picture as *Seven Brides* and come away determined that the only way to get a girl is to kidnap her, and there is nothing much that we could do about that. I think that is the normal kind of risk that you make with a free screen and a free society.

Chairman KEFAUVER. Mr. Schary, it was reported in the *Memphis* paper, I am sure you have had an account of it,—I haven't seen *Blackboard Jungle*, but the report was that some girls went out and burned down the big barn at the fairgrounds for some unexplained reason, and when apprehended they said the reason they did it was they got the idea from *Blackboard Jungle*. What could be in the picture that could cause that?

Mr. SCHARY. Sir, I haven't the faintest idea. There is no fire in the picture; they can't pin that on us. I don't know, I'm inclined to believe that these girls arrested decided to associate themselves with some sort of a big headline subject.

Mr. Binford, as you know, had a point of view about the picture. And based on Mr. Binford's background, I am not so sure he wasn't a little irritated at the fact that one of the main characters was a Negro. That may not be fair to Mr. Binford; I don't know.

Chairman KEFAUVER. Mr. Binford is the man that passes on pictures in the city of Memphis?

Mr. SCHARY. Yes. For a while he refused us a license. But he has let the picture go by.

In any event, I just frankly believe it was an excuse. I don't believe it is a serious point of view.

Chairman KEFAUVER. Have you had any other reactions of that kind?

Mr. SCHARY. Well, I know there was one instance in New York City where a group of hoodlums were picked up and found with a copy of the book *Blackboard Jungle* in their pockets. I think that

just happened to be a coincidence. They could have been found with any number of violent, busting novels available to them for sale at a very, very cheap price at most bookstores.

We have had many people who have written in about the picture, have said that the picture is very exciting, would provoke a change. There have been newspapers that have supported the picture and believe it will accomplish some good.

In New York City the recent study by the mayor's committee has revealed the exact points that the picture makes, that the problems of juvenile delinquency are reflections of the problems within the home, of a rather aching society, as a result of a series of wars that we have gone through and dislocations as a result of crowded city conditions, as a result of apathy on the part of the teachers to their student and as a result of apathy on the part of society to school-teachers.

There are so many contributing reasons and Blackboard Jungle doesn't pretend to be a panacea. It merely pretends—and I believe comes off well—to be an honest report of serious conditions.

Chairman KEFAUVER. Mr. Schary, you said in the case of Blackboard Jungle you were interested in a picture that would help in the juvenile delinquency problem. I know that was your intention and it is still a controversy among some people, as to just what the picture did do.

But who passes on matters of that kind, what advice do you have?

You gave an instance a few minutes ago of the different people that saw the police escapade in a different way.

Mr. SCHARY. Yes.

Chairman KEFAUVER. In the case of M-G-M do you have a kind of a committee or what kind of council do you have, or is there someone or some group for all the movie industry?

Mr. SCHARY. No. No, there isn't. In the case of Blackboard Jungle, that decision, whether good or bad, was my decision. Each person in the responsible position in the picture business has his own background and experience that he brings to making these decisions. If he makes enough bad ones, he gets fired. If he makes enough good ones, he remains in his job.

I have made some bad ones and will undoubtedly continue to make them, but they are my decisions. And in the case of Blackboard Jungle my decision was based on my own background, my own experience, my own knowledge about juvenile delinquency, and I know a little bit about it, and my own background with so-called controversial pictures.

The last one that involved me in a little bit of public struggle was a picture called Crossfire. There were many people that didn't want me to make this particular picture. They thought it would lead to more anti-Semitism. There were people that actually went into a trauma when they saw the picture, and believed, because the picture had violence in it, that it would encourage anti-Semites and bigots to start killing Semites, Jews, all through America.

We felt, on the other hand, it would insulate against anti-Semitism. We had tests made of the picture immediately following its release by psychologists from NYU, and that point of view was reaffirmed. The picture did insulate. And I think Blackboard Jungle will insulate against this, rather than accelerate it.

Chairman KEFAUVER. My point was, while you have good judgment, would it be of some help in a picture like *Blackboard Jungle* if you had actual experiences with the reaction of children themselves, or at least study of the picture before it is too far along, by psychiatrists and children experts?

Mr. SCHARY. Those studies are made, not quite as definitive perhaps as you are suggesting, Senator. But the subject material was discussed with people that I know, in the case of *Blackboard Jungle*, with 2 psychiatrists, 2 friends of mine.

The picture was then shown many times at previews. We previewed the picture four times, as a matter of fact, we showed it to a group of schoolteachers here in California, teachers who work here in California.

They had some points of view about it. We accommodated it for those points of view, because we felt they were valid. We made changes in this picture to accommodate for those reasonable points of view.

I don't want you to get the impression, in the case of any controversial film, that any one person or any one studio bulls his way along without listening to a rational point of view from someone else.

There were people consulted on *Blackboard Jungle* and there were people to advise us.

Chairman KEFAUVER. All right. Mr. Bobo.

Mr. BOBO. Mr. Schary, in the production of movies, to get across an emotional impact, may there sometimes be a tendency among directors or producers to put in extra scenes, say, of violence or brutality, or an extra fight to provide that extra emotional impact the audience might get, to make it sell?

Mr. SCHARY. I think that is possible, yes. I am sure that is possible. We are in a position to, in some instances, to correct that. In talking of pictures of violence, all of us must be aware there are certain pictures in which the scenes of violence actually are perfectly acceptable and very necessary to the audience. A case in point that comes to mind is a picture recently that we made called *Bad Day At Black Rock*. That picture had a very violent scene in it.

Our two toughest countries, in terms of violence, two countries that fight a good deal against violence, are India and Australia, and in both of these countries the picture was passed without a single solitary cut, which is very unusual. They felt that the picture, the violence in the picture was necessary to identify it with the cause of good.

Not every fight in the picture is bad. Not every bit of violence is damaging. I think it is very likely and certainly very possible that there are pictures in which there is too much violence and in which violence is done for violence's sake. I certainly would like to see less of that, but I don't know how possibly you could legislate that kind of bad judgment out of the making of motion pictures.

Chairman KEFAUVER. Mr. Schary, we had some testimony this morning with reference to the competition between television and movies, that television didn't act upon as strict a code basis and that when they had more violence, then there was the inclination of the movies to come up, or vice versa, whichever way it may be.

Have you noticed any evidences of that?

Mr. SCHARY. I don't think that is the accurate picture of the competitive function of TV. Actually, TV performs pretty much the same function that talking pictures provided in the theaters years ago. When talking pictures came along there was a whole group of people who believed the theater was through. Actually, the only thing through in the theater was a long list of mediocre plays that the motion picture business inherited, because we were able to make them cheaper and make them available to the public on a cheaper basis.

The theater at that time produced, I would guess, somewhere around 220 to 250 plays a year. Today there are only some 90 plays produced in the theater, but they are generally of a better caliber, they are more provocative, and they are much more successful and they run for a longer period of time, probably because there are less of them available to the public. Talking pictures took over that large amount of storymaking.

Television has taken over again from us a large number of these so-called budget pictures and smaller subject pictures. We used to make somewhere between 450 and 500 pictures in this business. I would guess that we will make somewhere around 300 or 350 and perhaps in years to come even less number, and that television has taken that other group of stories from us. We hope that they have inherited some of our mediocrity for the time being.

Chairman KEFAUVER. Mr. Schary, do you make any pictures for television?

Mr. SCHARY. No, sir, not at our studio.

Chairman KEFAUVER. Not at your studio?

Mr. SCHARY. No, sir.

Chairman KEFAUVER. Do any of the larger movie producers make any pictures for television?

Mr. SCHARY. As I understand it, Columbia Pictures, I believe, had a subsidiary that makes some film for TV; I don't know how much, though.

Paramount I know does not make any. Twentieth Century-Fox, I believe, has started a program of a small group of pictures that are designed primarily to export their own product on television. I don't think it is actual production for television. I am not sure of that.

Warner Bros. I think have the same kind of program as Twentieth-Fox. We at this point are not making any.

Chairman KEFAUVER. My next question has to do with a rather philosophical approach. I was interested in your remarks about the time the bootlegger was accepted, that he was rather favorably presented; that at the time that it was apparent that nazism was becoming a menace, that you probably accelerated the antagonism toward nazism and fascism. That, of course, is a tremendous responsibility that you take in your hands, in deciding whether something is good or bad.

Mr. SCHARY. Yes.

Chairman KEFAUVER. It may be that a very little minority position would be the correct position. Yet if public opinion were swinging the other way or was predominantly the other way, according to what you have just said, chances are your movies would reflect that predominant public opinion.

Mr. SCHARY. I think that is a very, very good question and legitimate. I think it is a legitimate risk, sir. We can only hope there will

be enough people in the motion picture industry constantly who will reflect the better and best and big majority point of view that exists in our democracy, which usually reflects, I believe honestly, those things for the best.

There is always room for minority opinion in the making of a picture, and the proof of that is the pictures are made that some people don't want made.

You must understand that when a picture becomes controversial and does reflect public opinion it may not at that time reflect a popular point of view, even though it may reflect public opinion.

I think that, as I said before, is a normal, healthy risk you have to take in a free society, free screen, and free press and free everything.

Chairman KEFAUVER. I can see that. I have frankly been somewhat worried, in our country usually when we start to take a position we go so far overboard usually in taking it, to such an extent that we sometimes lose the ability to reason about it.

Mr. SCHARY. I think that is very good, a very good observation. Unfortunately, you have a good protection against that, which is the public opinion. If the public opinion finally becomes surfeited they stop going. And as soon as they stop going we stop making them. You can depend on the public to always tip us off, whether we are out of line or not. They just won't go to see those pictures that they don't want to go to see.

Chairman KEFAUVER. But your pictures, though, tend to mold or keep in an attitude that public opinion might be in the national interest for it to be swinging back the other way.

Mr. SCHARY. I don't think that is true. I think again because we are always 5 or 6 months late, we are 5 or 6 months behind, we will shift in changes in public opinion. And if we have an opinion that is not in tune, in we are late, if we have guessed wrong, the public just is indifferent to the picture and they won't go.

We are not molding their opinion at all. They just dismiss the picture if they are, for instance, tired of being talked to on the subject of communism or fascism or lynching or anything else, why, they just won't go to see the pictures. We can make them and try and get them to have a point of view about it, but it won't do any good.

Chairman KEFAUVER. But you have already got your investment in them and you are trying to get your houses to show them.

Mr. SCHARY. That is right. Then we are out of luck, because the houses won't show them. There is no love lost generally between the exhibitor and the picturemaker. That is something you learn.

We can't show pictures that the public doesn't want to see. There has been no way found of getting the public to buy a picture they don't want to go to see. We can spend \$5 million advertising it and they won't go. And the records are full and bloody with instances of that kind. They just won't go.

Chairman KEFAUVER. Mr. Schary, with all of the problem we have with juvenile delinquency, is MGM—I assume you will—continue to think about ways, as to the point of view, ideas you might have to curb delinquency, to get people to give our kids a better opportunity and create better attitudes on their part?

Mr. SCHARY. I hope we will continue to search for material, and I hope we can find material that will express other facets, other

phases of this problem and perhaps other pictures that will have constructive points of view to make about ways of licking this problem. Those are very hard to find. We are always open for anything that we feel will do some good.

Chairman KEFAUVER. Do you have anything else that you would like to tell us about?

Mr. SCHARY. No, sir, I really don't think so.

I would only like to comment on something actually that you yourself commented on in your opening statement, and that refers to the list of pictures that were in the newspaper this morning.

I just had a little feeling that if we are to do a definitive study of juvenile delinquency or the effect of motion pictures on juvenile delinquency, it seems to me it would be like doing a study of how do newspapers affect juvenile delinquency, and in doing such a definitive study we would have to talk about all newspapers. We would have to discuss the highly responsible ones along with the ones that may not be responsible.

I felt if we were going to do a serious study of how movies affect the younger generation, we would have to make up a different list. We shouldn't just get the list of the 12 provocative and in some instances not highly representative pictures. I think you would have to deal with pictures like *The Robe*, *Roman Holiday*, *Lili*, *Little Boy Lost*, *Rear Window*, and a long list of other pictures that have a plus influence, and find out what kind of a balance we make on the young mind. I think the balance would turn out to be a very, very good one myself. I know it would be difficult to make such a study, but I think at the time we study the negative we must try and study the positive.

Chairman KEFAUVER. I certainly agree with you, and I hope we have not left the impression that we do not think a great predominance of the movies that come out are on the plus side. I think that is true.

Mr. SCHARY. As I say, sir, you made that as your statement.

Chairman KEFAUVER. A good part of them are good, but it doesn't mean we wouldn't like to see less of the undesirable ones, fewer and fewer undesirable ones.

Mr. SCHARY. I can assure you as a picturemaker I would also like to see less unsuccessful pictures.

Chairman KEFAUVER. Yes.

Mr. SCHARY. Thank you.

STATEMENT OF Y. FRANK FREEMAN, VICE PRESIDENT, PARAMOUNT PICTURES, INC., HOLLYWOOD, CALIF.

Chairman KEFAUVER. I have a brief biographical sketch of Mr. Freeman's business career, among which it says he was born in Georgia and went to the Georgia Tech.

Mr. FREEMAN. That is right.

Chairman KEFAUVER. And you have been with Paramount since 1926; is that correct?

Mr. FREEMAN. Since 1933.

Chairman KEFAUVER. We will make this biographical sketch a part of the record, which I feel fills in some details.

Vice president, Paramount Pictures, Inc., born Greenville, Ga., December 14, 1890. Educated Georgia Institute of Technology, Atlanta (EE).

With S. A. Lynch enterprises (theater), 1916-32 (division of Paramount from 1926).

Joined Paramount, New York, January 18, 1933; elected vice president of Paramount Pictures in charge of theater operations, 1935; in 1938 named vice president in charge of studio operations.

President, Association of Motion Picture Producers, Inc., 1940-44. Member, National Committee, WAC; chairman, Motion Picture Producers Association, 1947-48; chairman, Los Angeles branch, Federal Reserve Board, 1944-47; chairman, Research Council, Motion Picture Producers, Hollywood, 1945-47; director, deputy chairman, Federal Reserve Board, San Francisco, 1954-55.

All right, Mr. Bobo.

Mr. BOBO. Mr. Freeman, I think you as vice president in charge of Paramount Pictures have some definite ideas on the role of motion pictures in all the facets of human life, especially that dealing with juvenile delinquency.

Do you care to make a statement about your experience in the motion picture field?

Mr. FREEMAN. To start off, let me say that I speak pure Georgian English, and if the audience doesn't understand me, I know you and the Senator will, being from the neighboring State of Tennessee.

Mr. BOBO. Yes.

Chairman KEFAUVER. Yes, indeed.

Mr. Freeman, we will get these mikes closer so they can hear you, whether they understand you or not.

Mr. FREEMAN. All right. I have spent the last 17 years of my life in Hollywood. I spent the earlier part of my life in New York and Georgia and in the theatrical field.

When I came to Hollywood I had no knowledge whatsoever of the way or how or why you produced a motion picture. I was handed a studio and told to operate it. The mistakes were never caught up with because it took too long for them to find out just what I had done wrong.

In my years of association with people in the Hollywood branch of the motion-picture industry, that is, the branch that makes the pictures, I have found simply a cross section of America, and, let me say, of the world.

Our community is composed of about 25,000 workers in all fields and they come from all areas of the country, small towns, big towns, the country. They represent a cross section of the thinking, of the lives and the morals of the people of this country, and let me say, also, of other countries.

I would think that there are in our industry no less than 750 writers who work not all the time but at times in the development of stories and scripts for motion pictures.

I would say there are 300 directors who act in their individual capacity with reference to the direction of a motion picture. I would say that there are 150 producers, who also work in that capacity as producers of pictures.

All of these people, thinking individually and not collectively, nor dominated by any group that controls their thinking, that is, I think,

the greatest safeguard that the American motion pictures have today.

God forbid that the time will ever come when the thinking of those people must be through a controlled channel, from whatever source it may originate. At that time you can rest assured the value, the effect of the motion picture ceases to exist, because the motion picture is a medium of entertainment. It represents a field of entertainment for the great masses of the people of the world. They are the quickest, the people, and they recognize propaganda as such immediately and they are not interested. And wherever in any country there has been an attempt to base a control on pictures with propaganda on the public, they are not successful.

I have found among these people that I have mentioned good men, the great majority good, and some bad ones, as you will find in your hometown or in any city or any place you may go. I have found that the majority of these people recognize that when they come into the motion-picture industry they have accepted a trust, a trust that imposes upon them an obligation much deeper than maybe the man, the average man in the street, or woman, layman, would feel they had, because through this medium that is at their disposal they recognize what they do, what they use in that medium can have its effect upon people throughout the world, and are finally conscious of this.

I think we are the one industry that has a separate code, production code. I am a great admirer of people that administer that code. I think it is a safeguard to the public, that a great majority of motion pictures will be in an area that is acceptable, in good taste and, certainly, never in an area where they simply know emotional impact or know excitement. If so, the picture, as Mr. Schary so aptly said, will not succeed, and the person who is responsible for the production of such pictures will soon be looking for another job.

For anyone to say that errors have not been made would be very foolish. They will continue to be made. The perfect man, as I understand, has never been found, or the perfect administrator, nor the fellow who can maybe make all the decisions right.

In the operation of the Paramount Studio it may differ somewhat from the operation of the Metro Studio, the same as Fox may differ, because there I do not have the experience that Mr. Schary has had in fields of writing and in actual production of motion pictures. My job has been as executive administrator, to employ the people that are creative and to have as my right-hand assistant a man who furnishes, as Mr. Schary does, in the way of supervising the actual production of the pictures.

However, no picture comes out of the Paramount Studios for which I can in any way deny responsibility. I have full charge of the studio and if an error is made, that error is mine, because I always have the right to say no, and I do not lay at the feet of the men who may make the picture a charge it was their fault or their responsibility. It is mine. I have made some mistakes, I have made many. I will continue to make more. And the man that sits at the desk where I sit, with an allocation of \$35 million to be used in the making of 18 or 20 motion pictures—we do not make as many as Metro—having to reach a decision, and those pictures averaging anywhere from a million and a half to our latest one, which is \$11 million, and make that decision upon a piece of paper which yet hasn't been developed into a screenplay or into a final motion picture, and spend that money that belongs

to somebody else—it is not his money—it is a terrific responsibility, and one that you have to always, regardless of your personal opinion, rely somewhat upon the economic situation and what the possibility of box-office value is and the story or the idea you are thinking of might have at the box office, in order to see that stockholders, whose money you are spending, get a fair chance of their investment being safe and sound.

There are no peculiarities particularly in our business. I was born in Greenville, Ga., a town of 814. I came to Hollywood with all of the things that people say about Hollywood and Hollywood people, that a stranger there would last 3 months, 4 months, 5 months. And I have never found a more friendly, a more American, a more corial group of people than composed in the motion-picture industry, and a group that I will stand by and with at any time, any place, in defense of their deep sense of obligation to their community, to their public, and to the problems that exist in our country.

And doing that, I will tell you, Senator, I will still make a lot of mistakes, but we will do it forthrightly, we will do it courageously and we will take our penalty for the mistakes we make, without asking for any sympathy whatsoever. We will stand on our record of the job that has been done by American motion pictures in every section of the world, in carrying the American way of life to all peoples of the world, so that today 80 percent of the playing time on all theaters of the world are American motion pictures.

I think that is about my statement.

Chairman KEFAUVER. Mr. Freeman, we appreciate your forceful and good general statement. What particular considerations are you giving at Paramount to this problem we are investigating, as to the welfare of our children and the difficulty of juvenile delinquency? Do you have any or are you planning any particular pictures that will try to furnish leadership in bettering this general situation?

Mr. FREEMAN. Well, in the end result I hope so. We are preparing and trying to work out a story now that is on the delinquency of some parents in their homes, and what they do that brings about maybe a broken life and leads to greater contribution, I think, to juvenile delinquency than any other media.

I am one who believes that the fault does not lie in the newspapers, does not lie in television, does not lie in motion pictures. I am one of those fellows born in a country town, raised by parents who I think understood—and I think maybe you had the same experience, Senator,—what it meant for the children to recognize their mother and father and for the mother and father to live the kind of lives that would be something the children could respect, and bring them up in a way that the problem that you have today doesn't exist.

In my opinion, when you wind it all up and make all the examinations you can go through, all of the research you can make, it will come right back to the source of the foundation of our way of life in this country, and that is the home. Drinking liquor, divorce, we didn't start it; it starts at the source of the family heart.

Chairman KEFAUVER. Mr. Freeman, my hometown was not quite as big as Greenville, but I know what you are talking about.

Mr. FREEMAN. Good. You knew what a hickory switch was.

Chairman KEFAUVER. "Hells Island" which you produced has been criticized some, particularly the advertisements in connection with it.

Mr. FREEMAN. I think it is very bad; no excuse for it.

Chairman KEFAUVER. The advertisements?

Mr. FREEMAN. The advertisements.

Chairman KEFAUVER. You see it back there [indicating].

Mr. FREEMAN. I have seen it. If you could see my criticism of it, I don't think it would bear to go into the record.

Chairman KEFAUVER. How come you let the advertisement go through?

Mr. FREEMAN. I don't control it.

Chairman KEFAUVER. You don't control the advertisements?

Mr. FREEMAN. No, I do not. Advertising of all Paramount pictures is controlled out of New York, under the direction of the head of distribution and the general advertising manager. He can be honest in what he does.

Because I disagree with him and say what I do doesn't necessarily mean I am right and he is wrong. I don't mean that.

Chairman KEFAUVER. Don't you have the authority to change this man or direct what he does?

Mr. FREEMAN. No, I haven't. My problem here at the studio is in charge of production of the picture, the manufacture of the product. When I finish it I turn it over to New York, to the distributing department. It then takes charge of the sales policy and the advertising policy and the distribution of the picture.

Chairman KEFAUVER. Don't you think the code ought to apply to the advertising as well as to the picture itself?

Mr. FREEMAN. There is an advertising code.

Chairman KEFAUVER. But apparently it is not working too good.

Mr. FREEMAN. It is there in New York, in the office of the Motion Picture Producers Association, and I say it is my understanding that all ads and all stills have to be submitted to this code for approval before they are released; I say that is my understanding.

Chairman KEFAUVER. Well, it would seem that since you have the responsibility for the impression that Paramount pictures make for the good or the bad, that it is not quite fair to impose advertising that you don't agree with, upon the reputation of Paramount over which you have charge.

Mr. FREEMAN. Well, I think that one of the problems which is hard to understand, that exists in the making and in a company trying to produce 18 pictures a year, or see that they are produced, is that you have to delegate authority and you have to divide it up. No one man is mentally or physically able to supervise the responsibilities of all branches of producing, distributing and sales organization, such as Metro or Fox or Paramount or Warner or any other major studio.

I want to be fair, Senator, because I disagree on something and I don't think it is right, I am not going to say that my position is perfectly right and the other man's is perfectly wrong. There may be an honest difference of opinion. I only express my personal opinion.

Chairman KEFAUVER. Mr. Schary told how the code operated in connection with Metro pictures. Is that about the same arrangement or same system you have?

Mr. FREEMAN. I think it is exactly the same in every instance. The idea is you buy a story, you take it up to see if there is objectionable things with the code administrator. You follow it through with the first script and present it. If they have things they wish to suggest to you that are not according to the code, they do it and you change it, and then when you finally make the picture you present it to them for approval and if there are scenes still in the picture that don't come out just right, the code says it has to be changed, you argue it out with them, as to what changes, and finally decide on it.

Chairman KEFAUVER. With Paramount, does the opinion of the code always finally prevail?

Mr. FREEMAN. Paramount has never released a motion picture in its history, insofar as I know—and certainly not within my 17 years of experience here—that did not have the code approval, the code seal.

Chairman KEFAUVER. Mr. Bobo, are you going to bring out by some witness how many of the producers there are that are, and whether there are any or not, members of the code association?

Mr. BOBO. Yes, sir.

Chairman KEFAUVER. Do you have any questions, Mr. Bobo?

Mr. BOBO. I think that is all.

Chairman KEFAUVER. Thank you very much.

Mr. FREEMAN. I would, before closing, like to say—and this is: call it a plug for motion pictures, if you wish, but I think if you will think about the responsibility the industry has assumed, for instance, in making a picture like *The Ten Commandments*, which is possibly the biggest motion picture ever made by the industry, under the direction of a man like Mr. De Mille, you will find they do think in the area of what an impact a picture of this kind can have on the world today.

And also, in pointing up what Mr. Schary said, it just happens to be a Paramount picture, that Paramount is making *The Ten Commandments*. It would be just as good or as great if it were made by any other studio.

When you start to get ready to think of developing a story into a final motion-picture production, there can be a period of time from 15 to 24 months before that final product is seen on the screens of the country. So many things can happen in that interim period that had you known at the time you started you might have thought differently about it.

But today if I start to get ready to have a picture produced or made at the Paramount Studio an idea suggested, by the time the screenplay is finished, by the time it is possible to cast it and find all the different component parts necessary to make it, having completed the shooting schedule on it, the process then of editing and, as Mr. Schary said, going in for music and sound, finishing all of that and going, if it is a color picture, to your color laboratory to get what you call your answer print, and then find out from previews if it is right or not, and finally get your print out, and a period in between to advertise it, if you get it out within 18 to 20 months you have done a very good job.

There are times when things happen in between that would make you feel that maybe you wouldn't have done this had you known at that day you started what was going to happen in September 2 years later.

Chairman KEFAUVER. We thank you very much for your cooperation, for coming here and being with us, Mr. Freeman.

Mr. FREEMAN. Thank you.

Chairman KEFAUVER. The subcommittee will stand in recess for 10 minutes.

(Short recess taken.)

STATEMENT OF JACK L. WARNER, PRODUCER AND VICE PRESIDENT, WARNER BROS. PICTURES, INC., HOLLYWOOD, CALIF.

Chairman KEFAUVER. Mr. Warner, we appreciate your coming and giving us the benefit of your many years of experience and your views on the subject.

I have a biographical sketch here which tells all the good and bad things you have done.

Apparently, you started in the business back in 1918.

Mr. WARNER. Way back there. It was in 1905.

Chairman KEFAUVER. 1908. Entered distribution with formation Duquesne Amusement Co. at Pittsburgh in 1908.

Mr. WARNER. It was about 3 years before that. That is all right.

Chairman KEFAUVER. That was with your late brother, Sam Warner. This is a long experience you have had, and we will put this biographical sketch in the record at this point.

With late brother Sam produced "My Four Years in Germany" (1917). In 1918 took charge of Warner Sunset studios in Hollywood; 1919, with brothers pioneered in development of talking pictures; in charge of west coast studios since.

Academy awards for best production: "The Life of Emile Zola," 1937; "Casablanca," 1943.

In 1933, appointed by President Roosevelt chairman NRA board of California. Commissioned lieutenant colonel, United States Air Force. Many decorations.

Member: Committee for Economic Development, National Aeronautics Association, Air Patrol League, Southern California Symphony Association, Beverly Hills Community Council, Beverly Hills Chamber of Commerce, et cetera.

Now, you tell us about——

Mr. WARNER. Yes, sir. There is only one thing I would like to add as correction. I was born in London, Ontario, Canada. My parents moved to Lynchburg, Va. I want to get the southern feeling in this.

Chairman KEFAUVER. That is getting down in Davy Crockett territory.

Mr. WARNER. That is correct. I want to make sure that——

Chairman KEFAUVER. We had Georgia and South Tennessee and now Virginia.

Mr. WARNER. Yes. From Lynchburg we moved to Youngstown, Ohio, where they really claim me.

About Davy Crockett—I don't know whether this is supposed to be a pun or not—the local papers last Sunday carried a story of the love and life of Davy Crockett. I don't know whether it has anything to do with the order of business or not.

Chairman KEFAUVER. He is a great hero in Tennessee.

Mr. WARNER. He is all over the world. He is doing a big job.

Chairman KEFAUVER. I think it might be of interest in this argument whether Davy Crockett was born in Tennessee or North Carolina, he wasn't born in either State. Back in 1792, what is now Tennessee was created as the State of Franklin. It lasted three and a half or four years. That is when Davy was born.

Mr. WARNER. He has done a good job with his predecessors.

Chairman KEFAUVER. Yes, he is a fine man, Davy.

Mr. WARNER. He has a corner on all the coonskin caps.

I think I would rather be serious; if you don't mind a little spice of life occasionally, it is all right sometimes.

The cause you represent, I believe, is a serious one. I just tried to diagnose and think over to myself in the last day or two of what could have been, or what has caused the delinquency of juveniles throughout not only America, but I believe it is throughout the world, and I came across several phases, one in particular within the last 40 years, that there has been a complete change in the mode of life in our country.

That era, the prohibition era, when law and order were completely disregarded, tended to create not only juvenile delinquency, but there was much adult delinquency. I feel during that period of time of disrespect and disregard of law and order, we all know, especially all the older fellows, and girls as well, that everybody tossed aside—law meant nothing, to any degree, and particularly I am speaking of the prohibition era.

Therefore, I feel over the years there has come many, many children of the parents of the period who saw this lack of law and order, and the disrespect, it grew up into now what may be many of the juvenile delinquents, or it may be the parents of many of them. I feel that had something to do with it.

Along that very particular order we happened to, I believe, have made the first motion pictures that brought to the surface that very era: naming one, the first one was "Public Enemy." We showed conclusively just exactly the operation of the gangsters of the period, the prohibition operation, whatnot, whatnot. We made a picture "Little Caesar" and probably a half a dozen others, all with great, with what I thought had social contact, so much so that it sounds very much sort of a comic nature now, but at the time it was rather serious.

When I went to New York then one of our films was showing at our theater there and I went to some speakeasy and I met one of the boys I knew, and I said that I thought they were mad at me because we had been showing them up.

He said, "No, it is great. Me and my gal have been up here three times. We are going again to see it."

I felt, although that was humorous, the seriousness behind it these pictures brought to the surface, to the public, and to the hoodlums, just exactly what they were, and I feel had much to do with law and order taking hold again or at least steering it into an avenue, whatever it may be, and bringing it to the surface and stamping it out. It had a lot to do with it, as a matter of fact.

Another film we made at the time was called "G-Men." It was a history to a degree, more or less, of the G-man, J. Edgar Hoover, of the time: I think about 1928, 1930. Many of the things we showed in the film were things that Mr. Hoover was trying to get, such as his

FBI men being armed. They weren't permitted to carry arms at the time. We showed the arming of FBI men and how they could protect themselves and protect law and order, and whatnot. It all came to pass, which is now in existence.

I feel that motion pictures have done a great job in that respect. We have really shown life in the raw, shown the cause, shown the effect and we show the cure. In fact, the New York Times dubbed this as combining good citizenship with good picturemaking. In fact, we have used that slogan quite often ever since. In fact, it is quite a good one. Not only in just this type of film, but I mean in pictures of every walk of life, probably a thousand or more, in that number.

Chairman KEFAUVER. Pictures certainly have a great impact on the kind of citizens, good or bad, that we are going to have.

Mr. WARNER. Yes. Another thing I felt, in addition to the prohibition debacle, which I believe apparently it turned out, so far as I am concerned, was the world wars that we have, both the hot and cold, over the period of about 32, 33, 34 or 35 years. That, too, has seen what I would say were life and human rights, where they were at the lowest ebb.

I happened to have been in the war, at the end of the war, in Dachau. I saw the operation of that particular camp, and there was no human rights whatsoever. Naturally, we depicted films—when I came back I happened to make a picture called "Hit or Live" where I redepicted the things I am mentioning here. I won't go into a long dissertation on it.

The world has, of course, been evolving around some very, very troublesome times. The matter, as I see it in the last 40 or 50 years of my life, has been that everybody—those years have been very, very tough years, and that had a lot to do with the planting of the seed of juvenile delinquency.

After all, if you are in a war or in peace, whatever it may be, you see law and order being disrespected, tossed aside, people getting off easy or getting off hard, whatever it may be, I think it has a lot to do with creating the juvenile delinquency problem we are facing today.

I feel committees of your kind, all American citizens who think right, can do a lot to eradicate and stamp out this: I know they can. Committees of your kind have done great jobs heretofore and I know you can do this one by the very idea of going around to citizens and bringing it to the attention of the people, the mothers and fathers and kids themselves realizing just what they are doing.

Let's show them in pictures, if we can do good, or show it in everything that is printed, if it does good. It does do good. There has been a bad one here and there, which there is in everything. But on the whole you will find—I have very rarely ever seen a film that hasn't had some kind of a moral, either for good or bad, but they have some kind of a moral. I feel the prohibition, the years of the wars has planted all this. Kids are tough. I, too, was brought up in Youngstown, Ohio. It wasn't an easy town. It was a mixture of all races and a pretty tough town: a steel town. I haven't been there in 30 years. I guess it is all right now.

When we make these films we must have this dramatic content or you just can't make a motion picture. You are not living in a tranquil world, Utopia, because it really doesn't exist. When you make a film

you have to show the bad and good and how good triumphs. Unless you have a comparison, as I said before, you do not have the cause and effect. That is about all I can say on that.

About parents not giving their children guidance and so forth and so on, all that, that is every parent's own opinion. No doubt the fathers and mothers who told their children what to do, they think they are doing the right. That is only a personal opinion of the people, which I wouldn't have any control over. It is up to the people themselves.

I just made some notes here to try to guide myself. Other people have touched on the divorce problem of the homes and the environment, the confusion of children, and so forth, which is virtually the A. B. C. of the whole juvenile delinquency project, is the way I see it.

I feel that motion pictures do a great social service on the whole, and I heard Mr. Freeman say nobody is perfect. We have made many, many bad films. We have the majority of good films.

Not only—in addition to making motion pictures of feature lengths, we make short features, we make cartoons for children like "Bugs Bunny" and "Tweetie Pie" and, oh, all kinds of things, and patriotic films, and we have the Warner-Pathé newsreels.

Going back to 1918, my brother and I produced a silent film called *My Four Years in Germany* by Ambassador Girard at the time, depicting the coming of World War I. During World War II, oh, 50 films. To give you one or two, *The Confessions of a Nazi Spy*. I was the first man who made a picture showing nazism in all its raw form, who, under the threat of death in written form by the local German consul—not the word "death," he didn't use that, but words to that effect, "You better not do this." That was in 1932, called *Confessions of a Nazi Spy*. I have the letter.

Also recently we just made a picture, *I Was a Communist for the FBI*. We are always trying to do something for the good of our country. Not always do we make it as a matter of a commercial project. Many of these pictures do not succeed, but, however, being in a large business as we are we can afford to do something maybe the individual fellow can't. We can try to make things good for our country. Commercially, yes, and if not, nothing is lost.

Mr. Freeman put in what we term in the movies or motion pictures as sort of a "plug" for big pictures. I want to name 2; he only named 1. Two, so I give him two for one. We have one called *The Land of the Pharaohs*. We have over 45,000 people in it. We made it in Egypt and in Italy.

We have another called *Helen of Troy* equally as big; on a big scale, tremendous investment.

We hope that these pictures—they are educational. *The Land of the Pharaohs* is a great educational film and shows the building of the pyramids, and *Helen of Troy* is, of course, Homer's *Iliad* original love story.

I think I have about covered everything I have to say, other than I have been in this business all my life, ever since I was about 9 years old. I don't want to say how old I am now. But I have always found it a great pleasure. When things go bad, why, you feel a little down in the mouth. When things are good you are right up there smiling. If you do a good film that does good for your country, commercially, why, you feel wonderful, and if not, you keep trying.

Chairman KEFAUVER. How many pictures does Warner Bros. make a year?

Mr. WARNER. In the last 15 years we have made as high as 70 pictures. We are down now to where we do about 30.

Chairman KEFAUVER. And what particular attention do you give to the matter of juvenile delinquency—an opportunity for our kids—what contribution are you making to the cause we are talking about here?

Mr. WARNER. We are producing, just about finished the film called *Rebel Without a Cause*. It is not the book that we talked about the other day, but it is a story where we are trying—not trying, we have shown where the parents are at fault and probably switch it around and call it juvenile delinquency of parents.

Chairman KEFAUVER. That hasn't been released as yet?

Mr. WARNER. No.

Chairman KEFAUVER. We have had some calls saying this is not a good picture, from the viewpoint of influence on young people.

Mr. WARNER. They must be working from radar, because I myself haven't seen it put together. You mustn't believe everything you get by call—I guess you know that by now.

Chairman KEFAUVER. I don't believe everything I get by calls. Some of these people seem to know what they were talking about. One or two of them seemed right reliable. I thought I would ask you about it.

Mr. WARNER. They are not sure they didn't make the picture themselves, are they? Are these competitors?

Chairman KEFAUVER. No, I am very serious. No, they are not competitors. They are people interested in the public interest and welfare of people.

Mr. WARNER. All I will say is that the picture will stand for what it is. I am responsible for it personally. While I am not the producer or director or writer, as Mr. Freeman explained, it works virtually the same in all studios.

Chairman KEFAUVER. Do you pass on the pictures finally, before they are released?

Mr. WARNER. Final editing, we call it; yes, sir.

Chairman KEFAUVER. What group do you have in the way of psychiatrists or people that know something about the reaction of young people? What group do you have consider your pictures or the parts of them, from that viewpoint?

Mr. WARNER. Well, in fact, every film we go into we go into with expert advice. If we make a Navy, Marine film, whatever it is, we have officers assigned from the Department of Defense.

In this particular film, it is very prevalent with what we are naturally interested in. I would like to recite some of the people who have helped in making the picture.

Chairman KEFAUVER. You mean some of the people you have consulted with from the viewpoint of impact on youth?

Mr. WARNER. Not only did they help, but they aided and examined the scenario and I would say steered us to more or less the things they thought were not right, and we would naturally change it, from expert opinions.

The first name is Dr. Douglas Kelly, criminologist of the University of California at Berkeley, chief examining psychiatrist at the United

States Army, at the Nuremberg war trials, lecturer and adviser to the police department; and Dr. H. R. Brickman, California Youth Authority; Dr. Coudley, chief psychiatrist at the juvenile hall; Hon. Judge William B. McKesson; Dr. David Bogen, director of juvenile hall; Mr. Gentilli of the Boys' Group Movement; Carl Holtman, probation officer; Capt. Ben Stein, California Youth Authority.

Furthermore, I have a letter here from Dr. Kelly to the director of the film, stating that he had read the script, and so forth and so forth.

Here is one I brought from the youth authority for the State of California, signed Dr. H. R. Brickman. It says:

DEAR MR. URIS—

he was one of the writers—

I consider it a privilege to have been of some possible aid to your very worthwhile artistic undertaking. You most certainly did not overstay your welcome. As mentioned in our conversation, I would be most happy to be of any further assistance at any time. My best regards.

And so forth.

We very thoroughly go into specialization, with people who know their particular fields, when we do anything. And I would say in every film there is the story of Dien Bien Phu. We had a French colonel flown all the way from Dien Bien Phu.

We made a film called Jump Into Hell. Schary or Freeman said we were too late. Before we could make the film or put it out everybody had forgotten it, Dien Bien Phu. It was all washed out. However, we made the film and took the loss. We were very authentic, by the way, but nobody came to see it.

Mr. YOUNG. May I rise, as you suggested?

Chairman KEFAUVER. All right, sir. Tell us your name.

Mr. YOUNG. Young; Jack R. Young.

Chairman KEFAUVER. All right, Mr. Young. What do you arise for?

Mr. YOUNG. Mr. Warner, in stating of the pictures he has made, Mr. Warner has failed to state that the Warner Bros. studio, under his supervision, during the period of time, has made more gangster pictures than all major studios combined, so much so that the churches throughout the country had gotten together and preached to the congregation not to attend these pictures, gangster pictures, where they were shown.

And the late Mr. Will Hayes, who then was designated or engaged as the producers' representative, had insisted that a code be drawn up, whereby pictures of the nature of gangsters that would influence delinquency of children, as well as adults, be stopped.

For a while that code was adhered to, but since then, I regret to say, as a motion picture cameraman—and Mr. Warner has known me for many years, perhaps 30 or more—that that condition at this time is prevailing; that children, youths, are influenced by the presentation, such as was stated by Mr. Mooring, of Black Tuesday, whereby a police officer had helped a criminal plant a gun in the execution chamber under a chair.

That is not a true conviction of that criminal, but is exaggerated for the suspense in showing, where a police officer in a penal institution had planted a gun, a loaded gun in the presence—

Chairman KEFAUVER. Mr. Young, Mr. Warner is on the stand. You had something to say, and let's don't get off the subject.

Mr. YOUNG. That is right.

Chairman KEFAUVER. You said that Mr. Warner's company had produced more gangster pictures than all the rest of them put together. Mr. Hayes had a lot of trouble with them, and they complied with the code for a while, but had stopped complying with it now. Is that a summary of what you were saying?

Mr. YOUNG. That not only applies to Mr. Warner, but all the major, and independent studios.

Chairman KEFAUVER. All right, sir.

Mr. YOUNG. Thank you, sir.

Chairman KEFAUVER. You see, we have controversy, Mr. Warner. What do you say about that?

Mr. WARNER. I don't agree with him. As a matter of fact, I don't know how many pictures we have made that—whatever it was. I really don't know what the man is talking about, other than we made pictures, as I described. I named the real hard ones. I didn't name—

Chairman KEFAUVER. He said you knew him.

Mr. WARNER. I probably do know him.

Chairman KEFAUVER. Have you had any trouble with either the code under Mr. Hayes or under Mr. Johnson's dominion?

Mr. WARNER. No, we had no more trouble than anyone else. Everybody has trouble.

Chairman KEFAUVER. You do have arguments, and you finally abide by their decisions?

Mr. WARNER. Absolutely. There has never been a picture that our company has put out that hasn't had the proper seal and full respect of the code. I am highly in favor of the code, because they are doing a very monumental job.

Chairman KEFAUVER. Every picture you have put out has had the approval of the seal of the code since it has been in existence?

Mr. WARNER. Yes.

Chairman KEFAUVER. Mr. Bobo, do you have any questions you want to ask?

Mrs. GEORGE. May I ask a question?

Chairman KEFAUVER. You make your statement to me.

Mrs. GEORGE. Yes.

Chairman KEFAUVER. What is your name?

Mrs. GEORGE. Mrs. S. George.

Chairman KEFAUVER. Mrs. George?

Mrs. GEORGE. Yes. Mr. Warner has stated that 2 years later—he was 2 years too late in making a war picture, because the current topic wasn't interesting any more. But I would say this: If pictures like the *Blackboard Jungle*, where the kids, as they say, are all het up with turbulent emotions and crazy upside-down patterns of life, why profit in dollars and cents to bring forth pictures that we already know have hit home at families, and do not care to have it exploited by film companies?

That is not teaching you anything. We read it enough, and the families have suffered; we all know what it is. Why go to see it?

For instance, the kids that are doing that, they have done it. But the other kids that haven't seen any part of it will go to see that, because most of the adults do not go to see that type of picture.

We don't want all that brutality, and showing how degraded the children are. But that will prove something to the children that are a little weaker in their emotions, and will go to the movies to see the picture, and probably do the same thing as they are doing in this motion picture.

Chairman KEFAUVER. Have you had that experience with your children or children you know?

Mrs. GEORGE. Well, I have heard from other mothers that have said they wouldn't allow their children—

Chairman KEFAUVER. Well, Mr. Warner didn't make Blackboard Jungle.

Mrs. GEORGE. No, no; I am not assuming he made that picture. But I am only bringing that as an example. If he has in mind something like that to profit by horror things, where the children's emotions are turbulent now, why not keep them quiet or close down the studios with that kind of picture, and give the children a breath of air?

Chairman KEFAUVER. All right. Thank you, Mrs. George.

Mr. Warner, what do you think the Warner Bros. and other producers can do to help us in our problem? We are interested in working with you people to get your recommendations to us, and to try to create public opinion for better movies. Movies have a great impact upon the thinking of young people.

Mr. WARNER. Yes.

Chairman KEFAUVER. What do you recommend?

Mr. WARNER. Well, I say, as I think—not to be repeating too much, but I feel your committee and others like it will bring these types of events to the surface, and you can only do good. I don't know how much good, but there will be a lot of good come out of this.

I feel right-thinking men in the film industry certainly welcome it. Certainly there will be mistakes. Naturally; everybody is human and will make mistakes.

But I feel that we can do a lot and we will do everything that we humanly can to cooperate and avoid repetition.

Chairman KEFAUVER. We have had some criticism of *I Died a Thousand Lives*. Is that on the board over there?

Mr. BOBO. No.

Mr. WARNER. That is just—

Chairman KEFAUVER. Have you had much criticism on that?

Mr. WARNER. That picture hasn't been shown yet. It is a rather inoffensive film, of very little consequence.

Chairman KEFAUVER. It hasn't been shown yet?

Mr. WARNER. No; it hasn't been shown to the public.

Mr. SMALL. May I ask a question?

Chairman KEFAUVER. You can make a statement to me.

Mr. SMALL. Of the last 30 pictures that Warner Bros. have put out, how many do not show excess drinking and smoking by women and juveniles?

Chairman KEFAUVER. What is your name, sir?

Mr. SMALL. Nathan Small.

Chairman KEFAUVER. Where do you live, sir?

Mr. SMALL. Los Angeles.

Mr. WARNER. I can only answer that by "Why do you beat your wife?" It is the same thing.

You must be living in a backwoods country, boy, because everybody is smoking and drinking nowadays in some form. You drink water or something.

A SPECTATOR. But not excessively.

Mr. WARNER. But you have to drink—

Chairman KEFAUVER. All right.

Thank you very much, Mr. Warner.

STATEMENT OF JERRY WALD, EXECUTIVE PRODUCER, COLUMBIA STUDIOS, HOLLYWOOD, CALIF.

Mr. Jerry Wald. What is your address, Mr. Wald?

Mr. WALD. Address or where do I work?

Chairman KEFAUVER. Where do you work?

Mr. WALD. I work—I am an executive producer at Columbia Studios.

Chairman KEFAUVER. You are an executive producer?

Mr. WALD. Yes.

Chairman KEFAUVER. All right. Mr. Bobo, do you want to ask any questions?

Mr. BOBO. We have a background statement of Mr. Wald.

Chairman KEFAUVER. You have been a radio editor, you have published books and various magazine articles.

Produced short subjects for RKO and made eight radio shorts for Warner called Rambling Round Radio Row.

You have written scenarios and have produced a number of pictures, some of which are Task Force, Storm Warnings, Blue Veil, Clash By Night, Lusty Men, Miss Sadie Thompson.

Mr. WALD. That doesn't cover it, Senator. I have been producing pictures and writing them for about 23 years. Among the pictures that I have been directly connected with in the production end were two pictures in this investigation. One was Caged, mentioned by Dr. Frym, and Johnny Belinda, which I understand was discussed this morning.

Now, what amazes me is that anybody would single out Johnny Belinda, because some person saw the film and raped a girl. The seeds for this destructive force were in this man obviously much before he saw the picture. But nobody here apparently took time out to recognize the force for good that this picture did. This picture dealt with the problems of the mutes all over the world. We found it did an immeasurable amount of good, because it gave a better understanding to the world and to audiences of the problems of the mutes all over the world.

On Caged, this was a picture I made at Warner's as a producer. We were very much concerned about the problem of the criminal code in California which allowed first offenders to be thrown into the same cell with second, third, and fourth offenders.

The picture was made with the cooperation of the penal authorities. We tried to point out the damage being done by allowing any person to be thrown into the same cell—a person who basically may have been a first-time offender, to be thrown into a cell and meet up with

second, third, and fourth offenders, who were logically and obviously perverts and had all sorts of criminal records.

Now, the one thing I don't understand, Senator, is that nobody has stopped to take the time out to recognize the force for good. There was a gentleman here who was condemning Warner Bros. for the amount of gangster pictures they made. But this gentleman must be well aware of the pictures like Louis Pasteur, Zola, *Midsummer Night's Dream*, and the pictures that did a tremendous amount of good throughout our country and all over the world.

It showed one thing to the rest of the world. It showed we had the right to criticize ourselves, that we were a democratic nation, that we had the right to, if we didn't like something in our own country—that if we felt that what was being done was wrong, that we had the right to present it on the screen.

I have not seen any picture criticizing the Russian Government that has come out of Russia, and, in fact, I have never seen any film coming out of any European country which takes the problems of their own times and presents them on the screen, as we have done here.

I am connected with a company that in the last 2 years made a picture—has made several pictures that have caused—they haven't caused any uproar, but they were tremendous box office films. *From Here To Eternity*, *On The Waterfront*, *Caine Mutiny*, *The Long Gray Line*. Each of these films were forces for good, we think.

The Long Gray Line was a story of the United States Military Academy. It tried to tell the story of the responsibility of the boys in our country toward the Academy. The meaning of West Point and what good it could do for good.

Chairman KEFAUVER. Yes; I have heard much favorable comment about *The Long Gray Line*. Well, nobody is claiming, I don't think—even the most severe critics—that many pictures are not great forces for good. What we are dealing with here is the impact of certain pictures upon the youth of our Nation, whether the motion picture industry is doing all that it can do to help with our youth problems, whether some of the excessive violence and brutality we see at some movies is a good influence.

I don't know of anyone in the industry who will contend that some parts of some movies haven't been rather deleterious to young people. We are not diminishing the good that the industry has done. What we are anxious to know is how are you going to have better movies, insofar as the impact upon young people is concerned.

Mr. WALD. Senator, I have discovered in looking over the biggest box office pictures made that none of them have had violence in them for violence's sake. I have discovered that the greatest pictures—the biggest box office films—*From Here To Eternity*, *The Best Years of Our Lives*, *Gone With The Wind*, *Going My Way*—all these films, that were really big box office films, and films that did not have a limited audience—they were pictures that were made with good taste and did not violate any rules of the Breen office or the Johnston office, as it is called today.

And I have discovered, as a part of my responsibility in making pictures, that we have to really ride on two horses at one time. The first is not to make any story that will offend the innocent, and at the same time don't offend the intelligent picture-goers. Now, it is possible

to ride on both horses. And it can be done with a piece of good material that is done with good taste.

And I am convinced that part of our job is to appreciate and continue all that is good in our own national life. There are many things that are wrong that we try to put on the screen, but it still has to be done in good taste.

I can well understand, having two boys of my own—and, Senator, you have a family of your own—that children are easily influenced. But, at the same time, I think the basic upbringing we give them in our own homes is what is the initial strength, so that they will withstand any of the temptations they pick up from the daily papers or motion pictures, perhaps, or from TV shows.

Chairman KEFAUVER. Well, I think we all appreciate the fact that home is and the parents are the big things. But, undoubtedly, what children read and see has a great influence on their lives.

Mr. WALD. Senator, do you think your children would be influenced if they saw *Blackboard Jungle*?

Chairman KEFAUVER. They haven't seen it. My daughter is 13 and we have a son 9. Some of the movies they have seen, they have come home and been very upset all night, emotionally disturbed. I don't think that is particularly good for a child.

Mr. WALD. No, it isn't, sir.

Chairman KEFAUVER. Do you have any questions, Mr. Bobo?

Mr. BOBO. Yes. I was interested in this point, Mr. Wald: Of course, the children of parents that are the right type of parents, that would go to the theater with their parents, or come home to their parents at night after seeing a motion picture, and have it explained to them as to any questions they might have, is one thing. But how about the large number of children who are probably the most avid moviegoers, who come from either broken homes or homes that have inadequate parents, the child that is likely to pick up the crime and violence, the techniques of crime as shown in the movies, is liable to have more of an emotional impact on his life. There are some million and a half of these youngsters in this country.

I think that is where our problem here would have to center. What is your feeling on that?

Mr. WALD. We would have to screen every child going to a movie, to find out if they come from a broken home or not. Our big problem, Mr. Bobo, is that you are making pictures for a mass audience. We can't stop to ask each individual patron, "What is your background and where do you come from? Are you emotionally disturbed?" It would be pretty tough to do that.

Mr. BOBO. Mr. Wald, would you not admit there are pictures that have violence in them for violence's sake? I didn't see the picture the other day, but I heard of one the other day that had—I can't recall the name—35 people killed in it. I saw one the other night myself that had 17 killed in it.

Mr. WALD. Undoubtedly you are correct, but Mr. Bobo, it is like branding the book industry as being indecent because we read a lot of paper-covered books, and we say, "My God." I read some detective stories that had 30 people killed and branded and kicked and gouged the first 40 pages. But I like to measure the book business by the good books that come out and not the bad ones.

Mr. BOBO. Well, I think that is the way the people will measure the motion-picture industry, by the good pictures that come out.

But certainly a number of people are disturbed about the crime and violence and sadism and the long fights. Some fights last as long as 6 and 8 minutes.

I think the code is constantly aware of this. And I think I saw an article of yours on Sunday on crime and violence in pictures.

Mr. WALD. I agree with you, Mr. Bobo. In fact, I don't understand how any normal audience will believe some of the fights that are on the screen. They run for 10 minutes. I don't think true prize-fighters of the heavyweight talent could stand the—some of the punishment handed out in some of these pictures. I agree with you.

Mr. BOBO. I think in some of our gangster pictures, numerous times we have spoken of them as showing the gangster age; I think in a number of those pictures we portray the gangsters sometimes, and the children will go home and emulate that character, because he is a well-known movie star. I think maybe some of those things we should possibly guard against.

Mr. WALD. I have always told our writers this: If you look to read Hamlet carefully, you will find there are quite a number of killings in Hamlet. The killings there result directly from character, and it is not violence for violence's sake. I think some of the greatest literature that has lasted through the years has contained violence, but it is violence of a different caliber than we are talking about. I mean it is violence that comes out of a character study, out of character delineations, and character motivation.

I agree with you that a picture that uses violence primarily to act as a come-on for customers is in complete disagreement with the thinking that goes on by most of us in the motion-picture business.

Mr. BOBO. The question is, How do we get that minimized?

Mr. WALD. I think we have a very good code administrator and there isn't any picture we do that we don't work constantly with Mr. Shurlock. I know I do and I know everyone at the major studios does. But, like any other industry, there are always a few that try to slip in under the wire.

We have never released a picture that hasn't a seal. But yet I can't speak for the entire industry. You can't judge the theater by Minsky. You have to judge it by Rodgers and Hammerstein, for the good and not for the low points.

Mr. YOUNG. Mr. Senator—

Chairman KEFAUVER. You have to take an average.

Mr. YOUNG. Mr. Senator.

Chairman KEFAUVER. Just a minute, Mr. Young.

Does your question have to do with what Mr. Wald is saying?

Mr. YOUNG. Yes, sir. If I may again be permitted, with all due respect to Mr. Wald, Mr. Wald said a gentleman stated about the bad pictures Warner's made. It is true Warner's did make some fine pictures, too.

The same applies, Senator, when you questioned that hoodlum Mickey Cohen. It was stated that Mickey Cohen had contributed to various institutions charitably, but that did not condone the violations and the criminal acts he had committed, which he eventually was sent to a penal institution for: indicted, convicted. He is there now and may be convicted or indicted again.

I only refer to Caged that Mr. Jerry Wald had produced.

Mr. Jerry Wald—Senator, I wish you would ask Mr. Jerry Wald how old his children are he has referred to. I would like to know what age, whether they were permitted to see Caged in some of the outrageous scenes done in that particular picture pertaining to a women's penal institution that were vulgar and common of its nature, and it is not practiced in our penal institutions.

I, as a news photographer and motion-picture cameraman, for years I have been in various institutions—not permitted to photograph inside of them, but outside, and have without my camera been in them the same as any other newsman.

And I say that without the fear of contradiction, that Mr. Wald state to us as to the age of these children. Then let's ask him—

Chairman KEFAUVER. All right. We appreciate your contribution. We will let Mr. Wald have a chance to say what he has to say about it.

Mr. YOUNG. Yes.

Mr. WALD. My children weren't born at the time—one of them was, I guess. I have two boys, 9 and 12. Now, we will get over that point.

About Caged, the picture was passed by Mr. Shurlock's office here and it was passed by the penal institutions here. The picture received artistic awards all over the world. The young lady who played the lead in the picture received the Venice film award and other awards all over the country. The picture was wholeheartedly approved by the Federal Penal Board. We have had many, many thousands of compliments, complimentary letters.

I don't know if Mr. Young was ever in prison or not. I wasn't, either.

But I did do this, sir: I had a woman, a reporter, go into prison for 6 months. She worked there. Virginia Kellogg worked in prison and got all the statistical information right from the prison.

And we had as our technical advisers three women wardens who were under instructions from us to constantly watch the film for any technical errors and to make sure we were duplicating prison life as it really existed.

When the picture was in script form, sir—

Chairman KEFAUVER. Well—

Mr. WALD. Just this one last thing. We had Dr. Frym, who is a psychiatrist for the California Criminal Board, read the script and come over and discuss it with us and he helped us remove any inaccuracies in the script.

Chairman KEFAUVER. Would you take your boys to see it?

Mr. WALD. I would show it to them today; yes, sir. It was made, I guess, 9 years ago. They were too young at that time.

Chairman KEFAUVER. Anything else, Mr. Bobo?

Mr. BOBO. No.

Chairman KEFAUVER. Thank you very much, Mr. Wald.

STATEMENT OF HARRY JOE BROWN, PRODUCER AND DIRECTOR, HOLLYWOOD, CALIF.

Mr. Brown, you are a producer and director; is that correct?

Mr. BROWN. Yes.

Chairman KEFAUVER. Who are you with?

Mr. BROWN. Our own company, Producers-Actors Corp.

Chairman KEFAUVER. Mr. Bobo, do you want to ask some questions?

Mr. BOBO. Yes.

Chairman KEFAUVER. Let's get down to the main points of Mr. Brown's testimony as soon as possible.

We have a biographical sketch about your experience, Mr. Brown. You came from Pittsburgh, Pa.; you have been in the industry a long, long time.

All right, Mr. Bobo.

Mr. BOBO. Mr. Brown, is your company a member of the Motion Picture Production Code?

Mr. BROWN. We are through our distributors, Columbia Pictures Corp.

Mr. BOBO. Are your scripts approved, scripts for your movies approved prior to the making of those movies?

Mr. BROWN. Yes.

Mr. BOBO. Your pictures are mostly westerns?

Mr. BROWN. At the present time they are; yes.

Mr. BOBO. Has there been any change in the western pictures in the last few years, that you can speak of, as to more crime or violence or more brutality shown in western pictures?

Mr. BROWN. I doubt it very much. I don't see any change or haven't seen any change in the western picture, the format, than the first days I made western pictures 35 years ago.

Mr. BOBO. Mr. Brown, the other night at Columbia Pictures Studio, I think it was, I saw the picture *Ten Wanted Men*, and in that picture there were some 17 persons killed.

Mr. BROWN. I doubt it.

Mr. BOBO. You know how many were killed?

Mr. BROWN. I would say—to my recollection, it has been a little while, but I would say 4 or 5. There are no 17. And every killing there was a reason for. There was a good came out of that killing. We never kill indiscriminately. We never kill just to kill. Any time there is a death in a western picture, you will find there is an awful big reason for it. There is a reason, good or bad, something to bring home to the child—and if I may interrupt here just for a moment before I forget it, I have listened all afternoon to what these gentlemen have had to say in the industry and what you gentlemen are seeking I believe is to find out.

The thought came to my mind—I suppose to you it is that you want to know what a child carries away after viewing a motion picture.

Now, it comes to my mind, what does a child carry away after viewing a western picture, say, one with taste; you know, the ordinary western picture. I am sure when he gets home he doesn't put on a black mustache and gloves and become the heavy. Rather, he puts on the coon cap and he becomes Davy Crockett. He becomes Bill Hickok. He becomes all that is good, the law-enforcing man. That is what he sees in the western picture; he sees a good Americano, like he would like to be; not the death.

I think the scenes, if they are violent or not, I think they are very soon forgotten in the mind of that child or the mind of the adult. But they carry away the good Americano. They carry away beautiful scenery in many instances, where they can't afford to go. They

carry away the good and bad; they carry all those thoughts. And, therefore, I am a firm believer—believe me, I say this honestly—in a decent, good western picture; that it is great for the kids.

Mr. BOBO. Mr. Brown, and I hate to single out your one picture, but I did see it.

Mr. BROWN. Yes.

Mr. BOBO. In that particular picture, where the brother of the leading man was shot and killed, he was shot in a very cold-blooded fashion, standing right close to him, once in the hand and once in the arm and once apparently through the chest. He had a very cold-blooded death.

Mr. BROWN. Yes; it was.

Mr. BOBO. I don't know what the children took home from that picture. I am thinking about myself. I wonder if excessive violence in that form might have more impact than Randy Scott as the hero.

Mr. BROWN. That was a great exception to the case. There was quite a battle over it with the Johnston office. It is very rare we do a thing like that.

But the message brought home of that particular killing was the great love that the father had for his son; that was more important than the killing. To bring home to the child what it means to have a parent that would go through hell for you, be shot four times rather than divulge the whereabouts of this boy, which these heavies wanted to find.

That is what I meant, that when you find killings in our pictures—I am not just speaking of our pictures, I am saying for most Westerns—there was a very valid reason, it should be brought out.

Mr. BOBO. Mr. Brown, in making Westerns—and I know here they are all referred to as just another Western by a number of people—isn't it true that most of the scripts run pretty much the same and that we have to have a little more violence or a little more impact or a little longer fight for there to be the audience—the reaction audience, which I think would be mostly children—

Mr. BROWN. Well, I think I may disagree with you. I think that a very mistaken thought—that that is a very mistaken thought, that just children see Westerns.

Go to your theater in the evening, where the big crowds are. Our pictures fortunately play what we call at first-run theaters. For example, we play here in our city the Hill Street and the Pantages Theaters: two very up-to-date theaters.

You go there in the evenings, and I will venture to say there won't be 1 out of 10 which is a child maybe 10 or 12 years old. Your matinees take it down very little. The fact that children do go to Westerns I think is another good reason that folks sanction their going to them. After all, they must get that 30 or 40 cents to attend. Because I think the folks see what they see also in a Western, the good, and not the bad that has been brought up here.

But getting back to your question, as I say, this particular picture was an exception. There was more than we generally have, much more. But I can say—go down through the killings, if we had the time, and prove to you that each and every one was a great lesson for their child, if he took enough interest in that killing.

Chairman KEFAUVER. You said a part of your pictures were approved by the code, those you sold to—

Mr. BROWN. Oh, no; that is a mistake. All of our pictures have the same code regulation as any other picture by a major producing organization, because the fact that we—

Chairman KEFAUVER. Do you get the seal on all your pictures?

Mr. BROWN. We must get the seal on all our pictures, the same as the other companies.

Chairman KEFAUVER. All right. Thank you very much.

Mrs. ADAMS. May I ask a question?

Chairman KEFAUVER. What is your name?

Mrs. ADAMS. Mrs. Jean Adams.

Because of the havoc that has been brought on the youths and the adults because of this irresponsibility and the conscienceless work of the Hollywood production code, I think that we should have a Government-appointed board censoring all of these movies and television programs, and they can also at the same time see to it that pictures be eliminated which have to do with racial discrimination and racial hatred. I have seen so many of those. I think it is very necessary.

Chairman KEFAUVER. Thank you very much, lady.

Mrs. FOSTER. Could I make a statement?

Chairman KEFAUVER. Yes, ma'am.

Mrs. FOSTER. In 1947 I took a trip to a foreign land and on the ship there were many foreigners and juveniles. The picture that was shown was the Farmer's Daughter. Now, that showed a United States Senator drunk that was running for reelection. The farmer's daughter was a girl not out of high school, not educated, but she won the election. This United States Senator did everything crooked that he could to win that election.

I would like to know—I have listened all afternoon—how all these pictures are done for good—I would like to know how much good was done in this picture, how many juveniles respected the United States Senator and how many foreigners respected the United States Senator.

Chairman KEFAUVER. I didn't see it.

Mrs. FOSTER. You ought to see it. I had a brother at one time in the United States Senate.

Chairman KEFAUVER. I know you are very serious and your brother is in the United State Senate. I know Senator Watkins quite well, favorably.

I don't know the Farmer's Daughter, I didn't see the picture.

But I have seen many pictures that rather make fun of law-enforcement officials and of public officials, and I think this is one point of criticism not only of some pictures, but of some television shows which create some disrespect for law-enforcement officers and for public officials.

Mr. George Murphy will be our last witness this afternoon.

STATEMENT OF GEORGE MURPHY, ACTOR, OFFICIAL, SCREEN ACTORS GUILD, HOLLYWOOD, CALIF.

Mr. Murphy, we are appreciative for the cooperation you have given our subcommittee for coming here and testifying about the subject matter we are interested in.

We have a short biographical sketch of your life and of the movies that you have been in, beginning back in 1937, when you were on the

stage, and then you came to the movie industry in 1934 in *Kid Millions*.

Mr. MURPHY. That is right, sir.

Chairman KEFAUVER. In 1950 you were chairman of the Hollywood Coordinating Commission.

Mr. MURPHY. Committee. That is the committee that channels the free appearance of the motion picture personalities. They started working in close conjunction with all the national charities and armed services. We send all the shows overseas. It is an offspring of what is called the War Activities Committee.

Chairman KEFAUVER. And your picture *The Pilot's Girl* won a special academy award for interpreting the motion picture industry correctly to the country at large.

Mr. MURPHY. Actually, it wasn't the picture. I personally was given a unique Oscar for public relations work in connection with the industry.

As the Senator probably knows, over the years our business thrives on publicity and sometimes we are a little more in the spotlight than we should be. In many cases, as Mr. Freeman explained today, there are many writers here that write special stories about our people and personalities. Sometimes they run out of material and the stories get into the realm of imagination.

I found, traveling during the war, it was a very, very bad and a very wrong and false impression of Hollywood and its people and the people in the motion picture industry.

So that my boss at that time said, "If you feel that way about it, why don't you do something about it?" So since then I have done a great deal. I have appeared in practically every city in the United States, every large city, and before all sorts of groups and organizations and Rotary Clubs, and parent-teacher associations and ministers' groups and the rest, and explained actually what happens in the motion picture industry and to tell the true story of its people.

We are, of course, like any other community. We have 2 or 3 or 4 people that, unfortunately, break the rules now and then. But, by and large, I think we have a fine community. We have a great record, which I am sure my friend Ronald Reagan told you about when he appeared this morning. That has been the major part of my work for the last 7 or 8 years.

I have also been president of the Screen Actors Guild, so I have been a representative of the labor side. Presently I am in charge of public relations in M-G-M Studio.

Chairman KEFAUVER. Mr. Bobo, do you have some particular matter you want to bring up with Mr. Murphy?

Mr. BOBO. Yes. Mr. Murphy, we have been discussing some of the evil influences of television and the movies this afternoon. I think you have an idea for some real constructive force to help in educating the public on this problem and meeting it.

Mr. MURPHY. I think there has been a great deal of talk here today, for instance, it has been clearly brought forward, the process of making a motion picture, the application of the code, which we are very, very proud of and we are very unique, being the only industry that has tried to guard our own morals.

It is true that once in a whole we will make mistakes and slip a little bit. But, by and large, our people try to employ their good moral

sense. We realize the tremendous influence the motion picture has on the public morals and on the country at large, and particularly the international field.

I think that it has been well established here that if there has been any bad influence created by pictures, it was certainly not intended; that the intent was always good.

There were certain pictures, for instance, *Blackboard Jungle*, that has been mentioned here. I quite honestly, in the beginning, when I read the book, had some misgivings about *Blackboard Jungle* being made into a picture. And when I saw the picture I was very, very happy it had been made and proud our studio had made it, because I think by drawing attention to the actual stark reality—and I assure everyone on this committee that that picture was not overdrawn, that there are situations that happen right here in Los Angeles that are just as bad, if not worse, in some conditions, because I have spent a great deal of time talking to some of the juvenile officers and juvenile court people. I have also been quite active. I am on the local council of the Boy Scouts of America. I had the pleasure of making a motion picture of their jamboree which took place here 2 years ago.

I think the impact of the motion picture is tremendous. We have a great responsibility that goes with it and I think our people, our leaders are conscious of it.

As I say, if they make a mistake once in a while, it is not intentional. I am sure that the fact your committee has come here will probably act as a very good influence on their thinking, because it will make us conscious of the fact the job we have is a great and important one, and the moral responsibility that goes with it.

On the constructive side, which I think is more important than pointing the finger at who caused the trouble—what do you do to cause the trouble? I think that the motion picture and television could probably do the greatest service to this country if a concentrated effort were made to bring to the attention of the people actual cases based on case history. I know that 90 percent of the people in our city haven't the slightest idea what goes on in juvenile court, because they haven't taken the time to go down there and find out. I think every so often these things ought to be put on television, and let the people know.

I agree with the statements made here, and for a very good reason: the basis of the trouble generally starts in the home. The basis of the trouble is in the control of the parents. But I think this is a thing we can discuss interminably and come up with all sorts of answers.

I am certain of one thing. If there is a concentrated effort on the part of the motion-picture industry and on the part of television, to make constructive series of pictures to show exactly what is happening, and then at the end of each sequence to have a short piece by one of the outstanding juvenile court judges, with a little sort of a road map to tell people what to do, how to combat the problem, how to get active in it, what to do about it.

Of course, we get back to the simple basis. We all know of areas in Los Angeles where juvenile delinquency was at its highest, and when we got boys' clubs started or Boy Scout troops started in those areas, that juvenile delinquency goes down. I believe completely with old

Father Flanagan, that there is no bad boy. That sometimes through neglect, through his environment, that he doesn't have a chance to play baseball and football—any number of reasons—that maybe he gets into bad habits.

I think we can do a tremendous job and I am sure you will find, sir, that the leaders of our industry will be more than happy to cooperate in any way they can to bring this program before the public on a constructive basis. And I hope that we can find the solution to what is now a very, very grave national problem.

Chairman KEFAUVER. That is a very worthwhile suggestion, Mr. Murphy. I hope that all of the officials in the industry will be thinking about ways and means they can bring the actual picture home to our people. In a country—we have to live on the theory that if people know the facts they will do something about it. That is our great hope.

Anything else, Mr. Bobo?

Mrs. GEORGE. May I make another statement?

Chairman KEFAUVER. All right, lady.

Mrs. GEORGE. Mr. Murphy was very—

Chairman KEFAUVER. You ask me and I will decide whether I want to ask Mr. Murphy.

Mrs. GEORGE. Mr. Murphy brings out the point, as the other gentleman brought forth, that they have made a great many mistakes. Now, they are supposed to be very intelligent people and executives of their own companies. How many mistakes are they permitted to be very profitable to the disadvantage of the family and the children?

If it hadn't been for you, if the committee hadn't come and investigated, they would probably have gone on until the committee investigation, and then they come out and say they have made mistakes, which is a human element; which is not true.

We are assuming that the people that are at the head of the industry are intelligent. Now, what is to be done about that?

Chairman KEFAUVER. I think your point is that this is a very sensitive industry that we are dealing with. That we realize the importance of all mass media of communication, and particularly the impression of pictures, so that the producers and the people who run our studios, and the writers, must be constantly on the alert to try to see that they take into consideration the public welfare always.

Mrs. GEORGE. May I also ask, Senator, what are they going to do about these billboards, these posters that have all of the suggestiveness you would find in pornography. I mean, down at the movie theaters, where the children pass all the time with their mothers on shopping tours, what are they going to do about that?

I don't even want to look at them myself, and I am not a blue nose, not old-fashioned. What is the impact on the children of that, that passes down Broadway and sees all that nonsense, all those pictures? Is that art or is it just to arouse their emotions? Why don't they tear them down?

The children see these great big colorful posters, like the suggestive one on *The Prodigal*. Now, what are they going to do? Are they going to school and study history and algebra, or are they going to talk about that [indicating]?

I have seen pictures of it, where the students at John Marshall High School, on Los Feliz, there is a big billboard sign there, and

I saw those large suggestive poses. Maybe the motion pictures don't have it, but the posters suggest it. And those kids are not thinking of algebra when they go to school.

Chairman KEFAUVER. Well, I think your point is very, very well taken, lady. And I haven't heard any members of the industry defend a lot of these posters.

Mr. YOUNG. They have been——

Chairman KEFAUVER. Just a minute. Just a minute.

Mr. YOUNG. They have been evasive of the very fact, not only are these pictures exaggerated, but when they take still pictures—and Mr. Murphy knows. I worked with Mr. Murphy, although Mr. Murphy is a fine gentleman and clean, he comes from a clean family, sport minded, football. He knows I know that because I covered a story on his father, as to football. Is that correct, Mr. Murphy, at RKO?

Mr. MURPHY. Could be.

Mr. YOUNG. I am not citing Mr. Murphy, because I know his background is one of the finest of the gentlemen associated, and I had the pleasure of being associated with him.

But when they take 24 sheets, as it is termed, that will cover practically the wall of this room, and they show these, as the lady has stated, and then take featured players and take them over the sidelines and take still pictures of them, exaggerating their exposure in their seminudeness, and then send them out to these cheap, vulgar publications, to be used, as I have a record of right now in one of these little magazines.

But I will say this, Mr. Senator, and the committee, that since your arrival here—and I have made it a point to go to these 50 drug-stores, to see these stands of these cheap publications, where children sit down and look at these things, that they have removed them since your presence here.

The question is, will they be replaced after you leave here?

Thank you, Mr. Senator.

Chairman KEFAUVER. You are talking about some of the magazines you have seen?

Mr. YOUNG. Yes, that show these featured players.

Chairman KEFAUVER. Mr. Murphy, you see what some of the people are saying about these posters, and the comments of people who are here. All that goes to make up public opinion. I am sure that is something you are going to be thinking about.

Mr. MURPHY. I have had a very broad experience in this field, Senator. As I say, I have traveled and gone to meeting of all types across the country. I have heard, as I have heard this afternoon, objection to too much violence in the pictures.

I assure you, if there is too much violence it is a case of bad judgment on the part of the director or the cutter, because I am certain nobody ever put violence in a picture to the degree it is going to offend the audience. The purpose for making the pictures is to please the audience.

If they go out and say the picture is a bad picture, then the business is bad and nobody comes to see it. If they go out and say it is a good picture, then more people come in and that is the object and that is what we are trying to do.

The question of whether the pictures have had a good or bad influence on children is one that has been discussed for many, many years. I have gone back in research—I have a statement here written by Judge Ben Lindsay, who is the originator of the juvenile courts, back in 1936, which would apply today. I would like to read the statement into the record, because I think it is a good one and I think it fits our case.

He had been asked about the effect of the motion picture on juvenile minds.

I can be much more definite and certain, in saying I know of thousands of children who have positively been elevated, inspired and made happier because of the movies, who have been kept off of streets, out of alleys, the vulgar storytelling of the barnyard, and the multitude of idle, evil associations by wholesome appeals, the family gatherings and educational opportunities afforded them by the movies. I really believe if we had never had any motion pictures at all we would probably have more crime among youth than we now have, or at least we would certainly have as much. Nothing in the last 50 years of this most eventful history of all times has perhaps done more to reduce sin and crime and add to the happiness, education and progress of the human race than the motion pictures. And if the right-minded, intelligent people of this country will support the producers in giving us wholesome amusement, they will certainly do more in this regard in the years to come.

I think that is a fair statement of fact from a man who was Judge Ben Lindsay, who certainly knew as much about this as any man I know of.

I think, as has been said here continually, we are human beings and we make mistakes. We will try to stop making the mistakes. We will try for perfection. We will probably never attain it, but it is my sincere belief that the motion picture has done much more good than bad, and in the future, Senator, I agree with Mr. Young, that your very visit to this city will probably jog our memories a little bit and make us a little more careful in our responsibilities. I sincerely hope it will, and will have that effect.

Chairman KEFAUVER. Mr. Murphy, we are depending on men like you to keep this issue before the picture people, and I know your influence will be wholesome.

Mrs. ADAMS. Mr. Senator, may I make one more question?

Chairman KEFAUVER. We have to adjourn now. We are too late. You come back in the morning, if you want to ask a question.

Mrs. ADAMS. Thank you.

Chairman KEFAUVER. We will stand in recess until 9:30 tomorrow morning. We will begin sharply at 9:30 in the morning.

(Whereupon, at 5:15 p. m., Thursday, June 16, 1955, the subcommittee recessed until Friday, June 17, 1955, at 9:30 a. m.)

JUVENILE DELINQUENCY (Motion Pictures)

FRIDAY, JUNE 17, 1955

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON THE JUDICIARY,
TO INVESTIGATE JUVENILE DELINQUENCY,
Los Angeles, Calif.

The subcommittee met, pursuant to recess, at 9:45 a. m., at room 518, United States Post Office and Court House Building, Los Angeles, Calif., Senator Estes Kefauver presiding.

Present: Chairman Kefauver.

Also present: James H. Bobo, counsel; and William Haddad and Carl Perian, consultants.

Chairman KEFAUVER. We will come to order, please.

The subcommittee is glad to have with us this morning—and I hope he will sit with us after he has made a few statements—an old, old dear friend of the chairman, a man who has contributed much to the social and political life of this section. He is well known throughout the United States. Supervisor John Anson Ford.

Mr. Ford has been of much assistance and help to our subcommittee and to our subcommittee's staff, and we are certainly appreciative of his presence here.

Mr. Ford, won't you come around and give us the benefit of any suggestions and advice.

We were pleased to have Mr. Miley, who has been associated with you, read your very excellent statement, but any other remarks or counsel for the subcommittee or for the people of this section, in dealing with the problem of juvenile delinquency, we will be very glad to hear from you.

STATEMENT OF JOHN ANSON FORD, MEMBER, BOARD OF SUPERVISORS, LOS ANGELES, CALIF.

Mr. Ford. Well, Senator Kefauver, I appreciate the opportunity to supplement my remarks of the other day, which were transcribed because my throat had given me a little trouble and I wasn't able to appear, as I had hoped to respond to your initial invitation.

If I were to say a supplementary word, Senator, it would be to emphasize the importance of concentrating upon that section of our younger population which feels that it is somewhat outcast. Part of our great problem here in southern California, with all our marvelous facilities for recreation and rehabilitation, arises from the fact that because of racial differences and language differences many of our younger folks feel they are outcasts, they are declassified. That in

many cases makes the YMCA, the Catholic Youth Organizations, the various social agencies which do such a wonderful job, it makes them, you might say, unavailable. These boys and girls, particularly the boys, develop a resentfulness which at its worst is manifested through zoot suit riots of a few years ago, but is always present in some degree, even to the point where they sometimes fight among themselves.

I think in our studies with the youth we have found that sometimes we don't appreciate the legitimate levels of their interests. These boys, like all boys, are very fond of automobiles. They are fond of mechanical gadgets.

And as you may or may not know—I don't know whether there has been testimony regarding it here or not—one of the real social forces among hundreds of these boys is the so-called car clubs. Boys delight to take an automobile and strip it down and rebuild it and give it more speed, more zip. I have shared with my colleagues on the board of supervisors in trying to provide a safe well-regulated, properly supervised race course or drag strip, as they like to call it, where these boys, after weeks of preparation with their cars, cannot engage in racing, but, rather, they can engage in a time and test—timing strip, they like to call it.

Strange to say, the public has resented the establishment of these supervised timing strips. At least, they have resented it to a certain extent. A few farsighted people, like some of the police officers, in Bell and Maywood, have organized an association and have agreed to underwrite the insurance for these boys, and agreed to write rules for them.

I cannot go into the details, Senator, but it is things of that sort which are very constructive in laying groundwork for a boy's confidence in his fellow man, a boy's appreciation that society does understand his interest and has a regard for him.

Chairman KEFAUVER. Well, we have had some testimony about the so-called—

Mr. FORD. Timing strips.

Chairman KEFAUVER. Timing strips. And we had the police chief from Pomona, and he told about how much better the situation is down there. Mr. Miley gave us some information about it. It seems to be working not only here, but in other parts of the country, for the better.

Mr. FORD. If I am not encroaching too much on the time I would like to emphasize this, Senator: I went to a meeting of about 25 of these clubs, time strip clubs, where the boys each had given his heart to the building up of a high speed car for testing purposes.

We met in the chambers of one of the local justices one evening and crowded the room full. We called the roll of these clubs and it was almost pathetic that one president after another got up and said, "What we need is some businessman who will sponsor our organization so we can have a standing in the community."

Chairman KEFAUVER. Well, I was very delighted to hear from Mr. Ochoa, the chairman of the federation, as to the amount of interest there is in these clubs throughout the State. But, as you say, in all of these activities they need some good citizen or citizens to sponsor them.

Thank you very much, Mr. Ford. We are delighted to have you here, and I hope you will come around and sit with us.

Mr. FORD. I would like to stay for a few minutes.

Chairman KEFAUVER. We have received a number of telegrams from organizations that we will read into the record. Others will be answered.

Mr. Bobo, you have a telegram from some group?

Mr. BOBO (reading):

Los Angeles Tenth District Parent Teachers Organization with a membership of more than 237,000 has long been concerned about Blackboard Jungle and protested its being shown in this city. We believe this and other similar films are detrimental and breed further delinquents in young people. As a volunteer organization interested in child welfare we commend you on your investigation and the interest of the protection of our youth. We are hopeful of positive results.

Mrs. L. S. BACA, *President.*

Chairman KEFAUVER. This morning we will continue our motion picture hearings. Our last witness yesterday was Mr. George Murphy.

Our first witness this morning is Mr. Lou Greenspan, executive secretary of the Motion Picture Industry Council.

STATEMENT OF LOU GREENSPAN, EXECUTIVE SECRETARY, MOTION PICTURE INDUSTRY COUNCIL, LOS ANGELES, CALIF.

Chairman KEFAUVER. Mr. Bobo, will you ask Mr. Greenspan preliminary questions?

We have a lengthy biographical sketch of Mr. Greenspan. It shows his background. That you, Mr. Greenspan, were educated at Northwestern University in theology, in journalism, literature, music and arts.

You have been a reporter, publisher, produced a number of shows. You have been with the movie industry since 1931, is that correct, Mr. Greenspan?

Mr. GREENSPAN. Yes. I have been here before. I was here originally in 1926.

Chairman KEFAUVER. Mr. Greenspan, you move up and talk louder. We will read into the record your long and distinguished career. [Reading:]

Journalist, associate producer. Born Chicago, Ill. Educated Northwestern University, theology, then journalism, literature, music and arts. Reporter, City News Bureau, then Associated Press correspondent, Chicago. Publisher and editor *Heard and Seen*, Chicago; editor *Variety Weekly* in Chicago, New York, and Hollywood.

Produced vaudeville acts and floor shows for night clubs, hotels, cafes, et cetera.

In 1931, to Hollywood as independent producer.

In 1932-35, executive producer assistant, *Universal*. In 1936, president and general manager, *Motion Picture Advertising Corp.*, Hollywood. In 1936-38, executive producer assistant, *Grand National*. In 1939, special west coast representative for *ASCAP*. In 1939-42, editor, *Hollywood Reporter*. In 1942, associate producer *RKO*. Joined *Motion Picture Society for Americans* as assistant to Joseph I. Breen, 1943; resigned March 1945. Joined *Lou Irwin Agency*, April 1945, as executive associate. In 1946, associate producer *Star Pictures*. Now in public relations, Hollywood.

You are now in public relations, Mr. Greenspan, is that correct?

Mr. GREENSPAN. Yes. As the executive secretary of the Motion Picture Industry Council, I am concerned with the good public relations of the industry at large.

I might tell you a little bit about the Motion Picture Industry Council. It is a sort of a senate of the cinema, you might call it, or

little "United Nations," as it represents all segments of the motion-picture industry, both labor and management. This includes all the guilds, all the unions, the various associations, et cetera.

I might also add that it is quite distinguished from other industries, in that it is the only organization of its kind. I don't know of any other industry in the world where management and labor can sit down at a table and discuss common problems, common purposes and ideals, for the good and welfare of that industry.

I am not talking about any labor discussions or conditions, or anything of the sort, except for the good and welfare of the industry itself. Our council has now been in effect for about 6 years.

Incidentally, Dore Schary was one of the founders of it, who was here yesterday.

That gives you a little of the background.

Chairman KEFAUVER. Mr. Greenspan, what do you mean by management and the workers?

Mr. GREENSPAN. I mean the representatives of the management and the representatives of the labor unions and guilds sit around a table and discuss common problems for the good and welfare of the industry.

Chairman KEFAUVER. That is the writers—

Mr. GREENSPAN. The writers, the actors, the art directors, A. F. of L. film unions, all the technical unions, cameramen, soundmen, and all the rest of them, as well as the Producers Association, the Independent Producers Association, and so forth.

Chairman KEFAUVER. That is very interesting. How many unions are there in the industry, incidentally.

Mr. GREENSPAN. There are about 26, I believe, unions, actually trade unions in the setup of the American Federation of Labor studio unions.

In addition to that, there are some half dozen or more guilds, some who are not affiliated, like the Screen Writers Guild or the Screen Directors Guild, the Art Directors Guild.

Mr. FORD. 27 organizations or 27 chapters?

Mr. GREENSPAN. No, unions. There are some 26 actual locals of the various crafts in the A. F. of L. film studio union setup. Altogether I would say there is approximately between twenty and twenty-five thousand people employed in the motion-picture industry.

Chairman KEFAUVER. Very well, Mr. Greenspan.

Mr. BOBO, you had some specific questions to ask?

Mr. BOBO. Yes.

Mr. Greenspan, in the meetings of the Motion Picture Industry Council, you say that you take up certain of the problems of the motion-picture industry, and how to better foster the motion-picture industry?

Mr. GREENSPAN. That is right.

Mr. BOBO. Do you take into consideration within these meetings the public disapproval of certain types of pictures and what can be done about that?

Mr. GREENSPAN. Well, we do from time to time, although this is not one of our main purposes. We are not concerned with attacks from the outside, outside the industry, as well as we are concerned with the good relations intra-industrywise among ourselves.

We try not to infringe on the autonomy of the various organization members of our group. The matter of, let us say, so-called censorship or attack on movies, of course, we are extremely interested in,

because all public opinion is very, very important to us, because it helps us decide which way we are going. But we do not take any definite action. We can discuss it among ourselves and make suggestions, and perhaps even reprimand each other once in a while, or even more than that. But it remains in camera, more or less.

Mr. BOBO. As a motion picture industry councilman, representing all facets of the motion-picture industry, has your group given any thought or made any recommendations to the motion-picture industry within itself, as to types of pictures, as to content of pictures?

Mr. GREENSPAN. No, we have not.

Mr. BOBO. The purpose of the council then is what, Mr. Greenspan?

Mr. GREENSPAN. The purpose of the council is not to engage in film content to the extent of telling producers what they may or may not make, or what they should or should not make. We can only bring to them the reactions of the public and also the reactions of other people in the industry. But as to any decisions, the individual studios themselves must decide that.

Besides, we have the code, as you know, and all of the major companies, as well as the independents, subscribe to the Motion Picture Code. That is the organization where they do discuss film content, what may or may not, should or should not get on the screen. We have no jurisdiction or function in that direction.

Mr. BOBO. Mr. Greenspan, did you have a statement you wish to make?

Mr. GREENSPAN. Yes, I have several things here. It won't take too long. They are both my own opinions and observations, as well as some educated opinions.

I mean I have been here, as you know, the last couple of days, and I have listened very attentively to a great deal of it, and I think some of this has a bearing. I have a statement here that was made by the field director of the United States National Child Welfare Association. I will see if I can get his name here. If I may, I would like to read this, Senator.

Chairman KEFAUVER. How long is it, Mr. Greenspan?

Mr. GREENSPAN. Just a little thing.

Chairman KEFAUVER. Very well. Who is it by, sir?

Mr. GREENSPAN. The field director of the United States National Child Welfare Association.

Chairman KEFAUVER. Well, just tell us what it says. If we don't know who it is by, there is not much use of reading it.

Mr. GREENSPAN. He says:

Most have heard a great deal about the damage certain types of modern pictures are supposed to do to the minds of children. Reformers assure us that the gangster pictures might well lead a child along the path of wrongdoing. However, every once in a while someone familiar with the ways of children rises up and says it isn't so.

The director went on to say:

Even when a young delinquent himself puts the blame on a film, it doesn't necessarily mean anything. Children have an almost remarkable capacity for saying what they believe adults want to hear * * *. On being brought before some judge for committing some crime they begin searching for an excuse—an impressive excuse. The motion picture provides just that.

And then he went on:

Newspaper readers whose memories go back 50 or 60 years ago can remember when the dime novel, instead of moving pictures, was the scapegoat. It

used to be said that children who read of the exploits of gunmen in dime novels would grow up to be gunmen themselves; the current charge against the movies is only an adaptation of that old complaint.

I think that covers what he has to say, but I would like to supplement that, if I may.

Mr. BOBO. Mr. Greenspan, on that one particular instance there, have you also brought along with you other instances where people might have taken a varying viewpoint with that person there?

Mr. GREENSPAN. A varying viewpoint?

Mr. BOBO. Yes.

Mr. GREENSPAN. No, I haven't.

Mr. BOBO. Has the council gone into any research?

Mr. GREENSPAN. The council has. We have gone into research from time to time, and our findings more or less reflect some of the statements that were made here yesterday by some of our studio heads.

For one thing, we agree and I personally agree that the public must share the responsibility as well as the credit that motion pictures reflect. Don't forget it is the same public, the same people who pay their money to see *Blackboard Jungle*, that also pay their money to see *A Man Called Peter* or a *Davy Crockett* or a Disney picture. It is the same people.

And we also know that "crime doesn't pay" has always been the keynote that has been sounded by motion pictures. In fact, some years ago—I am surprised *Dora Schary* didn't mention that—*M-G-M* led the way in a series of crime shorts—some of you may recall—called *Crime Doesn't Pay*, which was very, very effective.

Chairman KEFAUVER. He did mention that.

Mr. GREENSPAN. Did he? I didn't remember that.

Chairman KEFAUVER. He talked about the shorts, about the ones he had the G-men in, which were the "crime doesn't pay" shows.

Mr. GREENSPAN. I see. He didn't mention it by name. From time to time efforts are made to take recognition of this problem. I can recall during the 1930's, when the so-called gangster pictures were being made, it had reached quite a pitch at one time, especially where heroes were created, such as *Jimmy Cagney* and *Eddie Robinson*, and kids were going around imitating them and emulating them.

I recall one picture in that time called *Angels With Dirty Faces* in which a specific ending was arranged for that picture, in which *Jimmy Cagney*, the star, is led to the electric chair. He was shown as a cringing, cowardly, hysterical character, in order to cause the children and the little kids who had made him an idol previously, to change their minds about him.

Mr. BOBO. Mr. Greenspan, I have been interested in quite a bit of the testimony here, where the good things, such as showing *Jimmy Cagney* as a cringing person, would have an effect of teaching children there that the good man in the movies would teach the children this.

I wonder if the same thing is not true, when we show these particular scenes and teach children, and when we show the other scenes of brutality, of crimes, of horrible fights, of an absence of respect for law and order, aren't we teaching children at the same time, a great number of children, these things are condoned by the public, realizing there are a great many good movies and also in many of these movies are bad scenes that might also be teaching them?

Mr. GREENSPAN. I don't happen to be one who believes that you can change a child's mind or his personality or his character to that extent.

I believe that if a boy is wrong, or even a girl, he comes in wrong to see that movie. I don't think that any movie can that much change any child.

I know I was raised in a very tough town, among very tough people in Chicago, and I know others who have been, and yet they have grown up to be wonderful citizens and good Americans, and nothing has affected them. On the contrary, it served as an example.

Sometimes it is more important to see and know what not to do than to know what to do. By seeing what you shouldn't do you learn a great deal more along the line of what you should do. I just don't happen to believe that, I don't believe that movies are the cause at all of the juvenile delinquency. I am not one who subscribes to that.

Mr. BOBO. Do you believe that movies contribute at all to society, for good or for bad?

Mr. GREENSPAN. As an influence?

Mr. BOBO. Yes.

Mr. GREENSPAN. Yes. Yes, when you say, "Do they contribute to good or bad," generally speaking, not specifying juveniles or adults, I will agree with you.

It does have a definite influence for good or bad. There is such a thing as good taste, and I will put in with you on that. I am a great believer in good taste.

I think many times movies do often breach what is considered good taste, but then again that is, too, a relative term, because what is considered good taste to one individual or group of people may be considered not good taste to another.

The same thing with morality. I know what is moral in one age is immoral in another. Who is going to decide that?

When Mr. Mooring spoke yesterday of a list of pictures and how terrible pictures are and the content of them, and exposing children to them, what about the Bible? I would like to have asked Mr. Mooring about the Bible.

What about all the stories of crime and violence and passion and adultery you can find all through the Bible? I happen to be a biblical student, so it is naturally on my mind.

Does that mean we shouldn't let our children read the Bible? Does that mean that we should expunge from the Bible these chapters? I don't believe it.

Mr. BOBO. No one would, I think, suggest in any motion picture or any book or any novel we shouldn't have some reference to life as it is around us every day, with some violence, but I don't think in many of our books—and I think in the realm of taste—where an extremely brutal and sadistic fight might be shown, that in the realm of taste I don't think there can be much difference of opinion—

Mr. GREENSPAN. No difference of opinion whatever.

Mr. BOBO. In a coldblooded killing, where 3 or 4 or 5 take place in 1 movie. I don't think in that realm we would have an element of taste. Some places in the sexual showings of movies, we might have that.

Mr. GREENSPAN. I agree with you.

Mr. BOBO. With the combined effect of magazines, with the combined effect of television and radio and the movies as a contributing factor, what is your feeling as to whether or not we are becoming immune to human suffering, to the impact of crime and violence through all the media of communication?

Mr. GREENSPAN. If we are becoming immune to human suffering, crime, and violence. I wouldn't lay it at the door of the movies alone. I wouldn't lay it at the door of comic books alone. I wouldn't lay it at the door of television alone. I would lay it at the door of civilization.

I think we become immune because of the 3 wars we have gone through in the last 50 years, because a new generation of children has grown up who have become hardened. They have become immune to things because that has become a sort of way of life, a sort of an expectancy, that we are sitting on a powder keg waiting to be blown up. That in itself has created more emotional upsets and disturbances in children as they grow up than any other factor I know of.

Mr. YOUNG. Mr. Senator.

Chairman KEFAUVER. Just a minute, Mr. Young.

Mr. Greenspan, I take it that your council does serve a very useful purpose in bringing together representatives of all segments of the industry for a general discussion of all aspects of—

Mr. GREENSPAN. Right.

Chairman KEFAUVER. Labor relations, the type of movies, the public relations?

Mr. GREENSPAN. Not labor relations, as such.

Chairman KEFAUVER. But I mean public relations.

Mr. GREENSPAN. Public relations as affects labor, yes.

Chairman KEFAUVER. The movie industry realizes, with the competition it has from television and with also the criticism from time to time of types of movies, it is incumbent upon all segments of the people in the industry—

Mr. GREENSPAN. To share that responsibility.

Chairman KEFAUVER. To not only have good movies, to improve the quality of some of the poorer ones, and to avoid mistakes.

Mr. GREENSPAN. I agree with that 100 percent, Senator.

Chairman KEFAUVER. I am certain your council does serve a good and useful purpose.

Mr. GREENSPAN. That is right.

Chairman KEFAUVER. We appreciate your coming in and telling us about it.

I don't think you read all of the statement you had there. I would like to have it put in the record.

Mr. GREENSPAN. You can have it put in the record.

Chairman KEFAUVER. That will be put in the record following your statement.

The document referred to was marked "Exhibit No. 7," and reads as follows:)

EXHIBIT No. 7

INVESTIGATOR SAYS YOUTH NOT DAMAGED BY MOVIES

Most have heard a great deal about the damage certain types of motion pictures are supposed to do to the minds of children. Reformers assure us that the gangster pictures might well lead a child along the path of wrongdoing. However every once in awhile someone familiar with the ways of children rises up and says it isn't so.

The latest to voice this view is the field director of the United States National Child Welfare Association, who has just finished studying the reactions of hundreds of children to all types of movies during a 3-month period.

He took time, for instance, to investigate a number of cases in which juvenile delinquents were supposed to have been led astray by things they had seen in the movies. In every case, he said, hereditary environment conditions proved chiefly responsible for the child's delinquency; in many cases the child concerned had never even seen a film that was supposed to have caused his downfall.

Said the director: "Even when a young delinquent himself puts the blame on a film, it doesn't necessarily mean anything. Children have an almost remarkable capacity for saying what they believe adults want to hear * * * On being brought before some judge for committing some crime they began searching for an excuse—an impressive excuse. The motion picture provides just that."

Newspaper readers whose memories go back 50 or 60 years ago can remember when the dime novel, instead of moving pictures, was the scapegoat. It use to be said that children who read of the exploits of gummen in dime novels would grow up to be gummen themselves: the current charge against the movies is only an adaptation of that old complaint.

Well, most of us read dime novels, years ago; and somehow we managed to escape the pitfall that was laid for us. The chances are that the same thing is true of children today. They take their lurid movies just as we took those old dime novels—with a grain or two of salt. Children usually have a better balance in such matters than adults are willing to admit.

Chairman KEFAUVER. Mr. Young, what was it you wanted?

Mr. YOUNG. Mr. Senator, Mr. Greenspan made a reference to Angels With Dirty Faces, at the end where the gangster was led to the electric chair. Mr. Greenspan is well familiar with the picture called Public Enemy No. 1, which Warner Bros. produced, with Jimmy Cagney, where Jimmy Cagney in one sequence, scene, took a grapefruit and smashed it right into the lady's face at the table.

Now, at that time or right thereafter, children who had seen that picture, Public Enemy No. 1, of Jimmy Cagney's, this gangster, hoodlum, portrayed in this picture, took this grapefruit and smashed it into this lady's face, or sweetheart, or whatever—I don't recall who she was—and a boy around 10, sitting with his little sister at the table, did the very thing.

It seemed that the mother, when the little girl started to cry and explain, et cetera, that she had called the motion pictures organization at the time—and I am quoting the press—and complained of the incident.

If I remember correctly—I am not sure, and Mr. Greenspan is more familiar with that—I have known Mr. Greenspan for many years and he has me. Warner Bros. at that time, I believe, were not members of the motion picture producers' organization and would not adhere to any of their—

Chairman KEFAUVER. Their code?

Mr. YOUNG. Their code. I am not sure about that, but Mr. Greenspan is familiar with it. I am citing the fact. At that very time, when that grapefruit incident was a big issue—

Mr. GREENSPAN. I will answer that.

Chairman KEFAUVER. Mr. Young, I think Mr. Warner testified they were members of the code from the time it began.

Mr. GREENSPAN. Yes. But I will answer the grapefruit charge.

Chairman KEFAUVER. We don't want the record not to present the facts, as to their position.

Mr. YOUNG. I will ask, Senator, if Mr. Greenspan will explain that.

Mr. Greenspan, do you want to answer that?

Mr. GREENSPAN. Yes, I will answer that.

In the first place, nobody—how did you put that grapefruit, what did you say he did? That he smashed it into her face?

Chairman KEFAUVER. He said into his little sister's face.

Mr. GREENSPAN. In the first place, he didn't do any smashing. He shoved it gently.

In the second place, you may recall an actor by the name of Clifton Webb in a picture called *Sitting Pretty*, where he, too, sort of shoved a whole bowl of mush into a child's face, and got the biggest laugh that I have heard in years. It is still being talked about. And anybody here who has seen this picture I am sure will agree with me.

So that dissipates your argument about shoving grapefruits into people's faces.

Chairman KEFAUVER. Well, Mr. Greenspan, we don't want to encourage shoving grapefruits into little children's faces.

Mr. GREENSPAN. No. Before I go, to keep this in the light mood it started out in, I would like to show how movies get blamed for for a lot of things.

I am reminded of the story of the alcoholic who was a great problem to his family, friends, and wife. Along came a picture which Paramount made, incidentally, with Ray Milland—an Academy Award picture—called *Lost Weekend*. I am sure several of you remember that, many of you do.

This man's friends advised his wife to take him to see this picture, that it would be a good influence over him. And she did.

He sat with rapt attention and looked at that picture, and never said a word. She was watching him. On their way out, he kept saying to her, "Never again. Never, never again."

She looked at him and said, "You mean you won't ever drink again?"

He said, "No, dear. I mean I will never go to a movie again."

Chairman KEFAUVER. All right. Thank you very much, Mr. Greenspan.

Mr. GREENSPAN. It has been a pleasure.

STATEMENT OF GORDON S. WHITE, DIRECTOR, ADVERTISING CODE ADMINISTRATION OF THE MOTION PICTURE ASSOCIATION OF AMERICA, NEW YORK, N. Y.

Chairman KEFAUVER. Mr. White, you are the director, advertising code administration of the Motion Picture Association of America, is that correct?

Mr. WHITE. That is right, sir.

Chairman KEFAUVER. Mr. Bobo.

Mr. BOBO. Mr. White, for how long have you been associated in your present capacity?

Mr. WHITE. For 10½ years.

Mr. BOBO. What is the responsibility of yours, as director of the production and how the advertising of the administration is handled?

Mr. WHITE. Our responsibility is to pass on advertising submitted to us by companies, both members of the association and nonmembers, and to either approve or disapprove it, under our judgment, as to whether it meets or does not meet the requirements of the advertising code.

Mr. BOBO. Prior to going with the Motion Picture Production Administration, what was your background, Mr. White?

Mr. WHITE. My first working experience was as a newspaperman, as reporter and copy editor. After that I was a publicity man and finally an advertising executive.

It might be of interest to you, possibly, to note that at the time the advertising code was written 25 years ago I was the director of advertising and publicity for one of the association's member companies, and as such became one of the original signatories of the advertising code. So I watched it in operation from both sides of the fence, so to speak, since its inception.

Mr. BOBO. You have a statement outlining the work of the advertising code administration?

Mr. WHITE. I do, sir.

Chairman KEFAUVER. Mr. White, you read the statement or tell us about it, whichever you wish.

Mr. WHITE. Well, could I ask permission before I read this—because of the peculiar circumstances—to make a few remarks aside from this statement?

Chairman KEFAUVER. Oh, yes; you can read the statement and make any other remarks, or you can make any other remarks and read the statement.

Mr. WHITE. I would like to make a few comments first, if I could.

Chairman KEFAUVER. All right, sir.

Mr. WHITE. I should see, I suppose, some special distinction in being the first witness here who has had a special set built for him, or, at least, I assume this display of advertising matter was arranged for my special attention.

Chairman KEFAUVER. You are wrong about that, Mr. White. It was gotten together so some of the producers could talk about the advertising that went along with their shows.

I suppose this is advertising that was passed on by you. I should think you would want to have it to make any explanation in connection with it.

Mr. WHITE. I had hoped I might make a few comments, because I think possibly my statement might have more significance if I may do so.

First of all, a technical correction. This material was referred to several times yesterday as posters. These are not posters.

A poster is a large display item, advertising item, usually lithographed. They are prepared generally in certain established patterns, beginning with what is known as a 1-sheet, which is a key size of a poster, which is 28 by 42 inches. There are 3-sheets and 6-sheets, in corresponding sizes, that is, you multiply that by 3 and 6. And finally the largest of the established poster, which is 24-sheet. I think that runs about 8 feet 9 inches by 19 feet 6 inches.

It is not, as it was suggested yesterday, a thing that would cover this whole end wall, but it is a thing that would probably cover two-thirds of this panel of the wall here [indicating]. Those are posters.

These items here, most of them—I could make an exact count of them by going around looking at them—but most of them, Senator, are the covers of press books.

Now, a press book is a campaign book. It is put out by the producer or distributor of the picture, to present the entire promotional campaign on a particular picture, including the advertising, the prepared publicity, the special exploitation ideas, illustrations of the posters in lobby displays, and so forth.

Chairman KEFAUVER. Do you have one of the press books there with you, Mr. White?

Mr. WHITE. Yes, I do have several press books here. Those are some press books which I hope might enter into the committee's record.

Chairman KEFAUVER. Well, if we may do so, we will file these as exhibits and they will be studied by the subcommittee.

Mr. WHITE. In connection with those, I recall Mr. Schary's hope and Mr. Bobo's indication that it would be true, that in the full study of the advertising of this industry, that such films as Marty, A Country Girl, The Man Called Peter, that those things also might be taken into consideration. But, anyway, most of these items appear on the covers of these press books, which were never designed to go to the public. They were designed to go to the theaters, the theaterman.

Much of the material included in the panels inside of those covers, of course, is designed for public use. But these covers, as they stand here now, were never intended for distribution to the public. They are selling and service items, going to the theaters.

Chairman KEFAUVER. Let me get this, now. Let me see if I understand this. Of course, the large 9 by 19, or 8 by 19 foot posters I have seen. I didn't know how big they were. But aren't most of them replicas, or just larger editions of what we see here?

Mr. WHITE. Some of the units of art work in these would be included in some of the posters, of course.

Chairman KEFAUVER. Do you mean to say that this press material or press book is more unsavory than the larger posters? Is that the point you are making?

Mr. WHITE. No, sir. I was merely giving you a point of technical information, as to what these were.

Chairman KEFAUVER. It is your judgment these are fairly representative of the larger posters, the 8 by 19 foot posters that we see?

Mr. WHITE. Some items in here might be represented on those posters.

Chairman KEFAUVER. Are these worse or better than the actual posters?

Mr. WHITE. I don't know whether they are either worse or better, Senator.

Chairman KEFAUVER. Then you think they are about the same?

Mr. WHITE. Well, they might be.

Mr. YOUNG. Mr. Senator—

Chairman KEFAUVER. Mr. Young, let us go along a little while.

Mr. YOUNG. This is very important.

Chairman KEFAUVER. I know it is important. Every question is important.

Mr. YOUNG. Thank you.

Chairman KEFAUVER. We will carry on for a while. We will give everybody a chance.

This is a very nice poster, the last advertising, the Glass Slipper. We will put all of these in. We want to have a good cross section, so any others you have here, we can put in.

But your point is these are the front pages, apparently, or come from the press releases?

Mr. WHITE. From the press books; yes, sir.

Chairman KEFAUVER. Actually, the larger posters are just blown-up editions of what we see here, in most cases, aren't they?

Mr. WHITE. Not necessarily. I would have to look at the press book on each one of these separately, to see what the poster was. I couldn't possibly remember what the poster is, of course, on each one. Some of the art work included in these, certainly, just be included in some of the posters also.

As you would find in the case of, for example, Marty and the Country Girl and Magnificent Obsession; the same thing would apply there.

Mr. BOBO. Does the particular theater have the option of choosing from quite a number of press releases or pictures, as to the posters he will put up?

Mr. WHITE. As to posters, he doesn't have very much choice. That is, I was trying, for your information, to make a distinction as to what a poster was.

As to posters, they are expensive and they are prepared usually in possibly two styles in each size, so that the exhibitor who wants to use a poster doesn't have a great deal of choice.

In the advertising going into the newspaper, he does have more choice. You will see in these press books there are usually a number of ads. There are usually 2 or 3 different types of ads on any particular campaign.

The exhibitor, of course, has that choice and then the exhibitor also has the right, where he has the equipment he has the right to prepare advertising of his own. That, of course, we have no control over.

The things we do pass upon are the items of advertising publicity and poster items that go into these press books, on pictures which carry our production code seal.

Chairman KEFAUVER. Very well, Mr. White, you go on with your statement.

Mr. WHITE. All right. The advertising code is an integral part of the motion-picture industry's voluntary adopted system of self-regulation, and as I said earlier, has been in effect since 1930.

As with the production code, all members of the association subscribe to the advertising code and its services are open alike to non-members and members. There is no discrimination between them. There is no differentiation. Any producer or distributor of a picture bearing the production code seal of approval voluntarily agrees to keep the film's advertising in line with the advertising code.

In conformity with the principles of the advertising code, it is the job of the advertising code administration to maintain good morale standards and decency in advertising copy submitted to it.

The administration has two offices. One is in New York, where I am located, and where much of the film advertising originates. The other is here in Hollywood, in charge of Mr. Simmon Levy, associate administrator.

While the production code administration and the advertising code administration have identical principles and purposes, there are important differences in operations that I would like to discuss with you.

The production code administration has to do with the content of the story, the substance of the story, with the whole substance of a story. Producing a motion picture is one thing but writing an ad to promote is quite another. Of necessity, in advertising a man can only highlight some idea or theme in the picture. It reflects, it represents, it treats symbolically of the picture. It is designed to attract attention

and sell the product. To induce the potential patrons to get out of the house and down the street to the theater. In these days of competition, motion-picture advertising must be especially striking and effective and appealing. It must convince in a line, in a word, in an illustration, and it must convince quickly.

All these are perfectly understandable designs and ends, as I am sure this committee fully realizes. But they are also the root, I am afraid, of some of the misunderstanding about film advertising copy.

Motion-picture advertising naturally is not expected to tell the story of a film. There is not space, there is not time. And if there was it would still be an error to do this, because it would take half the fun out of seeing a picture, if you knew the whole story in advance. And the advertising would thus defeat its own purpose.

What it does seek to do and what it should do is to convey the spirit, the atmosphere, the feeling, the general impression of the photoplay. This is fair. This is proper. This is accepted advertising practice. It is neither misleading nor misrepresentative.

In another advertisement you might see a young lady touching her ear with a particular brand of perfume that is designed to entice her date to a marriage proposal. But we all know that this doesn't assure that the girl, by buying the perfume, will get the good-looking man in the ad.

Such comparisons are endless. I mention them in the hope that all persons will keep these things—these elemental factors of advertising—in mind in speaking about and in judging motion-picture advertising. I think it would lead to better mutual understanding all around.

Now, let me get back to the direct operations of the advertising code administration. We handle a steady flow of all kinds of advertising material. Only a relatively small proportion of this ever causes us any real difficulty.

The greatest part of the copy is readily passable. At the other end of the scale is a small number of items, which are readily unpassable. This too creates no great problem in reaching a decision.

In between is a sort of a gray zone. It is copy that is not so very large in volume, that is on the line between acceptable and unacceptable, under the code. Some of the copy in this area can be satisfactorily revised with minor changes, and can be passed on resubmission.

In deciding on this material in the gray zone, it is a matter of my judgment, as my responsibility as the director of the code administration.

I have to make decisions that are sometimes not easy. I have to interpret the rules as I believe them to apply to the specific advertisement. You can see that I am like the umpire in baseball. He may not be the most popular fellow in the world but the game couldn't be played without him.

I believe the production code and the advertising code have immeasurably aided the American motion picture in reaching its present high state. This is true, because the industry's long-established system of self-regulation fulfills ethical and moral principles and aspirations that reasonable men everywhere welcome and support.

In concluding, I am convinced that, in selling the product, motion-picture advertising approved by the code administration, by and

large over the years, well meets this sound test of general acceptability.

Chairman KEFAUVER. Mr. White, you didn't tell us how many advertising items are passed. You have something in your statement about it.

Mr. WHITE. What we call an item, Senator, would be anything. It could be a line of typewritten copy suggested for advertising use. It might be a still photograph. It might be a poster displayed; it might be anything.

We handle material that varies in volume, oh, maybe anywhere from 120,000 to 140,000 pieces a year. Last year we handled approximately 130,000 pieces of material in the New York office and the Hollywood office combined.

Chairman KEFAUVER. Now, does the code apply to shorts, trailers?

Mr. WHITE. Trailers, yes, sir. Trailers, we include a trailer as one item in keeping our quantity records.

Chairman KEFAUVER. May they be passed upon either in Hollywood or in New York, according to where they are submitted?

Mr. WHITE. Yes, sir, they may.

Chairman KEFAUVER. If submitted here, and you living in New York, who passes them?

Mr. WHITE. Mr. Simon Levy passes on them here.

Chairman KEFAUVER. Is there communication between you and him with reference to passing?

Mr. WHITE. We are in frequent communication, yes, sir.

Chairman KEFAUVER. Some of these producers have their own advertising organizations, and others have outside, separate, distinct organizations, do they not?

Mr. WHITE. All of the large producing and distributing organizations, the bigger companies, all have their own advertising departments. And many of them, in addition, employ outside agencies to do some work for them, yes, sir. We get material both from the advertising departments and from agencies.

Chairman KEFAUVER. Does all the industry work through your code, all the producers and distributors?

Mr. WHITE. All of the producers are supposed to send in their material if they carry a production code seal of approval on their pictures.

Chairman KEFAUVER. What percentage carry a code approval?

Mr. WHITE. I don't know what the exact figure is. It is a very, very high figure, in the high 90 percent of American-made pictures. A great many of the foreign pictures don't carry our seal, don't ask for it.

Chairman KEFAUVER. What American-made pictures do not carry the code seal?

Mr. WHITE. Only a few of the—maybe the imitation burlesque type of picture which, fortunately, perhaps, does not have usual major distribution or all the major play dates.

There is a small fringe of pictures that are made and played to a limited distribution that don't carry our seal, but they are very few in number. The proportion of foreign-made pictures that do not carry our seal is very much larger.

Chairman KEFAUVER. Is it possible for foreign-made pictures to operate through your organization and obtain your seal?

Mr. WHITE. It is possible for anybody who makes a picture anywhere in the world to submit his picture to the production code authority. If it is judged to be in keeping with the production code, he may have a seal on it under exactly the same terms as Metro, Paramount, or anybody else.

Chairman KEFAUVER. How is your organization financed? By the industry itself, of course. Is it by the number of items of advertising submitted?

Mr. WHITE. Mr. Shurlock will undoubtedly go into detail on the handling of that. The production code is financed by each producer or distributor paying a fee on his picture, whether he is a member or not a member of the association. The advertising code administration is financed by the dues of the association.

Chairman KEFAUVER. No particular fees?

Mr. WHITE. There are no fees on advertising or on our title registration bureau service.

Chairman KEFAUVER. How large an organization do you have, Mr. White?

Mr. WHITE. We have the two men, I mean Mr. Levy and myself in New York, and our clerical staff.

Chairman KEFAUVER. Well, do you have professionals to look at all this material or do you try to do it all yourself?

Mr. WHITE. The final judgment is mine in all cases, or is Mr. Levy's if the material is handled out here, just the same as the final decision on production work is Mr. Shurlock's. There are people in our office, of course, with whom I consult on this material.

Chairman KEFAUVER. In what form is it submitted to you, by the producer or by the advertising agent of the producer?

Mr. WHITE. In any form at all. We will get a piece of typewritten copy.

Chairman KEFAUVER. Here is MGM press book on Interrupted Melody. Will they submit something like that and you pass on it?

Mr. WHITE. Each piece of advertising there, Senator, was submitted in advance, and so with the page proofs showing the publicity stories and the exploitation ideas; they were all submitted in advance, before the press book was printed.

Chairman KEFAUVER. There is on the front of it, "Approved, Advertising Code Administration, New York."

Mr. WHITE. That was our file copy.

Chairman KEFAUVER. After approval by you, anything in here can be blown up, enlarged or used?

Mr. WHITE. They are already prepared when this press book is printed, Senator. The only thing that shows larger in actual use than it is indicated in there would be the posters and the lobby display cards. Those are merely illustrations, to show the exhibitor what he can expect to get when he orders, say, a six-sheet poster. There is an illustration there showing what he would get when he orders that.

Chairman KEFAUVER. Mr. Bobo.

Mr. BOBO. Mr. White, in your own office, in dealing with the code, your judgment is the final judgment on what constitutes good taste or good morals in advertising?

Mr. WHITE. My judgment is the final judgment as to whether each piece coming through separately does, in my opinion, reasonably meet the requirements of the code, yes, sir.

Mr. BOBO. It is set forth under the code at No. 11, for instance:

Nudity with meretricious purposes and salacious postures shall not be used; and clothed figures shall not be represented in such manner as to be offensive or contrary to good taste or morals.

Recently has there been an increase in the amount of sex-type advertising, which has been received by the code administration?

Mr. WHITE. I have no figures. I don't think there has been any material increase. There may possibly have been a few more pictures in that category.

There certainly have been a few more pictures in the crime and violence category, of course, the advertising reflects it. I see a great many of these displays on pictures which would be called crime and violence stories [indicating].

Mr. BOBO. Mr. White, in the event you should disapprove of a certain piece of advertising, is it taken back and resubmitted to you for final approval?

Mr. WHITE. That is what we always hope will be done. Very, very rarely there will be something come through which we feel is irrevocably unacceptable. That is a very, very minute fraction of 1 percent. Most of the material is corrected and resubmitted and approved.

Chairman KEFAUVER. You said you hoped that would be done. That seems to express some idea it is not done occasionally.

Mr. WHITE. Well, sir, this is a human endeavor. It is a very difficult thing. We do not operate an arbitrary, complete authority where we can be dictators. We counsel, we advise.

Once in a while someone doesn't want to take our advice.

Chairman KEFAUVER. If they don't take your advice, what happens, do they go on and put their advertising out anyway?

Mr. WHITE. Very, very rarely. I was sort of smiling at that. I didn't want to make a 100 percent statement. Because it came up yesterday, I would like to tell you, if I may, about the ad over here on Hell's Island, which was criticized. The vice president in charge of the studio out here said he didn't like it.

I don't know what he objected to particularly. There are two pieces of art work there. There is a reclining figure in which the girl is covered, and also a figure of a girl in a bathing suit.

Now, this girl in the bathing suit is wearing a costume much more modest than a great amount of the material we see in magazine and newspaper illustrations, of bathing suits.

I didn't like the way they approached this campaign. I objected to it. And I was called over to the Paramount office in a conference with the advertising manager, the director of advertising publicity, who was a vice president, and the executive vice president of the company.

They felt and insisted that what they were doing was perfectly all right. My judgment can be wrong in one direction as well as another. I made the comparison with being an umpire. You try to call balls and strikes and you can be wrong either way. I suppose I am wrong as often in my judgment as any other human being is.

I didn't like this, but they insisted upon using it and I finally allowed myself in this case to be persuaded——

Chairman KEFAUVER. You didn't like it; Mr. Freeman said he didn't like it.

Mr. WHITE. The executive vice president in New York thought it was wonderful. Adherence to the code is a joint responsibility. I wish to give no one the slightest impression that I am not willing and eager to accept responsibility for my judgment. But it is a joint activity. After all, the companies are pledged to this and they are as much responsible for applying the code, of course, as we are. I simply give it to you as an example, to show you what could happen.

Senator KEFAUVER. I thought Mr. Freeman was the big boss in Paramount. He said he was. Apparently, the executive vice president in New York overruled you and him both.

Mr. WHITE. Mr. Freeman is the big boss out here in the studio in charge of Hollywood operations. I have to deal with the executive vice president in New York in charge of advertising.

You asked what would happen. I gave you an example of what might happen. Possibly I was persuaded, let us say, to make a judgment which afterwards, as a Monday morning quarterback, I might regret.

In turning out this volume of material, of course, that is possible. I say it is a joint responsibility, and since this particular ad was discussed yesterday, I thought you might like to have the facts.

I would like to ask two things, if I may. I would like to ask for a transcript of this part of the testimony, questions and answers, which included this reference yesterday. I would like to send that to Mr. Raiburn in New York.

I would like also, when we get through here—

Chairman KEFAUVER. We will send you that transcript, Mr. White.

Mr. WHITE. Thank you. I was hoping maybe I could pick it up here, because I wanted to send it to New York in a hurry, while it was hot.

Chairman KEFAUVER. Well, if this young lady can get it out for you, you can have it.

Mr. WHITE. Wonderful. The other thing I would like to suggest is that you lend me this display [indicating], the entire display. I would like to display it for the benefit of the advertising publicity directors here in Hollywood as soon as I can, after this session is over. And then I would like to take it back to New York with me and display it to the top advertising and publicity executives back there.

I wish you would let me say this one thing about it. I don't want you to think I want to defend any piece of copy, any particular piece of copy. I have no such desire.

I do desire to say, though, that it is impossible to make a collection of materials, such as this, and put them all in one mass display together, without their looking—even if they were good they wouldn't look good in a display of this kind, where they are all massed together.

We handle all of this material, of course, as units. We can go through this and discuss it, the material, piece by piece, and we would wind up probably as we did last summer in our office in New York when I took every item of criticism which had come in over a period of 6 months or so, and I listed every subject that had been mentioned in this criticism, even only once in an individual letter.

I had 12 picture titles. We got out advertising on these 12 titles. We analyzed the advertising on each one of them, and we wound up

feeling that some of them might have involved a question of dispute over good taste, some of them were perfectly all right and we would pass them again. At the end there were two or three of them, looking at them as Monday morning quarterbacks again, that we would have just been as happy if they hadn't passed. I imagine that the same thing would happen if we went through this display.

I notice over there, starting at the upper lefthand corner, we read a display on a picture titled "Cell 2445, Death Row." I looked at it in amazement, trying to figure out what could possibly be wrong with it. It is a simple illustration of a man behind bars, surrounded by a one-color drab frame. The other extreme perhaps is a thing of this sort [indicating].

I make no attempt to argue about any piece of it. The basic responsibility is mine, but the joint responsibility is mine and the producers of the material, that is, the advertising men who create it.

Mr. BOBO. The advertising code, does it provide any type of penalty or fine for violation of the code?

Mr. WHITE. Yes, it does provide penalty.

Mr. BOBO. In your history with the advertising code, has any producer or advertiser been fined?

Mr. WHITE. Yes, once. There was a case when an ad was turned down. The advertising manager announced emphatically he was going to use it anyway, and he did use it, and the board of directors did assess a penalty against that company, and I believe the company took about half of it out of the man's salary.

Mr. BOBO. In the event of a picture, such as Hell's Island, where one person in the studio will overrule your opinion and overrule others' opinions, is there not a provision there where you can be more forceful with the penalty?

Mr. WHITE. I don't want to leave the wrong impression. He did not overrule my opinion. He persuaded me to arrive at a decision that I originally didn't want to make.

That is a human process, I suppose, of argument and persuasion. That is what we are doing all the time, we are persuading all the time.

Mr. BOBO. Do you find among some of the producers that they are a little overeager in trying to push certain advertising, sexy ads or violent ads through the advertising code?

Mr. WHITE. These men are always under great economic compulsion, Mr. Bobo, to sell their pictures. I believe it was Mr. Schary who said yesterday that the man at the head of a studio, if he made too many mistakes, wouldn't have a job long. The same thing applies equally, of course, to the men who write these ads. If they don't do a good job in selling a picture, they won't have their jobs very long.

They are constantly working under great pressure of deadlines, too. This is a pressure business. They are under economic pressure to sell the picture, once the great investment has been made. And they are under all sorts of working pressures. We work with them under those pressures.

Mr. BOBO. In the New York office where, I believe, the predominance of the advertising comes from, there is yourself and your clerical staff.

Mr. WHITE. That is correct, sir. And other members of the staff with whom I consult.

As I tried to bring out in this statement, the quantity we work on sounds possibly more important and impressive than it really is. In fact, the handling of most of it is routine.

On a picture like *Marty* or a picture like *Interrupted Melody*, we have no problem. We have to look at each piece of material as it comes through, but if you look at that layout on *Marty* you will see it warms your heart as you read it. It is elevating, it is inspiring, it is no problem. We go through that material with the greatest of ease.

It is only when we come to approximately the last 2 percent that it begins to be difficult. As I say, there is this gray area in which is found unacceptable advertising copy at times. We have no difficulty saying "No" on that. And the ad which is like a *Marty* ad, of course, that is simple. In this gray area, there are pieces of material on which it is very difficult, often, to make a decision. We look at a thing this big and it is going to, you know, be 19 feet 6 inches long when it comes out in 24 sheets.

Mr. BOBO. You speak of "we" and the staff with whom you consult. How many members of that staff are there that do reviewing of the motion-picture advertising.

Mr. WHITE. They don't review officially. They only consult with me when I go to them for the benefit of their judgment.

Mr. BOBO. Are they employed by the advertising code?

Mr. WHITE. They are not employed directly in the advertising code, but they are employed by the association and they work in the same office with us.

Mr. BOBO. In fact, you are the only one, so far as the advertising code administration is concerned, that has any authority to review ads?

Mr. WHITE. Who has any authority to review them officially and decide on them: that is right.

Mr. BOBO. Every case of advertising must be followed from the beginning to the end through with you for the advertising code administration?

Mr. WHITE. That is right, or Mr. Levy in the office here.

Mr. BOBO. These others with whom you consult are employed by the industry in an advertising capacity?

Mr. WHITE. Employed by the association, but not directly in an advertising capacity. There are, let's say, 3 or 4 with whom I consult most regularly. One of them is a man who has been with the association twenty-odd years, since shortly after the First World War. He has been a public relations man. He is head of the association's community relations department, which is the department that deals with the leaders of groups and public thought all over the country, that is, the PTA groups, women's club groups, women's club groups, and so forth. We call that the public relations department.

That man has a great mass of experience, including a great deal of work which he has done officially on both production code and advertising code types in the past. Another of my consultants is a man who was an advertising agency account executive for a great many years and has been in governmental work and public relations work and is now of our association staff. It is people of that kind with whom I consult and advise on copy.

Mr. BOBO. When you review the advertising of the picture, do you have before you a synopsis of what the picture is about?

Mr. WHITE. Not always. As a matter of fact, here is one of the things that makes the job a rather difficult job at times: This advertising is largely written or started while the picture is still in production out here, in a great many cases. Often not only do I not see the picture at the time we pass upon the advertising, but maybe the advertising man working on it doesn't see it. They work, of course, on the basis of complete information from their unit men in the studios out here.

We work generally on the basis of deciding whether the material is per se acceptable or not. When something comes along that raises a question as to what is in the picture, then we call for whatever information we want to call for. We may ask for a script and hold up the advertising and not give them a decision until we have received the script and read it. That I do constantly.

We may be satisfied with an adequate synopsis, or in a few cases the picture may be in and finished and we will go and look at the picture.

But as a general rule we don't wait for the picture or for reading the script, but we pass on the material on the basis of its per se acceptability or unacceptability.

Mr. BOBO. The advertising code doesn't know whether the advertising of a picture, in the majority of instances, illustrates the text and that the advertising faithfully represents the picture?

Mr. WHITE. Technically, you might say that. That is probably the hardest part of the code to administer.

That was the question that arose in the case of our discussion on Hell's Island. But, as a general rule, on pictures of the Marty type and the Interrupted-Melody type, we know enough about the story and the picture based on our files. I think you are acquainted with our files. We have files in the New York office to show what negotiations the Production Code Administration has had with the producer, and we have those accessible to us at all times, so if there is any question at all, we refer first to those files. We usually, therefore, know in a general way what the story or the picture is about.

Mr. BOBO. In the ad East of Eden, that drawing in the center of it, was a script of that picture. Does that truly represent the scenes as depicted in that picture?

Mr. WHITE. I would like to show you a photograph. These photographs are actual reproductions of frames from the motion picture. This is a Cinemascope print, so this is a squeezed print so it may be a little difficult to try to analyze, but if you look at it closely you can see there is the boy and girl and the tree.

(The photograph referred to was marked "Exhibit No. 8," and is on file with the subcommittee.)

Mr. WHITE. Now, these photographs, of course, obviously, are not of sufficient clarity to be used for reproduction, so they made a sketch of it and submitted the sketch.

Mr. BOBO. Was there some discussion between the advertising people and yourself over this ad in East of Eden?

Mr. WHITE. They sent over a photograph and said they wanted to work from that.

As I say, it was obvious to me it was not suitable for reproduction. I returned the shots and told them that in my judgment it was all

right, and they made a sketch and submitted it, and I told them in my judgment that was acceptable.

Mr. BOBO. What is your opinion, Mr. White, of the representation East of Eden had?

Mr. WHITE. My opinion of it at the time it was submitted was that it was thoroughly acceptable. It has created some criticism. I am still of the opinion it does not represent the worst that I have heard people interpret into it.

Again, it is easier to be a Monday morning quarterback and make these decisions than it is to make the decision while a man is trying to slide for second. This picture came to me in a small sketch. I approved it and I still think that it is acceptable and certainly I did not see in it what some people have thought it was.

Mr. BOBO. In the motion picture advertising code, on a number of pictures dealing with crime and police officers, the story of a brutal cop and the story of a cop that killed for money, stressing the fact of the indecent type of policeman, are these ads approved with the seal of the code?

Mr. WHITE. Yes. I suppose you are referring particularly to *Rogue Cop*, the story of the film, I think the advertisement was a fair representation of the story of the film and I so approved it.

As another example of group villainy, there is the picture, *New York Confidential*, which I see displayed up there.

Rogue Cop is the story of one individual. It doesn't say the police department is wrong. It said one individual in the police department was wrong.

New York Confidential is a gangster story, and there are a number of killings in it. The police play a secondary part in it. The ads for it are a result of long and serious negotiations between Warners and myself.

You will find that, I think, every single piece of advertising copy displayed here points up the fact that this gangster activity brought about a great police crackdown, so that the forces of law and order are credited with being in there and being in at the end.

Mr. BOBO. Without seeing the picture, a person would never know that.

I was wondering about No. 8:

Pictorial and copy treatment of officers of the law shall not be of such a nature as to undermine their authority.

Mr. WHITE. That is right. And I don't believe they are.

Mr. BOBO. If it is portrayed in the picture as that, it would be all right for the officer to be portrayed in the advertisement in that respect, and vice versa?

Mr. WHITE. Yes, I believe an individual officer can be a villain, just as an individual councilman in a city council or an individual judge, even, possibly.

The codes are quite definite in their recognition of the fact that we do not wish to present the forces of law and order or the judiciary in such a way as to break down respect for them. But I do not believe that enjoins the industry from making a picture or presenting an ad showing one man in any one of these categories, who is a villain or a crook.

Mr. BOBO. The Blackboard Jungle copy ad there, do you think those scenes depicted in that one particular drawing there clearly represents the story of that picture?

Mr. WHITE. I think they are fairly representative of the story of that picture. The illustration at the top has been criticized. I think I have heard three criticisms of it, specific criticisms of that particular ad. That is a stylized drawing of a scene which admittedly is only a short scene in the picture. But it is a drawing which typifies, which illustrates the general situation of these boys in this school, their attitude, their character and, in my judgment, and I still say in my judgment today, as well as my judgment when I passed on it, I think it is permissible and should be permitted if the picture is permitted. I would pass it again today, yes, sir.

Mr. BOBO. And the rape scene in the movie shown in every ad of the Blackboard Jungle scene?

Mr. WHITE. Not every ad, but most of them.

Mr. BOBO. I would say a great proportion of the ads of the Blackboard Jungle. Do you think the emphasis on the sexual angle, the illicit, the illegal sex, and the rape scene is a justified advertisement for a picture which is supposed to portray the school system of the United States?

Mr. WHITE. There are several things I could say about it. I am not sure the uninformed person, looking at this picture, would know it was a rape or attack of any kind, a murder or robbery, or anything else.

Which reminds me of the mention made yesterday of the picture of Johnny Belinda of several years ago. That was a classic example in our office.

That was a story of a rape attack on a girl. The illustration which became the basis of most of the advertising was a picture in which a man was approaching this girl in a menacing way, somewhat along this order. He wasn't touching her. His hands were grasping for her throat.

I wrote back a letter of congratulations to the company on the way they handled it, because they had an illustration which was suitable to the picture, and yet they didn't specify it was a rape. It was an attack of some kind coming upon this woman. It was adequate, it was dramatic, but it was not specific to the point of being offensive.

This ad, I think, has a little of that quality. I submit no one who doesn't know the story of Blackboard Jungle would know that this is a rape. They wouldn't know what it is.

Suppose it is rape? That scene in the picture was a scene which, in my judgment, motivated much of the action which followed. So, in my judgment, it was one of the key scenes of the picture. So whether we passed on it or not simply got itself down to a question of whether the presentation itself of the illustration was acceptable or whether it was offensive. If we had considered it offensive, we would have said, "No."

Mr. BOBO. In the Prodigal ad, which is admittedly the front cover, but which portrays some of the black and white ads we have seen—

Mr. WHITE. As to color, I don't wish to leave any misleading impression. This illustration will be seen in a number of items, but not exactly that way, and that is the principal cover but the illustration will appear.

Mr. BOBO. Do you have any opinion as to the impression of sex within that ad?

Mr. WHITE. I think it is probably an extreme case we have here. That is a retouched picture, to start with. The costume, as it showed in the stills when submitted to us, had nothing over the girl's hips, except beads. We required them at least to put some panties on the girl. I think that probably that is a borderline case, subject to argument. I don't wish to make any special show of defending it.

Mr. BOBO. In the retouching of that particular ad, do you notice that the costume varies on the two different legs of the girl there?

Mr. WHITE. Yes, I do notice that.

Mr. BOBO. Did that come to your attention at the time the ad was submitted? Is it not in your opinion that offers much more of a suggestive pose?

Mr. WHITE. Possibly; I don't know.

Mr. BOBO. Well, what would be your opinion of that at this time, Mr. White, as to whether it would be approved or disapproved by the advertising code as of this time?

Mr. WHITE. Again I am being a Monday morning quarterback. If I had it come through now, I would insist, in the light of our experience and discussion of it, I would insist, at least, on having the same costume to be carried across it.

Mr. BOBO. Would it be your opinion now that borders slightly on the point of pornography?

Mr. WHITE. No, I don't think that is pornographic. I am not defending it, Mr. Bobo.

I thoroughly acquiesce in your right to question and criticize. But I don't think there is anything in a motion picture bearing our seal or any ad running that has our approval that approaches pornography, as I understand pornography.

Mr. BOBO. I agree with you in most cases. That was one ad that was of particular interest to me, and I am sure at the time it went through that you didn't realize that one person would see it in one light and another person would see it in another light.

Mr. WHITE. May I add this suggestion in the record, Mr. Bobo. We heard a great deal of discussion of the picture *Blackboard Jungle*. I understand that the principal criticism of that picture has come from people in the educational field. I think it is obvious that any one of the individual action scenes might have taken place somewhere in the United States in some school at some time, but what raises criticism is the fact that in the picture these actions are all packed into an hour and a half. It all happens in 1 school in 1 location in 1 season and, in the opinion of some critics, this makes it highly questionable and certainly overbearing.

That is what we have here right now. We have what might be called the worst possible examples, picked out, as I did last summer in our office, the worst possible examples, put up into one display. Even if they were good, they would look bad in this display.

Mr. BOBO. Most of these examples, Mr. White, we have scattered around, are pictures of recent releases. They are all combined in a group of pictures practically now in release and are showing in all the newspapers, practically, over the country.

Mr. WHITE. Might I call your attention to this: I left New York last Thursday morning. As I left, I picked up the New York Times.

As I left Washington that night I picked up the Washington Post. And as I went through Chicago I picked up the Daily News and an early edition of the Chicago Daily Tribune.

And as I went through a town in Colorado, I picked up the Denver Rocky Mountain News.

And here are the advertising pages from those papers. There is no selection. I just picked up the latest papers as I went through the towns.

I submit there isn't one ad in any one of those papers to which any reasonable person would object. That is what I call a cross section.

Those are what I call more truly representative of our work than are these, most of them [indicating]. And I would like, if I might—

Chairman KEFAUVER. These will be filed as exhibits, and I think the advertising code, we will have that printed into the record and made a part of it.

(The documents referred to were introduced as exhibit No. 9 and are on file with the subcommittee.)

(The document referred to was marked "Exhibit No. 10," and reads as follows:)

EXHIBIT No. 10

AN ADVERTISING CODE FOR MOTION PICTURES AND REGULATIONS FOR ITS ADMINISTRATION

AN ADVERTISING CODE FOR MOTION PICTURES

(The advertising code was adopted by the board of directors of the Motion Picture Producers and Distributors of America, Inc. (now the Motion Picture Association of America, Inc.) June 10, 1930. It was amended and reaffirmed by the board of directors of the Motion Picture Association of America, Inc., July 30, 1947, and further amended December 3, 1947, and June 21, 1950.)

Preamble

The purpose of the advertising code is to apply to motion picture advertising, publicity, and exploitation, within their range, the high principles which the production code applies to the content of motion pictures.

The provisions of the advertising code shall apply to press books, newspaper, magazine and trade-paper advertising, publicity material, trailers, posters, lobby displays and all other outdoor displays, novelty distribution, radio copy, and every form of motion picture exploitation.

We urge all motion picture producers, distributors and exhibitors, and their advertising agents, whether affiliated with the undersigned or not, to adhere to these principles; and, for ourselves, we pledge compliance with these principles without reservation.

The Code

1. We subscribe to a code of ethics based upon truth, honesty and integrity. All motion picture advertising shall—

(a) Conform to fact.

(b) Scrupulously avoid all misrepresentation.

2. Good taste shall be the guiding rule of motion picture advertising.

3. Illustrations and text in advertising shall faithfully represent the pictures themselves.

4. No false or misleading statements shall be used directly, or implied by type arrangements or by distorted quotations.

5. No text or illustration shall ridicule or tend to ridicule any race, religion or religious faith; no illustration of a character in clerical garb shall be shown in any but a respectful manner.

6. The history, institutions, and nationals of all countries shall be represented with fairness.

7. Profanity and vulgarity shall be avoided.

8. Pictorial and copy treatment of officers of the law shall not be of such a nature as to undermine their authority.

9. Specific details of crime, inciting imitation, shall not be used.

10. Motion picture advertisers shall be guided by the provision of the production code that the use of liquor in American life shall be restricted to the necessities of characterization and plot.

11. Nudity with meretricious purpose and salacious postures shall not be used; and clothed figures shall not be represented in such manner as to be offensive or contrary to good taste or morals.

12. Court actions relating to censoring of pictures, or other censorship disputes, are not to be capitalized in advertising or publicity.

13. Titles of source materials or occupations or names of characters on which motion pictures may be based, should not be exploited in advertising or upon the screen if such titles or names are in conflict with the provisions of the production code affecting titles.

14. No text or illustration shall be used which capitalizes, directly or by implication, upon misconduct of a person connected with a motion picture thus advertised.

REGULATIONS FOR THE ADMINISTRATION OF THE ADVERTISING CODE

(The following regulations were adopted by the board of directors of the Motion Picture Association of America, Inc., April 22, 1948, and amended June 21, 1950.)

1. These regulations are applicable to all members of the Motion Picture Association of America, Inc. (hereinafter referred to as the "association"), subsidiaries of a member producing or distributing motion pictures, and to all producers and distributors of motion pictures with respect to each picture for which the association has granted its certificate of approval, pursuant to an application therefor.

2. The term "advertising" as used herein shall be deemed to mean all forms of motion picture advertising and exploitation, and ideas therefor, including, among other things, but without limitation thereto, the following: press books; still photographs; newspaper, magazine and trade paper advertising; publicity copy and art intended for use in press books or otherwise intended for use in press books or otherwise intended for general distribution in printed form or for theater use; trailers; posters, lobby displays and other outdoor displays; advertising accessories, including heralds, throwaways, etc.; novelties; copy for exploitation tie-ups; radio and television copy.

The term "company" as used herein shall be deemed to mean any person, firm or corporation.

3. All advertising shall be submitted to the advertising code administration of the association for approval before use, and shall not be used in any way until so submitted and approved as hereinafter set forth. All advertising shall be submitted in duplicate with the exception of press books, which shall be submitted in triplicate.

4. The advertising code administration shall proceed as promptly as it finds feasible to approve or disapprove the advertising submitted on the basis of whether it complies with the advertising code.

The advertising code administration shall stamp its approval on one copy of all advertising approved and return such stamped copy to the company submitting the same. If the advertising code administration disapproves of any advertising, there shall be stamped the word "disapproved" on one copy thereof, which shall be returned to the company submitting the same; or, if the advertising code administration so desires, it may return the same with suggestions for such changes or corrections in the advertising as will cause it to be approved.

5. After advertising (as defined in sec. 2 above) for a motion picture shall have been approved by the advertising code administration, if circumstances arise, either before or after the picture's release, which in the judgment of the administrator seem to require the withdrawal of all, or any portion of such previously approved advertising, then, after consultation with the advertising advisory council, he shall immediately file a written report with the president and secretary of the association (a) setting forth the situation existing at the time such prior approval was granted for such advertising, (b) reciting the intervening circumstances with resultant changes in the situation, (c) listing the reasons why in the opinion of the administrator all or a designated portion of the advertising previously approved should be withdrawn and (d) certifying that if such advertising were then being presented to him for the first time, it would not be approved by him under the advertising code for stated reasons.

If the president of the association (or a vice president of the association in the absence of the president), upon receipt of such report from the advertising code administration, is of the opinion that the situation presented is sufficiently serious to justify consideration by the board of directors, the secretary of the association shall be instructed to call immediately an emergency meeting of the board, at which meeting the board shall sit as a board of appeal with adequate opportunity for the producer and/or distributor of the motion picture to appear in person or through a duly authorized representative and present reasons orally or in writing, or both, as to why the prior approval of the advertising code should be affirmed, and with adequate opportunity for the administrator of the advertising code to appear and present reasons, either orally or in writing, or both, as to why in his judgment all or a designated portion of such previously approved advertising should be withdrawn.

Thereafter, the board, meeting in executive session with the producer and/or distributor of the picture not voting, shall determine by vote of a majority of the directors present and voting, whether all or any portion of the previously approved advertising shall be withheld from use and/or withdrawn, and such action of the board of directors shall be final and binding upon the producer and/or distributor of said film.

When any previously approved advertising for a motion picture is withdrawn pursuant to action of the board hereunder, the company withdrawing same shall be reimbursed the unrecoverable portion of its out-of-pocket expenditures for such advertising to the extent deemed equitable and proper under all the circumstances by the board. The amount of such reimbursement shall be prorated among all members of the association including the company affected on the same basis as dues to the association are currently paid.

If neither the producer nor the distributor of said film is a member of the association, then the nonmember withdrawing such advertising shall be reimbursed the unrecoverable portion of its out-of-pocket expenditures for such advertising by the members of the association to the extent deemed equitable and proper under all the circumstances by the board.

6. Appeals. Any company whose advertising has been disapproved may appeal from the decision of the advertising code administration, as follows:

Within 10 days after its advertising has been disapproved, it shall serve notice of such appeal in writing on the director of the advertising code administration and on the secretary of the association. Said notice of appeal shall set forth the grounds upon which the appeal is taken. Within a reasonable time after the receipt of such notice by the director of the advertising code administration and the secretary of the association, the president or, in the event of his absence from the country or his inability to act, a board consisting of three members of the executive committee of the board of directors of the association appointed by him, shall hold a hearing to pass upon the appeal. Oral and written evidence may be introduced by the company and the advertising code administration. Oral argument shall be had at the hearing and written memoranda or briefs may be submitted by the company and the advertising code administration. The president or said board, as the case may be, may admit such evidence as is deemed relevant, material and competent, and may determine the nature and length of the oral argument and of the written memoranda or briefs to be submitted. The president or said board, as the case may be, shall decide the appeal as expeditiously as possible and shall notify the company and the director of the advertising code administration in writing of the decision. Such decision shall be final.

A company appealing from a decision of the advertising code administration under section 14 of the advertising code shall have the right, by written notice to the secretary of the association, to appeal directly to the board of directors of the association, whose decision shall be final. The provisions relating to evidence, argument and written memoranda or briefs, set forth in these regulations, shall apply to such appeals.

7. Any company to which these regulations are applicable, which publishes, or makes available for sale or lease, or which in any way uses advertising without prior approval as hereinabove provided, may be brought up on charges before the board of directors by the director of the advertising code administration, or by any of the following officers of the association, viz: the president, a vice president, the secretary or the treasurer. The company shall be entitled to receive a written statement of the charges and to a hearing before the board of directors. Within a reasonable time after the receipt of said statement of charges by the company, the board of directors of the association shall meet in a special meet-

ing to hear and pass upon such charges. Oral and written evidence may be introduced by the company and by the advertising code administration. Oral argument shall be had and written memoranda or briefs may be submitted by the company and by the advertising code administration. The board of directors may admit such evidence as it deems relevant, material and competent, and may determine the nature and length of the oral argument and of the written memoranda or briefs to be submitted. The board of directors, by a majority vote of those present, shall decide the matter as expeditiously as possible.

If the board of directors finds that the company has published, or made available for sale or lease or in any way used advertising without prior approval as hereinabove set forth, the board may take one or more of the following actions:

(a) Direct the production code administration to void and revoke the certificate of approval granted by the association for the picture so advertised and require the removal of the association's seal from all prints of said picture, and the production code administration shall thereupon do so:

(b) Require the company, if a member of the association, to pay to the association as and for liquidated damages, not more than \$100 for each publication, lease, sale, or use of an unapproved item of advertising which has been published, made available for lease or sale or used, provided, however, that the total sum assessed for advertising relative to one motion picture may not exceed the sum of \$25,000. The amount so assessed and collected shall be used by the association for expenses incurred in the administration of the advertising code. It is recognized that any violation of the advertising code will disrupt the stability of the industry and cause serious damage to the association and its members which cannot be definitively computed.

The decision of the board of directors shall be final.

8. Each company shall assume responsibility for seeing that all its employees and agents comply with these regulations.

Chairman KEFAUVER. Anything else, Mr. Bobo?

Mr. BOBO. No.

Chairman KEFAUVER. Mr. White, what percentage of the display pictures are actual scenes in the picture and what percentage of them are pictures especially made and not taken from the actual scenes?

Mr. WHITE. I couldn't give you an accurate percentage. The majority of pieces of artwork that go into these displays are scenes or they are approximate reproductions of scenes in the picture.

Chairman KEFAUVER. Maybe it is what somebody thinks the scene is eventually going to be.

Mr. WHITE. No; because the stills are made on the set.

Chairman KEFAUVER. I thought you said the advertising is frequently started before the picture is anywhere near completed.

Mr. WHITE. I said while it is in production and hasn't been finally completed. The stills are made beginning with the day the picture goes into production. There is usually a still man around, making pictures, every day. As a matter of fact, there has been a great growth in the last few years of the use of the high speed, small size camera, where a cameraman can simply stand on the set and shoot while a scene is taking place, while it is being acted. Those stills are printed up and they go through the process of the advertising code operations, usually submitted out here, and then they come back to New York and they begin to go to work on them. A picture will not be finished, completed and available for seeing until some time after the last day's shooting on it. There might be a gap of anything you want to guess, a month or 2 months between the day of the last day of the shooting and the time you see a picture in New York.

Chairman KEFAUVER. You said frequently, when they presented their pictures or their ad sheets for final approval, that the large billboards had already been prepared, is that so?

Mr. WHITE. It varies. Sometimes when the press books are presented, the big posters may already have been lithographed.

Chairman KEFAUVER. My question is then: The economic force for approval would be pretty great, because they would already have a whole lot of money in—

Mr. WHITE. I tried to explain that each item in that press book is supposed to have been submitted to us before the press book goes to press. We are supposed to see those as they are in operation.

We see a layout, we see the artwork, we see a photostat of the artwork, we see a photograph of it, and we are supposed to see it before it goes into printing.

Once in a great while there is a fluke and if there is trouble in the thing we have that pressure, yes, but that is a rarity.

Chairman KEFAUVER. On page 3 of your statement, Mr. White, the middle paragraph:

What it does seek to do and what it should do is to convey the spirit, the atmosphere, the feeling, the general impression of the photoplay. This is fair, this is proper, this is accepted advertising practice. It is neither misleading nor misrepresentative.

I think that is a fine statement of a principle that advertising ought to follow.

A fair presentation of what the product is going to be. And these producers have told us that in all of the pictures, horror and crime and sex pictures, there is some moral they are trying to prove. I just wonder if you get the moral in this advertising up here. There is a "Kiss Me Deadly. White Hot Thrills. Blood Red Kisses." That is all it says about it. What is moral?

Mr. WHITE. I don't like that any more than you do, Senator.

Chairman KEFAUVER. What is the moral in "The Prodigal"?

Mr. WHITE. I don't think it is a moral. I think it is merely entertainment. This ad is designed to sell this. I said awhile ago that making the picture and telling a story of a picture is one thing. Writing an ad to sell it is another. The first part is art. The second part is industry, business.

An ad has to do three things, as the late Mr. Brisbane used to say. I has, one, to attract attention. It has, two, to have interest in the form of getting you to read it, and, three, it has to convince you to the point of buying the product. Otherwise, it is not successful. If these do not attract, then, of course, they cannot possibly achieve points Nos. 2 and 3.

Chairman KEFAUVER. Mr. White, my point is your statement is a very good one, that what it should do is convey the spirit.

Mr. WHITE. I think that contains the spirit.

Chairman KEFAUVER. Do you think these ads convey the spirit?

Mr. WHITE. In most cases, particularly in the crime things over here [indicating].

Here is a point that might have been of interest: This is a business of cycles. Pictures are made in cycles. There has been a cycle that involved a large number of these crime or violent pictures. I think, if you will take each one of those ads separately and analyze them separately, you might object to them, but if they did not present this picture as a picture of violence, as a picture of crime, they would

not be honest advertising. They would not be fair to the mothers who don't want their youngsters to go to see this crime picture.

So I think they have a very definite point of honesty. If they do not go overboard in their gruesomeness, which the advertising code provides against and which we try to avoid, but still tell the story, e. g., it is a picture of crime and violence, the ads are the fairest possible representation we can give to the picture. If the mothers do not want their youngsters to see these crime pictures, they are warned and we have given them fair and honest warning.

Chairman KEFAUVER. The purpose of advertising is to get the people into the theater.

Mr. WHITE. Into the theater; yes, sir.

Chairman KEFAUVER. Mr. Freeman was talking about the moral a great deal in Hell's Island. I can't see all the writing there.

Mr. WHITE. I thought he was talking about a moral in the Hell's Island, the picture. I don't think he was talking about a moral in the ad.

Chairman KEFAUVER. What is the moral in that ad?

Mr. WHITE. I am not offering any moral in the ad.

Chairman KEFAUVER. What you say here that you did was "to convey the spirit, the atmosphere, the feeling, the general impression of the photoplay."

Mr. WHITE. And the argument that was given to me and the argument to which I finally yielded in this case was this was a fair representation of the principal girl character in this picture.

Chairman KEFAUVER. Did you read the scenario before you passed it?

Mr. WHITE. I saw the picture in this case, Senator. That was one of the cases in which, as I said, occasionally we even go to the point of seeing the picture. The picture was finished in that case, and we saw it.

Chairman KEFAUVER. What is the moral in "Girl Confesses Life With Big Combo Boss"?

Mr. WHITE. I insist again I am not trying to offer a moral in these ads.

Chairman KEFAUVER. What you are telling us then, Mr. White is that "this is fair, this is proper, this is accepted advertising practice. It is neither misleading nor misrepresentative."

Now, these producers tell us that all these pictures have morals. I think a great many of them do have morals, some good morals and very helpful. But I haven't seen a moral in any one of these, these posters you have up here.

Mr. WHITE. The fact that in a picture that may run an hour and a half you may be able to develop a moral, I don't think can necessarily be carried over into an ad you see in a flash. And I have never heard of anyone requiring, as a requirement of advertising, that each piece of advertising produce a moral.

This came up in the case of Blackboard Jungle, Senator. Some criticism came in on one or two pieces of this material, and I went to the advertising manager at M-G-M and I showed him the criticism for his information.

And he said this, "Our job is to sell this picture. The people who come to see this picture, by and large, go out liking it."

Now, if they are induced to come in to see the picture and they get the moral out of seeing the picture, I would think that is enough. I don't know how we can require them to tell a moral in an ad.

Chairman KEFAUVER. I am just comparing what you have done here with what you say you are doing, and I don't mean to argue with you about it.

Mr. WHITE. I don't, either, Senator.

Chairman KEFAUVER. In your statement you would give the impression that your advertisements give the spirit and portray what the picture is. If they portray what the picture is, then Kiss Me Deadly would all be one thing, apparently.

Mr. WHITE. Possibly it is. Have you seen it?

Chairman KEFAUVER. No; I haven't seen it. But here is your statement, sir:

What it does seek to do and what it should do is to convey the spirit, the atmosphere, the feeling, the general impression of the photoplay. This is fair, this is proper, this is accepted advertising practice. It is neither misleading nor misrepresentative.

So I would think by that, if there is a moral in these things, that you have completely overlooked in these pictures the—

Mr. WHITE. I am sorry, Senator, but I just don't get the connection between producing a moral in a picture that runs for 2 hours, and trying to illustrate or produce a moral in a small ad layout, which you read in half a minute.

What I say in the statement is that we should represent the spirit of the picture, sir, yes; we should represent the theme of the picture.

Chairman KEFAUVER. Then, according to your analysis, if you represent the theme of the picture, the theme of the picture is not any moral, because you say you represent the theme and general impression, but none of these show any moral.

Mr. WHITE. I think in most cases these ads do represent the theme of the picture.

Chairman KEFAUVER. Very well. I know your problem is difficult, Mr. White.

Mr. WHITE. It is a very difficult one.

Chairman KEFAUVER. We appreciate that fact. We will be glad for you to have these exhibits when we get through with them here today. Keep them intact and send them back to us.

Mr. WHITE. I will keep them intact.

Chairman KEFAUVER. I think it is fair to say that the correspondence and complaints we have, that we literally have hundreds and hundreds of letters from people and organizations, sending samples of protests, a whole lot more about the advertising form of these than we have on the movies themselves.

There is a rising tide of public resentment against some of these ads that you have passed. We will be glad to show you a lot of our letters if that will help in your battles with the advertising agencies. We want to cooperate with you. We know your task is hard, it is difficult.

You show something to get people into the house. But this isn't a healthy thing, to have criticism by so many organizations, by people, as to the ads for some of these movies.

We will go over all of these with you, and we want to help you with your problem, if there is any way we can do it.

Mr. WHITE. As a starter, as I said, I would like to display this material to a meeting of the advertising directors here, and take it back to New York with me and have another meeting with the heads of the departments there. It will certainly convey to them your expressions, Senator.

Chairman KEFAUVER. We don't want to be unfair in our criticism. We just want to let you know what has been coming to us. That doesn't mean that a great amount of people are not entirely satisfied with the advertisements. It does mean, though, that out of the few mistakes, or a few that go too far, cause criticism of the whole mass of them, as you know.

Mr. WHITE. Of course, they do. I know that better than any of you could possibly. Criticism of 2 or 3 ads usually winds up in a blanket criticism, that they are all wrong. And there is the proof in the six newspapers that they aren't all wrong.

Chairman KEFAUVER. That is right. All right. Thank you very much, Mr. White.

Mr. YOUNG. I wonder if I may speak to you about Mr. White's statement. It is very important to the Senate and the public, as well.

Chairman KEFAUVER. Let's see what Mr. Young has. Make it short and to the point, Mr. Young.

Mr. YOUNG. I will make it very brief. As to the advertising that Mr. White refers to—

Chairman KEFAUVER. You address your remarks to me, if you have any.

Mr. YOUNG. I do, Mr. Senator, I do, sir, and the committee.

As to the advertising that Mr. White refers to, which I am familiar with, as I stated before, having been associated with motion-picture studios, these display advertisements that are taken from still pictures and then exaggerated to excite the emotions by an artist using what we term the 1-sheet and the 24-sheet, I want to call your attention, Mr. Senator—when Mr. White made a statement as to viewing and approving the code of advertisements—a publication known as Bold—B-o-l-d—Bold, one of these promiscuous publications sold on the newsstands, in the various drugstores, or magazines that you see young boys and your children sit there and look at them, sit and look at them, of July 15, on page 60—6-0—where one of the featured players or leading ladies, by the name of Jan Sterling, is publicized in that type of a picture.

Mr. Senator. I ask if the Senator would please ask Mr. White whether he saw that picture before it was sent out, whether he approved of that.

I also call attention to a publication known as the Variety and that Variety is read by everyone—when I say everyone I mean the motion-picture industry and show people, but is displayed and sold on newsstands, and also on the magazine stands—of June 16 which was yesterday, Thursday, the back cover.

Chairman KEFAUVER. Mr. Young, we want to be democratic in this meeting. If anybody has any observations they want to make, all right, but you will have to get to the point.

Mr. YOUNG. Yes. This particular picture sent out and publicized on the back cover of Variety of yesterday, June 16—

Chairman KEFAUVER. Do you have a copy of it there?

Mr. YOUNG. I have, yes.

Chairman KEFAUVER. Let's see it.

Mr. YOUNG. I wanted to ask, Mr. Senator, whether Mr. White saw that picture on the back cover, which is sent way in advance, and not as a deadline, because they have to reserve that space.

Chairman KEFAUVER. Well, Mr. White—

Mr. YOUNG. I think I left that at home. I am sorry. But that cover is very important to the committee and the public at large, as to what is permitted to go in publications that adolescents and children see.

As to these pictures, if I may make the statement, when that is exhibited in the lobby of the theaters and on our streets—on Fairfax, with thousands of cars and thousands of pedestrians walking by—showing that very 24 sheet. And also the adolescents and children see these pictures in our theaters, first-rate theaters, let's say, on a Saturday afternoon or in the evening—

Chairman KEFAUVER. Mr. Young, I want to be patient with you, but don't make a speech. State any facts you want to state.

Mr. YOUNG. When adolescents see this picture in the lobby and enter the theater and see the picture on the screen, as he approaches that particular scene, isn't it true that the adolescents whistle at that very attempt that is about to be made or is made?

Let him answer that, if that isn't so. That it is made to excite the emotions of children and adolescents in our audiences, in our theaters and in our displays in the lobbies, and on the streets. Thank you, Mr. Senator.

Chairman KEFAUVER. I take it that Mr. White doesn't have anything to do with what happens inside. I know there is a lot of whistling and whatnot.

Mr. YOUNG. Mr. Senator, Mr. White did state he approves these pictures—rather, he passes on them. And if he does pass on them, that is the very thing that the Senator called attention to, whether he approved of these very things. And they are distributed by the thousands throughout the country, sent throughout the country, to the various magazines.

And when he shows you a newspaper advertisement, that they are not as bad as the ones that they exhibit, there may be a possibility that different cities and different States do not print that type of thing. They do send them there.

They send all those pictures there as fast as they can send them, by airmail, to these various publications, and so forth, so they can use them, what they believe to be good copy, and draw them into the box office.

Chairman KEFAUVER. All right, Mr. Young, you get a copy of that Variety and send it in.

Mr. YOUNG. I will do that, sir. Thank you.

Chairman KEFAUVER. Mr. White, a question has been brought up about some picture on Variety. Do you know what the matter is?

Mr. WHITE. I never heard of it. As far as the other magazine is concerned, I never heard of it.

If you want a serious comment on the matter of publicity pictures in publications, they include, it should be remembered, not only approved still material but perhaps to a much greater extent pictures over which I could possibly have no control at all. There are millions

and millions of photographs that go into circulation for release by publications of all kinds, all over the country. Heaven knows I don't want—

Chairman KEFAUVER. Of course, we know about the other material. We are only talking about the material that advertises movies.

Mr. WHITE. This gentleman was talking about something that appeared in a magazine called Bold or something.

Chairman KEFAUVER. Mr. Young, is what you are talking about in the magazine Bold, does it have anything to do with movies?

Mr. YOUNG. Yes. It is one of the pictures that is made—

Chairman KEFAUVER. Do you have a copy of that?

Mr. YOUNG. The Bold magazine?

Chairman KEFAUVER. Yes. With you?

Mr. YOUNG. No, I have not. I don't like to carry those things on my person.

Chairman KEFAUVER. Well, we can't tell whether what you are talking about has anything to do with pictures or not. It would be better if you submit it. We don't know exactly what the pictures are.

Mr. YOUNG. Mr. White can if he thinks so much will come out of— let Mr. White submit it and see whether it is one of those he approved of.

Chairman KEFAUVER. Very well, Mr. Young. Sit down. We don't know what the pictures were and you don't know anything about them?

Mr. WHITE. No.

Chairman KEFAUVER. The Bold magazine.

Mr. WHITE. No.

Chairman KEFAUVER. All right. Thank you very much, Mr. White. We will have a short recess at this time.

(Short recess taken.)

Chairman KEFAUVER. Unfortunately, we are getting a little behind with our time schedule.

The chairman is glad to see an old colleague in Congress, a former Congresswoman, former Congresswoman Bosone from Utah, who is a very distinguished juvenile judge in Salt Lake City, and has been for a number of years. Mrs. Reva Beck Bosone is here somewhere. We will be glad to have her come up and sit with us.

She has done a great deal of juvenile work and sponsored a number of bills for the welfare of young people when she was a Member of Congress.

Also Stanley Long, a former assistant supervisor, is with us.

And we are also glad to have with us State Senator Dick Richards, who has been interested in legislation in the general assembly or legislature of California. He is one of our fine leaders in the California Legislature.

It is good to have you here, Dick. Would you like to have anything to say?

Mr. RICHARDS. I would like to just make one statement, if I may.

Chairman KEFAUVER. All right, sir.

STATEMENT OF RICHARD RICHARDS, CALIFORNIA STATE SENATOR, LOS ANGELES, CALIF.

Mr. RICHARDS. Having just gotten back from the State legislature, I want to extend a welcome, which is belated for the reason I wasn't able to extend it before, on behalf of the State senate of the State of

California, welcoming you to our State, and on behalf of the people of the county of Los Angeles, whom I am privileged to represent in the senate.

We are all vitally interested in what you are doing and appreciative of the efforts you are extending here in our area. I am aware as an individual that that which you are doing is seeking objectives, which I think the majority of the public would like to have sought. I am convinced, so far as the motion-picture industry is concerned, that they and the advertising industry connected therewith, are as anxious as are you and all of us to bring improvements into the picture which you are seeking.

I might only comment, in passing, very briefly, that we in the State legislature have recently faced similar problems, have not been analyzing exactly the same field, but those problems with which I am certain you are familiar. The problem of the crime comic book, upon which and around which there is a great deal of public interest in the course of the last session of the State legislature.

Frank Bonelli authored in the assembly and I was privileged to carry in the senate, assembly bill No. 183, which, after the rejection of many other bills, aimed in the direction of trying to curb or eliminate the real evil that does exist in crime and horror comic books. This particular bill was passed. It will now be put to a test. And I feel it will be a step in the direction of improvement along the same lines that you are, of course, seeking in the broader field you are now investigating.

I am sure that you are as acutely aware as we were in the State legislature, in analyzing of communications, of the problems of differentiation, of the problems of censorship, which are very real problems and which we have to avoid, whenever and however we can, while we still seek the objectives that the public wants us to reach, and that is general improvement in the communications field and the elimination of the abridgment and the violations of the privileges which exist in those fields.

I would merely like to say, congratulations on the work you are doing now, senator, and it was a pleasure to be able to sit with you briefly this morning, listening to the testimony of Mr. White and the others.

Chairman KEFAUVER. Thank you very much, Senator Richards. We appreciate your welcome and we appreciate your interest as a member of the State senate in this general problem.

We do not have a copy of the act passed by the legislature. Do you have a copy?

Mr. RICHARDS. I do happen to have one with me.

Chairman KEFAUVER. Good. You are right on the job.

For the information of other States considering this, who will read our hearings, we will have this printed in the record, so it will be in our Senate hearings.

Thank you very much, and you stay with us as much as you can.

Mr. RICHARDS. Thank you.

Chairman KEFAUVER. During Mr. White's testimony Mr. Young indicated that he had seen on the back page of Variety of June 16 a large picture of a woman mostly nude. We have gotten a copy of the Variety of that day, and what Mr. Young said about it is correct.

Also, on Friday, June 17, a picture explaining what was on the back cover of the preceding day's Variety, but the inference may have been this was in connection with a motion-picture advertisement which Mr. White had some jurisdiction over. That is not the case.

It is an advertisement of a young lady who is going to appear in a night-club show and has nothing to do with the movies. I don't want the record to have any inference Mr. White had anything to do with it.

We realize the difficult position Mr. White has, and he seems to be a sincere man. I know he is trying. I hope we can be of some assistance to one another.

I think in the number of people who have spoken to me about wanting to ask questions, or what not, that if we had a lot of time I would give everybody who wanted to ask a question a chance to stand up and say something about it or make a statement. I think, though, as a rule, in view of the shortage of time, that anyone who has a question, if they would write it out and submit it to me, I will go over them and if they wish to make a statement, if they will write it down and give a summary or indication of what they want to talk about, we would probably save time.

Our next witness will be Mr. Max Gilford, of the Independent Motion Picture Producers and Independent Motion Picture Producers for Television.

(Assembly bill No. 183 was marked "Exhibit No. 11" and reads as follows:)

EXHIBIT No. 11

Amended in Assembly May 27, 1955

CALIFORNIA LEGISLATURE—1955 REGULAR SESSION

ASSEMBLY BILL NO. 183

Introduced by Mr. Bonelli, January 6, 1955. Referred to Committee on Judiciary

An act to add Section 299 to the Penal Code, relating to comic books and magazines

The people of the State of California do enact as follows:

SECTION 1. Section 299 is added to the Penal Code, to read:

299. Every person, firm or corporation is guilty of a misdemeanor who sells, gives away or in any way furnishes to any person under the age of 18 years any illustrated crime comic book or magazine in which there is prominently featured an account of crime and which depicts, by the use of drawings or photographs the commission or attempted commission of the crimes of arson, assault with caustic chemicals, assault with a deadly weapon, burglary, kidnapping, mayhem, murder, rape, robbery, theft, or voluntary manslaughter.

299. Every person who sells, gives away, or otherwise furnishes to any minor, or who has in his possession with intent to sell, give away, or otherwise furnish to such a minor, any illustrated crime comic book or magazine devoted to the publication and exploitation of real or fictional deeds of violent bloodshed, lust, or immorality, or of horror, so massed as reasonably to tend to incite minors to violence, or depraved or immoral acts against the person, or any book, pamphlet, magazine or other printed matter, specifically including comic books, devoted to the publication and exploitation of sex or of matter of an indecent character, which, for a minor, is obscene, lewd, lascivious, filthy, indecent, or disgusting, is guilty of a misdemeanor.

As used in this section "illustrated crime comic book or magazine" means any book, magazine, or pamphlet in which an account of crime is set forth by means of a series of five or more drawings or photographs in sequence, which are accompanied by either narrative writing or words represented as spoken by a pictured character, whether such narrative words appear in balloons, captions or on or immediately adjacent to the photograph drawing.

This section shall not apply to those accounts of crime which are a part of the general dissemination of news nor to drawings and photographs used to illustrate such accounts, which appear in a newspaper of general circulation or to those accounts of crime which delineate actual historical events, or to those accounts of crime which delineate occurrences actually set forth in the sacred scriptures of any religion.

SEC. 2. In adding Section 299 to the Penal Code by this act, the Legislature finds that there is a great increase in the number and variety of illustrated crime comic books and magazines being offered for sale in this State which deal in substantial part with crimes of force, violence and bloodshed and that many of such books and magazines are designed to resemble closely those devoted to matters of humor and adventure and published primarily for sale to children and are often placed for sale side by side with such humor and adventure magazines. The Legislature also finds that children below the age of 18 years are of a susceptible and impressionable character and are often stimulated by collections of pictures and stories of criminal acts, and do in fact often commit such crimes partly because incited to do so by such publications and the possibility of harm by restricting free utterance through harmless publications is too remote and too negligible a consequence of dealing with the evil of the publication herein described, when in the hands of children. The Legislature also finds that many public organizations including local governing bodies, fraternal groups, service clubs and the like have publicly urged that a statute be adopted which would prohibit the dissemination of illustrated crime comic books and magazines to the extent that it is possible to do so without interfering with the freedom of the press.

Amended in Senate June 3, 1955

Amended in Assembly May 27, 1955

CALIFORNIA LEGISLATURE—1955 REGULAR SESSION

ASSEMBLY BILL NO. 183

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STATEMENT OF MAX M. GILFORD, GENERAL COUNSEL, NATIONAL SOCIETY OF TELEVISION PRODUCERS, LOS ANGELES, CALIF.

Chairman KEFAUVER. We are calling Mr. Gilford a little out of turn. His statement is brief and we will have to recess for lunch shortly.

Mr. GILFORD. Could I say, Senator, I am Max Gilford. I am general counsel for the National Society of Television Producers and also an attorney here for 26 years. I didn't happen to bring a biographical sketch or anything like that, so that is why I mentioned that.

I have also been a feature motion picture and television producer myself.

Before I read this statement, I wonder if I could call to your attention that I have arranged for half of the television producing industry, on a 2-day notice, to attend a meeting for you, at the Bitter-Sweet Restaurant, and it is slated to start at 12:20. I have a police car downstairs for you and have arranged to bring you out there expeditiously and to return here for your 2 o'clock meeting on time, so that that meeting could terminate at 1:30.

Could I be excused and be asked to appear before you at 2 o'clock, and could we discontinue at the present time so we could meet with these producers, who would like to hear you. The press, I think, is there and everybody wants to know your attitude and some of the things that have been uncovered. I have arranged this under about 2-day notice. I think some of your staff are aware of this.

Chairman KEFAUVER. Well, you would rather testify when we come back at 2 o'clock?

Mr. GILFORD. Yes.

Chairman KEFAUVER. Mr. Bobo, how many more witnesses do we have on the motion picture matter?

Mr. BOBO. We will have two more.

Chairman KEFAUVER. All right, Mr. Gilford.

Mr. GILFORD. Thank you.

Chairman KEFAUVER. Well, under the circumstances, we will stand in recess until 2 o'clock this afternoon.

(Whereupon, at 12:05 p. m., a recess was taken until 2 p. m. of the same day.)

AFTERNOON SESSION

Chairman KEFAUVER. We had matter of Mr. Whitfield scheduled the other day and we got mixed up on the time. Mr. Whitfield has been here 2 or 3 times and is ready to testify about the work he is doing with young people, and he is a fine example of a good American, young athlete.

STATEMENT OF M. G. WHITFIELD, COUNTY PARKS RECREATIONAL FACILITIES FOR THE COUNTY OF LOS ANGELES, LOS ANGELES, CALIF.

Mr. Whitfield good afternoon. We are glad to see you. We are glad to have you with us. Mr. Bobo, you take over.

Mr. BOBO. Mr. Whitfield, what type of work and in what activities are you engaged that involve you?

Mr. WHITFIELD. I am commissioner of the county parks recreational facilities for the county of Los Angeles. I am also in business.

Chairman KEFAUVER. You are a great Olympic champion. Speak a little louder.

Mr. WHITFIELD. Yes, sir. I was a member of the 1948 Olympic team and in 1952 I won three gold medals in the Olympics.

Chairman KEFAUVER. You did the half mile, didn't you?

Mr. WHITFIELD. That's right, 800 meter.

Chairman KEFAUVER. What did you do that in?

Mr. WHITFIELD. I set both the 1948 and 1952 Olympic world's record, 1 minute, 49.2 seconds.

Chairman KEFAUVER. You still hold the record, don't you?

Mr. WHITFIELD. That is correct, sir.

Chairman KEFAUVER. I used to be a track man myself. I was a discus thrower. [Laughter.]

Well, we pay tribute to your accomplishments as an Olympic champion. I don't know of many who have won the record twice in succession, and you are a fine influence among your people. You have been recently appointed to this position by the board of supervisors?

Mr. WHITFIELD. Yes, by Kenneth Hahn, Supervisor Kenneth Hahn.

Chairman KEFAUVER. Tell us your recommendations and something about your work and what you think this subcommittee or the people can do to help with our problem of juvenile delinquency.

Mr. WHITFIELD. Thank you very much. Recently I returned from a 5-months tour with the Department of State as Ambassador of Good Will through the field of sports, and of course the State Department is using sports more than ever before to try and help foster good will between our country and countries abroad, and of course the problem, the tour was a success, and I was very happy to take part in it. Of course I felt it was very effective and most educational to me. From the program I learned that the people of the world think that America is the father country, and they feel they would look to pattern their country after America and their way of life, but I find some of things we have done in the past that these people have found out about, such as the gangsterism in Chicago and several other places, and making pictures showing these many things, they have come to criticize the American way of life, and they feel that a child, learning and seeing these things, develops the same attitude of what he sees in the picture, that that is not going to do the child too much good. They have criticized our way of life here in letting the youngsters find out too much about the way of life here, such as what older people are doing.

Also I think from my experiences that I have found that working with groups, families, mothers and fathers have really not done their

job like they should. In other words, teaching a youngster the correct way to be a good citizen at the early stages of his learning, the age of 6 to 10, not waiting until he reaches the age of 16 and trying to correct them then. I feel if they start early enough that we won't have too many problems in America.

With respect to the churches, of course many of the churches have been visited by me in the past. Religion has not played such an important part. In some countries it does. In America we are free to worship under the type of religion we desire. Of course, I find my experience in working with groups that the churches are not working together enough. In other words, the Catholics and Protestants should get together more and organize programs which will develop better citizens in the community rather than working separately in their own groups.

I feel that documentary films should be made more and used in the schools in the early stages of learning, teaching the boy, for instance, the fundamental methods of being coordinated in mind and body, whether in athletics or everyday society, and not waiting until the boy has reached 16 or 17 years of age.

Also I think that factories and firms and companies should get together and sponsor more activities for the youngster, in other words, not trying in all of the effort of the company just to become rich. I think they should put back into the group the wonderful things they have received from the group in order to help elevate it, in other words, sponsoring boys and girls through community centers, having more of them. Now in this part of the world, California, it is growing so rapidly that I think we should expand more and faster.

Of course the elder people are responsible, those who are qualified to help give aid to the youngsters in order to prevent juvenile delinquency.

From what I have experienced in my travels and as ambassador of good will in the field of sports, I feel that this should be a national organization rather than brought forth by each State because there is not enough finances to support this wonderful thing to help combat juvenile delinquency, and of course I feel that if it was on a national basis and brought before the Senate or the committee members, then of course people in those areas in the different States would be able to benefit in committee organizations, and I think they would be able to stamp out or knock out some of the unfortunate things which have happened in the past.

Chairman KEFAUVER. Tell us about what you are doing in the city of Los Angeles.

Mr. WHITFIELD. Well, the city of Los Angeles, for instance, along with many other groups, this summer I am sponsoring four basketball teams of youngsters of all nationalities throughout the city. I am in the cleaning business, and of course I have set aside funds to sponsor this basketball team to keep the boys active and to send them to camp to keep them busy so that they will not be able to think about things which will destroy our society and also working with the county where we organize programs to help develop better citizens in our city, and of course trying to keep these youngsters as busy as possible so that they will not have any time to think of things which would destroy our State or our city.

Chairman KEFAUVER. Do you have any program for part-time youth employment for kids in the summertime?

Mr. WHITFIELD. Only camps, and of course we don't have enough community centers to finance or to promote such.

Chairman KEFAUVER. But you do organize a number of camps and have a number of camps where boys can go?

Mr. WHITFIELD. That is correct, sir.

Chairman KEFAUVER. You have them for kids that can't afford to pay their own way?

Mr. WHITFIELD. Yes, sir. They are sponsored by groups, breakfast clubs and various groups and social groups throughout the city of Los Angeles.

Chairman KEFAUVER. Well, we thank you very much for coming and being with us, and good luck to you. We will see you again. [Applause.]

I wish to make an announcement before we call our next witness. We had anticipated this to be a 3-day hearing. We had general subject matter and the movie industry and also we are going to go into pornographic literature and some crime and comic books testimony. We have gotten badly behind with our witness schedule, so that we have made arrangements to stay over and have a short hearing tomorrow in order to finish up. This afternoon will finish up the witnesses in connection with the movies. All of the witnesses who have been summoned to come and testify about other matters, pornographic literature and other things, will come back please at 9:30 in the morning. I regret that a Saturday session disrupts perhaps some who have planned to get away, but it is unavoidable. We have changed some of our engagements in Washington ourselves to have the hearing tomorrow. We thought that while we are out here that we should try to hear everyone who has been called.

All right, Mr. Bobo.

Mr. BOBO. Mr. Geoffrey Shurlock.

Chairman KEFAUVER. Mr. Shurlock, will you come around, sir?

STATEMENT OF GEOFFREY SHURLOCK, DIRECTOR OF PRODUCTION CODE ADMINISTRATION OF THE MOTION PICTURE ASSOCIATION OF AMERICA, LOS ANGELES, CALIF.

Chairman KEFAUVER. We are glad to see you, Mr. Shurlock. Are you the director of the production code administration of the Motion Picture Association of America?

Mr. SHURLOCK. Yes, sir.

Chairman KEFAUVER. All right, Mr. Bobo.

Mr. BOBO. Mr. Shurlock, for how many years have you been director of the production code administration of the Motion Picture Association of America?

Mr. SHURLOCK. I have been connected with it for 23 years but have only been director since last October.

Mr. BOBO. In your position as director, the duties of this office are what?

Mr. SHURLOCK. To pass upon all scripts and all finished pictures to make certain that they meet the requirements of the industry's voluntary production code.

Mr. BOBO. What have been your positions prior to being associated with the production code administration?

Mr. SHURLOCK. I was connected with Paramount Studios for 6 years prior to that, beginning in 1926.

Mr. BOBO. Mr. Shurlock, what is the composition of the staff in the office of the motion picture production code?

Mr. SHURLOCK. The Production Code's staff consists of a director and seven members.

Mr. BOBO. And is it the duty of these seven members to review and pass on all motion pictures produced in America?

Mr. SHURLOCK. It is the duty of the staff to review and pass on all pictures produced by the members of the motion-picture associations who are signatory to the code, and also on any and all other scripts or pictures which independents may wish voluntarily to submit to us. I want to say that that includes probably 99 percent of the pictures produced in the United States for theatrical entertainment.

Mr. BOBO. In addition to the seven staff members and the director, is there any type of advisory board composed of professional persons in psychiatry or psychology or criminology connected with the motion picture code?

Mr. SHURLOCK. No, sir; there is not. We are bound in our duties under our own code and not authorized to go very far outside of that.

Mr. BOBO. Mr. Shurlock, the funds for the operation of the motion picture production code are secured from what source?

Mr. SHURLOCK. Each producer submitting a picture pays a fee based on the negative cost of the picture.

Mr. BOBO. You have a statement, Mr. Shurlock. Would you like to give it?

Mr. SHURLOCK. Yes, sir, if I may.

Chairman KEFAUVER. All right, Mr. Shurlock. You have a brief statement here which goes to the point, so suppose you read your statement.

Mr. SHURLOCK. My name is Geoffrey Shurlock. My home is here in Los Angeles. I have worked for the Motion Picture Association of America since 1932, and have been on the staff of the production code administration since its formation in June 1934, under its first director, Joseph I. Breen. Upon Mr. Breen's retirement in October 1954, I became the director.

This year is the 25th anniversary of the voluntary adoption by the industry of the Motion Picture Production Code. The code, as this committee of course knows, sets forth principles to assure good moral standards and decency in motion-picture entertainment.

Looking back over this quarter of a century I think it must in right and justice be said that the code truly marks the embodiment and acceptance of moral responsibility on the part of the industry to the vast worldwide public that it serves.

Our industry was the first among the media of communications in the United States to adopt a system of self-regulation. Other media have since paid us the sincerest form of flattery by imitating our code. We are pleased that this has been so. For example, the Television Code, adopted not long ago, was patterned upon our code, and indeed, contains much the same language.

But our system goes much further. It provides efficient machinery for supervision during production and for enforcement before a pic-

ture is seen by the public. We are still alone among the mass media in having machinery of this kind.

The production code administration, charged with enforcement of the code, consists of eight members, with headquarters in Hollywood. As an autonomous unit, it is responsible for its own decisions. Any producer who disagrees has the right to appeal to the board of directors of the Motion Picture Association of America, in New York. Appeals have been few over the years.

The services of the administration are open to all producers of motion pictures, members as well as nonmembers of the association, foreign as well as domestic. In actual practice all but a very few of the films made in Hollywood are submitted to the production code administration for its approval.

Last year the code administration approved 303 feature-length pictures. Of these, 228 were submitted by member companies and 75 by nonmembers.

I might inject here some further figures. Since June of 1934, at its inception, the production code has given its seal of approval to 10,401 feature pictures and to 12,243 shorts.

Members of the association, having voluntarily subscribed to the code, are required to submit their films to the code administration before releasing them for public exhibition. Nonmembers are not required to do so, but I want here to say to the everlasting credit of nonmember producers that practically all of them do voluntarily submit their pictures and do abide by the principles of the code. In all my years in Hollywood I have yet to meet a responsible producer who would wish to abolish the system of self-regulation.

I can confidently say that the code is as strongly supported and as warmly approved in Hollywood today as it has ever been. There are no signs of weakness or wavering.

In the early days, there were those who feared that the code would rob films of integrity or reality, that it would impede advancement and development. These fears have proved groundless.

In the early days, too, there were those who felt that the code might be observed more in the breach than the performance. Like the other doubters, they have been proved wrong, too. The code's accomplishments, the industry's steady adherence to it, have been convincing rebuttals of these misgivings.

Now I don't mean to tell you that the code is perfect, or that its enforcement is perfect. It is, after all, a human document, and it is administered by human beings, who assuredly lay no claim to being always right and who are always infallible.

We have made mistakes, of course. I have made mistakes. But whatever mistakes we have made have been errors of judgment, and nothing else. We call 'em as we see 'em within the framework of the code—and I'd like to brag just for a moment about my staff. I know of no more conscientious group of men anywhere. The success the code enjoys is due in the largest measure to their able and ceaseless efforts to make it work.

Sometimes we are criticized as severely, or more so, for alleged mistakes of omission as for reputed mistakes of commission. Senators doubtless understand that. As is perhaps similar in political affairs, we sometimes find, when we run down complaints, that the critics are

familiar neither with the picture assailed nor with the code. And we sometimes find that critics judge us not by the standards of the code, which are the only fair criteria, but by their likes or dislikes, by their own particular set of principles or beliefs, even by their prejudices.

We are far from impervious to the public's attitude, I assure you, but I must also add that we would be serving neither the audience nor the industry well if we were to sway and bow before every breeze of criticism that comes along. That would certainly not be good or reliable self-regulation. Our job, as I view it, is always to maintain the code's honesty and forthrightness and integrity.

Now, Mr. Chairman, to sum up :

Our industry a long time ago, a quarter of a century ago, recognized its public responsibility by adopting voluntarily a system of self-regulation. This system has made positive and constructive contributions to the welfare of the public by assuring good moral standards and decency in motion picture entertainment.

Under this system American motion pictures have achieved the highest artistic and dramatic stature and are universally welcomed the world over. Under this system the American motion picture has achieved the universal distinction of being the most popular form of family entertainment that there is.

And, finally, this system assures that the American motion picture will always remain moral and decent entertainment.

Thank you very much for listening to me.

Mr. BOBO. Mr. Shurlock, in receiving the motion picture code seal, do the theaters around the country require that they have the seal before they show the picture?

Mr. SHURLOCK. No, sir; not now.

Mr. BOBO. Have you been aware, Mr. Shurlock, during the last year or the last few years of the criticisms of motion picture context which contains excessive brutality and violence, both in this country and abroad?

Mr. SHURLOCK. Yes, sir. Recently there has been some.

Mr. BOBO. Have you given this information that you have received on this or brought it to the attention of the producers about the increasing amount of violence in the films?

Mr. SHURLOCK. Yes, sir. About last November, shortly after I took over, I went back to New York and discussed the matter with the president of the association, Eric Johnston. I then came back and started a very definite campaign to warn producers that there seemed to be an increasing resistance on the part of the public to being entertained or amused by seeing violence or brutality in pictures or pictures that seemed to be of a violent nature.

I may explain here that this thought of mass criticism has occurred before in the course of the 20 years we have been applying the code. In the early thirties, 1936 perhaps, 1937, there was quite an outcry against the industry because of the fact that there seemed to be an excessive number of what were then known definitely known as gangster pictures. I mean definite gangster pictures in the sense that they dealt with the gangs of the prohibition era. The industry took notice of this fact. In fact at that time they actually staggered the release of this accumulation of this type of picture and stopped making them, at least in mass. Later on, about 1940, there was some complaint

of the fact that there was an unusual number of what we call horror pictures in circulation—Dracula, the Wolfman, Frankenstein, the Son of Frankenstein, Daughter of Frankenstein, and so forth. When the industry found out that these were no longer being liked, and we live by pleasing the public, they stopped making them.

About 4 years ago we seemed to be getting a great number of complaints about drinking in pictures. We took this up with the producers, and they decided they would take care of the complaints, which they did rather successfully. I think it would be interesting to explain what they did. The complaint seemed to be over the fact that there was too much drinking portrayed in the American home. I don't think actually we were portraying more drinking than exists in the American home, but if the public didn't like it, it was a matter which we took under advisement. So the producers pretty well agreed that from that time on they would confine drinking to such places as night clubs and bars, and keep the display of liquor as much as possible out of the average American home.

This worked so successfully that we have corresponded with the Methodist Board of Temperance in which they acknowledge greatly the cooperation of the industry in reducing the emphasis on drinking.

Now, we have these complaints against violence, and as I say, we started as recently as last November to urge producers to tone down these scenes. It will be a little time before the effect of this campaign will show up. I think Mr. Freeman yesterday indicated that it sometimes takes him 18 months to get a picture finished after the initial idea is set in motion. So it will take at least until the end of this year before the improvement which we feel is coming will be apparent on the screen.

Mr. BOBO. Mr. Shurlock, if the Production Code Administration feels that in certain movies there is an excessive amount of violence, an excessive amount of brutality, or a low tone of morals shown in the picture, would it be possible for them to withhold their seal if there was a signatory member of the association?

Mr. SHURLOCK. It would be possible for us to hold our seal under any circumstances.

Mr. BOBO. How many pictures since the office has been inaugurated has the seal been withheld on?

Mr. SHURLOCK. I don't really know. I would have to go through our records. Maybe I should amplify that. Of the major companies—

Mr. BOBO. About how many, just approximately; do you know?

Mr. SHURLOCK. Well, I want to give you a reasonably correct answer. In the early days, we had to withhold quite a few because all pictures—because a great many unsatisfactory pictures were being presented.

Let me say this: Of the major companies in the last 10 or 15 years, I only know of two. There have been a number of foreign films also submitted to us which we had to refuse the seal, and I cannot count them up in my mind at this moment.

Mr. BOBO. What were these pictures, Mr. Shurlock?

Mr. SHURLOCK. One was an independently produced picture called *The Moon is Blue* and one was a picture produced by one of our studios

called the French Line. I must hasten to add that that picture has since been reedited and it now has the code seal.

Mr. BOBO. In the event that a producer that is a signatory member or has submitted a film to you for approval, is the only recourse that you have to withhold the seal?

Mr. SHURLOCK. If we cannot come to an agreement on how the picture should be satisfactorily reedited.

Mr. BOBO. If he goes ahead and releases the picture there is no system of fine or regulation within the association itself?

Mr. SHURLOCK. Yes, there is a fine of \$25,000 for the release of any picture not bearing our seal by a member company.

Mr. BOBO. The pictures you mentioned that were released without the seal, were the producers of these pictures fined by the association?

Mr. SHURLOCK. Neither the producer nor the distributing company was then a member of the association, so they were not subject to the fine. In the case of the French Line, the fine was never assessed, I understand, and of course now, since the picture has been brought in line with the code, I suppose the matter has been dropped. That I know nothing about. That is a matter that would be handled by the board of directors in New York.

Mr. BOBO. Mr. Shurlock, you state that you have brought this to the attention of the producers, the excessive crime and violence. What has been the reaction of them to this criticism?

Mr. SHURLOCK. As in the former cases, they agreed that if there is a public reaction against any element in the picture to the point where the pictures are not being enjoyed, they will change their type of production and their approach.

Mr. BOBO. Do you think that this particular type of approach to crime and violence has materially changed within the last 6 months?

Mr. SHURLOCK. I think it is definitely beginning to change. I think that there will be an improvement visible in the pictures released this fall, or certainly this winter.

Mr. BOBO. Do you have opinion, Mr. Shurlock, as to what might be the cause of this constantly increasing violence in movies?

Mr. SHURLOCK. I think the following: I think first of all that the type of violence that is being objected to—I should say that the reason that some of this violence is being objected to is that it no longer appears in the old type western picture, but has been brought up to date into a type of picture in which the characters are more readily recognizable and identifiable.

In the standard weapons there is an area of the fairy tale about the portrayal that does not bring an audience into direct identification. I think when that type of story is told in modern setting, the violence and the brutality affect the public more strongly.

I also think the following, that there is on the part of the public a greater resentment against violence because unfortunately there have been recently fewer of the old style family type of picture. I don't think we are making many more than we did previously. I think perhaps we have been making fewer of the domestic comedies and pictures completely divorced from violence, so that when the family goes to the movies they see during the course of the year a greater proportion of violent pictures than they may have done previously, and I also have a feeling—it is my personal guess—that a family which has sat through a television play between 5 and 6:30 of good standard western

violence, and then they put the children to bed and go out to the theater, sit through a double bill consisting of Crashout and that type of thing, they simply feel that they have had too much violence for the day. I think they take out their resentment on the movies which are not necessarily any more violent than the previous shows because they had to pay for the movies.

Mr. BOBO. Do you think it would be possible, Mr. Shurlock, that the children that they put to bed might also see the twin bill and have a tremendous amount of violence thrust at them in one evening's entertainment?

Mr. SHURLOCK. Yes, it is possible.

Mr. BOBO. Do you feel that the ads that we have displayed around the room today, do you think that they accurately reflect the type of picture which they are supposed to sell—the Prodigal, Womens' Prison, Blackboard Jungle, or Kiss Me Deadly?

Mr. SHURLOCK. I know very little about advertising, I will admit. It has always been a mystery to me. None of these ads would get me anywhere near a picture, I admit. But I suppose the advertising people in New York know what they are doing or are kept on the payroll on the basis that they know what they are doing.

Mr. Gordon White, who is head of the advertising in the code administration, I thought explained the matter as thoroughly as it could be done. He is an advertising expert. I am not.

Mr. BOBO. I was asking that question in line with the regulations as set forth in the code that subjects would be treated with care and within the limits of good taste would be brutality, the sale of women or a woman selling her virtue, things such as that. In the Big Combo, for example, would that be the theme of the picture which a person would see?

Mr. SHURLOCK. I didn't see the picture. I doubt very much in the Combo whether it is about a girl who gives herself to the boss, I think there is more about the boss than the combo, whatever that is.

Mr. BOBO. Mr. Shurlock, you were here and heard the testimony the other morning of Mr. Mooring in which he introduced a number of pictures and gave an opinion on them, one of them being Black Tuesday. The description of that picture has been brutal killings, a new and unique trick for concealing a gun, a perfect pattern for crime, escape from the just process of law, and excessive brutality, all of which are expressly forbidden by the code. Were you familiar with that particular picture? Does that adequately describe the type of picture that it was?

Mr. SHURLOCK. Here is where I think I fall on my face. I never saw the picture.

Mr. BOBO. Did you receive a report of the picture from a member of your staff or pass on it for the approval of the code?

Mr. SHURLOCK. I don't believe so. I think it was probably passed in the usual routine of our office. Two staff members must have read the script and reviewed the picture, and I do not recall that they called me or anybody in for a review, a real review of the picture or any part of it. Apparently the question was not raised.

Mr. BOBO. The Big House dealt with the kidnaping of a child which became the main theme, despite even efforts to cover the fact by introducing prison breaks as a secondary theme. I am quoting the words of Mr. Mooring. It has also introduced excessive brutality and gave

details of the crime of kidnaping which is also in violation of the Production Code.

Mr. SHURLOCK. I know something about that picture, although I did not see it all. I reviewed some sections of it which seemed to be excessively brutal and we agreed with the producer that there would be some eliminations made. I do not know about the discussions at the script level on the basic story. As far as we in our interpretation of the code are concerned, Mr. Mooring is in error. There is no kidnaping in the story. Now, I speak without having seen the picture, but this is what we agreed with the producer would be permissible. The child is not kidnaped. The criminal, having broken out of jail, hiding out in the hills, the child stumbles in on them. They had no kidnaping plans at all. They tried to hold him for ransom which was never paid. In fact, the child was killed unfortunately in the course of their operations. This is one episode in the story, which is by no means the basic story, so it did not violate the rather involved regulations in the code on kidnaping.

Mr. BOBO. Actually, in the script, he was originally a kidnaper and as the picture finally came out the child was held as a hostage rather than being kidnaped.

Mr. SHURLOCK. That is correct. The original story which was rejected by us had the leading criminal a kidnaper. We told the producer this is in violation of the code. He thereupon came back some days or weeks later with his revised treatment which did not in our estimation violate the kidnaping provisions of the code.

Mr. BOBO. And in the picture the child was thrown over a cliff and brutally killed.

Mr. SHURLOCK. I think it was. I did not see that episode.

Mr. BOBO. In Cell 2455 Death Row, it dealt with the life of a notorious criminal of current times, and identified him in the screen title, thus while sidestepping the rule against the use of the criminal's name in the film, it violated the expressed purpose of the rule. It also contained intimate reference to sexual behavior, detailed partly by pictorial means, then confirmed by sound effects.

Mr. SHURLOCK. I don't quite know what the second charge means. The first charge I will answer as follows: When the regulation about criminals, notorious criminals, was written into the code, I don't think that anybody thought that one of these criminals would be literary enough to write a book. Chapman did write a book and the studio bought his book. Now, I have not gone into this phase of the matter, but I think that the reason his name appeared on the main title probably comes from the fact that the Authors League insists that when a property is purchased for the screen the author of the book will be given proper credit on the main title. The studio endeavored, and I think successfully, to sidestep this legal inconvenience. In the whole body of the story the name was never used.

Mr. BOBO. In the scenes he is referring to of a sexual nature, Mr. Shurlock, would it be proper for the motion picture to lead up to an actual scene and then drift off into a background of music; would that meet with the requirements of the code without showing the actual act?

Mr. SHURLOCK. We would not approve any scene at all unless it had first of all a real moral basis in the picture. We would probably insist that they cut the scene short, very short, of any actual prepara-

tion for seduction or adultery. We also would insist that the scene end very abruptly and avoid any of this lingering music which suggests that intimacies are being indulged in while the music plays or the cameras fan through the trees or the moon or whatever it is. We have been for years cutting out those scenes and insisting that the scene end after the embrace.

Mr. BOBO. Well, is it true that in a very brutal or sadistic type of fight that it teaches a moral lesson within the picture, that it could then be approved by the code?

Mr. SHURLOCK. No, not if it got into the area of excessive brutality which the code forbids. "Excessive," of course, is a matter of opinion. The producer has the one idea of what is excessive, as do we, and very often the public changes its mind as to what is excessive. I'd like to bring up a picture which has now become a classic. It was Shane. There was one of the longest and bloodiest fights I ever saw in my life in Technicolor. I never heard a complaint about it. If Shane were released today, I think, there would be complaints about the length of that fight. Within the industry, in the first version we thought the fight went on too long and after some discussion with the studio, we got I think about a third of it trimmed down, so even then we were concerned, as we should have been with excessive brutality, and that picture seemed to have satisfied the public.

Mr. BOBO. In the picture *Son of Sinbad*, it exploits nudity which the code forbids, coming under the heading of immoral actions. It also presents dancers identified with sexual actions, and after the fashion of burlesque, and is intended to excite emotional reaction of an audience through exposure and movement.

Mr. SHURLOCK. Yes, I understand that. I was just thinking how to answer that. I would like to tell something of the story of the *Son of Sinbad*. That picture was submitted to us at least 16 months ago. We refused to approve it in its then form. It lay on the shelf until I think last February when the company had a change of heart evidently and came to us and said, "Look we will do whatever we can within reason to reedit this picture so that it will be given a seal and put in circulation." We did the best we could with a picture which was in its first form quite unacceptable. We took anywhere between 40 and 60 percent of the footage out of the dances. One particular dance which was originally 247 feet long ended up 80 feet long, and that isn't all dance. It includes other scenes of cutting away to the people watching. We cut out as much of the questionable costuming as we could.

Now, we have been criticized for not having cut enough. That is possibly an error in judgment. I was worried about the possible reaction to this film. I would like to say that I went down to a theater here Tuesday and Saturday night deliberately. I caught the 8 o'clock showing and would like the committee to believe me when I say I listened most carefully and I heard not one single whistle, wolf call, laugh, or wisecrack at any of the dances. The audience apparently accepted it as just another Arabian Nights fantasy. We make 2 or 3 of them every year. There was considerable laughter but it was all at legitimate jokes in the picture, and I was much encouraged by this public reception of the picture which seemed, inasmuch as I could see of the picture that evening, to sustain our judgment that we had done a reasonably good job on the reediting.

Mr. BOBO. Mr. Shurlock, it seems that if we do, and we do get reactions such as we got from Mr. Mooring and from others, that what has come out after you have approved and put a seal on it, that the version of the picture which you see must be a mighty terrific version of the picture in its brutality or its sex scenes. Is there quite a bit of cutting and editing done by your organization on this type of picture?

Mr. SHURLOCK. No. I want to be fair to the industry. If I may, I will except *Son of Sinbad* which was a bit of an exception. Most of the pictures are in reasonable shape when they come to us. We do get into an argument with them on degrees of brutality, as to the length of these scenes. We have just had an argument in 1 studio, cutting down a fight which ran I think 4 minutes, a western, a standard western barroom brawl which had been acceptable for 40 years, I suppose. We thought this one went too long in the first place. We further adduced the fact that there had been some complaints about the length and the violence of this type of fight. We got the studio to cut it down, I think—well, just a little over 2 minutes.

Now, most of the scenes, however, are rather short scenes and are much more easily susceptible to filming. For about 4 years we have steadily insisted, vigorously insisted, that all excessively and unusually brutal acts such as specifically, kicking or kneeling or eye gouging should be omitted entirely. Occasionally on the set a couple of these stunt men, mixing up and putting on one of these phony movie fights get a little overenthusiastic and put in a couple of imaginary kicks. We then insist that they be cut out. I think if you will look at the picture, you will see that there is occasionally an indication that a man has been kicked out of play. That was because he got into the fight when he shouldn't have, but the studio eventually trims it out and most of these fights are just straight fist fights and avoid the excessive details, the brutality of kicking and kneeling and gouging that we sometimes see in some other media.

Mr. BOBO. In the picture *Fort Yuma* I think the Motion Picture Production Code office reduced 24 personalized killings in that picture to the number of 10. The other night I saw the picture *10 Wanted Men* and there were 17 killed within that picture. What is the criteria that you use as to the number of people that will be killed in any 1 picture?

Mr. SHURLOCK. There is no very definite criteria. Each story, of course, is pretty much *sui generis* and has to be judged by its own merits.

We took cognizance of the fact in reediting *Fort Yuma* that there were complaints about the number of killings, and the producer agreed that this was not good entertainment now even if it had been 6 months ago, and being a sensible man he concurred in our suggestion to reduce it. We did not evidently take that action with *Ten Wanted Men*, a picture which I have also not seen. Maybe we should have, I don't know. I would have to see the picture. But anyhow, the *Fort Yuma* episode, I think, will indicate to the committee that the industry is definitely out to reduce and eventually perhaps stop a great deal of this excessive violence.

Mr. BOBO. I notice in one of the pictures that we have that the picture is advertised as the story of a perfect crime, the picture being *Five Against the House*, which presents a pattern of crime conceived

by four young college men. These are Mr. Mooring's statements here. One of them, a popular TV film hero. It was executed by methods most calculated to inspire others with the desire for imitation, which is contrary to the Motion Picture Production Code which says methods of crime should not be explicitly presented.

Mr. SHURLOCK. Mr. Mooring is a little in error. The crime is not perfect. It does not come out. In our interpretation of the code—and I might explain that we have been guided since about 1936 by a very interesting interview we had with a crime expert named August Balmer who was at that time, I think, professor of criminology at Berkeley. We had him down for a day, and we threw all kinds of crime situations out of scripts before him and asked him for his advice. His advice boiled down to something rather simple as a rule of thumb. He said—

The more involved the crime, the more easy it is for the police to come upon a clue and for the criminal to make a slip.

He encouraged us to believe that rather involved crimes would not cause any serious social damage. He says the thing to watch out for is a simple way of committing a crime.

Now, in this particular picture, the crime, not perfect, was so involved by—if I were to tell it to you, I would tell you very simply that it consisted of putting a tape recording machine inside one of those wagons in Harold's Club in Reno where they pick up the money and carry it from the tables to the safe. This tape machine made a speech which suggested that there was a dwarf inside this little trolley with a gun, and if the man didn't drop the money, he would shoot him. This seemed to be so fantastic that anyone who really tried to do it would be rather simple minded. Of course it did not work in the picture.

Mr. Mooring gives a little unfair portrayal also of the college graduate. They do plan the perfect crime, and then they decide they will not go through with it, but one of them because of a wound has got some psychopathic features in his character suddenly changes his mind and at the point of a gun he forces the rest of them to go through with the attempt after they had said, "Well, fellows, let's call this whole thing off. This is silly."

Mr. BOBO. Well, then, the advertisement would mislead you if you were to go to see the story of *The Perfect Crime*.

Mr. SHURLOCK. Yes.

Mr. BOBO. Well, in the picture *Violent Saturday*, again dealing with violent crime and methods of committing criminal acts, it expressly details the methods of a bank robbery crime.

Mr. SHURLOCK. I did not see the picture, but I checked that accusation with the members of the staff who had seen the picture. They said that it was no more explicit than walking into the bank and saying, "Give over the money," and by the way, the crime there is frustrated too. There were no interesting or conceivably successful plans that would excite anybody's interest anymore than he might learn from a weekly perusal of the newspapers.

Mr. BOBO. In the picture, *Kiss Me Deadly* over here, which is white hot thrills, blood red kisses, and Mickey Spillane's latest H bomb, is the tone of that picture of an acceptable nature as far as violence and brutality and dealings with the opposite sex?

Mr. SHURLOCK. Well, fairly. This is a rather low-tone type of literature to bring to the screen. There is no use denying that. It must be said, however, in its defense, that it is a story of Mickey Spillane trying to solve a crime, not to commit one. He undertakes unconventional methods of doing this. There is a very good representation of the police department who denounce Mickey Spillane, who call him a cheap divorce lawyer who is trying to horn in on their territory. They speak very severely to him. They blame him for confusing their own work. It is true that at the end, as in so many of these private-eye stories, he does solve the problem, but his unconventional methods are put in their proper light by a very well presented police officer.

The sex situations were very mild in as much as it is one of the characteristics of Mickey Spillane that while the girls are crazy about him, he pays very little attention to them. So at no time is there any getting together on that score, though a lot of the girls made passes at him.

Mr. BOBO. Was there at one time a discussion as to whether the seal would be withheld from this picture, or the picture approved?

Mr. SHURLOCK. I don't think so.

Mr. BOBO. Mr. Shurlock, in your feeling of the presentation of crime and violence and the presentation of crimes, is it your reaction that because of the revulsion of the public to these particular scenes is the reason they should be trimmed or do you have an opinion on what adverse effect it might have on the personality development or the emotional development of our juvenile population?

Mr. SHURLOCK. That is an area about which I do not know too much, frankly. I have confined my activities and thoughts almost entirely to the code. We would be very happy to accept any authoritative judgment in the matter, but heretofore the literature that has come our way has seemed to suggest that pictures have not been having too serious an effect on the youth. I have some pamphlets in my office based on a study by some organization in England. Now, the British have always been the most sensitive of the foreign markets about our violence. They were the ones who were the most sensitive about the horror pictures back in 1940 to which I adverted. In fact, they put a special category on what they called a horror picture—H pictures. They classify pictures over there and the picture in the H category meant that no child under 16 could go in to see it even if accompanied by a parent. They also have been very much concerned about violence and brutality, but this study coming from them states rather categorically that they do not believe that the movies have any seriously deleterious effect upon the youth or upon children, perhaps.

Mr. BOBO. Thank you, Mr. Shurlock.

Mr. STEWART. May I present just a thought to Mr. Shurlock, Mr. Chairman, which I think is fundamental and pertains to his organization?

Chairman KEFAUVER. Just a minute. I had suggested that people write out any questions that they want to ask and send them up here. What is your name?

Mr. STEWART. Mr. Stewart. Ted Stewart. I am a retired police officer, and I am very much interested in juvenile work.

Chairman KEFAUVER. What is your observation, Mr. Stewart?

Mr. STEWART. My observation is this: In view of the fact that his organization O. K.'s 99 percent of our movies, and in view of the fact that they have O. K.'d possibly ten or twelve thousand of them over a period of time and in view of the fact that he and his committee are not able to see all of those at one time, and also in view of the fact that I am the subject matter to which his propaganda is subject, I think it would be wise—or maybe it would be—I would like to offer the suggestion that over a period of time his organization consider the use of maybe 5 or 10 psychiatrists in different parts of the country as an advisory committee to find out just what the audience reactions are in the various parts of the country, because it might help them to present better pictures.

Chairman KEFAUVER. What do you think about that, Mr. Shurlock?

Mr. SHURLOCK. That is not exactly in my area. That is a public relations job, and I would not want to speak with any apparent authority.

Chairman KEFAUVER. In other words, his idea, I take it, is that you or the member of your staff that reviews the picture might think it is all right, that the subtlety of it or something that you might not see in it might have a different effect, and that psychiatrists or someone specially trained in the reaction of children, there might be something in the picture that would be helpful to you in passing upon it that you might miss. I understood from Mr. Johnston with whom I talked at length that you did have psychiatrists, that you used from time to time with these pictures.

Mr. SHURLOCK. I would like to say this: If such a plan were to be adopted, it would be essential that the psychiatrist or the counselor get to work on the script before the picture is finished. Whether we would have a psychiatrist read every script that comes in, I don't know. In pictures dealing with psychiatry I am quite certain that the studios get technical advice. In a good many of the pictures dealing with the police, they get police advice. In the case of Blackboard Jungle I believe Mr. Schary testified yesterday they had considerable advice before proceeding and releasing the picture. I think the companies themselves would prefer to handle the question of getting this kind of advice in their own way and with their own staffs, and leave us to be concerned with the morals code. The technical points of psychiatry or such fields I think, should be handled in the case of an individual picture by the company producing it.

Chairman KEFAUVER. I don't wish to press the matter, but I do think that the gentleman has a suggestion which is worth considering.

Mr. SHURLOCK. Thank you, Senator, I will pass it on.

Chairman KEFAUVER. Now, Mr. Shurlock, your administration is part of the motion picture general overall association of which Mr. Johnston, Eric Johnston, is the chairman or president; is that right?

Mr. SHURLOCK. The president; yes, sir.

Chairman KEFAUVER. And does the advertising part of the industry come under Mr. Eric Johnston as well as the production?

Mr. SHURLOCK. Well, inasmuch as Mr. Johnston is the president of the association, all of the activities eventually come under him.

Chairman KEFAUVER. Mr. Johnston has been quite cooperative in helping us to get information for this hearing. I have had a good deal of admiration for Mr. Johnston, and I am glad to report that he too has told us when we went into this hearing that they were concerned—that he was concerned about amounts of violence and brutality, and in some cases sex, that he thought in overly large amounts, had been getting into recent pictures. So I think that it is a healthy sign that you indicate, and I am glad that you are taking some cognizance of it as are the motion pictures people themselves.

On the bottom of page 2 of your statement :

In actual practice all but a few films made in Hollywood are submitted to the production department code administration for its approval.

There are some made in Hollywood that are not submitted?

Mr. SHURLOCK. Well, in the past there have been occasional films made there that were of the type that, of course, we wouldn't even begin to think of approving. There are very few. Now that statement is merely a generalized statement to indicate that there may be 1 or 2 a year.

Chairman KEFAUVER. Are there some particular companies, production companies, that don't submit their pictures to you?

Mr. SHURLOCK. No, sir. These are entirely fly-by-night producers. They verge on the type of sex exploitation picture and they know that they cannot conceivably get the production code seal of approval.

Chairman KEFAUVER. Is there any significance to the word, "Hollywood"? How about pictures made—of course some of them are made here, but some are not made here.

Mr. SHURLOCK. Yes; that is correct. It would be better if I had said in the United States. Some are produced in New York.

Chairman KEFAUVER. And then, sir, what is your connection with foreign companies with reference to the operation of your code?

Mr. SHURLOCK. Occasionally a foreign producer would like to get his picture released in the United States. There is nothing to prevent him from releasing the picture without our seal. Sometimes, however, he would like to obtain the services of one of our major releasing companies who require our seal before they will handle the picture. In that case he sends or brings the picture to us and asks us to review it and report whether or not it conforms with the code and we grant it our seal, which would enable him to then ask a major releasing company to handle the picture. I suppose in this way he would possibly get a larger circulation.

Chairman KEFAUVER. Mr. Shurlock, what is the relationship between your association and the actual showhouses, the theater owners, themselves? Do the theater owners through their organization, Theater Owners of America, require the seal of approval as a prerequisite for the showing of pictures in their particular houses?

Mr. SHURLOCK. No, sir. Since divorcement, brought about by Government decree in which the producing and distributing companies were ordered to sell all of their theaters, the members of the Motion Picture Association of America, own no more theaters.

Chairman KEFAUVER. And so there is no working agreement as to requiring a seal of approval on the part of the theater owners at the present time.

Mr. SHURLOCK. As far as I know, none at all.

Chairman KEFAUVER. Now, in your work of course you read the script and study it. Do you always actually see the picture itself, either you or some of your men?

Mr. SHURLOCK. It is mandatory upon the producer to submit the finished picture to us before we give it the seal, and as a matter of fact, whenever we write them a letter on the script, we always add a final paragraph saying, "You understand, of course, our final opinion will be based upon the finished picture."

Chairman KEFAUVER. Now, will you explain again how your association—of course, you are just a part of the overall association, and I suppose the assessments or the dues are paid to the Motion Picture Association and they in turn finance your part of the work.

Mr. SHURLOCK. No, sir.

Chairman KEFAUVER. Is there a fee for the passing upon a picture?

Mr. SHURLOCK. We are financed autonomously by the fees. We do not get any money from the parent association. The fees are made out to the Production Code Administration. We have our own accounting system, all of this under the control of an auditor in New York. That was done originally because a great many of the people submitting their pictures were not members of the association, and it was thought better that we operate entirely as an autonomous association, not financed by the major companies. In that way the independent might think that he was dealing with a company which was not controlled by the majors. This was set up in the early days. It has become less important in the last 10 years, perhaps, but the system still persists.

Mr. YOUNG. Mr. Senator—

Chairman KEFAUVER. Just a minute, Mr. Young. This organization started, your part of it, in 1932—

Mr. SHURLOCK. 1934.

Chairman KEFAUVER. 1934. It was the public opinion at that time that the major picture industry felt it has to regulate and control itself. That was at the time that Mr. Hays was appointed; is that right?

Mr. SHURLOCK. No, sir. That is not quite the sequence of events. Mr. Hays had been president of the association since 1922. The production code was written and adopted in 1930. It, however, was not until 1934 that the successful method of implementing the code was worked out. That method is the granting of the certificate of approval and an agreement on the part of the producers and distributors not to handle a picture that did not bear the certificate of approval. Up to that time there had been no such definite sanction, and this is what made it work, of course.

Chairman KEFAUVER. Anything else, Mr. Bobo?

Mr. BOBO. No.

Chairman KEFAUVER. This is the latest code that I have here?

Mr. SHURLOCK. Yes.

Chairman KEFAUVER. I will order this to be printed in the appendix of the record, or as a part of the appendix of the hearings, as part of our record. Is this code altered from time to time?

(The document referred to was marked "Exhibit No. 12," and reads as follows:)

EXHIBIT No. 12

A CODE TO GOVERN THE MAKING OF MOTION PICTURES, THE REASONS SUPPORTING IT, AND THE RESOLUTION FOR UNIFORM INTERPRETATION

(Motion Picture Association of America, Inc., 1930-55)

PREAMBLE

The Motion Picture Production Code was formulated and formally adopted by the Association of Motion Picture Producers, Inc. (California), and the Motion Picture Association of America, Inc.¹ (New York), in March 1930.²

Motion picture producers recognize the high trust and confidence which have been placed in them by the people of the world and which have made motion pictures a universal form of entertainment.

They recognize their responsibility to the public because of this trust and because entertainment and art are important influences in the life of a nation.

Hence, though regarding motion pictures primarily as entertainment without any explicit purpose of teaching or propoganda, they know that the motion picture within its own field of entertainment may be directly responsible for spiritual or moral progress, for higher types of social life, and for much correct thinking.

During the rapid transition from silent to talking pictures they realized the necessity and the opportunity of subscribing to a code to govern the production of talking pictures and of reacknowledging this responsibility.

On their part, they ask from the public and from public leaders a sympathetic understanding of their purposes and problems and a spirit of cooperation that will allow them the freedom and opportunity necessary to bring the motion picture to a still higher level of wholesome entertainment for all the people.

THE PRODUCTION CODE

General principles

1. No picture shall be produced which will lower the moral standards of those who see it. Hence the sympathy of the audience shall never be thrown to the side of crime, wrongdoing, evil or sin.

2. Correct standards of life, subject only to the requirements of drama and entertainment, shall be presented.

3. Law, natural or human, shall not be ridiculed, nor shall sympathy be created for its violation.

Particular applications

I. *Crimes against the law.*³—These shall never be presented in such a way as to throw sympathy with the crime as against law and justice or to inspire others with a desire for imitation.

1. Murder:

(a) The technique of murder must be presented in a way that will not inspire imitation.

(b) Brutal killings are not to be presented in detail.

(c) Revenge in modern times shall not be justified.

2. Methods of crime should not be explicitly presented.

(a) Theft, robbery, safecracking, and dynamiting of trains, mines, buildings, etc., should not be detailed in method.

(b) Arson must be subject to the same safeguards.

(c) The use of firearms should be restricted to essentials.

3. The illegal drug traffic, and drug addiction, must never be presented.

II. *Sex.*—The sanctity of the institution of marriage and the home shall be upheld. Pictures shall not infer that low forms of sex relationship are the accepted or common thing.

1. Adultery and illicit sex, sometimes necessary plot material, must not be explicitly treated or justified, or presented attractively.

2. Scenes of passion:

(a) They should not be introduced except where they are definitely essential to the plot.

¹ Until December 14, 1945, the Motion Picture Producers and Distributors of America, Inc.

² The code as presented in this edition contains all revisions and amendments through 1954.

³ See also Special Regulations on Crime in Motion Pictures.

(b) Excessive and lustful kissing, lustful embraces, suggestive postures, and gestures are not to be shown.

(c) In general, passion should be treated in such manner as not to stimulate the lower and baser emotions.

3. Seduction or rape:

(a) These should never be more than suggested, and then only when essential for the plot. They must never be shown by explicit method.

(b) They are never the proper subject for comedy.

4. Sex perversion or any inference of it is forbidden.

5. White slavery shall not be treated.

6. Abortion, sex hygiene, and venereal diseases are not proper subjects for theatrical motion pictures.

7. Scenes of actual child birth, in fact or in silhouette, are never to be presented.

8. Children's sex organs are never to be exposed.

III. Vulgarity.—The treatment of low, disgusting, unpleasant, though not necessarily evil, subjects should be guided always by the dictates of good taste and a proper regard for the sensibilities of the audience.

IV. Obscenity.—Obscenity in word, gesture, reference, song, joke, or by suggestion (even when likely to be understood only by part of the audience) is forbidden.

V. Profanity.—Pointed profanity and every other profane or vulgar expression, however used, are forbidden.

No approval by the Production Code Administration shall be given to the use of words and phrases in motion pictures including, but not limited to, the following: Bronx cheer (the sound); chippie; God, Lord, Jesus, Christ (unless used reverently); cripes; fairy (in a vulgar sense); finger (the); fire, cries of; Gawd; goose (in a vulgar sense); hot (applied to a woman); "in your hat"; madam (relating to prostitution); nance; nuts (except when meaning crazy); pansy; razzberry (the sound); S. O. B.; son-of-a; tart; toilet gags; whore.

In the administration of section V of the production code, the Production Code Administration may take cognizance of the fact that the following words and phrases are obviously offensive to the patrons of motion pictures in the United States and more particularly to the patrons of motion pictures in foreign countries: chink, dago, frog, greaser, hunkie, kike, nigger, spig, wop, yid.

It should also be noted that the words "hell" and "damn," if used without moderation, will be considered offensive by many members of the audience. Their use, therefore, should be governed by the discretion and the prudent advice of the Code Administration.

*VI. Costumes.*⁴—1. Complete nudity is never permitted. This includes nudity in fact or in silhouette, or any licentious notice thereof by other characters in the pictures.

2. Undressing scenes should be avoided, and never used save where essential to the plot.

3. Indecent or undue exposure is forbidden.

4. Dancing costumes intended to permit undue exposure or indecent movements in the dance are forbidden.

VII. Dances.—1. Dances suggesting or representing sexual actions or indecent passion are forbidden.

2. Dances which emphasize indecent movements are to be regarded as obscene.

VIII. Religion.—1. No film or episode may throw ridicule on any religious faith.

2. Ministers of religion in their character as ministers of religion should not be used as comic characters or as villains.

3. Ceremonies of any definite religion should be carefully and respectfully handled.

IX. Locations.—The treatment of bedrooms must be governed by good taste and delicacy.

X. National feelings.—1. The use of the flag shall be consistently respectful.

2. The history, institutions, prominent people, and citizenry of all nations shall be represented fairly.

XI. Titles.—The following titles shall not be used:

1. Titles which are salacious, indecent, obscene, profane, or vulgar.

⁴ See also special resolution on costumes.

2. Titles which suggest or are currently associated in the public mind with material, characters, or occupations unsuitable for the screen.
3. Titles which are otherwise objectionable.

XII. Special subjects.—The following subjects must be treated within the careful limits of good taste:

1. Actual hangings or electrocutions as legal punishments for crime.
2. Third degree methods.
3. Brutality and possible gruesomeness.
4. The sale of women, or a woman selling her virtue.
5. Surgical operations.
6. Miscegenation.
7. Liquor and drinking.

SPECIAL REGULATIONS ON CRIME IN MOTION PICTURES

Resolved (December 20, 1938), That the board of directors of the Motion Picture Association of America, Inc., hereby ratifies, approves, and confirms the interpretations of the production code, the practices thereunder, and the resolutions indicating and confirming such interpretations heretofore adopted by the Association of Motion Picture Producers, Inc., all effectuating regulations relative to the treatment of crime in motion pictures, as follows:

1. Details of crime must never be shown and care should be exercised at all times in discussing such details.
 2. Action suggestive of wholesale slaughter of human beings, either by criminals in conflict with police, or as between warring factions of criminals, or in public disorder of any kind, will not be allowed.
 3. There must be no suggestion, at any time, of excessive brutality.
 4. Because of the increase in the number of films in which murder is frequently committed, action showing the taking of human life, even in the mystery stories, is to be cut to the minimum. These frequent presentations of murder tend to lessen regard for the sacredness of life.
 5. Suicide, as a solution of problems occurring in the development of screen drama, is to be discouraged as morally questionable and as bad theater—unless absolutely necessary for the development of the plot. It should never be justified or glorified, or used to defeat the due processes of law.
 6. There must be no display, at any time, of machine guns, submachine guns, or other weapons generally classified as illegal weapons in the hands of gangsters, or other criminals, and there are to be no off-stage sounds of the repercussions of these guns.
 7. There must be no new, unique, or trick methods shown for concealing guns.
 8. The flaunting of weapons by gangsters, or other criminals, will not be allowed.
 9. All discussions and dialogue on the part of gangsters regarding guns should be cut to the minimum.
 10. There must be no scenes, at any time, showing law-enforcing officers dying at the hands of criminals, unless such scenes are absolutely necessary to the development of the plot. This includes private detectives and guards for banks, motortrucks, etc.
 11. With special reference to the crime of kidnaping—or illegal abduction—such stories are acceptable under the code only when (a) the kidnaping or abduction is not the main theme of the story; (b) the person kidnaped is not a child; (c) there are no details of the crime of kidnaping; (d) no profit accrues to the abductors or kidnapers; and (e) where the kidnapers are punished.
- It is understood, and agreed, that the word "kidnaping," as used in paragraph 11 of these regulations, is intended to mean abduction, or illegal detention, in modern times, by criminals for ransom.
12. Pictures dealing with criminal activities, in which minors participate, or to which minors are related, shall not be approved if they incite demoralizing imitation on the part of youth.
 13. No picture shall be approved dealing with the life of a notorious criminal of current or recent times which uses the name, nickname, or alias of such notorious criminal in the film, nor shall a picture be approved if based upon the life of such a notorious criminal unless the character shown in the film be punished for crimes shown in the film as committed by him.

SPECIAL RESOLUTION ON COSTUMES

On October 25, 1939, the board of directors of the Motion Picture Association of America, Inc., adopted the following resolution:

Resolved, That the provisions of paragraphs 1, 3, and 4 of subdivision VI of the production code, in their application to costumes, nudity, indecent, or undue exposure and dancing costumes, shall not be interpreted to exclude authentically photographed scenes photographed in a foreign land, of natives of such foreign land, showing native life, if such scenes are a necessary and integral part of a motion picture depicting exclusively such land and native life, provided that no such scenes shall be intrinsically objectionable nor made a part of any motion picture produced in any studio; and provided further that no emphasis shall be made in any scenes of the customs or garb of such natives or in the exploitation thereof."

SPECIAL REGULATIONS ON CRUELTY TO ANIMALS

On December 27, 1940, the board of directors of the Motion Picture Association of America, Inc., approved a resolution adopted by the Association of Motion Picture Producers, Inc., reaffirming previous resolutions of the California association concerning brutality and possible gruesomeness, and apparent cruelty to animals:

Resolved, by the board of directors of the Association of Motion Picture Producers, Inc., That

"1. Hereafter, in the production of motion pictures there shall be no use by the members of the association of the contrivance or apparatus in connection with animals which is known as the running W, nor shall any picture submitted to the production code administration be approved if reasonable grounds exist for believing that use of any similar device by the producer of such picture resulted in apparent cruelty to animals; and

"2. Hereafter, in the production of motion pictures by the members of the association, such members shall, as to any picture involving the use of animals, invite on the lot during such shooting and consult with the authorized representative of the American Humane Association; and

"3. Steps shall be taken immediately by the members of the association and by the production code administration to require compliance with these resolutions, which shall bear the same relationship to the sections of the Production Code quoted herein as the association's special regulations re crime in motion pictures bear to the sections of the production code dealing therewith; and it is further

Resolved, That the resolutions of February 19, 1925, and all other resolutions of this board establishing its policy to prevent all cruelty to animals in the production of motion pictures and reflecting its determination to prevent any such cruelty, be and the same hereby are in all respect reaffirmed."

REASONS SUPPORTING PREAMBLE OF CODE

I. Theatrical motion pictures, that is, pictures intended for the theater as distinct from pictures intended for churches, schools, lecture halls, educational movements, social reform movements, etc., are primarily to be regarded as entertainment.

Mankind has always recognized the importance of entertainment and its value in rebuilding the bodies and souls of human beings.

But it has always recognized that entertainment can be of a character either helpful or harmful to the human race, and in consequence has clearly distinguished between:

(a) Entertainment which tends to improve the race, or at least to re-create and rebuild human beings exhausted with the realities of life; and

(b) Entertainment which tends to degrade human beings, or to lower their standards of life and living.

Hence the moral importance of entertainment is something which has been universally recognized. It enters intimately into the lives of men and women and affects them closely; it occupies their minds and affections during leisure hours; and ultimately touches the whole of their lives. A man may be judged by his standard of entertainment as easily as by the standard of his work.

So correct entertainment raises the whole standard of a nation.

Wrong entertainment lowers the whole living conditions and moral ideals of a race.

Note, for example, the healthy reactions to healthful sports, like baseball, golf; the unhealthy reactions to sports like cockfighting, bullfighting, bear baiting, etc.

Note, too, the effect on ancient nations of gladiatorial combats, the obscene plays of Roman times, etc.

II. Motion pictures are very important as art.

Though a new art, possibly a combination art, it has the same object as the other arts, the presentation of human thought, emotion, and experience, in terms of an appeal to the soul through the senses.

Here, as in entertainment—

Art enters intimately into the lives of human beings.

Art can be morally good, lifting men to higher levels. This has been done through good music, great painting, authentic fiction, poetry, drama. Art can be morally evil in its effects. This is the case clearly enough with unclean art, indecent books, suggestive drama. The effect on the lives of men and women is obvious.

Note: It has often been argued that art in itself is unmoral, neither good nor bad. This is perhaps true of the thing which is music, painting, poetry, etc. But the thing is the product of some person's mind, and the intention of that mind was either good or bad morally when it produced the thing. Besides, the thing has its effect upon those who come into contact with it. In both these ways, that is, as a product of a mind and as the cause of definite effects, it has a deep moral significance and an unmistakable moral quality.

Hence: The motion pictures, which are the most popular of modern arts for the masses, have their moral quality from the intention of the minds which produce them and from their effects on the moral lives and reactions of their audiences. This gives them a most important morality.

1. They reproduce the morality of the men who use the pictures as a medium for the expression of their ideas and ideals.

2. They affect the moral standards of those who, through the screen, take in these ideas and ideals.

In the case of the motion pictures, this effect may be particularly emphasized because no art has so quick and so widespread an appeal to the masses. It has become in an incredibly short period the art of the multitudes.

III. The motion picture, because of its importance as entertainment and because of the trust placed in it by the peoples of the world, has special moral obligations.

A. Most arts appeal to the mature. This art appeals at once to every class, mature, immature, developed, undeveloped, law abiding, criminal. Music has its grades for different classes; so have literature and drama. This art of the motion picture, combining as it does the two fundamental appeals of looking at a picture and listening to a story, at once reaches every class of society.

B. By reason of the mobility of a film and the ease of picture distribution, and because of the possibility of duplicating positives in large quantities, this art reaches places unpenetrated by other forms of art.

C. Because of these two facts, it is difficult to produce films intended for only certain classes of people. The exhibitors' theaters are built for the masses, for the cultivated and the rude, the mature and the immature, the self-respecting and the criminal. Films, unlike books and music, can with difficulty be confined to certain selected groups.

D. The latitude given to film material cannot, in consequence, be as wide as the latitude given to book material. In addition:

(a) A book describes; a film vividly presents. One presents on a cold page; the other by apparently living people.

(b) A book reaches the mind through words merely; a film reaches the eyes and ears through the reproduction of actual events.

(c) The reaction of a reader to a book depends largely on the keenness of the reader's imagination, the reaction to a film depends of the vividness of presentation.

Hence many things which might be described or suggested in a book could not possibly be presented in a film.

E. This is also true when comparing the film with the newspaper.

(a) Newspapers present by description, films by actual presentation.

(b) Newspapers are after the fact and present things as having taken place; the film gives the events in the process of enactment and with the apparent reality of life.

F. Everything possible in a play is not possible in a film:

(a) Because of the larger audience of the film, and its consequential mixed character. Psychologically, the larger the audience, the lower the moral mass resistance to suggestion.

(b) Because through light, enlargement of character, presentation, scenic emphasis, etc., the screen story is brought closer to the audience than the play.

(c) The enthusiasm for and interest in the film actors and actresses, developed beyond anything of the sort in history, makes the audience largely sympathetic toward the characters they portray and the stories in which they figure. Hence the audience is more ready to confuse actor and actress and the characters they portray, and it is most receptive of the emotions and ideals presented by their favorite stars.

G. Small communities, remote from sophistication and from the hardening process which often takes place in the ethical and moral standards of groups in larger cities, are easily and readily reached by any sort of film.

H. The grandeur of mass settings, large action, spectacular features, etc., affects and arouses more intensely the emotional side of the audience.

In general, the mobility, popularity, accessibility, emotional appeal, vividness, straightforward presentation of facts in the film make for more intimate contact with a larger audience and for greater emotional appeal.

Hence the larger moral responsibilities of the motion pictures.

REASONS UNDERLYING THE GENERAL PRINCIPLES

I. No picture shall be produced which will lower the moral standards of those who see it. Hence the sympathy of the audience should never be thrown to the side of crime, wrong-doing, evil, or sin.

This is done—

1. When evil is made to appear attractive or alluring, and good is made to appear unattractive.

2. When the sympathy of the audience is thrown on the side of crime, wrong-doing, evil, sin. The same thing is true of a film that would throw sympathy against goodness, honor, innocence, purity, or honesty.

Note: Sympathy with a person who sins is not the same as sympathy with the sin or crime of which he is guilty. We may feel sorry for the plight of the murderer or even understand the circumstances which led him to his crime. We may not feel sympathy with the wrong which he has done.

The presentation of evil is often essential for art or fiction or drama.

This in itself is not wrong provided:

(a) That evil is not presented alluringly. Even if later in the film the evil is condemned or punished, it must not be allowed to appear so attractive that the audience's emotions are drawn to desire or approve so strongly that later the condemnation is forgotten and only the apparent joy of the sin remembered.

(b) That throughout, the audience feels sure that evil is wrong and good is right.

II. Correct standards of life shall, as far as possible, be presented.

A wide knowledge of life and of living is made possible through the film. When right standards are consistently presented, the motion picture exercises the most powerful influences. It builds character, develops right ideals, inculcates correct principles, and all this in attractive story form. If motion pictures consistently hold up for admiration high types of characters and present stories that will affect lives for the better, they can become the most powerful natural force for the improvement of mankind.

III. Law, natural or human, shall not be ridiculed, nor shall sympathy be created for its violation.

By natural law is understood the law which is written in the hearts of all mankind, the great underlying principles of right and justice dictated by conscience.

By human law is understood the law written by civilized nations.

1. The presentation of crimes against the law is often necessary for the carrying out of the plot. But the presentation must not throw sympathy with the crime as against the law nor with the criminal as against those who punish him.

2. The courts of the land should not be presented as unjust. This does not mean that a single court may not be represented as unjust, much less that a single court official must not be presented this way. But the court system of the country must not suffer as a result of this presentation.

REASONS UNDERLYING PARTICULAR APPLICATIONS

I. Sin and evil enter into the story of human beings and hence in themselves are valid dramatic material.

II. In the use of this material, it must be distinguished between sins which repel by their very nature, and sins which often attract.

(a) In the first class come murder, most theft, many legal crimes, lying hypocrisy, cruelty, etc.

(b) In the second class come sex sins, sins and crimes of apparent heroism, such as banditry, daring thefts, leadership in evil, organized crime, revenge, etc.

The first class needs less care in treatment, as sins and crimes of this class are naturally unattractive. The audience instinctively condemns all such and is repelled.

Hence the important objective must be to avoid the hardening of the audience, especially of those who are young and impressionable, to the thought and fact of crime. People can become accustomed even to murder, cruelty, brutality, and repellent crimes, if these are too frequently repeated.

The second class needs great care in handling, as the response of human nature to their appeal is obvious. This is treated more fully below.

III. A careful distinction can be made between films intended for general distribution, and films intended for use in theaters restricted to a limited audience. Themes and plots quite appropriate for the latter would be altogether out of place and dangerous to the former.

Note: The practice of using a general theater and limiting its patronage during the showing of a certain film to "Adults Only" is not completely satisfactory and is only partially effective.

However, maturer minds may easily understand and accept without harm subject matter in plots which do younger people positive harm.

Hence: If there should be created a special type of theater, catering exclusively to an adult audience, for plays of this character (plays with problem themes, difficult discussions and maturer treatment) it would seem to afford an outlet, which does not now exist, for pictures unsuitable for general distribution but permissible for exhibitions to a restricted audience.

I. Crimes against the law

The treatment of crimes against the law must not—

1. Teach methods of crime.
2. Inspire potential criminals with a desire for imitation.
3. Make criminals seem heroic and justified.

Revenge in modern times shall not be justified. In lands and ages of less developed civilization and moral principles, revenge may sometimes be presented. This would be the case especially in places where no law exists to cover the crime because of which revenge is committed.

Because of its evil consequence, the drug traffic should not be presented in any form. The existence of the trade should not be brought to the attention of audiences.

II. Sex

Out of regard for the sanctity of marriage and the home, the triangle, that is, the love of a third party for one already married, needs careful handling. The treatment should not throw sympathy against marriage as an institution.

Scenes of passion must be treated with an honest acknowledgment of human nature and its normal reactions. Many scenes cannot be presented without arousing dangerous emotions on the part of the immature, the young or the criminal classes.

Even within the limits of pure love, certain facts have been universally regarded by lawmakers as outside the limits of safe presentation.

In the case of impure love, the love which society has always regarded as wrong and which has been banned by divine law, the following are important:

1. Impure love must not be presented as attractive and beautiful.
2. It must not be the subject of comedy or farce, or treated as material for laughter.
3. It must not be presented in such a way as to arouse passion or morbid curiosity on the part of the audience.
4. It must not be made to seem right and permissible.
5. In general, it must not be detailed in method and manner.

III. Vulgarity; IV. Obscenity; V. Profanity

Hardly need further explanation than is contained in the code.

VI. Costumes

General principles.—1. The effect of nudity or seminudity upon the normal man or woman, and much more upon the young and upon immature persons, has been honestly recognized by all lawmakers and moralists.

2. Hence the fact that the nude or seminude body may be beautiful does not make its use in the films moral. For, in addition to its beauty, the effect of the nude or seminude body on the normal individual must be taken into consideration.

3. Nudity or seminudity used simply to put a "punch" into a picture comes under the head of immoral actions. It is immoral in its effect on the average audience.

4. Nudity can never be permitted as being necessary for the plot. Seminudity must not result in undue or indecent exposures.

5. Transparent or translucent materials and silhouette are frequently more suggestive than actual exposure.

VII. Dances

Dancing in general is recognized as an art and as a beautiful form of expressing human emotions.

But dances which suggest or represent sexual actions, whether performed solo or with two or more; dances intended to excite the emotional reaction of an audience; dances with movement of the breasts, excessive body movements while the feet are stationary, violate decency and are wrong.

VIII. Religion

The reason why ministers of religion may not be comic characters or villains is simply because the attitude taken toward them may easily become the attitude taken toward religion in general. Religion is lowered in the minds of the audience because of the lowering of the audience's respect for a minister.

IX. Locations

Certain places are so closely and thoroughly associated with sexual life or with sexual sin that their use must be carefully limited.

X. National feelings

The just rights, history, and feelings of any nation are entitled to most careful consideration and respectful treatment.

XI. Titles

As the title of a picture is the brand on that particular type of goods, it must conform to the ethical practices of all such honest business.

XII. Special subjects

Such subjects are occasionally necessary for the plot. Their treatment must never offend good taste nor injure the sensibilities of an audience.

The use of liquor should never be excessively presented. In scenes from American life, the necessities of plot and proper characterization alone justify its use. And in this case, it should be shown with moderation.

RESOLUTION FOR UNIFORM INTERPRETATION

As amended June 13, 1934

1. When requested by production managers, the Motion Picture Association of America, Inc., shall secure any facts, information or suggestions concerning the probable reception of stories or the manner in which in its opinion they may best be treated.

2. Each production manager shall submit in confidence a copy of each or any script to the production code administration of the Motion Picture Association of America, Inc. (and of the Association of Motion Picture Producers, Inc., California). The production code administration will give the production manager for his guidance such confidential advice and suggestions as experience, research, and information indicate, designating wherein in its judgment the script departs from the provisions of the code, or wherein from experience or knowledge it is believed that exception will be taken to the story or treatment.

3. Each production manager of a company belonging to the Motion Picture Association of America, Inc., and any producer proposing to distribute and/or distributing his picture through the facilities of any member of the Motion Picture Association of America, Inc., shall submit to such production code administration every picture he produces before the negative goes to the laboratory for printing. Said production code administration, having seen the picture, shall inform the production manager in writing whether in its opinion the picture conforms or does not conform to the code, stating specifically wherein either by theme, treatment or incident, the picture violates the provisions of the code. In such latter event, the picture shall not be released until the changes indicated by the production code administration have been made; provided, however, that the production manager may appeal from such opinion of said production code administration, so indicated in writing, to the board of directors of the Motion Picture Association of America, Inc., whose finding shall be final, and such production manager and company shall be governed accordingly.

Mr. SHURLOCK. Yes, whenever the industry generally and the board of directors in particular feel that certain amendments are advisable, they get the board of directors together and approve such amendments, which are then put into the code.

Chairman KEFAUVER. Anything else, Mr. Shurlock?

Mr. SHURLOCK. May I make one additional observation inasmuch as Mr. Mooring's statement has been referred to of this afternoon? I would like to say a few words in that respect. Mr. Mooring was very gracious about me personally yesterday, and I would like to be equally gracious about him. He is a very intelligent reviewer of pictures, and he is a very sincere and honest man whom we know personally and whom we admire. I'd like to say first of all that inasmuch as Mr. Mooring stated categorically that the Production Code Administration has been lax in its operations recently, I want to categorically deny that. Mr. Mooring cited a number of pictures as being code violations in his opinion. If I may, I would like to explain how impossible it is and how dangerous it is for an outsider to pass judgment on the code operations, and our reasons for approving a picture. Now, Mr. Mooring spoke twice about the picture *Not as a Stranger*. He evidently was very much concerned about a certain scene in which an act of adultery was indicated, by a cross-cut to some horses pawing the ground. The producer insisted this particular element was vitally important to the proper moral understanding of the point he was making. Adultery of course, is a sin, and the producer says, "I want to suggest that people about to commit adultery are, to use the standard phrase we always use, giving in to their animal passions. That is why I want this counterpoint of the animals." He wanted to completely deglamorize adultery, the very point we try to make in code operations. Movies are often accused of glamorizing illicit sex. It is rather ironical that in a case in which a producer sets out to deglamorize the act and to pass a moral judgment on it, a moral condemnation on it by associating it with animal passion, that we are accused of violating our own code.

I want to say again that we are still as careful and as conscientious as we ever have been in the application of this code.

Chairman KEFAUVER. Well, Mr. Shurlock, I think I should say frankly to you that Mr. Mooring's criticisms, whether you agree with them or not, he is intelligent and sincere and it represents a fairly good cross-section, what he had to say of hundreds of letters and things that we are getting through our subcommittee. I mean a lot of people are thinking along the same lines. I am sure you are aware

of that, that doesn't indicate that the movies generally are not good, but there has been a rising amount of criticism right along the line.

Mr. SHURLOCK. Yes, sir.

Chairman KEFAUVER. And frequently, of intelligent, thoughtful people. All right, thank you very much, Mr. Shurlock.

Mr. BOBO. Mr. Roger Allbright. Will you come around here, please?

Mr. YOUNG. Senator Kefauver, I wanted to answer one point.

Chairman KEFAUVER. Mr. Young, I have suggested that you write down any questions that you want asked and send them up.

Mr. YOUNG. I wanted to answer one point as to Mr. Shurlock. If I may speak for a minute, then I will leave. When they say the seal of approval is based on the picture, isn't it a fact that the complaints that come into the investigating committee and Mr. Mooring are because these pictures are viewed not with a seal in the theaters that they pay the admission to, that thereafter the seal has been given and approval given and certainly it is not a true statement as to the elimination of scenes, because after the picture goes out they are not empowered to eliminate these scenes, because they go all through the country.

Chairman KEFAUVER. I think, Mr. Young, in fairness, and if there is any misunderstanding on the record, I think the seal must be placed on them before they go out to the theaters. Mr. Shurlock, is that right?

Mr. YOUNG. That's right. That's right. I agree that they are, but the complaints come in from the viewers, from the public, from these mothers of children that see these pictures in the theaters.

Chairman KEFAUVER. Your point is that Mr. Shurlock's office should reconsider the matter then.

Mr. YOUNG. If they approve the picture, it goes out and the public goes to see it, and the adolescents go to see it, and these children see it on Saturday afternoon, like "The Moon is Blue," which is considered one of the most risqué plays in the country.

Chairman KEFAUVER. Well, I don't believe "The Moon is Blue" got the code.

Mr. YOUNG. And this play is put on in the major theaters—United Artists Theaters which is a member of the code—and that is not a true statement, Your Honor—Mr. Senator.

Now, the "Moon Is Blue" is of a risqué quality and it has been stopped in some cities and States.

Chairman KEFAUVER. Well, I think one weakness that there may be here in one part of the situation is that there is no relationship in the theater owners. Apparently some will show pictures whether they have a seal or not. That is not the matter we are investigating here now. We are not investigating the theater owners.

Mr. YOUNG. I will grant you that. But your complaints, Mr. Senator and the committee, come from the mothers and the public who see these pictures.

Chairman KEFAUVER. We know that. Well, thank you, Mr. Young, very much.

Mr. YOUNG. I shall write that.

Chairman KEFAUVER. Yes, all right. We will look for you. I want to state that I appreciate Mr. Young's questions and suggestions from anyone else. I think it is a good thing to get public reaction.

Some people in the audience have good ideas and good thoughts. I have had 2 or 3 questions sent up here which are very, very good ones. If anyone else in the audience thinks they have something worthwhile to contribute, I would rather prefer that they write me a little note about it because we want to get along, but if they don't feel they can write, just let me know, and I will give them a chance.

STATEMENT OF ROGER ALBRIGHT, DIRECTOR, DEPARTMENT OF EDUCATIONAL SERVICE, MOTION PICTURE ASSOCIATION OF AMERICA, LOS ANGELES, CALIF.

Mr. Albright, you are the director of the Department of Educational Services of the Motion Picture Association of America, and this is another branch of the overall organization headed up by Mr. Eric Johnston.

Mr. ALBRIGHT. That is right, sir.

Chairman KEFAUVER. And how long have you been head of the educational services?

Mr. ALBRIGHT. For 8 years, sir, and prior to that I was with the association as assistant to the director of community service. This was a type of program which has a similar function in the overall setup of our association.

Chairman KEFAUVER. Mr. Bobo, do you want to bring anything out about the size of the staff he has before he reads or tells us about his statement?

Mr. BOBO. Your statement sets forth the size of your staff?

Mr. ALBRIGHT. It doesn't happen to, and I shall be glad to describe that. I have my offices in Washington where there are three of us, myself, and assistant and secretary and then in addition to that we have in New York City an office where there are 9 people, 4 of whom are professional staff and 5 of them are secretarial staff in New York.

Mr. BOBO. Mr. Albright, I think you have a statement which explains the work which you do there. Do you wish to read your statement?

Mr. ALBRIGHT. Yes, thank you, Mr. Bobo.

So far our discussion has been in the area of what some people may think a motion picture has, contributes to juvenile delinquency. There has been for many years a program through which the industry has consciously been trying to exert an influence in the other direction. It takes a long time to tell it, and I thought it would be better to reduce it to writing.

Chairman KEFAUVER. All right, Mr. Albright, you proceed in your own way. Just talk so that everybody can hear you.

Mr. ALBRIGHT. Mr. Chairman, my name is Roger Albright. My business address is 1600 Eye Street, Washington, D. C. I am director of the department of educational services of the Motion Picture Association of America, an organization of the 10 principal producers and distributors of motion pictures in the United States.

For the record, these 10 companies are Allied Artists Pictures Corp., Columbia Pictures Corp., Loew's, Inc., Paramount Pictures Corp., RKO Radio Pictures, Inc., Republic Pictures Corp., Twentieth Century-Fox Film Corp., United Artists Corp., Universal Pictures Co., Inc., and Warner Bros. Pictures, Inc.

Here on the west coast, where motion-picture production is concentrated, there is a companion but separate organization known as the Association of Motion Picture Producers. Nine of the ten companies are also members of this producers group. United Artists, which is engaged solely in picture distribution, is therefore not a member of the producers organization.

I appear here as a representative of the Motion Picture Association, with which I have been actively identified for 20 years. I will endeavor to present to your committee a comprehensive summary of the affirmative policies and programs of an industry which voluntarily initiated a quarter of a century ago the first self-imposed code of public responsibility ever undertaken by an industry in this country or in the world. We are proud of that and of how it has worked because we think it is the best evidence of our awareness of the obligation we have to millions of people who see and enjoy our product each week throughout the world.

First, however, as one who has been rather intimately associated with educational and community problems for nearly a quarter of a century, I would like to take the opportunity to commend this committee for undertaking its study of juvenile delinquency.

I use the word "study" advisedly since I am sure the committee and its competent staff know that there are no pat answers, no magic formulas, no quick and easy solutions to this question. It is a continuing issue, shifting both in degree and character with changing world and national conditions.

But because it is a subject that requires patience and an alerting of national attention, this Senate committee is doing a praiseworthy job with its hearings in dramatizing the situation and examining what appear to be contributing causes of juvenile delinquency.

In a different way, we in the American motion picture industry have sought to take strong affirmative steps in coping with the problem. As we look back we know we have made substantial progress. We look forward confident that we are on the right track, we welcome advice, suggestions, and counsel from every responsible source, and in fact much of our program is based on the help of the representatives of literally millions of members of public spirited organizations and groups who for years have been an integral part of our policy of providing decent, moral family entertainment.

This policy is actively expressed through and is constantly enforced, enhanced, and bulwarked by five basic activities, which I shall deal with in some greater detail hereafter. Briefly described, they are:

1. The quarter-century old self-enforced production and advertising codes through which the companies conform to acceptable moral and social standards in both content of pictures and type and kind of advertising.

2. The classification of our pictures by outside, wholly independent viewing groups into what they regard as suitable for different age groups.

3. The selection by outstanding educational leaders of pictures of social, cultural and patriotic values for use in the classroom for further emphasis of discussion.

4. The development of local community programs throughout the Nation which under the auspices of many national organizations

regularly use pictures with special significance for children adolescents.

5. The production by our individual companies of hundreds of pictures specially intended to stress high moral values with the purpose of making the screen a force for education and good living as well as entertainment.

The first four activities are the day-by-day concern of our association. We have departments staffed with employees who devote their full time to these activities. In further answer to your question, Mr. Bobo, I counted up on my fingers last night and found the various departments which are concerned with these activities, and they sum total 19. They are under the supervision of the production code administration here in Hollywood, the advertising code administration in New York and Hollywood, the title registration bureau in New York, the community service department in New York, and the educational services department in Washington. The operations of these departments of the association involve the cooperation of and close liaison with scores of national organizations, and the fulfillment of thousands of requests from those who want the help which motion pictures can give to their particular needs and programs.

Now, to discuss the specific activities :

1-2. THE PRODUCTION AND ADVERTISING CODES

Mr. Geoffrey Shurlock who is responsible for the administration of the production code, and Mr. Gordon White who is responsible for the administration of the advertising code, have already described to you in detail the procedures by which these codes are applied to motion picture production and advertising.

3. THE FILM ESTIMATE BOARD OF NATIONAL ORGANIZATIONS

In addition to the production and advertising code operations, there exists a national motion picture previewing group made up of and controlled and operated by the representatives of 13 universally respected nationwide organizations with a national membership of many millions. They are: American Association of University Women, American Jewish Committee, American Library Association, Children's Film Library Committee, National Society Daughters of the American Revolution, National Federation of Music Clubs, National Federation of Women's Clubs, Girl Scouts of the U. S. A., National Council of Women of the U. S. A., Protestant Motion Picture Council, National Congress of Parents and Teachers, Schools Motion Picture Committee, and the United Church Women.

I think the committee may be interested in just how these organizations screen and classify motion pictures. Each has its own national previewing chairman who appoints a motion picture previewing committee. This results in the establishment of 13 previewing groups with a large combined membership. Then the combined membership is divided into numerous subcommittees each having a complete cross-section representation of all 13 participating organizations. The subcommittees screen, judge, and rate pictures in the following categories: A for adults over 18 years; F for family all ages; YP for young people over 12 years; MYP for mature young people; CPR for children's

program recommended 8 to 12 years; CPA for children's programs acceptable 8 to 12 years; and FR for family recommended.

Before pictures are released to theaters, prints of all films are made available by each of our producing companies for screening by these subcommittees. Our people cooperate carefully to maintain convenient schedules for the viewing groups to insure that every film is seen and appraised.

Each member of the viewing committee makes an individual report and these are then assembled and referred to a joint editorial committee which prepares the final joint estimate. When there are appreciable variances among those who evaluate a picture, these variances are included in the published appraisal.

The final estimate, widely known throughout the United States as the Green Sheet is now ready for publication and distribution. Throughout the Nation this advance information on forthcoming motion pictures becomes available to thousands of parents, teachers, clergymen, and community leaders of all kinds. Most of the participating national organizations also print the Green Sheet estimates in their national publications. Libraries and schools and churches regularly display them. The Parent-Teacher magazine, for example, carries in every issue two pages of these motion-picture estimates. These estimates are available to the parents and the teachers and to the people who are directing the thinking of juveniles throughout the country. We are very regretful they are not more widely used even than they are.

I have taken the committee's time to explain the operation of the Green Sheet because I think it merits special consideration. It is not censorship. It is a kind of an independent audit of our product by a representative cross section of the American people. It is a critical analysis intended primarily as a guide, for parents and teachers who have a specific responsibility to juveniles. But it is helpful to us, too. You can be sure that we read the Green Sheet appraisals with great care and reflection.

Operating apart from the 13 national groups which prepare and edit the Green Sheet is another large national organization, the Catholic Legion of Decency. It too views our films and publishes its ratings. Its appraisals, an important and persuasive guide to millions of theater patrons, are expressed in these categories: Class A, section I—Morally unobjectionable for general patronage; Class A, section II—morally unobjectionable for adults; Class B—Morally objectionable in part for all; and Class C—Condemned.

4. SCHOOL AND EDUCATIONAL USE OF MOTION PICTURES

I come now to the fourth activity of the industry, that of making films available for schoolroom and general educational use. This is a program now in its 16th year, during which more than 900 motion pictures have been selected by committees of educators in almost every field of teaching for classroom use.

It is a program administered by Teaching Film Custodians, a non-profit affiliate of the Motion Picture Association. Nine of America's distinguished educators are its board of directors and nine leaders from the motion-picture industry work hand in hand with them. Our producing companies, without a penny of financial return to them, set up

previewing facilities for committees of educators, make 16-millimeter prints of the pictures selected, and then distribute the prints to the 1,100 16-millimeter film libraries maintained throughout the country. Some idea of the extent of this program is evidenced when it is realized that about 70,000 different prints of these films have been prepared and distributed.

I think the full significance of this program of classroom use of so many of our pictures lies in the fact that impartial, competent authorities have felt that such a large amount of our product has affirmative, positive, cultural value. It is committees of teachers in the fields of literature, music, history, science, sociology, and family life problems that have initiated the program and selected the pictures.

They come from 7 national teacher organizations with a membership of more than 120,000. They work with Teaching Film Custodians to develop motion-picture programs in their special fields of study. They represent the American Association for Health, Physical Education, and Recreation; Home Economics Department of the National Education Association; American Home Economics Association; Music Educators National Conference; National Council for the Social Studies; National Council of Teachers of English; National Science Teachers Association; and American Vocational Educational Association.

These committees are continuously enthusiastic about the contributions which these many subjects make to the development of desirable viewpoint of the growing generation. It would be difficult to describe with certainty all of the educational values which accrue from this program. For thousands of students the steady stream of excellent entertainment pictures which are seen in the school creates a wholesome appetite to see excellent pictures in the theater. The classroom discussions of these selected pictures tends to fix attitudes and create behaviour which is socially desirable. The great men of the past, the great events of the past, the great literature of the past, are made attractive and understandable, and the total impact in the view of educators is enormous. They frequently express themselves as being impressed with the fact that so many motion pictures with such great constructive value have been shown to the American people in the theater, thus bringing to this great public these same values which are now being selected for special emphasis to the adolescents in the high school.

In addition to this Motion Picture Association program, which all of the companies support, several of the companies—Twentieth-Century Fox, Warner Bros., Columbia, Universal, RKO Radio—have their individual, nontheatrical programs which their companies' motion-picture product is similarly made available to schools.

The total volume of school use of films which have been intelligently selected by teachers and education supervisors far outbalances the relatively exceptional pictures which some seem inclined to criticize.

Finally, Senator, there are the things which have been done in cooperation with other community agencies outside the educational field.

More than 20 years ago the Committee on Social Values in Motion Pictures came to the motion-picture industry for help in the development of a series of character education subjects. The committee was headed by Dr. Howard M. Le Sourd, then dean of Boston University,

and included criminologists like Dr. Miriam Van Waters, of Massachusetts, and Dr. Phyllis Blanchard, of Philadelphia. Our member companies were glad to help and a series of films was made by excerpting footage from feature films. We paid the cost. The films were given free distribution to schools throughout the country and were used to discuss behavior problems with elementary and high school groups. It was discovered that the students were willing to discuss frankly the conduct situations which were thrown on the screen even though they might not have been willing to discuss similar situations present in their own lives.

Subsequently this series of films was transferred to a larger group known as the Commission of Human Relations of which Dr. Alice V. Keliher, now professor of education at New York University, was the directing head. The film series was expanded to 55 subjects, again with our aid and without cost. These pictures are still in distribution and use.

Another worthwhile project was developed at the request of the National Council of Teachers of English. This group felt that there would be decided advantage in having student study guides made on about 100 motion pictures based on such classics of literature as David Copperfield, Treasure Island, Les Miserables, and others. The National Council of Teachers of English, through a specially appointed committee, authored the study guides, and each member company which had produced the classic prepared research information and other data and financed the printing of the guides. These were then distributed to local high schools through the theaters.

In 1936 the public libraries wanted materials which would stimulate the reading of books from which motion pictures had been made and requested research display charts to be placed in public library lobbies.

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Another cooperative project with the American Library Association is the motion-picture industry's participation in their American Heritage program. This is a program in which public libraries throughout the Nation show an appropriate patriotic or historical film as the basis for a film forum in which are discussed the basic elements of the American heritage.

One of the most valuable programs is the production by all of our member companies, without regard to their general box-office appeal, of films of significant constructive value to America's young people. I would like to list a few.

1. CRIME PREVENTION—CRIME DOES NOT PAY

Beginning more than 15 years ago, Metro-Goldwyn-Mayer produced a series of dramatized incidents proving that crime doesn't pay. Some of these incidents relate to serious crimes like arson, armed robbery, and murder; some have to do with racketeering which milks the public, such as dishonest loan agencies, dishonest employment agencies, and dishonest charity solicitations; and some deal with such civilian practices as smuggling. These pictures have had very wide distribution in the theaters throughout the years. The crime prevention bureaus of several States have availed themselves of these pictures in 16 mm. film for use in juvenile courts and elsewhere after the theatrical distribution has been completed.

2. CITIZENSHIP AND PATRIOTISM

(a) The Washington Parade series

Those of us who live in Washington realize how many thousands or high-school students come to Washington to see the Nation's Capital and the shrines which are associated with it. These, however, are but a small fraction of the millions of young people who should have this inspiring experience.

With this in mind, Columbia Pictures made a series of pictures called the Washington Parade with separate subjects on the Capitol, the White House, the Treasury, the Library of Congress, the FBI, the social security program, and others.

These were made with the close collaboration and advice of the Government departments, and the pictures were distributed in theaters throughout the country. Each subject reached many millions of people.

Following theatrical distribution, they were then made available to the schools of the United States, with no profit to the company, and are still being seen and enjoyed by the many who don't have the opportunity to visit Washington in person.

(b) Epics of American history

For a number of years, Paramount Pictures has dramatized expansion movements which have made the United States the great Nation it is. The list is too large to detail here in its entirety, but included are such motion pictures as *The Plainsmen*, *Union Pacific*, *Maid of Salem*, *Wells Fargo*, and *High, Wide and Handsome*, which is the story of the discovery and development of oil.

(c) This is America series

RKO Radio Pictures has produced and distributed a series which interprets various phases of American life and thinking. The series is called *This is America*. In this way, the movements and mores of America have been interpreted not only to our own people, but in showing the rest of the world some of the things that make America great.

(d) The Warner patriotic series

Another project is the series of 12 patriotic short subjects produced by Warner Bros. as a tribute by its president, Mr. Harry M. Warner, to what he called the only country in the world where I could have realized my achievements.

These short subjects, widely known both because of their theatrical and nontheatrical use, dramatize the contributions of our Founding Fathers and clarify the basic principles of freedom on which our Republic was founded, and through which it has developed. Some of the titles of these short subjects are *The Declaration of Independence*, *the Bill of Rights*, *Give Me Liberty*, *The Romance of Louisiana*, *Man Without a Country*, *the Monroe Doctrine*. Currently, these pictures form basic curriculum materials in thousands of American history classes in the high schools of the United States.

3. BIOGRAPHIES OF GREAT MEN

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Metro-Goldwyn-Mayer has produced a *Passing Parade* series which gives recognition through biographical dramatization of more than 30 outstanding heroes of peace. About half of these are Americans.

(b) *Dramatized biographies*

Twentieth Century-Fox has produced dramatized biographies of some of America's great men—Alexander Graham Bell, Brigham Young, Woodrow Wilson, Rev. Peter Marshall, to name only a few.

4. INTERNATIONAL UNDERSTANDING—THE WORLD AND ITS PEOPLES

Universal Pictures has financed the sending of five camera crews into all parts of the world to film motion picture studies of how people live. These 36 films will contribute to better world understanding, and we in America will know our world neighbors better because of them.

This summary of some of the activities of our member companies and the association in the public-service field reflects, I think, the basic policy that has guided our industry for many years.

We are conscious always of our responsibility as producers and distributors of a medium which has, perhaps, greater worldwide appeal than any other thing made in America. And in producing and marketing our pictures we are conscious too of the likes and dislikes of the more than 250 million people who each week all over the world are our customers. The American motion picture industry, the only free, unsubsidized motion picture industry in the world, would shrivel away if it did not keep up with the changing times, if it did not produce what the overwhelming majority of the people want and like.

This brings into sharp focus the constantly changing human behavior pattern, the plain simple fact that customs, social views, and ideas have undergone substantial shifts in 20 years. These are facts which we in our industry must deal with in our day-to-day operations. What I am talking about is the moral climate in which those of us who are primarily concerned with the problems of younger people live and must work.

The most striking outward evidence of changed public attitudes is public acceptance and even approval of the frankness and the casualness with which the facets of human behavior, notably those dealing with sex matters, are discussed and written about. Best-selling books, stage plays, paintings, even national magazines and daily newspapers are the best evidence of this trend.

Not more than 2 or 3 generations ago, Nathaniel Hawthorne's *Scarlet Letter* was regarded by many educators and most parents as questionable reading for young people. This generation is confronted daily with sordid stories of rapes, abortions, and heinous sex crimes in the news columns of daily newspapers. Best-selling novels concern themselves with themes of sexual aberrations and revolting brutality. Hit plays on Broadway deal openly and frankly with plots and situations which would have been regarded as licentious 20 years ago.

Widely read and reputable magazines carry articles on sexual and social behaviour patterns among adolescents in Sweden and France which are at great variance with acceptable practices in this country. Publications of tremendous circulation with these and similar articles in the medical and scientific field are part of the every-day reading habit of millions of our people.

I want to say as emphatically as I can that the motion-picture industry has strongly resisted this trend. We are not at the head of this parade, nor indeed in the middle of it. We are, in fact, far behind and are rather proud that we are. Our people, our producers, our writers, our directors, and our executives have been lambasted by some critics for being namby-pamby, for being pollyannish, and for failing to produce mature entertainment.

Our production companies through the production code and the advertising code, have placed upon themselves definite restrictions of morality and decency. We have over the years adhered to these self-imposed restrictions, and have thus eliminated from motion pictures many types of material which are openly treated in other mass media and entertainment forms. Moreover, I repeat, this was the first industry to impose on itself these standards of decency and we remain as the only non-Government regulated enterprise to continue this practice.

From all of these things two facts must be apparent. The leaders of the motion-picture industry have shown their desire to make this medium a constructive social force in the United States with particular emphasis on its impact for good on the young people of America. The second fact, perhaps more significant, is that the reaction of public leaders and national organizations to the motion-picture industry's product and their use of it is the best evidence that our contribution has been fruitful.

So long as creative works are produced by human beings, there will, of course, be unevenness of quality and value. Not all books were written by high-minded authors; not all Elizabethan plays were written by Shakespeare; not all religious leaders have necessarily always pointed to the higher life.

We must expect that our young people will be confronted with some nonconstructive experiences which must be offset with many other experiences which will overcome with good effect those influences which have had bad connotations.

I was very much interested Wednesday afternoon, Senator, when Mr. Sanders, Mr. Lindquist, Mr. Johnson, and Mr. Wyley stressed over and over again that the thing that they felt was important was that those who are socially impaired or socially maladjusted shall have many many experiences of a constructive kind that will be offsetting influences.

For many years, the motion-picture industry has been providing a wide variety of those wholesome offsetting experiences. They have doubtless counterbalanced much that has been less good. Through the operation of our code, through the sincerity of our leadership, and through the cooperation of thousands of community leaders, our industry is producing a great volume of motion pictures which resist trends that are destructive to the morals, ideals, and behavior of our young people.

I am sorry I have taken so much of the committee's time. Thank you for hearing me out.

Chairman KEFAUVER. Well, thank you, Mr. Albright, for a very comprehensive and good statement in explaining the work of the educational services of your association. It shows a great many fine accomplishments have been made.

Mrs. FOSTER. Mr. Chairman, pardon me, but while these members of the hirelings of the movie industry are here, how about those kind of pictures for our children? Is that what you call constructive Mr. Chairman? I'd like to know if those things are constructive, that's all I'd like to know.

Chairman KEFAUVER. Thank you Mrs. Foster. I don't think Mr. Albright would approve or would think very well of these posters back here.

Mr. ALBRIGHT. I think you have come to a very worthwhile conclusion in that matter.

Chairman KEFAUVER. That is a part of the industry, of course Mr. Albright. But what Mrs. Foster said is what a lot of people are thinking.

Any questions, Mr. Bobo?

Mr. BOBO. No questions.

Chairman KEFAUVER. Well, Mr. Albright, we think that you have given us a good statement, and undoubtedly the pictures that you have talked about here are great educational efforts, and in the schools they have played a very important part. I think lot of good and a tremendous amount of real education will be derived from what they see in these pictures in the schools. I know the sincerity with which you carry on your part of this work, and I want to compliment you and to congratulate you.

Mr. ALBRIGHT. Thank you.

Chairman KEFAUVER. I hope that the criticisms that have been brought out here will be considered by all of you in carrying out your program in the future, and our criticisms have not been directed to the pictures going into the schools. I think they have been very well considered. We have very few letters of criticism about them. Thank you very much.

Mr. ALBRIGHT. Thank you.

Mr. IRVING BENESCH. I would like to ask the chairman a question. I will have to read part of Mr. Albright's statement in order to ask the question.

Chairman KEFAUVER. What is your name, sir?

Mr. BENESCH. Irving Benesch.

Chairman KEFAUVER. Tell us where it is.

Mr. BENESCH. Page 3, under "This policy" under paragraph No. 1:

The quarter century old self-enforced production and advertising codes through which the companies conform to acceptable moral and social standards in both content of pictures and type and kind of advertising.

Now, mark this well, "and type of kind of advertising." This sort of underlines the question you just asked, Senator. This is Mr. Albright's statement. Shall we believe the first part of it or the last part it?

Chairman KEFAUVER. Well, he doesn't say that particularly that he approves of what is being done in the advertising part of the code.

Mr. BENESCH. This is the statement.

Chairman KEFAUVER. He says:

The quarter century old self-enforced production and advertising codes through which the companies conformed to acceptable to moral and social standards * * *

Mr. BENESCH. I maintain they do not conform.

Chairman KEFAUVER. I take it, Mr. Albright, that you would amend your statement on page 3 where you say—

to acceptable moral and social standards in both content of pictures and type and kind of advertising * * *

that you don't mean to approve of all of the pictures or all of the advertising.

Mr. ALBRIGHT. I certainly would limit that statement to development of the code. You have been discussing today with Mr. White and Mr. Shurlock the application of that code to the material, and I think we have had a rather thorough sifting of that.

Chairman KEFAUVER. I took it that what you meant there was that this is what your conception of what the code was designed to do, and so far as the application of the code, that is not your matter.

Mr. ALBRIGHT. It doesn't happen to be my bailiwick.

Chairman KEFAUVER. Does that answer your question?

(Mr. Albright's statement reads as follows:)

STATEMENT OF ROGER ALBRIGHT, DIRECTOR, DEPARTMENT OF EDUCATIONAL SERVICES OF THE MOTION PICTURE ASSOCIATION OF AMERICA

Mr. Chairman, my name is Roger Albright. My business address is 1600 I Street, Washington, D. C. I am director of the Department of Educational Services of the Motion Picture Association of America, an organization of the 10 principal producers and distributors of motion pictures in the United States.

For the record, these 10 companies are Allied Artists Pictures Corp., Columbia Pictures Corp., Loew's, Inc., Paramount Pictures Corp., RKO Radio Pictures, Inc., Republic Pictures Corp., Twentieth Century-Fox Film Corp., United Artists Corp., Universal Pictures Co., Inc., and Warner Bros. Pictures, Inc.

Here on the west coast, where motion picture production is concentrated, there is a companion but separate organization known as the Association of Motion Picture Producers. Nine of the ten companies are also members of this producers group. United Artists, which is engaged solely in picture distribution, is therefore not a member of the producers organization.

I appear here as a representative of the Motion Picture Association, with which I have been actively identified for 20 years. My associates and I will endeavor to present to your committee a comprehensive summary of the affirmative policies and programs of an industry which voluntarily initiated a quarter of a century ago the first self-imposed code of public responsibility ever undertaken by an industry in this country or in the world. We are proud of that and of how it has worked because we think it is the best evidence of our awareness of the obligation we have to millions of people who see and enjoy our product each week throughout the world.

First, however, as one who has been rather intimately associated with educational and community problems for nearly a quarter of a century, I would like to take the opportunity to commend this committee for undertaking its study of juvenile delinquency.

I use the word "study" advisedly since I am sure the committee and its competent staff know that there are no pat answers, no magic formulas, no quick and easy solutions to this question. It is a continuing issue, shifting both in degree and character with changing world and national conditions.

But because it is a subject that requires patience and an alerting of national attention, this Senate committee is doing a praiseworthy job with its hearings in dramatizing the situation and examining what appear to be contributing causes of juvenile delinquency.

In a different way, we in the American motion picture industry have sought to take strong affirmative steps in coping with the problem. As we look back we know we have made substantial progress. We look forward confident that we are on the right track. We welcome advice, suggestions, and counsel from every responsible source, and in fact much of our program is based on the help of the representatives of literally millions of members of public-spirited organizations and groups who for years have been an integral part of our policy of providing decent, moral family entertainment.

This policy is actively expressed through, and is constantly enforced, enhanced, and bulwarked by, five basic activities, which I shall deal with in some greater detail hereafter. Briefly described, they are:

1. The quarter-century-old self-enforced production and advertising codes through which the companies conform to acceptable moral and social standards in both content of pictures and type and kind of advertising.

2. The classification of our pictures by outside, wholly independent viewing groups into what they regard as suitable for different age groups.

3. The selection by outstanding educational leaders of pictures of social, cultural, and patriotic values for use in the classroom as an educational medium.

4. The development of local community programs throughout the Nation under the auspices of many national organizations which regularly use pictures with special significance for children and adolescents.

5. The production by our individual companies of hundreds of pictures specifically intended to stress high moral values with the purpose of making the screen a force for education and good living as well as entertainment.

The first four activities are the day-by-day concern of our association. We have departments staffed with employes who devote their full time to these activities. They are under the supervision of the production code administration here in Hollywood, the advertising code administration in New York and Hollywood, the title registration bureau in New York, the community service department in New York, and the educational services department in Washington. The operations of these departments of the association involve the cooperation of and close liaison with scores of national organizations, and the fulfillment of thousands of requests from those who want the help which motion pictures can give to their particular needs and programs.

Now, to discuss the specific activities:

1-2. THE PRODUCTION AND ADVERTISING CODES

Mr. Geoffrey Shurlock, who is responsible for the administration of the production code, and Mr. Gordon White, who is responsible for the administration of the advertising code, will describe to you in detail the procedures by which these codes are applied to motion picture production and advertising.

3. THE FILM ESTIMATE BOARD OF NATIONAL ORGANIZATIONS

In addition to the production and advertising code operations, there exists a national motion picture previewing group made up of and controlled and operated by the representatives of 13 universally respected nationwide organizations with a national membership of many millions. They are: American Association of University Women, American Jewish Committee, American Library Association, Children's Film Library Committee, National Society Daughters of the American Revolution, National Federation of Music Clubs, National Federation of Women's Clubs, Girl Scouts of the USA, National Council of Women of the U.S., Protestant Motion Picture Council, National Congress of Parents and Teachers, Schools Motion Picture Committee, and the United Church Women.

I think the committee may be interested in just how these organizations screen and classify motion pictures. Each has its own national previewing chairman who appoints a motion picture previewing committee. This results in the establishment of 13 previewing groups with a large combined membership. Then the combined membership is divided into numerous subcommittees each having a complete cross-section representation of all 13 participating organizations. The subcommittees screen, judge, and rate pictures in the following categories: A for adults over 18 years; F for family all ages; YP for young people over 12

years; MYP for mature young people; CPR for children's programs recommended 8 to 12 years; CPA for children's programs acceptable 8 to 12 years; and FR for family recommended.

Before pictures are released to theaters, prints of all films are made available by each of our producing companies for screening by these subcommittees. Our people cooperate carefully to maintain convenient schedules for the viewing groups to insure that every film is seen and appraised.

Each member of the viewing committee makes an individual report and these are then assembled and referred to a joint editorial committee which prepares the final joint estimate. When there are appreciable variances among those who evaluate a picture, the variances are included in the published appraisal.

The final estimate, widely known throughout the United States as the green sheet, is now ready for publication and distribution. It is printed every 2 weeks and 20,000 copies are distributed. Throughout the Nation this advance information on forthcoming motion pictures becomes available to thousands of parents, teachers, clergymen, and community leaders of all kinds. Most of the participating national organizations also print the green sheet estimates in their national publications. Libraries and schools and churches regularly display them. The Parent-Teacher Magazine, for example, carries in every issue two pages of these motion picture estimates.

I have taken the committee's time to explain the operation of the green sheet because I think it merits special consideration. It is not censorship. It is a kind of independent audit of our product by a representative cross-section of the American people. It is a critical analysis, intended primarily as a guide for parents and teachers who have a specific responsibility to juveniles. But it is helpful to us, too. You can be sure that we read the green sheet appraisals with care and reflection.

Operating apart from the 13 national groups which prepare and edit the green sheet is another large national organization, the Catholic Legion of Decency. It too views our films and publishes its ratings. Its appraisals, an important and persuasive guide to millions of theater patrons, are expressed in these categories: Class A, section I—Morally unobjectionable for general patronage; class A, section II—Morally unobjectionable for adults; class B—Morally objectionable in part for all; and class C—Condemned.

4. SCHOOL AND EDUCATIONAL USE OF MOTION PICTURES

I come now to the fourth activity of the industry, that of making films available for schoolroom and general educational use. This is a program now in its 16th year, during which more than 900 motion pictures have been selected by committees of educators in almost every field of teaching for classroom use.

It is a program administered by Teaching Film Custodians, a nonprofit affiliate of the Motion Picture Association. Nine of America's distinguished educators are its board of directors and nine leaders from the motion picture industry work hand in hand with them. Our producing companies, without a penny of financial return to them, set up previewing facilities for committees of educators, make 16-millimeter prints of the pictures selected, and then distribute the prints to the 1,100 16-millimeter film libraries maintained throughout the country. Some idea of the extent of this program is evident when it is realized that about 70,000 different prints have been prepared and distributed.

I think the full significance of this program of classroom use of so many of our pictures lies in the fact that impartial, competent authorities have felt that such a large amount of our product has affirmative, positive, cultural value. It is committees of teachers in the fields of literature, music, history, science, sociology, and family life problems that have initiated the program and selected the picture.

They come from 7 national teacher organizations with a membership of more than 120,000. They work with Teaching Film Custodians to develop motion picture programs in their special fields of study. They represent the American Association for Health, Physical Education, and Recreation; Home Economics Department of the National Education Association; American Home Economics Association; Music Educators National Conference; National Council for the Social Studies; National Council of Teachers of English; National Science Teachers Association; and American Vocational Education Association.

Of course, neither this program nor that of the classification and rating activities could be effective without our industry's warm and friendly cooperation. There are costs entailed in both programs which we cheerfully bear as a worthwhile contribution to a better society of free people.

There are, of course, other programs and projects in which our industry through the association has played an important part.

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And abroad, in some countries, there is even greater liberty and license.

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I want to say as emphatically as I can that the motion-picture industry has strongly resisted this trend. We are not at the head of this parade, nor indeed in the middle of it. We are, in fact, far behind and are rather proud that we are.

Our people, our producers, our writers, our directors, and our executives have been lambasted by critics for being nabby-pamby, for being pollyannish, and for failing to produce mature entertainment.

Our production companies, through the production code and the advertising code, have placed upon themselves definite restrictions of morality and decency. We have over the years adhered to these self-imposed restrictions, and have thus eliminated from motion pictures many types of material which are openly treated in other mass media and entertainment forms. Moreover, I repeat, this was the first industry to impose on itself these standards of decency and we remain as the only non-Government-regulated enterprise to continue this practice.

So long as creative works are produced by human beings, there will, of course, be unevenness of quality and value. Not all books were written by high-minded authors; not all Elizabethan plays were written by Shakespeare; not all religious leaders have necessarily always pointed to the higher life.

And so long as human beings are the judges of what is desirable and undesirable, there will be honest differences of opinion about the effect on the reader, listener, or viewer. Criticism is a subjective thing, a product of man's mind conditioned by his training and experience.

We in the motion-picture industry are not perfect. We have made mistakes and I assume that we will make them in the future. But I want to emphasize that the men and women who produce our pictures and the men and women who administer our codes are decent, high-minded people who adhere conscientiously to the standards which the industry has imposed upon itself.

We believe that any fair-minded analysis of our overall operations will disclose that we do a remarkable job—a job deserving of commendation.

I want to thank the committee and its staff for this opportunity to appear and for its uniform courtesy and fairness in its study of a problem which deserves the most earnest consideration of all our people.

STATEMENT OF PAUL JACOBS, CHAIRMAN, CIVIL LIBERTIES UNION, LOS ANGELES, CALIF.

Chairman KEFAUVER. Mr. Paul Jacobs, chairman of the Civil Liberties Union, has asked for permission to testify for a few minutes. All right, Mr. Bobo.

Mr. BOBO. Mr. Jacobs, will you identify yourself and your connection?

Mr. JACOBS. My name is Paul Jacobs, and I am the chairman of the censorship committee of the American Civil Liberties Union in southern California.

Chairman KEFAUVER. Are you a lawyer?

Mr. JACOBS. No, I am a writer by trade, by profession.

Chairman KEFAUVER. You are chairman of the censorship committee of the Civil Liberties Union.

Mr. JACOBS. Yes. The Civil Liberties Union has a censorship committee whose function it is to investigate cases of alleged censorship, illegal censorship. We are concerned with censorship of books in school libraries. We are concerned with the censorship of films. We are concerned with the censorship of comic books, and we are concerned with the relationship between all of these and juvenile delinquency.

I should like to state the Civil Liberties Union doesn't profess to be a group of sociologists or experts in juvenile delinquency. Our concern, our interest, and our knowledge is restricted to civil liberties, but we are rather deeply concerned over the professed relationship between films and comic books and juvenile delinquency. The Civil Liberties Union isn't prepared to accept the concept of censorship for these media based on what we believe to be as yet rather uncertain knowledge of the real effect of comic books or films, even of the kind described here, upon juvenile delinquency. It seems to us that there are at least three points of view.

Chairman KEFAUVER. Well, Mr. Jacobs, I thought you said you didn't know anything about the sociological or the psychiatric effects of these things upon juveniles.

Mr. JACOBS. No, I don't profess to, but I am willing to concede—

Chairman KEFAUVER. If you don't profess to, how do you get into the field of being willing to—you say it hasn't been shown to you—if you don't pretend to know anything about it?

Mr. JACOBS. Well, because the Civil Liberties Union and I have made some study of the varying statements in this field. There are eminent sociologists and psychologists who believe that there is a relationship between juvenile delinquency and comic books. There are equally eminent sociologists and psychologists who believe that no such relationship exists.

Chairman KEFAUVER. Who are those?

Mr. JACOBS. Well, I'll be glad to give you some names. In the first group, the group who believe that there is a relationship—

Chairman KEFAUVER. We know all of them.

Mr. JACOBS. In the second group there are a group of people who take the position that there is some relationship but not a very significant relationship between the reading of comic books and—

Chairman KEFAUVER. Who are the ones who say there is no relationship?

Mr. JACOBS. Those who say there is no relationship are Filip Ochard, a French sociologist, who published a book called *The Child's Voice*. There is Charles Glock who is director of the Bureau of Applied Research at Columbia University. There is Eric Ericson who is senior staff member of the Austin Riggs Center, which is a center dealing with juvenile delinquency. There is Eldon Winston of the North Carolina State Board of Public Welfare. There is Wallace

Curalt, superintendent of the Department of Public Welfare in North Carolina. There is John Doyle who is the probation officer in Minnesota. There is Mr. E. W. Brewer who is the case work supervisor of the Superior Court, Kings County. There is a Joseph Homer, probation officer in the Juvenile Court of Allegheny County in Pittsburgh.

Now, we don't pretend that we are experts ourselves——

Chairman KEFAUVER. Well, Mr. Jacobs, I don't know what all of these men have said, but I have read the writings of some of them, and you don't quite correctly represent the writings of some of them in saying that they say there is no relationship. They say that they don't think it is particularly important or not primary or not a leading relationship, but some of them do give some significance to pornographic literature and horror and crime comics.

Mr. JACOBS. Well, Senator, Mr. Glock, for example, states:

On close examination the evidence which has been accumulated in the report is not conclusive. We are still groping to learn just what effects exposure to the mass media do have on our children.

Chairman KEFAUVER. Well, but you said that he said there wasn't anything to it. He says he doesn't know.

Mr. JACOBS. No, as a matter of fact, he says there isn't; he doesn't have any evidence to indicate that there is any relationship.

Chairman KEFAUVER. I don't want to argue the point, except I feel like several of those who say they just don't know yet; they haven't made up their minds. That's inconsequential. What is your point here?

Mr. JACOBS. Well, the point is that since we don't know whether there is any direct linkage between juvenile delinquency and the effect of comic books or the effect of films, it seems to us that to blame comic books or films for juvenile delinquency, that that is stretching it, with all good intentions, too far, because the effects of such blame will be perhaps to lead to censorship of either films or of comic books. I think the thing that troubles many a great deal, is that this implies almost a total breakdown of the home relationship and of the church and of society. If our children are unable to stand up to the impact of comic books or films without becoming prone to supposedly obscene acts that would be related to this, this would seem to indicate that all of the influence of the home and the church and the school has gone for naught. We like to think that the children in our society are able to withstand any of this.

Chairman KEFAUVER. Mr. Jacobs, apparently you haven't followed the work of this subcommittee very closely. Personally, censorship is repugnant to me, governmental censorship. I hope that in all phases of mass media communication and information that there will always be such a restraint and such a handling of their responsibility that there will never be Government censorship. I would certainly hate to see Government censorship of movies, even of comic books. I am not in favor of it. I would hate to see Government censorship of anything. But the point is, actually what we are doing is helping to prevent censorship. We are not advocating censorship, but censorship will come in a lot of these things eventually unless the industry and the people who are responsible do something about it themselves. So if you are interested in censorship, I think you ought to join with us

in trying to expose and ferret out and get these people to stop doing a lot of things they are doing.

Mr. JACOBS. Well, Senator, we would be opposed to even industry codes such as were discussed here this afternoon. We would think that this is a form of censorship. You say self-imposed censorship. It seems to us that the good taste and intelligence of the American people is a forceful guide and a sufficient guide to a mass media as to what goes on the screen. We don't think that anybody has the right to determine for anybody else what they ought to see on the screen or what they ought to read within the limits of what you indicate yourself, that is of salacious material. But salacious material can be handled by coast publication, trial if necessary. If somebody publishes an obscene book, he could be tried. While prior censorship of this means that some group of individuals, in this case in the movie industry, happens to determine what all of us shall see on the screen. Now, perhaps we might agree with that. But on the other hand, it sets a kind of uniformity and a kind of conformity of the pattern of all the movies that we see, and I'm not sure that we think that that is a desirable thing. We would rather when people complain, and that I am sure they do, and I am sure that their complaint is quite legitimate about what they see in the movies or what they see on television or what they read. It seems to us that the simplest solution is for them not to look at these things. It's a very simple matter to shut the television set off. It's a simple matter not to go to a movie if one thinks it is a bad film, and certainly children ought to be directed by their parents. We subscribe to this completely. If a parent thinks a film is a bad film, he ought not to allow his child to see that film. But for adults—and it's extremely difficult to censorship something for children without ending up censoring it for adults—it seems to us that the whole concept of democracy is based on a man's individual right to choose for himself what he wants. And there are lots of people who would think James Joyce Ulysses is an obscene book. I don't happen to think so. I wouldn't force them to read the book. On the other hand, I wouldn't like the book publishers to say to me that I can't read it.

Chairman KEFAUVER. Mr. Jacobs, of course in the movie code and the other codes that we have, I think it should be pointed out that a producer doesn't have to work with the code authorities unless he wants to. He can go on and write his plays and then get them produced and get pictures to show it. It is just a voluntary method of trying to meet certain standards that they have imposed on themselves. I can appreciate that in a highly technical, legalistic sense that you do have a point. On the other hand, we all censor ourselves a certain amount even in our own person. We say we have freedom of speech. That doesn't give us freedom to go out on the street and curse and take the Lord's name in vain and call people bad names, to expose ourselves.

Mr. Norman Thomas for whom I know you have great respect wrote us a letter in New York when we were there and asked for permission to testify. We didn't call him; he came himself. The burden of his testimony was that while he has been the greatest defender of civil liberties always, he was in favor of outright censorship of the pornographic material. You remember his testimony.

Mr. JACOBS. Yes; I do.

Chairman KEFAUVER. I didn't agree with him. He went further than I would go. But his statement was that freedom of the press or freedom of speech doesn't give the right or license for indecency, and if it is used as a license for indecency, sooner or later you would lose your freedom, as he says, of the press and your freedom of speech.

Mr. JACOBS. You know, Senator, I would like to direct your attention to this code that you spoke of in the motion picture industry. There is indeed an economic faction attached to nonconformity with that code, and this is what troubles us. If a producer makes a picture which doesn't get a seal, that picture will have great difficulty in being shown, and this thing is some kind of economic restraint upon the individual producer.

I would agree that in general my standards, and I am sure your standards, would be probably close to that of the code. Nevertheless, I don't want to impose my standards upon anybody. I think these things are in bad taste to me. They are in bad taste to me. But I think that the movie industry ought not to be specially singled out. I don't think it has any more effect upon anybody, and I think that in many cases, this voluntary code, goes much much further, and that is one of the great difficulties. We start out with a code to eliminate references to sex, to eliminate references to violence, and we end up in a code which tends to be all-inclusive, which you must have seen in looking at that code; there are many things in the motion picture code which have nothing whatsoever to do with either violence or sex, and yet there is part of the burden which any motion picture producer carries with him. I think it would be pretty dreadful if the book publishers got together and set up a code and set their standards. They might not agree with your standards or my standards as to what or what not to be published.

Chairman KEFAUVER. Well, Mr. Jacobs, I think one trouble with codes is that people sometimes get to feel that anything approved by a code authority like the crime book code, anything approved by them is going to be all right; whereas they may pass many things that people will accept as all right that really are not so good. So I think in the case of movies and television and crime books and what-not, while we might do some things to stop the circulation of the bad ones, in the final analysis it is the interests and the attitudes of the people at the local level that will be the deterrent.

Mr. JACOBS. We would like to suggest that the one thing that certainly be done in which your joint committee would be extremely helpful in recommending that research be done into the relationship between delinquency and mass media, because this really is an area in which there are sharp and divergent opinions by all sincere people.

Senator KEFAUVER. Well, as far as I am concerned, we have had a lot of testimony by very eminent authorities on that subject, and I don't think that—the more I get into this juvenile delinquency problem, the more convinced I am that there are so many, many reasons. What might be a reason in one case would not be a reason in another. Different environment would affect different people in different ways. But certainly certain types of pornographic literature, certain crime and horror comics, according to the great weight of the evidence, some violence and brutality on television, some suggestive brutality in some movies, maybe don't cause delinquency but maybe in an unstable kid they give him a little push along the road. It might be the trigger.

We have had an awful lot of evidence on it, and I hope you will get our hearings and read them. Thank you for your statement.

Mr. JACOBS. Thank you.

Chairman KEFAUVER. We are going to adjourn shortly, but before I do, I had a letter a little while ago from Mrs. Alice Good. It says:

MR. SENATOR. In the interest of good citizenship, will you please ask the audience if they would join me in an informal meeting or two to determine if we can form a permanent group which will continue to explore delinquency. Our purpose will be to try to formulate some constructive ideas which will benefit the community and channel these ideas through existing organizations.

It is signed, "Mrs. Alice Good."

We are glad to have people who are interested in calling the citizens meetings for purposes of that sort. I understand Mrs. Good is a highly respected lady, and if any one would like to stay here and meet with her after we adjourn, the custodian of the building and the officers have been so kind about it, I am sure they will cooperate with you.

Mrs. Good, will you stand up and tell us your name, I mean who you are?

Mrs. ALICE GOOD. Well, I am really a very ordinary person. I am not anybody of great importance, and I am sorry to say that I haven't given these things much attention in most of my life. I happened to have been brought up in an environment where the political situation was pretty rank, and I turned my back on all types of political interests and I have just made myself happy with my own interests, but of recent years I couldn't help but be attracted by conditions and the circumstances of our living, and in fact, any ordinarily intelligent person couldn't help being attracted to it.

Chairman KEFAUVER. Well, Mrs. Good you are just a good housewife and citizen who wants to generate some activity and interest in helping out children with a lot of their problems and create an interest in it, and I think that is a very noble purpose, and I hope that some of these good people will stay and meet with you.

Mr. ROBERT L. LOUCKS. Did I understand you are going to adjourn?

Chairman KEFAUVER. Yes, we are about to adjourn.

Mr. LOUCKS. I would like to be heard. I have been trying to get in contact for about 10 days.

Chairman KEFAUVER. Well, I have considered the matter you want to talk about and I don't exactly see the relation to this subject matter here. It is a pretty general subject matter you have, Mr. Loucks.

Mr. LOUCKS. It is the point on that relationship.

Chairman KEFAUVER. Well, if you want to call a meeting of your own——

Mr. LOUCKS. If I want to what?

Chairman KEFAUVER. Well, all right. We will give you about 2 minutes. What is it you want to say?

Mr. LOUCKS. Two minutes? Can an American citizen present his opinion in 2 minutes?

Chairman KEFAUVER. But we are talking about juvenile delinquency.

Mr. LOUCKS. I am talking about juvenile delinquency and what is back of it. I am talking about that relationship.

Chairman KEFAUVER. I understood you had some constitutional amendments.

MR. LOUCKS. I have some amendments, and I have the ways and means. I have charts and compasses that will assist your committee on the one hand, and for an understanding that will help the industry on the other. It will harmonize the whole thing in accordance with the United States Constitution construction, and I happen to be a lawyer and retired attorney and student of fraternal law all my life. I'd like to present some of those laws that I have found in the Constitution of the United States, in our Bill of Rights.

Chairman KEFAUVER. Well, now, what is the law that you want to present? You are Mr. Robert G. L. Loucks, L-o-u-c-k-s.

Mr. LOUCKS. Yes.

Chairman KEFAUVER. I have asked you to explain all of this to one of our counsel, and he didn't think it related to juvenile delinquency.

Mr. LOUCKS. I just gave him a summary. I didn't explain all of it. I didn't get started with your counsel.

Chairman KEFAUVER. Well, if you couldn't explain it to our counsel, I don't know how you could here, I mean how we are going to be able to give you time to explain it here.

Mr. LOUCKS. I'd like to get acquainted with you first to find out the scope of what I am trying to give you. I'm trying to present some constitutional points that will help you on juvenile delinquency and like to present some of those laws that I have found in the Constitution and the Bill of Rights doesn't mean that it is going to interfere with the problem of juvenile delinquency or the solution of it. It is a solution to the problem of building character and manhood under the Constitution. It's a process, a ways and means that will help you. It will help the United States Supreme Court in getting these ways and means and the procedure started, and to give us more light and enlightenment.

Chairman KEFAUVER. Well, I'll tell you, Mr. Loucks, ordinarily I have our counsel or associates talk with witnesses who want to present some viewpoint, but you are so sincere and you have been so patient, after we adjourn this afternoon you go with me back to a little office, and I'll look over what you have got to present.

Mr. LOUCKS. I have been wanting to meet you, Senator, for a long time.

Chairman KEFAUVER. All right, sir.

Mr. LOUCKS. But I'd like to get it in the record. I want a petition to the United States Congress in the three departments. I want to make a motion in accordance with a recent decision in the United States Supreme Court in the Negro segregation cases presenting these problems back to local government and recognizing them as important, because that is the place of the origin, the place where the trouble started, where the trouble is. It is right here, and they say that the United States district court has prescribed rules and regulations and procedures to carry out the instruction, instead of having all of these run arounds, and these meetings; let the Congress of the United States, the three departments jointly and severally do it. I'll give you this to start with: They are obligated to uphold and protect the Constitution of the United States. All right, let those three departments get together jointly and severally and adopt the rules and regulations and the procedures.

Chairman KEFAUVER. Yes, sir. Well, now, Mr. Loucks—

Mr. LOUCKS. Not one department.

Chairman KEFAUVER. Just a minute, sir.

Mr. LOUCKS. Now, how about that?

Chairman KEFAUVER. Well, you are getting on to something that doesn't pertain immediately to juvenile delinquency and that is the subject matter of our hearing here. But you have a seat, and when we get through—

Mr. LOUCKS. That goes right to the protecting of the American home.

Chairman KEFAUVER. I don't want to interrupt you, but if you will have a seat, I will go over it with you—

Mr. LOUCKS. You don't give me a chance to be heard, and I have been trying for 10 days to get to you, Senator. You don't understand me.

Chairman KEFAUVER. Yes, Mr. Loucks, but I don't find that what you have to present pertains to the subject matter of our hearing, but when we adjourn here, I will go into it with you personally.

Mr. LOUCKS. Well, listen—

Chairman KEFAUVER. I will ask you to take your seat now.

Mr. LOUCKS. One sentence more.

Chairman KEFAUVER. No, sir. No, Mr. Loucks—

Mr. LOUCKS. Under the Constitution, I am asking for that insurance and that security.

Chairman KEFAUVER. I will ask you to take your seat now, Mr. Loucks—

Mr. LOUCKS. For domestic tranquillity.

Chairman KEFAUVER. You take your seat.

Mr. LOUCKS. I have got the insurance and the security record when you want it.

Chairman KEFAUVER. I asked you to take your seat, Mr. Loucks.

Mr. LOUCKS. We have been shut off now for—

Chairman KEFAUVER. Mr. Loucks, we are going—

Mr. LOUCKS. We have been shut off here for 50 years. I'm anxious about this, that's all. I am an American citizen, and I want the constitution enforced for security and security insurance for domestic tranquillity, and if they perform their duty in Washington, with proper procedures we will have an American home.

Chairman KEFAUVER. I am the chairman of this subcommittee, and I have asked you to take your seat.

I would like to insert into the record at this point two communications received by the subcommittee in answer to a letter of inquiry regarding the movie investigation. One is from the Joint Estimate of Current Entertainment Films and the other is from the National Legion of Decency.

(The documents referred to were marked "Exhibits Nos. 13 and 14," and read as follows:)

EXHIBIT No. 13

JOINT ESTIMATES OF CURRENT ENTERTAINMENT FILMS.

New York, N. Y., June 10, 1955.

Senator ESTES KEFAUVER,

*United States Senate, Juvenile Delinquency Committee,
Los Angeles, Calif.*

GENTLEMEN: In response to your inquiry of June 2, 1955, we are unable to volunteer as witnesses before your committee because of the travel involved.

This board, composed of representatives of 13 national organizations whose combined membership totals 40 million Americans, reviews those 35-millimeter feature-length entertainment films intended for widespread distribution in the United States. This voluntary work consists of screening, appraising, and classifying each film as to audience suitability. The frank and unbiased reviews are distributed gratis, upon request, to schools, colleges, libraries, churches, club groups, local newspapers, radio stations, and motion-picture exhibitors.

Over the past several years, this board has been well aware of the alarming rise in the incidence of juvenile delinquency. We are also aware of the pervasive and worldwide climate of violence which has found increasing expression in contemporary novels, plays, motion pictures, comic books, radio, and TV, and in the public press. Regarding the possible influence of any one medium or another on present or potential juvenile delinquents, we are in accord with the findings of Secretary Hobby's Special Conference on Juvenile Delinquency, June 1954, which stressed the home and the child's individual environment as the real roots of such delinquency. We also believe that in the maladjusted child any item of his or her experience, either real or vicarious, may suggest antisocial or illegal actions.

With regard to your specific question concerning the presentation of illicit sex in motion pictures, we have found that such situations are implied rather than shown or verbalized; we believe that they would not necessarily affect adolescents. However, we have been concerned with the increase of sex suggestiveness in recent films.

During the last year there has been a definite increase in the number of crime films as well as films with specific instances of unnecessary violence. We fully realize and accept the fact that in action, war, adventure, or historical films, violence is an inevitable ingredient. We must see the enemies biting the dust, the villains coming to a bad end; these are obligatory scenes. But now, in such films, we have not 1 or 2 villains, but a whole score, all of whom come to bad ends, so that the amount of footage devoted to violence has increased.

Secondly, the kind of violence shown has assumed many new forms. Instead of a swift bullet disposing of the malefactor, he meets his end in a variety of fashions, either shown or implied. Similarly, almost all heroes are now required to prove their courage and stamina by prolonged brutal fights or semilethal exhibitions of jujitsu. Although each single episode of violence may conform to the restrictions of the Production Code, we feel that the cumulative effect is often an overdose of mayhem.

Finally, we feel that present-day scenes of violence exercise enormously increased audience impact because of the technical advances in photography and projection. Vividly lifelike color, giant screens, and stereophonic sound accentuate such scenes so that they frequently become overpowering. Since January 1955, this committee has been cooperating with Mr. Shurlock, director of the Production Code, at his request, in advising him of specific scenes in specific pictures, which, in our opinion, contain excessive brutality or unnecessary violence.

At this point, we wish to go on record once again as opposing censorship of any of the mass media whether by Federal, State, or local ordinance, as being thoroughly undemocratic. On the other hand, we feel that the mass media of communication must not confuse freedom with license; they must exercise due responsibility for the type of material which they present to the public.

While affirming our support of the principle of self-regulation, we do, however, urge that the motion-picture companies uphold the spirit as well as the letter of

the Production Code so that motion pictures may accurately reflect and reenforce our traditional American culture.

Very truly yours,

Film Estimate Board of National Organizations: Ada Comerford, American Association of University Women; Rose Marie Alexander, American Jewish Committee; Marilla Waite Freeman, American Library Association; Lillian A. Lilly, Children's Film Library; Dorothy Grover Cooper, Daughters of the American Revolution; Sigmund Spaeth, National Federation of Music Clubs; Charlotte Baruth, General Federation of Women's Clubs; Alvina E. Murphy, Girl Scouts of the U. S. A.; Louise S. Walker, National Congress of Parents and Teachers; Golda E. Bader, Protestant Motion Picture Council, United Church Women; Clara Edwards, National Council of Women of the U. S. A.; Marie Hamilton, Schools Motion Picture Committee.

EXHIBIT No. 14

NATIONAL LEGION OF DECENCY,
New York, N. Y., June 7, 1955.

HON. ESTES KEFAUVER,

Chairman, Committee on the Judiciary.

Subcommittee To Investigate Juvenile Delinquency.

Los Angeles, Calif.

DEAR SENATOR KEFAUVER: Pursuant to your recent correspondence, we are enclosing a breakdown, statistically, of those pictures found either objectionable in part or completely objectionable from October 1953 to October 1954 and from October 1954 to June 1955.

We are also forwarding, Your Honor, the comparative statistics on feature pictures reviewed and classified by the Legion of Decency since 1938.

I trust that Your Honor will find this breakdown sufficiently self-explanatory to answer the questions which you have posed in your recent letter.

With best personal wishes, I remain,

Sincerely yours,

REV. THOMAS F. LITTLE,
Executive Secretary.

Comparative statistics on feature pictures reviewed and classified

	Class A-I		Class A-II		Class B		Class C		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
(1).....	780	61	380	30	98	8	13	1	1,271
1938.....	332	62	164	31	32	6	5	1	535
1939.....	312	54	200	35	50	9	9	1.67	573
1940.....	271	50	210	39	47	9	10	2	539
1941.....	267	51.25	197	37.81	50	9.6	7	1.34	521
1942.....	271	51.13	202	38.11	51	9.62	5	.95	530
1943.....	229	52.16	151	34.40	55	12.53	4	.91	439
1944.....	191	44.52	184	42.89	51	11.89	3	.70	429
1945.....	143	38.1	189	50.4	43	11.5	0	0	375
1946.....	155	39.64	176	45.01	60	15.35	0	0	391
1947.....	195	44.32	172	39.09	70	15.91	3	.68	440
1948.....	174	38.58	188	41.69	82	18.18	7	1.55	451
1949.....	193	41.33	165	35.33	96	20.56	13	2.78	467
1950.....	179	39	169	36.82	103	22.44	8	1.74	459
1951 ²	148	33.49	195	44.12	85	19.23	14	3.16	442
1952 ³	182	40.81	172	38.56	78	17.49	14	3.14	446
1953.....	148	38.6	142	37.1	89	23.2	4	1.1	383
1954.....	138	39.20	127	36.08	78	22.16	9	2.56	352

¹ The comparative statistics of the Legion of Decency date from February 1936. 1st period covers films reviewed from February 1936 to November 1937. From 1938 through 1950 periods are based on films reviewed from November to November.

² This period covers films reviewed from November 1950 to October 1951.

³ As of 1952 periods run from October to October.

Comparative statistics on domestic and foreign feature pictures

DOMESTIC

	Class A-I		Class A-II		Class B		Class C		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
1948.....	162	44.14	152	41.42	52	14.17	1	0.27	367
1949.....	177	45.62	139	35.82	69	17.78	3	.78	388
1950.....	171	42.54	150	37.31	79	19.65	2	.50	402
1951.....	136	37.26	162	44.38	66	18.08	1	.27	365
1952.....	164	44.33	141	38.11	64	17.29	1	.27	370
1953.....	140	41.67	124	36.90	71	21.13	1	.30	336
1954.....	120	43.01	101	36.13	56	20.07	2	.72	279

FOREIGN

	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Total
1948.....	12	14.29	36	42.86	30	35.71	6	7.14	84
1949.....	16	20.25	26	32.91	27	34.18	10	12.66	79
1950.....	8	14.03	19	33.33	24	42.11	6	10.53	57
1951.....	12	15.58	33	42.86	19	24.68	13	16.88	77
1952.....	18	23.68	31	40.79	14	18.42	13	17.11	76
1953.....	8	17.02	18	38.30	18	38.30	3	6.38	47
1954.....	18	24.66	26	35.62	22	30.14	7	9.59	73

In appraising the moral status and trend of motion pictures, statistics alone do not provide adequate and reliable measurement. Statistics should be considered in conjunction with other factors such as the kind and amount of objectionableness in a film rated in any given objectionable or condemned category. The evaluation of the situation must be based on qualitative and quantitative consideration as well as the popularity potentiality of the subject, together with its thematic character.

Tabulation of films according to distributor

Distributor	A-I	A-II	B	C
Miscellaneous.....	9	8	9	4
Allied Artists.....	16	11	0	0
Columbia.....	8	18	8	0
Disney.....	7	0	0	0
Mayer-Kingsley.....	5	3	0	1
IFE Releasing Corp.....	1	13	11	3
MGM.....	12	8	6	0
Paramount.....	4	8	7	0
Republic.....	8	6	2	0
RKO.....	5	1	7	1
20th Century-Fox.....	9	9	7	0
United Artists.....	25	21	11	0
Universal-International.....	17	12	6	0
Warners.....	12	9	4	0

Period of time	AI	AII	B	C	Total
October 1953-October 1954.....	138	127	78	9	352
October 1954-June 1955.....	67	73	79	9	228

Objections for B pictures

DOMESTIC

	October 1953-54	October 1954-June 1955
Suggestiveness in—		
Song.....	2	0
Situations ¹	23	25
Situation ²	0	1
Dances.....	5	8
Costuming.....	19	30
Sequence ²	11	10
Sequences ¹	0	11
Dialogue.....	10	15
Tends to degrade dignity of marriage.....	0	1
Light treatment of marriage.....	9	5
Reflects the acceptability of divorce.....	7	6
Tends to condone immoral, illicit actions.....	7	8
Suicide in plot solution or sympathetically portrayed.....	2	2
Material seriously offends Christian and traditional standards of morality and decency.....	1	0
Methods of crime too minutely detailed.....	1	2
Excessive brutality.....	7	17
Low moral tone.....	12	13
Tends to arouse sympathy for wrongdoing.....	3	1
Insufficient moral compensation.....	2	0
Offensive sequence.....	1	0
Misrepresents or ridicules religion.....	0	2
Tends to glorify crime and criminals.....	0	1
Undue sympathy for immoral actions.....	0	3
Tends to arouse disrespect for law and order.....	0	4
Taking the law into one's own hands.....	0	1
Light treatment of the virtue of purity.....	0	2

¹ Multiple offense.² Single offense.*Objections for C pictures*

FOREIGN

	October 1953-54	October 1954-June 1955
Suggestiveness in—		
Situations.....	3	2
Costuming.....	3	2
Sequence.....	2	0
Dialogue.....	1	2
Tends to condone immoral, illicit actions.....	3	3
Contains material offensive to religion.....	2	0
Suicide in plot solution or sympathetically portrayed.....	1	0
Material morally unsuitable for entertainment motion-picture theaters or audiences.....	4	0
Offends Christian and traditional standards of morality and decency.....	4	4
Disrespect for the virtue of purity.....	0	1
Sympathetic treatment of divorce.....	0	1

DOMESTIC

Suggestiveness in—		
Dances.....	0	1
Costuming.....	1	1
Dialogue.....	1	0
Situations.....	0	0
Offensive to Christian and traditional standards of morality and decency.....	2	4
Contains grossly obscene and indecent action.....	1	0
Contains material capable of grave evil influence.....	1	0
Material morally unsuitable for entertainment motion-picture theaters or audiences.....	1	3
Disrespect for the virtue of purity.....	0	2

EXPLANATION OF LEGION CLASSIFICATIONS

A-I: Morally unobjectionably for general patronage.—These films are considered to contain no material which would be morally dangerous to the average motion-picture audience, adults and children alike.

A-II: Morally unobjectionable for adults.—These are films which in themselves are morally harmless but which, because of subject matter or treatment, require maturity and experience if one is to witness them without danger of moral harm. While no definite age limit can be established for this group, the judgement of parents, pastors and teachers would be helpful in determining the decision in individual cases.

B: Morally objectionable in part for all.—Films in this category are considered to contain elements dangerous to Christian morals or moral standards.

C: Condemned.—Condemned films are considered to be those which because of theme or treatment are what has been described by the Holy Father as "positively bad."

Separate classification.—A separate classification is given to certain films which, while not morally offensive, require some analysis and explanation as a protection to the uninformed against wrong interpretations and false conclusions.

Chairman KEFAUVER. We will recess until 9:30 in the morning. We hope to get through about 12:30.

(Whereupon at 5 p. m., Friday, June 17, 1955, the subcommittee recessed to reconvene at open session at 9:30 a. m., Saturday, June 18, 1955.)

JUVENILE DELINQUENCY (Motion Pictures)

SATURDAY, JUNE 18, 1955

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON THE JUDICIARY
TO INVESTIGATE JUVENILE DELINQUENCY,
Los Angeles, Calif.

The subcommittee met, pursuant to recess, at 9:40 a. m., at room 518, United States Postoffice and Courthouse Building, Los Angeles, Calif., Senator Estes Kefauver presiding.

Present: Senator Kefauver.

Also present: James H. Bobo, counsel; and William Haddad and Carl Perian, consultants.

Chairman KEFAUVER. Before we proceed with the chief matter of obscene and pornographic materials this morning, Mr. Max Gilford was to have appeared yesterday, and we excused him until this morning.

Mr. GILFORD, you come around. I am glad to see you again this morning.

Mr. GILFORD. Thank you, Senator. Good morning.

STATEMENT OF MAX M. GILFORD, GENERAL COUNSEL, NATIONAL SOCIETY OF TELEVISION PRODUCERS, LOS ANGELES, CALIF.

Chairman KEFAUVER. Mr. Gilford, you have a statement written out. Suppose you file your statement. We will treat it as read, and you summarize briefly just the points that—let me have a copy.

Mr. GILFORD. Yes.

Chairman KEFAUVER. Oh, here it is.

Mr. Gilford, first will you identify yourself? You are the attorney for the National Society of Television Producers?

Mr. GILFORD. That is correct. I am general counsel for the National Society of Television Producers; and, as I stated, I have been an attorney for 26 years and in the motion picture industry for about 20, and have also acted as a feature motion picture producer and television producer.

I appreciate the opportunity of presenting the viewpoint of the independent television producer so that the television industry will have some representation before this committee, and so that the committee can get the viewpoint of the independent television producer. I have filed a statement with Mr. Bobo which contains the viewpoints that I feel most of the television producers will believe and follow in. The statement, unfortunately, we didn't have time to have confirmed by the board of directors of the National Society of Television Pro-

ducers or the Alliance of Television Producers. I might summarize and say that we feel that we have done everything possible in the television field to keep the television pictures in accordance with the code. The National Society of Television Producers has a code and, of course, you know that the Motion Picture Producers Association has a code. Even though the television producers do not have an enforcement organization to enforce any code provisions, I believe that between the producers, the advertising agency, the directors, and those connected with the technical phases, in every way and at all times attempt is made to follow the code provisions and see to it that television motion pictures keep up a very high moral standard.

I do think that some of the complaints that you have received regarding television pictures probably are the western type of picture, wherein and whereby in the pictures there are some shootings and the heavy, as we call him, is done away with. Now, I don't think that that has affected juvenile delinquency in any way, because that can be shown by the merchandisers. The merchandisers will tell you that children buy the suits or replicas or assemblies of the hero, and that is true from the days of Hopalong Cassidy to Davy Crockett. They don't try to emulate the heavy or the evil men.

I also believe that most of your complaints that have arisen in television are because of the fact that in television in the past, in order to use up the time and in order to take care of the time that was available, many of the exhibitors, distributors, networks, and independent stations have purchased films, theatrical films, for release over television. It is to be noted that these films were made at a time when television was never thought of nor was it ever thought that these pictures would be telecasted over a television station. Therefore, they do not have the view point of television production. Consequently, in those films probably they have violence and things of that nature, which when shown over television—and the impact is therefore much greater than in motion pictures—much complaint has arisen and has come to the attention of this committee.

Now, in conclusion, as you will find in the statements, we have attempted to distribute our code to most of the television producers. We have asked them to conduct themselves on a voluntary basis; and as it has been said here before, I think the sponsor is a terrific administrator of a voluntary code himself and doesn't want anything disseminated over television wherein and whereby the show might reflect upon his product. We have done, because of all of those things, a pretty good job; but I say in the end that if for any reason this committee, after its thorough investigation, finds that the voluntary code conduct on the part of the television producers is inadequate, then I would say that—and if you feel that the code should be operated by the television producers on more of a compulsory basis, somewhat similar to the motion picture producers association code and that we should follow through by the seal method, granting seals: then I call to your attention a very important item in television. If 50 percent of the television that is telecasted is on film 12 hours a day, 7 days a week, and motion pictures for television are generally sold on a 39-week cycle, and breakdowns of 13 weeks for each group of films on a particular subject: you would have almost 294 hours of film a week that would have to be reviewed. That is, the teleplays would have to be reviewed by a code administration committee. You can see that the

job there to do that would be almost 20 times greater than the job in supervising the motion picture film by the Motion Picture Production Code Administration Committee. So because of that terrific job it would be a very voluminous and very costly one, and I would suggest that the Government, the Federal Government, subsidize for a period of time the organizations of television production code administration until by the voluntary cooperation of the producers they could between themselves accumulate sufficient funds and operate on a pay-as-you-go basis.

Chairman KEFAUVER. Well, Mr. Gilford, you do feel that some of these shows that were made a long time ago before television was thought of were not intended primarily for juvenile—

Mr. GILFORD. Consumption.

Chairman KEFAUVER. Consumption and audiences; but that since television came along they are being shown late in the afternoon at a time the kids, particularly, view television; and you do feel that there is too much crime and too much shooting and violence in some of those pictures that they have been seeing that were made a long time ago?

Mr. GILFORD. Yes; I agree with you, Senator, that that is very possible; and you realize that as time goes on—I should say here, though, that the major motion picture producers have not let any of their films loose for distribution on television, and you can understand why that is. That is because of the fact that they have to feed their films to motion-picture exhibitors and theaters. Consequently, the accumulation of film that the exhibitors and distributors for television could get were only these old films that were made by independents and were not tied up in the vaults of the major producing companies. Consequently, I think we have something that is also in the future that may help this situation, and that is that eventually television producing companies will make feature-length films for television of an hour length or so, and also the pay-as-you-go plan that is now being investigated by the Federal Communications Commission may be the thing; because I personally believe that if a man wants to buy something, he is entitled to have that privilege. I think eventually that may come about and be a solution, too.

Chairman KEFAUVER. Then, as I understand, your second point is that if you were to have inspection or going over of all the television programs, it would be too big a job for the industry itself and there would have to be some Government subsidy?

Mr. GILFORD. Yes; I think they would need assistance. Censorship is not the answer. Self-regulation has proven to be the best means, and if the television industry could get help in that connection, I think then your problem would be completely solved or pretty well solved.

Chairman KEFAUVER. Well, I want to say this personally, speaking in that connection: That I am highly in favor of self-regulation; but I hope that we never get to the point where it becomes a province of the Government to review and quasi-censor television programs. I think the Government's only province, and the only one I would suggest in that connection, would be a consideration of the type of programs when the application for renewal of the license comes before the Federal Communications Commission. I hope the industry doesn't get the idea that the Government is going to take over any responsibility in connection with viewing, and with its self-regulation. Of course, I don't think that is really our province.

Mr. GILFORD. I am certainly glad to hear you say that, Senator. I think you will find that every effort is being made by the Motion Picture Producers Association code administration committee to keep the motion pictures under hand, and I think that if the television producers are given a similar opportunity, you will find that they will cooperate in the same respect. The National Association of Radio and Television Broadcasters Code is doing a fine job. That is the code that the television broadcasters and the networks are affiliated with, and all shows that are played by the networks or are made for the networks by contracted producers make every effort to abide by that particular code. That code is also similar to the Motion Picture Producers Association; so I agree with you, and I know that the television is very pleased to hear you say that self-regulation is the answer and not censorship.

Chairman KEFAUVER. That is the way I feel about it; but I must say, frankly, also I think the television industry has a long way to go, in the first place, to get all of the industry into the self-regulation association; and then we are not actually satisfied with the compliance with the code on the part of some parts of the industry in connection with some of the programs that have been produced. We think that some of them are definitely deleterious to our young people, but we hope that there are signs of headway being made and we hope that progress continues.

Mr. GILFORD. I think you will find it that way. I appreciate the opportunity of presenting the television viewpoint.

Chairman KEFAUVER. Thank you very much, Mr. Gilford.

Mr. GILFORD. All right. Goodby.

(The subcommittee concluded its hearing on the subject of obscene and pornographic materials.)

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