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WORK IT OUT — Group of youths arrested for disturbances in Whiting, Ind., reports to jail to work out sentence by cleaning up beach park. Sentence was imposed by Judge William Obermiller, who stands at left supervising clean-up detail. — UPI Telephoto

Judge Feels Physical Punishment More Effective Than Jail Terms

Jailing lawbreakers only "festers criminals," the whipping judge of Wilmington, Del., believes.

"All I know is, physical punishment seems to work," the spanking judge of Whiting, Ind., maintains.

"It's a better lesson than just being fined," insists the justice of the peace at Woodstock, Ill., who ordered five teen-agers to remove the trash from along 150 miles of highways.

"They are among a small but growing minority of jurists who are outflanking the constitutional prohibition against "unusual" punishments.

Municipal Judge William Obermiller of Whiting believes there is nothing unlawful about unusual punishment so long as the recipient accepts it willingly. The recipient's other choice is generally a heavy fine or a long jail term.

This summer Obermiller ordered a group of underage drinkers to work off their excess energy scrubbing floors at the Whiting city hall. Teen-agers caught stealing hubcaps were put to work manuring the public library's lawn.

"Last year we had 50 arrests over the 4th of July weekend," Obermiller says. "This year we had one."

"Apparently, the word got around."

In 1962 following a series of arrests at Whiting's Lake Michigan beach, Obermiller ordered public spankings, beach clean-up details, shaving of duck-tail locks, essays on the Constitution and Declaration of Independence; and book reports on the "Decline and Fall of the Roman Empire."

Superior Court Judge Stewart Lynch resurrected a 268-year-old law and sentenced a man to 20 lashes with a cat-o-nine-tails and 25 years in prison for a mugging.

A youth was sentenced to 20 lashes for violating probation for auto theft. Execution of that sentence awaits an appeal to the U.S. Supreme Court.

Lynch says "institutionalism is only to keep bad dogs off the street. It doesn't do any good. I want to punish."

"Somebody should think of the victim, not the criminal."

A like thinker is Justice of the Peace Joe Ritter of Woodstock, Ill., who contends, "Leaving fines on teen-agers only penalizes parents."

Last Christmas, five teen-age boys were hauled before Ritter on charges of beer drinking. He sent them out to collect empty beer cans discarded along highways in McHenry County northwest of Chicago.

Two weeks later, the five returned and presented Ritter with 1,220 empty beer cans.

But their penance was not complete.

Ritter made them sort the beer cans by brand and write essays on "Why teen-agers drink."

Juvenile drinking dwindled in McHenry County, Ritter said.

In the same rank is Judge Walter G. Tanner of Muncie, Ind., another advocate of razor strap persuasion.

Last spring a 19-year-old youth was brought before Tanner on charges of beating his mother, chasing his sister out of the house, and assaulting a policeman.

Tanner handed the youth's father a leather belt and told him to take his son to another room.

"Pants down, and I want to be able to hear it out here," the judge ordered.

He heard it.

Judges J. Sydney Hoffman of Philadelphia and Anthony Champa of Shelbyville, Ind., believe there is nothing like good, honest labor to deter wrong doing.

Superior Court Judge Champa ordered a 16-year-old ambulance thief to give the ambulance two waxings.

City Court Judge Hoffman gave Arthur J. Brookes, 16, the option of reform school or taking a \$2-an-hour job as a hod carrier.

Hoffman specified that Brookes pay half his wages for the next five years to the family of a printer who lost a foot when he was struck by Brookes' car. Brookes took the job.

A week later, when Brookes proved physically unable to carry heavy bricks, Hoffman agreed to let him take a lower paying job as a car washer — providing he turned over three-fourths of his earnings to the printer.

Hoffman's aim in handling juvenile cases, he said is to "rehabilitate the children and provide some security, some safety and some benefit for the public, too."

County Judge Sid Caillavet of Orange, Tex., considers ridicule an even more effective weapon against juvenile offenses.



JUSTICE HANDED OUT — A law officer administers a whipping to a thief in Ohio in the 1931 photo. Recently, some law officers have gone on record as favoring some form of corporal punishment. — UPI Telephoto

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